with Kemper or the cotton sales, Ger-
man & Co., had been lost through im-
proper administration by the Alien Prop-
erty Custodian. The increased unclaimed
amounts payables by the German
man debtors on account of the breaches
declared to be due is clearly stated that
the United States bears no moral or legal
sponsibility of the commercial ven-
ture appeared. It would also set an un-
advisable precedent for the use of the
German and Japanese assets destruc-
ted World War II for commercial losses
suffered during peacetime in lieu of their
themselves used for payment of the wartime
personal injury damages suffered by
American nationals.

Accordingly, I am constrained to with-
hold my approval from the bill.


SANITARY DISTRICT OF CHICAGO, H. R. 3300

H. R. 3300. I have withheld my ap-
approval of H. R. 3300, to authorize the
State of Illinois and the Sanitary Dis-
trict of Chicago, under the direction of
the Secretary of the Army, to help con-
trol the lake level of Lake Michigan by
diverting water from Lake Michigan into
the Illinois Waterway.

The bill would authorize the State of
Illinois and the Sanitary District of Chi-
ago, under the supervision and direc-
tion of the Secretary of the Army, to
withdraw from Lake Michigan, in addi-
tion to all domestic pumpage, a total an-
ual average of 1,000 cubic feet of water
per second into the Illinois Waterway
for a period of 3 years. This diversion
would be 14,000 cubic feet per second more
than is presently permitted under a de-
tree by the Court of the United States dated April 21, 1930. The bill
also would direct the Secretary of the
Army to study the effect in the improve-
ment in conditions in the Illinois Water-
way by the increased diversion, and to report to the Congress as to the
results of the study on or before January
31, 1957, with his recommendations as
to discontinuance of the increased diver-
sion authorized.

The bill specifies that the diversion
would be authorized in order to regulate
and promote commerce, to protect, im-
prove, and promote navigation in the
Illinois Waterway and the Mississippi Val-
ley, to help control the lake level, to af-
ford protection to property and shores
along the Great Lakes, and to provide
for a navigable Illinois Waterway. No
mention is made of possible improve-
ment of sanitary conditions or increase
in hydroelectric power generation on the
waterway.

I am unable to approve the bill because
(1) existing diversions are adequate for
navigation on the Illinois Waterway and
Mississippi River; (2) all methods of
control of lake levels and protection of
property and crops should be con-
dered before arbitrarily proceeding with
the proposed increased diversion; (3) the
diversions are authorized with-
out reference to negotiations with Can-
ada, the only country affected, or to any
other State affected by the diversion
may be adversely affected. I wish to
comment briefly on each of these points.

I understand that waterborne traffic
on the Illinois Waterway has grown in the
last 20 years from 200,000 tons to
16 million tons annually. The Corps of
Engineers advises, however, that the ex-
isting diversions of water are adequate
for navigation purposes in the Illinois
Waterway and the Mississippi River.

Surveys are now underway by the In-
ternational Joint Commission and the
Corps of Engineers to determine the best
methods of obtaining regulated control
of the levels of the Great Lakes and of
preventing recurrence of damage along
their shores. Reasonable opportunity to
complete these surveys should be af-
forded before legislative action is under-
taken.

The diversion of waters into and out of
the Great Lakes has historically been
the subject of negotiations with Canada.
To proceed unilaterally in the manner
proposed in H. R. 3300 is not wise policy.
It would be the kind of action to which
we would object if taken by one of our
neighbors. The Canadian Government
protested the proposed authorization
when it was under consideration by the
Congress, and has continued its objec-
tion to this bill in a note to the Depart-
ment of State dated August 24, 1944. It
seems to me that the additional diver-
sion is not of such national importance
as to justify action without regard to
the views of Canada.

Finally, as is clear from the report of
the Senate committee, a major purpose
of the proposal to divert additional water
from Lake Michigan into the Illinois
waterway is to determine whether the in-
creased flow will improve existing ad-
verse water conditions. Officials of
the former German Government with
Lake Michigan are interstate in char-
acter. It would seem to me that a di-
version for the purposes of one State
alone should be authorized only after
general agreement has been reached
among the affected States. Officials
of several States adjoining the Great
Lakes, other than Illinois, have protested
approval of the bill as being contrary to
their interests and not in accord with
the diversion authorized under the 1930
decree of the Supreme Court. Under all
of these circumstances, I have felt that
the bill should be amended.


FEDERAL FOOD, DRUG, AND COSMETIC ACT,
H. R. 9728

H. R. 9728. I have withheld my ap-
approval from H. R. 9728, to revise, codify,
and enact into law title 21 of the United
States Code, entitled "Food, Drugs,
and Cosmetics."

The legislative history of this meas-
ure indicates that it was enacted in the
belief that existing law was sub-
stantially changed by the bill or that no
changes in existing law would be made
which would not meet with substantially
unanimous approval.

Understanding this, this bill makes
one very important substantive change
and casts serious doubts on the status
and interpretation of other statutory
provisions. The most important change
is the deletion from the multiple seizure
powers of the present law the authority
which the Food and Drug Administra-
tion has had for a number of years to
move more than one measure of food,
drugs, and cosmetics, where they bear
identical labeling which is believed
fraudulent or so materially misleading
as to deceive the public or consumer. In
the cases subject to removal of authority
made by the bill, the Food and Drug Administra-

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