

from the Secretary of the Senate, which was read and ordered to lie on the table:

UNITED STATES SENATE,  
OFFICE OF THE SECRETARY,  
June 8, 1956.

To the PRESIDENT OF THE SENATE:

Attached hereto is a sealed envelope from the President of the United States addressed to the President of the Senate of the United States, said to contain a veto message on the joint resolution (S. J. Res. 135) for payment to Crow Indian Tribe for right-of-way for Yellowtail Dam and Reservoir, Hardin unit, Missouri River Basin project, Montana-Wyoming.

In view of the fact that, as shown by the official records of my office, the 10-day period during which the President, under the Constitution, had to act upon the joint resolution will expire at midnight tonight, and the Senate having adjourned on yesterday until Monday next, I received the veto message today at 2:35 p. m., under authority of the decision of the Supreme Court of the United States in the case of *Wright v. United States* (302 U. S. 573) on January 17, 1938.

Respectfully,

FELTON M. JOHNSTON,  
Secretary of the Senate.

**PAYMENT TO CROW INDIAN TRIBE FOR RIGHT-OF-WAY FOR YELLOWTAIL DAM AND RESERVOIR—VETO MESSAGE (S. DOC. NO. 128)**

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying joint resolution, referred to the Committee on Interior and Insular Affairs, and ordered to be printed:

*To the United States Senate:*

I return herewith, without my approval, Senate Joint Resolution 135, for payment to Crow Indian Tribe for right-of-way for Yellowtail Dam and Reservoir, Hardin unit, Missouri River Basin project, Montana-Wyoming.

The joint resolution would pay the Crow Indian Tribe, Montana, \$5 million as "just compensation" for certain tribal lands required for the construction, operation, and maintenance of the Yellowtail Dam and Reservoir. The area of the land comprises 5,677.94 acres and such additional land as the Secretary of the Interior determines to be required for the construction of minimum basic recreational facilities for the accommodation of the public, which it is understood will increase the total area to somewhat more than 6,000 acres.

In essence, this resolution culminates a decade of negotiation and disagreement between the Department of the Interior and the Crow Indians with respect to the amount of compensation to be paid to the tribe for lands required for the Yellowtail Dam and Reservoir, for which the initial construction appropriation was made in the fiscal year 1956 and for which an additional \$10,850,000 was included in the budget for the fiscal year 1957.

The standard of payment for land acquired by the Government is "just compensation," or "fair market value." However, I recognize that, as a matter of policy, the Federal Government has made awards in excess of "just compensation"

in other cases involving Indian lands. If the Congress determines that it wishes to provide for an extra payment in this case, it should not be done under the claim that it is "just compensation." The amount, the method for computing it, and the equitable justification for it, should be clearly established on acceptable premises. Neither the resolution nor the legislative history does this.

According to my information, the acquisition by the United States of the land contemplated will not interfere with the tribal life, except as to a small area used for grazing, and will not displace any of the members of the tribe since the area is not inhabited and consists almost wholly of inaccessible land, largely of bare, precipitous canyon walls. Thus, the only justification for an additional sum over and above "just compensation" arises from the value of the land as a power site. General principles of constitutional law exclude power site values in determining "just compensation" as the Supreme Court recently reiterated in *United States v. Twin City Power Co.*, January 23, 1956.

A statutory settlement of this kind of controversy might be acceptable if soundly and equitably premised and if it reflected a substantial measure of agreement between parties to the dispute. I regret that the extravagant nature of the award contemplated by Senate Joint Resolution 135 requires this action which may cause some additional delay in proceeding with the construction of the Yellowtail unit. It is my hope that the Congress can approve a statutory settlement which will permit expeditious action to proceed with the construction of this much-needed project.

For these reasons, I have withheld my approval from this measure.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, June 7, 1956.

**LEAVE OF ABSENCE**

Mr. PAYNE. Mr. President, I ask unanimous consent that the junior Senator from North Dakota [Mr. YOUNG] be granted leave of absence from the Senate beginning today and extending through Friday of this week.

The PRESIDENT pro tempore. Without objection, leave is granted.

**COMMITTEE MEETINGS DURING SENATE SESSION**

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

On request of Mr. ERVIN, and by unanimous consent, the Interstate and Foreign Commerce Committee was authorized to sit during the session of the Senate today.

**LIMITATION OF DEBATE DURING MORNING HOUR**

Mr. JOHNSON of Texas. Mr. President, since the Senate has met today following an adjournment, of course, under the rule, there will be the usual morn-

ing hour. I ask unanimous consent that there be a limitation of 2 minutes on statements made during the morning hour.

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

**EXECUTIVE COMMUNICATIONS, ETC.**

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

**PLANS FOR WORKS OF IMPROVEMENT ON WATERSHED PROTECTION AND FLOOD PREVENTION**

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on watershed protection and flood prevention (with accompanying papers); to the Committee on Agriculture and Forestry.

**REPORT ON BORROWING AUTHORITY**

A letter from the Director, Office of Defense Mobilization, Executive Office of the President, transmitting, pursuant to law, a report on borrowing authority, for the quarter ended March 31, 1956 (with an accompanying report); to the Committee on Banking and Currency.

**LAWS ENACTED BY THIRD GUAM LEGISLATURE**

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, copies of laws enacted by the Third Guam Legislature, 1956 (second regular session) (with accompanying papers); to the Committee on Interior and Insular Affairs.

**AMENDMENT OF AIR COMMERCE ACT OF 1926, RELATING TO THE SALE OF GOODS AND SERVICES IN CERTAIN CASES**

A letter from the Secretary of the Air Force, transmitting a draft of proposed legislation to amend section 5 of the Air Commerce Act of 1926 to authorize the sale of goods and services by any department or independent establishment to the owner of an aircraft or his agent in an emergency, and for other purposes (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

**DEVELOPMENT, MARKETING, AND DISTRIBUTION OF DOMESTIC FISHERY RESOURCES**

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to encourage the development, marketing, and distribution of domestic fishery resources of the United States, and for other purposes (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

**REPORT OF BACKLOG OF PENDING APPLICATIONS AND HEARING CASES, FEDERAL COMMUNICATIONS COMMISSION**

A letter from the Chairman, Federal Communications Commission, Washington, D. C., transmitting, pursuant to law, a report on backlog of pending applications and hearing cases in that Commission, as of April 30, 1956 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

**KIM CHUNG HI**

A letter from the Secretary of the Army, transmitting a draft of proposed legislation for the relief of Kim Chung Hi (with an accompanying paper); to the Committee on the Judiciary.

**REPORT ON ADMINISTRATION OF FOREIGN AGENTS REGISTRATION ACT**

A letter from the Acting Attorney General, transmitting, pursuant to law, a report of the Attorney General on the administration of the Foreign Agents Registration Act of 1938, as amended, for the calendar year 1955 (with an accompanying report); to the Committee on the Judiciary.