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decision in that case was 5 to 3. Five members of the Court held one way; three members held the other way. So if the Bricker amendment were adopted, 5 members of the Supreme Court might interpret it in 1 way, while 4 members might say it meant something else. Therefore, what five members say is controlling. That is why the question of the confirmation of this nomination is so important.

Mr. EASTLAND. The Senator is correct. Mr. President, I shall now discuss the Iowa decision, which is reported in 245 Iowa 147, 60 N. W. (2d) 110. The wife of the deceased, Sgt. John Rice, an even-sixteenths Winnabago Indian, entered into a contract with the cemetery for a burial lot. The contract included a clause which stated that "burial privileges accrue only to members of the Caucasian race." A funeral was held, the cemetery refused to have the body lowered into the grave and had it moved from the grave site. Mrs. Rice as a Caucasian, and the cemetery aimed it did not know when the contract was entered into that the husband was eleven-sixteenths Winnabago Indian.

Mrs. Rice filed suit in a district court. The opinion of the lower court was the opinion of the action was originally based upon a breach of contract with allegation of damages based on the humiliation and mental distress occasioned by, first, the removal of the body from the grave site; and, second, a pamphlet published by the cemetery which sought to justify its action. The case was not tried on the merits. On motion both parties for an adjudication on points of law, the district judge ruled for the cemetery and Mrs. Rice appealed.

The Supreme Court of Iowa upheld the findings of the lower court. The district court had held that the United Nations Charter had no effect on the legality or validity of the clause or in the rights of the parties under the contract. The Supreme Court of Iowa upheld this position with the following statement:

1) It will suffice to say that that treaty no application to the private conduct of individual citizens of the United States. It is true a principle was enunciated in that treaty but claims or fears that State laws have been abrogated by the provisions of the Charter of the United Nations, have been discredited by the California and Michigan cases. In *Stacy v. McGhee* (318 Mich. 614, 20 W. 2d 644), a case reviewed by the United States Supreme Court, there was a refusal on constitutional grounds but no criticism of the State court's expression as to the actual law relative to treaties. The Michigan court said: "We do not understand it to be a principle of law that a treaty between sovereign nations is applicable to the contractual rights between citizens of the United States when a determination of those rights is sought in the courts. So far as the instant case is concerned, these pronouncements (art. 88, 89, United Nations Charter) are merely indicative of a desirable social ideal and an objective devoutly to be desired in all well-thinking peoples." With this statement we agree.

Mr. JOHNSON of Texas. I ask unanimous consent that the Senator from Mississippi may yield to me for the purpose of my suggesting the absence of a quorum, with the understanding that following the quorum call and a brief recess in order to receive the Prime Minister of Australia, the Senator from Mississippi will again have the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. 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:

- |               |                 |              |
|---------------|-----------------|--------------|
| Alkhan        | Frear           | McCarthy     |
| Allott        | Fulbright       | McConnell    |
| Anderson      | George          | Millikin     |
| Barkeley      | Goldwater       | Monroney     |
| Barrett       | Gore            | Mundt        |
| Beall         | Green           | Nunally      |
| Bender        | Hayden          | Nealy        |
| Bennett       | Hearings        | Neuberger    |
| Bible         | Hickenlooper    | O'Mahoney    |
| Bricker       | IBM             | Pastore      |
| Bridges       | Holland         | Payne        |
| Bryan         | Hruska          | Forster      |
| Butler        | Humphrey        | Furual       |
| Byrd          | Ives            | Robertson    |
| Capahart      | Jackson         | Russell      |
| Carlson       | Jenner          | Saltzman     |
| Case, N. J.   | Johnson, Tex.   | Schmid       |
| Case, S. Dak. | Johnston, S. C. | Scott        |
| Chavez        | Edwards         | Smithers     |
| Clements      | Herr            | Smith, Maine |
| Cotton        | Kilgore         | Smith, N. J. |
| Curtis        | Knowland        | Sparkman     |
| Daniel        | Kuchel          | Stennis      |
| Dirksen       | Lauger          | Symington    |
| Douglas       | Lehman          | Thurmond     |
| Duff          | Long            | Thye         |
| Dwight        | Magnuson        | Wadkins      |
| Eastland      | Malone          | Wagner       |
| Elliander     | Mansfield       | Wiley        |
| Evins         | Marshall, Iowa  | Williams     |
| Flanders      | Marshall, Pa.   | Young        |

The PRESIDING OFFICER (Mr. Barkley in the chair). A quorum is present.

RECESS

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senate stand in recess, subject to the call of the Chair.

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

Thereupon (at 3 o'clock and 5 minutes p. m.), the Senate took a recess, subject to the call of the Chair.

VISIT TO THE SENATE BY HON. ROBERT GORDON MENZIES, PRIME MINISTER OF AUSTRALIA

The VICE PRESIDENT. The Senate will be in order. The Chair appoints the majority leader, the Senator from Texas (Mr. Johnson) and the minority leader, the Senator from California (Mr. Knowland), as a committee to escort the Prime Minister of Australia into the Chamber.

The Honorable Robert Gordon Menzies, Prime Minister of Australia, escorted by the committee appointed by the Vice President, entered the Chamber and took the seat assigned to him immediately in front of the Vice President.

The VICE PRESIDENT. Members of the Senate, it is my great privilege to

present to you the Prime Minister of Australia. [Applause, Senators rising.]

Prime Minister MENZIES. Sir, it is a very remarkable experience for me to be allowed to speak in this place for the second time. As I said somewhere else about a similar matter, it is rather flattering, because the first time the invitation might have been accidental, but the second time it must be deliberate.

I also, sir, remember that on a former occasion when I spoke here in 1950, I felt that I had had a busy day, because, in my innocence, I thought I would make one speech; but then I discovered, still in my innocence, that I would have to make two. And then I was taken off by Senator Connally to a luncheon of the Foreign Affairs and/or Foreign Relations Committee, and I found I had to make three speeches.

But, sir, I welcome this opportunity, not because I want to inflict a speech upon Senators, but because I think it affords a splendid occasion to say to the Senate of the United States something from Australia.

I do not suppose that any parliamentary assembly in the world has had such responsibilities to carry in the past 10 years as has this one. You have had the privilege and the responsibility of accepting toward other portions of the free world the most remarkable obligations; and to accept those, you have had to exhibit a willingness to place burdens—heavy burdens—on your own people. I am politician enough, after all my years of politics, to know that is not the easiest thing in the world. But you have done it.

One of the astonishing things, one of the cynical things, perhaps, in the world is that every now and then there are encountered people who have received benefits who rather resent it, who rather resent having some feeling of obligation to someone else. That must, as it comes back to you occasionally, make you feel somewhat irritated. But I should like to say, on behalf of Australia, that we have nothing but admiration, nothing but gratitude, for the magnificent magnanimity and leadership which you have given to the world. [Applause.]

Sir, there is one other thing I should like to say: We are free people. We engage in political conflicts. From a close perusal of the newspapers in the past few days, I have gathered that they are not unknown, even here. [Laughter.] But we in Australia carry them on with what Winston Churchill once described as a fine 18th century fervor; and your politicians, too, can strike blows and receive blows with gusto. But the point about it all is that we do all these things within the framework of freedom; and because we attach importance to that freedom, it is of the essence that we look around the world so that we may have great friends or small friends in the defense of freedom, in the defense of the right to disagree without execution. [Applause.]

In the case of Australia, we have great friends. We are, in terms of population, a small country—as small as you once were—and with a continent in front of us to develop somewhat larger than your own. Therefore, no one else is so well

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fitted to understand us and our aspirations and our problems as you are, for in the course of your own national history you have solved your problems, and now find yourselves in a position where not only is the world affected by what you do or say, but in a large degree the free world depends vitally upon you. The day will no doubt come when some other, some future Prime Minister of Australia, may stand in this very room and find himself speaking, not for 9 million people, but for 50 million; and provided they are free people and sound people, he will be able to come here as a friend and meet friends.

One thing, however, disturbs me, and I hope I do not trespass too much on the hospitality of your time. The enemy—I shall not need define that expression with any more precision—has a superb technique of divide and conquer. The enemy is very astute to seize upon every point of difference among the governments of free countries, and magnify them from being points of difference into being vast areas of conflict, hoping that in that way he will produce misunderstandings, produce divisions, induce some great government to adopt irrevocably a policy unacceptable to another great government, so that we will be divided at the very time when we ought to be in a state of unity. I am constantly saying to other people and to myself, "We must watch this. We must keep our friendships in repair. We must not allow them to be destroyed or dissipated by this technique of divide and conquer." I believe that the points of difference among the free peoples of the world are trivial—so trivial that I will venture to say, not for the first time, that if we were contemplating—as we all are, but hoping to avoid it, of course, by honorable means—if we were contemplating a great world war in the defense of freedom, you would know, I would know, everyone in Great Britain would know, all around the free world we would know, that we would all be in it together.

Sir, that is the vital fact; and if we know, if we believe, that we must all stand together if we come to that challenge, then I think we should conduct all our discussions on the footing that if we are to be together, we must be together as tolerant, understanding friends, so that our differences, when looked at, may be dissipated, and the marvelous, underlying unities emphasized.

Now, sir, with your permission, one final observation. I said something about the Communist technique of divide and conquer. No more subtle propaganda is going on in the world today—we hear it, you hear it, all around the free world in my travels I have heard it—than propaganda against the United States of America—because in all these matters, as you know, you are regarded as the chief offender. Thank heaven you exist; but you are regarded as the chief offender. The Communists say, "What are they doing? They are propounding up some outworn regime, some discredited government." I hear this everywhere; and I find it necessary to say to people, and I think we shall all find it necessary to say to people, "Put that nonsense out of your minds. What

we are defending in our various countries and under our various agreements is not some man, not some government, but the freedom of the people of that country. If they are to change their government, they must be allowed to change it in their own way. If they are to adopt new philosophies, they must adopt them in their own way. But we are not going to accept a position in which, by force from without, these people are converted into being the slaves of some new tyranny. It is freedom for which we stand—not some man or some administration."

I think that needs to be known, needs to be preached, and needs to be clearly understood all over the world.

Sir, so far as we in Australia are concerned—British as we are, and proud member of the British Commonwealth as we are—we have with your great country, as a result of war, as well as of peace, a tie which I believe to be unbreakable; a profound sense of gratitude for all you have so splendidly done for the world; and—if I may add it, sir—a degree of affectionate, simple understanding which I do not believe can be surpassed between any two countries of the world. [Prolonged applause, Senators rising.]

The VICE PRESIDENT. The Chair recognizes the majority leader [Mr. JOHNSON of Texas] to respond on behalf of the majority to the remarks of the Prime Minister.

Mr. JOHNSON of Texas. Mr. President, Mr. Prime Minister, and my colleagues in the Senate, it is a very great pleasure to welcome to this historic Chamber today a great leader of a valiant ally in World War II. Australians endeared themselves to all Americans when they received our boys in the dark days, the early days of World War II, on their land and in their homes, and when they stood side by side with them in fighting a ruthless foe.

Mr. Prime Minister, we are grateful for your stimulating and inspiring statements to us. We hope that you may enjoy your visit to our country. We all are looking forward to another visit with you.

If a personal reference may be pardoned, I had the very great pleasure of spending the first 4 or 5 months of World War II in your country, and on an island adjoining your country. I always felt that if I could not return to Texas, I knew where I wanted to go. That was Australia.

We hope you will say to your people that we appreciate their friendship. We realize that in unity there is strength, and so far as Australia and America are concerned, we know that the bonds of unity bind us together. [Applause.]

The VICE PRESIDENT. The minority leader [Mr. KNOWLAND] is recognized to respond for the minority.

Mr. KNOWLAND. Mr. President, Mr. Prime Minister, and my colleagues: I think you can see, Sir, by the warmth of the greeting which comes to you from both sides of the aisle, that your welcome here is indeed bipartisan in character, and represents the feeling not only of the Members of this body, but also of the American people as a whole.

You have mentioned the close ties which bind our two Nations together. We welcome you as the representative of a great people and a great government from "Down Under." In the early days of our own life as a free nation we had an expression, a sentiment was uttered to the effect that we would either hang together or we would hang separately. I believe that is meeting the challenge which confronts the free world today, the nations which believe in human freedom—nations in the far Pacific, in Europe, in the Middle East, and in the Americas—must recognize that in facing the menace of global communism we all must hang together or hang separately. I think we shall find no stouter ally than the great people of Australia and the British Commonwealth. I hope that our ties of friendship may endure for a thousand years. [Applause.]

The VICE PRESIDENT. The Chair knows that Members of the Senate would like to meet the Prime Minister personally, and opportunity will be afforded for them to do so.

The Chair would like to state that a little more than a year ago it was his privilege to visit the Parliament in Canberra and to be entertained at a parliamentary luncheon.

Many ties bind together the people of Australia and those of the United States. One of those, which is the strongest, is our common belief in the parliamentary system of government. However, there are some differences. Today we had the privilege of hearing the Prime Minister of Australia speak. I had the privilege of hearing him participate in the question period in Parliament. I wish our rules were such that we could observe him under questioning from Members of this body. I assure Senators that he responds to questions with an aptitude which is worthy of praise.

Senators who wish personally to greet the Prime Minister, and perhaps put questions to him privately, may do so at this time.

The Prime Minister of Australia advanced to the area in front of the Vice President's desk, accompanied by Mr. JOHNSON of Texas and Mr. KNOWLAND, and was greeted by Members of the Senate as they were introduced to him.

The Prime Minister of Australia and the distinguished visitors accompanying him were then escorted from the Chamber.

At 3 o'clock and 30 minutes p. m., the Senate reassembled, in executive session, when called to order by the Presiding Officer (Mr. BURG in the chair).

## MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. CHAFFIN, its reading clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 4259) to provide a 1-year extension of the existing corporate normal-tax rate and of certain existing excise-tax rates, and to provide a \$20 credit against the individual income tax for each personal exemption; asked a conference with the Senate on the disagreeing votes of the 2 Houses

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DESIGNATION OF ESCORT COMMITTEE

The SPEAKER. The Chair appoints as members on the part of the House, to escort our distinguished visitor to the Chamber, the gentleman from Massachusetts (Mr. McCORMACK), the gentleman from Massachusetts (Mr. MARTIN), the gentleman from South Carolina (Mr. RICHARDS), and the gentleman from Ohio (Mr. VOYTS).

The House will stand in recess subject to the call of the Chair.

RECESS

Accordingly (at 3 o'clock and 12 minutes p. m.), the House stood in recess, subject to the call of the Chair.

During the recess, the following occurred:

VISIT OF RIGHT HONORABLE ROBERT GORDON MENZIES

The Doorkeeper announced the Right Honorable Robert Gordon Menzies, Prime Minister of Australia.

Mr. Menzies, escorted by the committee of Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk. [Applause, the Members rising.]

The SPEAKER. Members of the House of Representatives, it is my great pleasure, and I deem it a high privilege, to be able to present the representative of a great and a proud people of a free Commonwealth, the Prime Minister of Australia. [Applause, the Members rising.]

Mr. MENZIES. Mr. Speaker, it is almost 5 years since I last stood in this place. I shall never forget it. I was escorted in by four powerful-looking Members. There were a lot of lights burning. People were taking pictures and making television. I had gone to great pains to make a few intelligible remarks. I put them down and I found I could not see them. I looked around. I knew there were Members here because I could hear them—but I could not see them. And, apart from my memories, the only souvenir I have is a photograph which shows me leaning forward with my eyes shut and Speaker RAYBURN leaning back with his eyes shut. [Laughter.]

But, sir, I would not have you think that that was the only memory I really carried away with me because a parliamentary assemblage has one supreme honor within its gift and that is to invite some representative of another country to be present, to which honor you, with infinite courtesy in this somewhat silent land, add the privilege of making a speech, which I am bound to tell you is something we have so far resisted in Australia. But for a representative of Australia to be here twice is a remarkable experience, and I welcome it because for the second time I can perform my true function in this place, and that is the function of speaking as the head of the Government of Australia to a nation which stands so high in the good will and the understanding and the memories of the Australian people.

I am, sir, within the limits of my capacity, a constant exponent of the need for personal contact among peoples of the world, particularly among those who have responsibility. Therefore, I recall with great pleasure the visit of more than one Member of this House and of the Senate to Australia. So much is that the case that this afternoon I have had the fascinating experience of being able to greet quite a few well-known men in this place on terms of old friendship established in my own country.

I very well remember that before the war it was possible to encounter somebody in the United States who did not know where Australia was. A gentleman in San Francisco once assured me that he understood quite plainly it was on the east coast of the United States; a sort of off-shore island. But those days have gone. The war did many terrible things, and it created dangers which have not yet passed, but it did some wonderful things. I do not think anybody will ever be able to estimate the impact upon the Australian mind, and if I may say so, upon yours, of the existence in and around Australia for a long period of time of hundreds of thousands of young Americans. So that wherever we in my party go in the United States now we are bound to meet somebody who says: "I was out there with you," or: "My son was out there with you," or: "My nephew," or as the case may be. And this, I believe, has created a distinctive degree of understanding which, as far as I am concerned, always makes it so easy to get along with the people with whom I have to conduct discussions in the United States. In fact, I regret to tell you, Mr. Speaker, that it makes me feel so much at home that I am liable to speak too long when I am on my feet among people whom I feel to be my friends.

It is a very good thing, sir, if I might engage in a small homily, which is an ill reward for your kindness, it is a very good thing to make new friends in the world, and we must never regard the list as exhausted. We must never give up hope that in time to come we will have reached to the true heart of people who are now unavailable to us through some form of dictatorship, and that we may find some friendship with them. The search for new friends must always go on. But it is just as important to remember that old friends must be kept, and that old friends can easily be lost in this world by neglect or by indifference, by misunderstanding. Our opponent in the world understands that to perfection, and he devotes the bulk of his time in propaganda, in seeking to divide us, seeking to set up points of argument, seeking to establish some misunderstanding and every now and then some hostility between the people of the United States and the people of the British Commonwealth. We must constantly be on our guard against it. I have, and you have, from time to time, in this great country of yours read things so violently antagonistic to the British that I could not conceive that anybody except a Communist imperialist could get any pleasure out of it. I have in

London, or elsewhere, occasionally read tirades about the Americans, and I have had exactly the same feeling. Of course we are grownup people. We are adult nations. You are more adult than we are, because we are not so far along the journey of a developing nation. But we are grownup people, and we can afford in the context of our common freedom and our common understanding to discuss, to argue, to persuade, and refute. All of the things that you can engage in in this House, you engage in under the common enveloping garment of a free democracy, of a free parliamentary system.

It is because of that very freedom, because we take our freedom as a whole for granted in our own countries that we are able to engage in disputes and arguments to our hearts' content. But we know, do we not, that if it comes to the point, all arguments are forgotten. The one thing that comes uppermost is the pride that we have in being one free people in a country of which we are all proud. [Applause.]

I would like to think, sir, that that spirit could pervade the whole of the free world. I would like to feel that in Canberra we could argue with Washington—and we are a fairly argumentative crowd at Canberra—that we could argue with Washington just as London could argue with Washington just as we could all go on arguing with each other, not as if we were liable to become enemies, but on the footing that our friendship is indestructible and we may, therefore, speak frankly—with affectionate frankness—to each other. When that happens and the whole world knows that the people of the free world are not so easily put asunder by Communist propaganda, I believe that will be the most powerful deterrent weapon that the world will have produced, because the enemy is hoping all the time to divide us.

As I have just had the honor to say in another place, we know, do we not, that should this world pass down once more into the valley of a world war, we know, do we not, that we are all together in it.

Does anybody suppose that in such a catastrophe America would go one way and Australia another? Or Great Britain one way and America another? Not for one moment.

If there is one thing of which I have the most complete assurance in my heart and mind it is that in the supreme test we will be found together, just as surely, sir, as American and Australian troops were found together on the Kokoda trail. [Applause.]

If we remember that truth, that end truth... that ultimate truth, which is therefore the dominating truth of our relationship we then merely behave like intelligent men and women. If we determine that as we shall be together in that event, we shall practice being together every month and every year as time goes on, we shall learn more and more to understand each other, and the funny little differences that exist between us. May I, before I resume my seat, sir, mention one thing only? It is worth mentioning. In the United States you have as the head of the Government the President. The President, I admit,

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is not without political problems from time to time, but the President is President for 4 years; and whatever arguments may go on somewhere or other, he is President for 4 years, and therefore, he has a fixed term and, therefore, a degree of executive authority which no Prime Minister of Australia could possibly aspire to have because the Prime Minister of Australia, I regret to tell you, is not elected for any term of office at all; he is here today and he might be gone tomorrow. It might happen.

These things have been known to happen in the past, oddly enough. Therefore, under our system of government, whatever a Prime Minister does must, in the first place, be intimately discussed with his colleagues in cabinet. He is not to commit the government to a view which he does not know he can sustain in his own cabinet. And his cabinet is not going to commit itself to a view that it does not believe it can carry through parliament. Therefore we tend to make all our policies by private discussion in the first place, and we produce the chicken fully fledged from the egg in due course. Sometimes it survives and sometimes it does not. Whereas in the United States of America, because of your system, there is a constant hammering out of public policy in committees and in Congress frequently before the point has been reached at which the policy is crystallized. I am not quarreling with your method. I see great advantages in it and some disadvantages. But what I am pointing out is that these are vastly different methods and that unless we understand the other man's method we may easily misunderstand the significance of something that is going on. Somebody reads a speech made in this House or in the Senate, somebody in Britain, somebody in Australia, and says: "I see that American opinion is so and so." But it may not be. [Applause.]

Sir, I have detained the House and trespass on your patience long enough. I said something about winning new friends, something about the great glories of old friends. I am rather happy to think that I am making my bow to you in this place today as a young friend who happens to be the child of an old friend. I am not at all sure that the children of our old friends are not the most attractive of all. [Applause; the Member rising.]

The SPEAKER. The Chair desires to announce that the Prime Minister will be glad to stand in the well of the House and greet the Members.

The Prime Minister of Australia stood in the well of the House and received Members of the House of Representatives.

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 4 o'clock and 16 minutes p. m.

## PRINTING OF PROCEEDINGS DURING RECESS

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent that the pro-

ceedings that took place during the recess be made a part of the Record. The SPEAKER. Is there objection to the request of the gentleman from Massachusetts? There was no objection.

## PROGRAM FOR REMAINDER OF WEEK

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection. Mr. MCCORMACK. Mr. Speaker, tomorrow there will come up for consideration the donor property bill, in which many Members are interested, and in which there is tremendous interest throughout the country on the part of colleges, universities, and other schools, and hospitals. I do not believe there is any opposition to it, none that I know of, and I am the author of the bill and the chairman of the subcommittee that considered it. It was unanimously reported out by the Committee on Government Operations.

On Friday the supplemental appropriations bill will be taken up.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. MCCORMACK. I yield to the gentleman from Massachusetts.

Mr. MARTIN. A good many Members are going to Aberdeen for some demonstrations the Army is putting on. Will there be any to be a rollcall on Friday that the gentleman knows about?

Mr. MCCORMACK. I know of no opposition to the second supplemental appropriation bill. There is no policy on the part of the leadership on our side, and I am sure none on the gentleman's side, to ask for a rollcall. However, we cannot guarantee that there will be no rollcall, if a quorum is not present and someone at the proper time makes a point of order.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. MCCORMACK. I yield to the gentleman from New York.

Mr. ROONEY. May I point out that in the full Committee on Appropriations consideration of the Supplemental Appropriations bill on yesterday no controversy arose with regard to the provisions of the bill.

Mr. MCCORMACK. If the exception should occur, which I hope it will not, I do not feel that I would be justified in putting over until Tuesday a rollcall on that bill.

## STREAMLINE DISPOSAL OF SURPLUS PROPERTY TO HELP SCHOOLS AND HOSPITALS

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, the main purpose of H. R. 3323 may seem to be

obscured by technicalities, a conflict between law and regulation needs to be resolved. Under one accounting concept, that of the comptroller of the Department of Defense, surplus property that is capitalized into a stock fund, not subject to donation.

As a result, the original intent of Congress to help educational and public health services, has been thwarted. The Department of Defense normally disposes of 80 percent of all excess property.

Under regulation 7420.1 and in order to maintain the capitalization at the highest possible level, the Department of Defense has sold a considerable amount of such property during the last year, often and understandably, for scrap prices. An estimated \$3 billion worth of property, at acquisition cost, will be so this year.

Much of this, which would be useful and needed by educational and public health institutions, is being diverted private and sometimes speculative channels.

On the other hand, the Comptroller General of the United States has stated, as of March 3, 1955, that authority to donate property to beneficiary institutions under H. R. 3323 is also authority for responsible officials to take account of the extent of the impairment to the capitalization caused by the donation.

This, coupled with provisions to insure cooperation, compliance, and control, should speed up the orderly disposal of all surplus property.

Under the desirable property program we want to see real and personal property that is no longer needed by the Federal Government transferred to nonprofit groups that will best serve the taxpayer and the public interest.

For too many years, our educational and public-health institutions have had to defer their needs because of the price claims of the Federal Government on revenues and materials, primarily for national defense.

Our human resources have suffered accordingly.

It is only right and proper that the surplus property of the Federal Government should now be channeled to schools and hospitals and related nonprofit institutions, to repair deficiencies caused in part by the sacrifices we have previously asked of them.

Education and health go hand in hand to form the sturdy citizens who are the Nation's first line of defense.

This will clarify the situation and will make certain that the surplus property paid for by the taxpayers will revert to the use of public welfare agencies and will not be sold at giveaway prices to party profiteers.

Beneficial institutions can use much of this equipment in its original form. Many other items, considered as being strictly of a military nature, may be modified, converted, or cannibalized for high utility for educational and public health purposes.

The Committee on Government Operations received testimony showing that property is sometimes downgraded or comes within the classification of ac-

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