

Mr. MACDONALD. I wasn't in Congress, but my memory is that in Korea Mr. Truman never declared that a war, either.

Secretary BOYD. I am not sure myself.

Mr. MACDONALD. You can take my word for it, he didn't.

Mr. ADAMS. Would the chairman yield on that point?

Mr. MACDONALD. I yield back to Mr. Harvey.

Mr. HARVEY. May I say, Mr. Secretary, this whole area seems very hazy, it seems to me, in your statement. Where you speak of "in the priority utilization of the available capacity of other modes," I would like to know just what authority you think you have for this action less than seizure of the trucklines, the airlines or the other modes. I gather this, No. 1, it is less than seizure, and, number two, it is in a state of war, which we are not in right now, according to your thinking.

In any event, I think it would be helpful to the committee to amplify the authority you have and set forth what the statutory authority is for it.

With that, I will yield back to the committee my balance of time.

Mr. MACDONALD. Mr. Van Deerlin.

Mr. VAN DEERLIN. I yield to the gentleman from Washington.

Mr. ADAMS. On behalf of the committee, would you supply to the committee the status of the emergency powers granted to the President after World War I and during World War II, and during the Korean emergency, which I understand are still in existence and continue through to this day?

Secretary BOYD. Yes, sir.

Mr. ADAMS. We would like to have them by tomorrow when the next witness comes.

I think all that is required here is not a declaration of war but a declaration of a national emergency, within the powers of the President. If you would specifically supply it, we would appreciate it. I think I have referred you to where it can be found.

Secretary BOYD. I will be delighted.

Mr. ADAMS. There was another question, Mr. Boyd.

Don't you presently, and we appreciate very much your coming here so soon after having tried to start the Department, but it is not true that you presently have within your Department now the Defense Transportation Department?

In other words, it has been shifted from the Department of Defense to your area?

Secretary BOYD. No, sir.

Mr. ADAMS. That is not true?

Secretary BOYD. No, sir. I am not sure what you are referring to, but nothing in that area has been transferred from the Department of Defense. I will put it this way: The only functions which were transferred to the Department of Transportation from Defense were certain civil functions of the Corps of Engineers, which have nothing whatsoever to do with any emergency activities.

Mr. ADAMS. Then as to the Department of Defense transportation we would have to inquire about from the Defense Department? You are certain there is no jurisdiction in your Department on that?

Secretary BOYD. That is correct.

(For further information see correspondence at end of testimony, p. 110.)