

By Mr. VINCENT of Kentucky:  
H. R. 5001. A bill for the relief of Joseph A. Runner; to the Committee on Pensions.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1308. By Mr. LeCOMPTE: Petition of the Iowa State Highway Commission, protesting against an increased Federal tax on gasoline; to the Committee on Ways and Means.

1309. By Mr. SHAFER of Michigan: Resolution adopted at the Michigan Congress of Industrial Organizations' convention, urging continuation of Federal work projects; to the Committee on Appropriations.

1310. Also, resolution adopted by Michigan Congress of Industrial Organizations' convention, favoring additional appropriations for defense housing projects; to the Committee on Appropriations.

1311. Also, resolution adopted at Michigan Congress of Industrial Organizations' convention, opposing convoys and participation by United States in European war; to the Committee on Foreign Affairs.

1312. By Mr. SIKES: Petition of the Florida State Legislature, Senate Concurrent Resolution No. 10, relating to the preservation of moral conditions in the vicinity of Army and naval camps and plants erected and maintained by the Federal Government in providing for the national defense; to the Committee on Military Affairs.

1313. By Mr. ROLPH: Memorial of the State of California, asking consideration of Senate Joint Resolution No. 24, relative to memorializing the President, the Congress, and the Solicitor General with respect to the assertion of any pretended Federal claim to the submerged lands of the State of California; to the Committee on Claims.

1314. By Mr. TALLE: Petition of G. S. Blockhus and 62 other residents of northeastern Iowa, protesting against the enactment of Senate bill 983 and House bill 3852; to the Committee on the District of Columbia.

1315. Also, resolution of the Iowa State Highway Commission, alleging that any increase in the Federal tax on gasoline would be a sales tax and not a road-use tax, and opposing the enactment of legislation which would levy such additional tax; to the Committee on Ways and Means.

1316. By Mr. WHITE: Petition of a group of residents of Idaho, including 1,058 signatures, with regard to bill 1036; to the Committee on Ways and Means.

1317. By Mr. HILL of Washington: Petition of Mary A. Zumwalt and others of Granger, Wash., protesting against the enactment of Senate bill 983 or House bill 3852, regulating the opening and closing hours of barber shops in the District of Columbia; to the Committee on the District of Columbia.

1318. Also, petition of Mrs. G. R. Soper and others, of College Place, Wash., protesting against the enactment of Senate bill 983 or House bill 3852, regulating the opening and closing hours of barber shops in the District of Columbia; to the Committee on the District of Columbia.

1319. By Mr. JOHNSON of Illinois: Petition of a number of citizens of the Fourteenth District of Illinois, protesting against House bill 3852 and Senate bill 983; to the Committee on the Judiciary.

1320. By Miss RANKIN of Montana: Petition of Alice B. Day, of Fortine, Mont., and 34 others, urging support of Senate bill 860, to prohibit the sale of alcoholic liquors on military or naval reservations or within a reasonable distance from such reservations, and to prevent prostitution and keeping of bawdy houses within a reasonable distance from such reservations; to the Committee on Military Affairs.

1321. Also, petition of the Sarsfield Social Club, of Butte, and the Phil Sheridan Club, of Anaconda, Mont., in joint meeting, addressed to the President of the United States, and signed by M. J. Mullane, M. J. Hartnett, and Patrick McGivern for the Butte Club and Michael Lacey, Thomas Astel, and Michael Shearin for the Anaconda Club, opposing convoys, and petitioning the President to be mindful of his campaign promises that no American boy would ever be sent across the Atlantic to fight on foreign soil; to the Committee on Foreign Affairs.

1322. By Miss RANKIN of Montana: Petition of the Butte (Mont.) Teachers' Union, Local No. 332, Mary Mullins, secretary, urging an investigation of labor policies of industries engaged in defense work before curtailing the freedom of labor, an investigation of money being spent by manufacturers on anti-labor propaganda and that results of these investigations be made public; to the Committee on Labor.

## SENATE

MONDAY, JUNE 9, 1941

(Legislative day of Monday, May 26, 1941)

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

The Reverend Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

God of all power and might, who hast created us in Thine own image to walk with Thee: We beseech Thee to send us more and more the sense of Thy companionship, that we may learn of Thee, and daily increase in the strength of Thy Holy Spirit. Sustain us with Thy grace that in honesty of purpose and uprightness of life we may serve Thy people, never forgetting that we are answerable to them and to Thee for the decisions we make in the guidance of our Nation.

Save us from vain love of power and motives of personal gain, that we may know the power of thy humility and selfless devotion. Bless us in our labors with an ever broader vision of truth, an ever deeper sense of righteousness, that through us the life of our people may be guided by wise policies, and lifted to loftier ideals, and nobler achievements, and that through our Nation the world may realize the promises Thou hast made to mankind, through our Lord and Saviour, Jesus Christ. Amen.

#### THE JOURNAL

On request of Mr. BYRNES, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Thursday, June 5, 1941, was dispensed with, and the Journal was approved.

#### MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that on June 6, 1941, the President had approved and signed the following acts:

S. 578. An act authorizing the Secretary of the Treasury to release certain interests in certain land which adjoins the Shark River

Coast Guard Station, in Monmouth County, N. J.; and

S. 1311. An act to amend the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911, as amended, with respect to the location of the nautical school at the port of San Francisco.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House had passed without amendment the joint resolution (S. J. Res. 74) to authorize the postponement of payment of amounts payable to the United States by the Republic of Finland on its indebtedness under agreements between that Republic and the United States dated May 1, 1923, May 23, 1932, and May 1, 1941.

The message also announced that the House had passed the bill (S. 1300) to amend the Soil Conservation and Domestic Allotment Act, as amended, with respect to the making available of conservation materials and soil-conserving or soil-building services, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 4816. An act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce; and

H. R. 4926. An act making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1942, and for other purposes.

#### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 212. An act for the relief of Arvy A. Lothman;

S. 529. An act for the relief of Harry J. Williams;

S. 583. An act for the relief of Maj. Harold Sorenson;

S. 596. An act for the relief of Lt. J. B. Edgar, Jr.;

S. 657. An act for the relief of certain United States commissioners;

S. 681. An act for the relief of Arthur Edgar Scroggin;

S. 829. An act for the relief of Mr. and Mrs. T. Earl Rodgers;

S. 911. An act for the relief of William J. Furey;

S. 931. An act for the relief of Robert B. Ayers;

S. 1022. An act for the relief of Richard Gammon;

S. 1040. An act for the relief of Claude W. LaSalle and the Dauterive Hospital;

S. 1064. An act for the relief of Caroline Janes;

S. 1155. An act for the relief of Mr. and Mrs. Maynard Goss;

S. 1156. An act for the relief of Jess W. Harmon; and

H. R. 3368. An act authorizing expenditures for the Office of Government Reports in the Executive Office of the President.

#### CALL OF THE ROLL

Mr. BYRNES. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Connally	McNary
Aiken	Danaher	Maloney
Andrews	Davis	Murdock
Bailey	Downey	Norris
Ball	Ellender	Nye
Bankhead	George	O'Mahoney
Barbour	Gillette	Overton
Bilbo	Glass	Pepper
Bone	Green	Radcliffe
Brewster	Guffey	Rosier
Brooks	Gurney	Shipstead
Brown	Hayden	Smith
Bulow	Herring	Spencer
Bunker	Hill	Stewart
Burton	Holman	Taft
Butler	Houston	Thomas, Idaho
Byrd	Hughes	Thomas, Okla.
Byrnes	Johnson, Calif.	Tunnell
Capper	Johnson, Colo.	Tydings
Caraway	Kilgore	Van Nuys
Chandler	La Follette	Wallgren
Chavez	Lucas	Wheeler
Clark, Idaho	McCarran	White
Clark, Mo.	McFarland	

Mr. HILL. I announce that the Senator from Kentucky [Mr. BARKLEY], the Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. McKELLAR], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from New Mexico [Mr. HATCH], the Senator from Oklahoma [Mr. LEE], the Senator from New York [Mr. MEAD], the Senator from Montana [Mr. MURRAY], the Senator from Florida [Mr. PEPPER], the Senator from North Carolina [Mr. REYNOLDS], the Senator from Georgia [Mr. RUSSELL], the Senator from Wyoming [Mr. SCHWARTZ], the Senator from New Jersey [Mr. SMATHERS], the Senator from Utah [Mr. THOMAS], the Senator from Missouri [Mr. TRUMAN], and the Senator from Massachusetts [Mr. WALSH] are detained on important public business.

Mr. McNARY. The Senator from Vermont [Mr. AUSTIN] is absent due to the illness of his mother.

The Senator from Massachusetts [Mr. LODGE], the Senator from Kansas [Mr. REED], the Senator from Michigan [Mr. VANDENBERG], and the Senator from Indiana [Mr. WILLIS] are necessarily absent. The Senator from North Dakota [Mr. LANGER] is absent due to the serious illness of his mother.

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The VICE PRESIDENT. Seventy-one Senators have answered to their names. A quorum is present.

#### ENROLLED BILL SIGNED DURING RECESS

Under authority of the order of the 5th instant,

The VICE PRESIDENT announced that on June 6, 1941, he affixed his signature to the enrolled bill (S. 1438) to extend the operations of the Disaster Loan Corporation and the Electric Home and Farm Authority, to provide for increasing the lending authority of the Reconstruction Finance Corporation, and for other purposes, which had been signed previously by the Speaker of the House of Representatives.

#### EXECUTIVE COMMUNICATIONS

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

#### CALENDAR-YEAR BASIS FOR REPORT OF THE COMPTROLLER OF THE CURRENCY

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to amend section 333 of the Revised Statutes, as amended, to place the Annual Report of the Comptroller of the Currency on a calendar-year basis (with accompanying papers); to the Committee on Banking and Currency.

#### PLEDGING OF ASSETS OF NATIONAL BANKS TO SECURE DEPOSITS OF FUNDS IN OFFICIAL CUSTODY, ETC.

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to amend section 5153 of the Revised Statutes, as amended (U. S. C., title 12, sec. 90), to authorize national banks to pledge assets to secure deposits of funds in official custody of public officers of a State or political subdivision thereof (with an accompanying paper); to the Committee on Banking and Currency.

#### QUINQUENNIAL CENSUS OF INDUSTRY AND BUSINESS

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide for a quinquennial census of industry and business and for the collection of current statistics by the Bureau of the Census (with accompanying papers); to the Committee on Commerce.

#### HAWAIIAN HOMES COMMISSION

A letter from the secretary of Hawaii (through the Governor of Hawaii and the Interior Department) transmitting certified copy of an act of the Legislature of the Territory of Hawaii (requiring ratification by Congress) to authorize the Hawaiian Homes Commission to contract with the Molokai Water Commission for the furnishing of water for Hawaiian Homes Commission Lessees and to guarantee to the Molokai Water Commission an annual gross income of \$150,000 for a period of 10 years, and making an appropriation therefor; to the Committee on Territories and Insular Affairs.

#### CONTROL OF INDUSTRY BY INVESTMENT COMPANIES (H. DOC. NO. 246)

A letter from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, chapter I of part 4 of the Commission's over-all report on the study of investment trusts and investment companies, dealing with the control of industry by investment companies and their economic significance (with an accompanying report); to the Committee on Interstate Commerce.

#### DISPOSITION OF EXECUTIVE PAPERS

Letters from the Archivist of the United States, transmitting, pursuant to law, lists of papers and documents on the files of the Departments of the Treasury (3), War, Post Office, Navy, Agriculture, and of Labor, the Social Security Board, and the Work Projects Administration Federal Works Agency, which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

#### PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by Senators, and referred as indicated:

#### By the VICE PRESIDENT:

A resolution of the General Court of the State of New Hampshire; to the Committee on Commerce:

"Concurrent resolution to oppose the authorization of a flood-control project at Sugar Hill

"Whereas a new flood-control bill is being considered in the United States Congress which would substitute authorization of a dam at Sugar Hill, in the town of Lisbon, N. H., for one previously authorized at Bethlehem Junction; and

"Whereas this general court gave its consent to the Bethlehem Junction project by an act adopted May 31, 1939, known as chapter 149, Laws of 1939; and

"Whereas citizens of Lisbon, Littleton, and other Ammonoosuc Valley towns have voted unanimously at a mass protest meeting their opposition to the Sugar Hill Dam project and have requested that this general court go on record in opposition to any Federal authorization for building a flood-control dam at said Sugar Hill, but reaffirming approval of the Bethlehem Junction Dam site as already authorized; and

"Whereas the new proposed project would entail considerable loss to the towns of Lisbon and Littleton and disrupt the economic relations between the towns in said area; and

"Whereas no protest has been voiced by the citizens of Bethlehem to the Bethlehem Junction project already approved by Federal authorities and consented to by this State; Now, therefore,

"The house of representatives in general court convened (the senate concurring) hereby resolves, That this general court records its opposition to Federal authorization for building a flood-control dam at Sugar Hill in the town of Lisbon and directs the Governor of the State to forward forthwith copies of this resolution to the Speaker of the House of Representatives of the United States Congress, the President of the Senate of said body, the chairman of the congressional Flood Control Committee, and to each of the Representatives and Senators of this State in the United States Congress."

A joint resolution of the Legislature of the State of Wisconsin; to the Committee on Military Affairs:

#### "Assembly Joint Resolution 94

"Joint resolution memorializing Congress to clear the name of Brig. Gen. William L. Mitchell

"Whereas the late Brig. Gen. William L. Mitchell enlisted in 1898, at the outbreak of the Spanish-American War, as a private in the First Wisconsin Infantry and saw active service in Cuba and the Philippine Islands; then served on the Mexican border in 1912; and was repeatedly decorated during the World War by Congress and by several of our Allies for repeated gallantry and giving exceptional example to his fellow soldiers; and

"Whereas he rose from the ranks during 28 years of spectacular achievement, having been the first American officer to fly over the trenches during the World War, the first American to scout troop movements by plane, commanded the largest concentration of airplanes in the then history of aviation; and

"Whereas he continued to pioneer aviation progress by proving the feasibility of transcontinental flight, as a result of which our air-mail system was instituted; and

"Whereas from 1920 to 1924 he served as Assistant to the Chief of the Army Air Service, in charge of operations and technical development, in which position he contributed invaluablely to the development of military and civil aeronautics; and

"Whereas he strove to impress his superior officers with the shortcomings and deficiencies in the Army and Navy flying units, only to

be rebuffed and demoted; and thereafter the crash of the dirigible *Shenandoah* and failure of Navy's flight by plane to Hawaii prompted him to charge incompetency on the part of his superiors and criminal neglect of national defense; and

"Whereas, although a separate inquiry substantiated the truth of his accusations, he was tried by a court martial for violating the ninety-sixth article of war, found guilty of a breach of discipline, and suspended from the service for 5 years without pay, but still subject to call; and

"Whereas the practical effect of this decision was that the pride and dignity of military officials must be protected at all costs, even at the risk of jeopardizing the effectiveness of national defense; and

"Whereas General Mitchell's fearless adherence to principle resulted in his sacrificing his personal ambitions in an effort to arouse the Nation to a knowledge of its military helplessness; and

"Whereas developments arising from the present European conflict demonstrate incontrovertibly that General Mitchell was possessed of prescience which placed him many years ahead of his colleagues; and

"Whereas the stigma upon his memory should be officially eradicated: Therefore be it

*Resolved by the assembly (the senate concurring)*, That the Wisconsin Legislature respectfully petition the Congress of the United States to take such official action as may be necessary to clear the name of this soldier and patriot, to the end that he who stood his ground, though persecuted, may be completely and forever cleared; and be it further

*Resolved*, That properly attested copies of this resolution be sent to both Houses of the Congress of the United States and to each Wisconsin Member thereof."

A memorial of sundry citizens of the State of Oregon, remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A letter from the National Pension League, signed by Dudley M. Barr, secretary, of Los Angeles, Calif., enclosing a draft of proposed legislation to provide a pension for all aged people of the United States of America who have passed their sixtieth birthday, to be effective for so long as they may live, and praying for the enactment of such legislation; to the Committee on Finance.

A joint resolution of the Legislature of the Territory of Hawaii, requesting Congress in enacting legislation affecting the Territory of Hawaii to recognize the right of the Territory to equality of treatment with the States of the Union; to the Committee on Territories and Insular Affairs.

A letter in the nature of a memorial from the College Point (N. Y.) Community Council, remonstrating against the enactment of legislation to change or amend the Sugar Act of 1937; to the table.

A paper in the nature of a petition from Helen Virginia Wright, of Canton, Pa., praying for the enactment of the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy; to the table.

By Mr. STEWART:

A petition of sundry citizens of Belvidere and Winchester, Tenn., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. CAPPER:

Memorials of sundry citizens of Eldorado, Hillsboro, Ramona, Durham, and Tampa, all

in the State of Kansas, remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A memorial of sundry citizens of Valley Center and vicinity, in the State of Kansas, remonstrating against the use of American ships for convoy purposes, and also against the sending of American soldiers to fight on foreign soil; to the Committee on Foreign Relations.

Petitions of sundry citizens of Ellinwood and Tonganoxie, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

#### DEVALUATION OF THE DOLLAR—RESOLUTION OF NEW JERSEY REPUBLICAN STATE COMMITTEE

Mr. BARBOUR. Mr. President, I ask unanimous consent to have printed at this point in the CONGRESSIONAL RECORD a letter embodying a short but important resolution of the New Jersey Republican State Committee, transmitted to me by Hon. Claton E. Freeman, chairman, requesting that Congress should not on June 30 renew the power previously given to the President to devalue the dollar further.

There being no objection, the letter embodying a resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

NEW JERSEY REPUBLICAN  
STATE COMMITTEE,  
May 29, 1941.

HON. W. WARREN BARBOUR,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR BARBOUR: The members of the New Jersey Republican State Committee, meeting in Trenton on Tuesday, May 27, expressed themselves as deeply concerned over two of the important problems confronting the national administration.

The committee went on record as requesting that Congress should not, on June 30, renew the power previously given to the President to devalue the dollar further.

The committee also felt that Congress should make every effort, while supporting adequately national defense, to reduce appropriations for civilian purposes.

Therefore the committee adopted the following resolution:

"Whereas this Nation is now engaged in an all-out effort to adequately prepare our national defense against the continued inroads and arms expansion of aggressor nations; and

"Whereas such preparation involves expenditure of vast sums of money, time, and materials, all of which must be paid for by drastic taxation; and

"Whereas the present administration at Washington has promised reduction in non-defense expenditures, but thus far there have been no indications such promises will be kept, but, on the contrary, many proposals have been put forth as defense measures which have no relation to defense; and

"Whereas such proposals as the nationalization of education at an additional cost of upward of \$300,000,000, thereby denying to the States the right to reduce their own expenditures in this field, if they so desire, abridgment of the rights of the States to regulate their own educational system, the proposed construction of the St. Lawrence waterway project at a cost of hundreds of millions of dollars, further socialization of

industry typify these nondefense activities; and

"Whereas this spending as usual on such grandiose projects will mean the day of reckoning will bring an economic depression far more perilous than the one through which we have just passed: Therefore be it

*Resolved*, That the New Jersey Republican State Committee urges the Republican Members of Congress to firmly oppose the granting of funds for political luxuries, experiments in State socialism, and a top-heavy bureaucracy in this time of national emergency."

Sincerely yours,

CLAYTON E. FREEMAN.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BARBOUR, from the Committee on Naval Affairs:

S. 799. A bill to prevent the making of photographs and sketches of naval reservations, naval vessels, and other naval property, and for other purposes; with an amendment (Rept. No. 390).

By Mr. WALLGREN, from the Committee on Military Affairs:

S. 1110. A bill to amend section 1118 of the Revised Statutes, as amended, to eliminate the prohibition against enlistment in the military service of the United States of any person convicted of a felony; with an amendment (Rept. No. 391).

By Mr. JOHNSON of Colorado, from the Committee on Military Affairs:

S. 1568. A bill for the relief of the present leader of the Army Band; without amendment (Rept. No. 392).

By Mr. HILL, from the Committee on Military Affairs:

S. 1524. A bill to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940; with amendments (Rept. No. 393);

H. R. 2279. A bill to amend section 17 of the Joint Service Pay Act, approved June 10, 1922, as amended; with amendments (Rept. No. 412);

S. 173. A bill to amend section 61 of the National Defense Act of June 3, 1916, as amended, for the purpose of extending to Hawaii, Alaska, Puerto Rico, and the Canal Zone the permission to organize military units not a part of the National Guard which was granted to the States by the amendment made to such section by the act of October 21, 1940; without amendment (Rept. No. 405); and

S. 1397. A bill to provide for the exemption from military service of certain aliens residing in the United States; without amendment (Rept. No. 394).

By Mr. CAPPER, from the Committee on Claims:

H. R. 2739. A bill for the relief of Jack Y. Upham; without amendment (Rept. No. 395);

H. R. 2742. A bill for the relief of Phillip Christian Holt; without amendment (Rept. No. 396);

H. R. 2891. A bill for the relief of Roy Gard; without amendment (Rept. No. 397); and

H. R. 3846. A bill for the relief of certain former certifying and disbursing officers of the Department of the Interior; without amendment (Rept. No. 398).

By Mr. MALONEY, from the Committee on Public Buildings and Grounds:

H. R. 4545. A bill to provide for the acquisition and equipment of public works made necessary by the defense program; with amendments (Rept. No. 408).

By Mr. MALONEY, from the Committee on Immigration:

H. R. 3810. A bill for the relief of Nell Victoria Lea; without amendment (Rept. No. 410).

By Mr. HUGHES, from the Committee on Claims:

S. 1392. A bill for the relief of Homer J. Swope and John W. White; with amendments (Rept. No. 399); and

S. 1426. A bill for the relief of Otis Thompson; with an amendment (Rept. No. 400).

By Mr. BROWN, from the Committee on Claims:

H. R. 735. A bill for the relief of Aloha Motors, Ltd.; without amendment (Rept. No. 402);

H. R. 2861. A bill for the relief of Cascade Investment Co.; without amendment (Rept. No. 403); and

H. R. 3243. A bill for the relief of John Klasek; without amendment (Rept. No. 404).

By Mr. BROWN (for Mr. SCHWARTZ), from the Committee on Claims:

H. R. 1649. A bill for the relief of Vernon Atkison; without amendment (Rept. No. 401).

By Mr. TUNNELL, from the Committee on Claims:

S. 334. A bill for the relief of James C. Dyson; with amendments (Rept. No. 407); and

H. R. 1753. A bill for the relief of Maggie Lou Morse, administratrix of the estate of Exie Morse; without amendment (Rept. No. 406).

By Mr. VAN NUYS, from the Committee on the Judiciary:

S. 1512. A bill to amend the Alien Registration Act, 1940, by making it a criminal offense to reproduce alien registration receipt cards; with amendments (Rept. No. 409).

#### ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that that committee presented to the President of the United States the following enrolled bills and joint resolution:

On June 5, 1941:

S. 991. An act for the relief of the widow of the late Artis J. Chitty; and

S. J. Res. 31. Joint resolution authorizing the President of the United States to present to Elre on behalf of the people of the United States a statue of Commodore John Barry.

On June 6, 1941:

S. 1438. An act to extend the operations of the Disaster Loan Corporation and the Electric Home and Farm Authority, to provide for increasing the lending authority of the Reconstruction Finance Corporation, and for other purposes.

#### BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. NYE:

S. 1606. A bill to require the publication of certain information and the preservation of certain records in connection with polls of public opinion; to the Committee on Interstate Commerce.

By Mr. McFARLAND:

S. 1607. An act to provide for the monthly distribution to warrant officers, noncommissioned officers, and enlisted men of the Army, Navy, Marine Corps, and Coast Guard of 15 penalty-type envelopes to be used for the free transmission in the mail of their personal correspondence; to the Committee on Post Offices and Post Roads.

By Mr. BROWN:

S. 1608. A bill for the relief of the Neal Storage Co.; to the Committee on Claims.

By Mr. JOHNSON of Colorado (for Mr. REYNOLDS):

S. 1609. A bill for the relief of Capt. Alex Papanas; to the Committee on Claims.

By Mr. BROOKS:

S. 1610. A bill for the relief of Ethel F. O'Connor; to the Committee on Finance.

S. 1611. A bill for the relief of Lester B. McAllister, and others; to the Committee on Claims.

By Mr. McNARY:

S. 1612. A bill to provide for the acquisition and toll-free operation by the United States of the interstate bridges at Cascade Locks and Hood River, Ore.; to the Committee on Commerce.

By Mr. THOMAS of Oklahoma:

S. J. Res. 83. Joint resolution for the relief of the Kiowa, Comanche, and Apache Tribes of Oklahoma; to the Committee on Indian Affairs.

By Mr. BROOKS:

S. J. Res. 84. Joint resolution declaring February 12 a legal public holiday to be known as Abraham Lincoln's Birthday; to the Committee on the Judiciary.

#### HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H. R. 4816. An act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce; to the Committee on Interstate Commerce.

H. R. 4926. An act making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1942, and for other purposes; to the Committee on Appropriations.

#### NATIONAL-DEFENSE HIGHWAY FACILITIES—AMENDMENT

Mr. McNARY submitted an amendment intended to be proposed by him to the bill (S. 1580) to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

#### RECOMMITTAL OF A BILL

On motion of Mr. MALONEY, the bill (S. 756) for the relief of Nell Victoria Lea, was recommitted to the Committee on Immigration.

#### COLUMBIA RIVER BRIDGES—BILL INDEFINITELY POSTPONED

Mr. McNARY. Mr. President, in February of this year I introduced a bill which bears the number S. 812, to provide for the acquisition and toll-free operation by the United States of the interstate bridges at Cascade Locks and Hood River, Ore. I desire to make a modification of the bill, and therefore I request unanimous consent that the Committee on Commerce, to which the bill was referred, be discharged from further consideration of the bill, and that the bill be recalled, so that I may introduce another bill on the same subject matter.

The VICE PRESIDENT. Is there objection? The Chair hears none. The committee will be discharged from further consideration of the bill, and the bill will be indefinitely postponed.

#### THE PRICE OF PEACE—ADDRESS BY SENATOR BAILEY

[Mr. HILL asked and obtained leave to have printed in the RECORD an address on the subject, the Price of Peace, delivered by

Senator BAILEY at the commencement exercises at Wake Forest College on June 2, 1941, which appears in the Appendix.]

#### ADDRESS BY SENATOR MURRAY ON THE NATIONAL EMERGENCY

[Mr. HILL asked and obtained leave to have printed in the RECORD a radio address on the subject of the national emergency, delivered by Senator MURRAY at Butte, Mont., on June 4, 1941, which appears in the Appendix.]

#### ADDRESS BY SENATOR LA FOLLETTE ON AGRICULTURAL MIGRATION

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD an address on the subject of agricultural migration, delivered by him before the Committee on Interstate Migration at the National Conference of Social Work, held at Atlantic City, N. J., on June 2, 1941, which appears in the Appendix.]

#### INDUSTRIAL MIGRATION—ADDRESS BY DR. WILL W. ALEXANDER

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD an address on the subject of industrial migration prepared by Dr. Will W. Alexander, of the Office of Production Management, and read in his absence before the National Conference of Social Work held at Atlantic City, N. J., on June 2, 1941, which appears in the Appendix.]

#### PLATFORM ON INTERSTATE MIGRATION, NATIONAL CONFERENCE OF SOCIAL WORK

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD the platform on interstate migration prepared by the Special Committee on Interstate Migration of the National Conference of Social Work for discussion at meetings sponsored by the committee at Atlantic City, June 2 and 3, 1941, which appears in the Appendix.]

#### ADDRESS BY ROGER B. McWHORTER AT MIDWEST POWER CONFERENCE

[Mr. HILL asked and obtained leave to have printed in the RECORD an address delivered by Roger B. McWhorter, chief engineer of the Federal Power Commission, at the Midwest Power Conference held at Chicago, Ill., on April 9 and 10, 1941, which appears in the Appendix.]

#### CONDITION OF NATIONAL GUARDSMEN AND TRAINEES IN LOUISIANA

[Mr. OVERTON asked and obtained leave to have printed in the RECORD an editorial from the Alexandria, La., Daily Town Talk, with reference to the condition of National Guardsmen and trainees quartered in Louisiana, which appears in the Appendix.]

#### SEIZURE OF PLANTS IN CASE OF STRIKE—EDITORIAL FROM THE NEW YORK TIMES

[Mr. TAFT asked and obtained leave to have printed in the RECORD an editorial from the New York Times of June 9, 1941, under the heading "The wrong solution," relative to the proposal to seize plants producing defense articles when a strike occurs, which appears in the Appendix.]

#### AMENDMENT OF SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1300) to amend the Soil Conservation and Domestic Allotment Act, as amended, with respect to the making available of conservation materials and soil-conserving or soil-building services, which was, on page 1, line 6, to strike out the word "and" and insert "any."

Mr. BILBO. I move that the Senate concur in the amendment of the House. The motion was agreed to.

#### AMENDMENT OF NATIONAL HOUSING ACT

Mr. BANKHEAD. I move that the Senate proceed to the consideration of House bill 4693, to amend the National Housing Act, and for other purposes.

Mr. McNARY. I think we discussed taking up the bill last week. Did we agree upon today or tomorrow for taking it up? What date did we agree upon?

Mr. BANKHEAD. On last Thursday, as I recall, it was agreed to let the bill go over until today.

Mr. McNARY. That is what I wanted to check on. I have forgotten whether it was agreed that the bill should be taken up on Monday or Tuesday. I know I conferred with the able Senator from Ohio [Mr. TAFT]. He did not want it to come up Thursday, as he was working on an amendment.

Mr. TAFT. I have no objection to taking up the bill today.

Mr. McNARY. It was Thursday last when the matter came up.

Mr. BANKHEAD. On Thursday last the Senator from Oregon suggested that the bill go over.

Mr. McNARY. It is agreeable to the Senator from Ohio and agreeable to me that the bill be considered, and I shall make no objection.

The VICE PRESIDENT. The question is on the motion of the Senator from Alabama.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 4693) to amend the National Housing Act, and for other purposes, which had been reported from the Banking and Currency Committee with amendments.

Mr. BROWN. Mr. President, I can explain to the Senate very briefly the amendments which are contained in the pending bill. They relate to the Federal Housing Administration. I will explain the part of the bill which relates to the ordinary and regular F. H. A. operation.

There is an amendment which was proposed by the senior Senator from Alabama [Mr. BANKHEAD], who is the chairman of the subcommittee, relating to the farm-tenancy problem; and when the time comes the Senator from Alabama will explain that part of the bill as reported from the Committee on Banking and Currency.

The first amendment raises the salary of the Administrator from \$10,000 to \$12,000 per year.

The second amendment extends the operations of title I of the act for 2 years, to July 1, 1943, and increases the amount of money in the insurance fund from \$100,000,000 to \$165,000,000. It changes very slightly the type of houses that may be insured under title I of the Federal Housing Act, as follows:

Under the present law new structures may be insured if they do not cost in excess of \$2,500. This is increased to \$3,000. Under the amendment which the committee proposes existing structures for a single family may be insured up to \$2,500, as is the case under the present law; but since a great many old houses

may be required because of the present emergency and the necessity for housing, it was decided to permit the insurance of loans for the rebuilding of houses and the repairing of houses and the alteration of houses up to \$5,000 in value, provided they accommodate more than one family.

The other amendments to the portion of the bill which relates to the ordinary activities of the F. H. A. are mainly for the purpose of simplifying the methods by which the Administrator may handle property when foreclosure takes place. There is no change whatsoever in policy.

I may say briefly that the Federal Housing Administration, during the years of its operation from 1934 down to the present time, has written insurance to the amount of \$4,345,000,000; 3,150,000 loans have been insured. Upon loans under title I there has been some loss to the Government. I think it was due to the fact that we provided no insurance premium until July 1, 1939. Since 1939, when we provided for the collection of one-half of 1 percent insurance premium, the title I loans—that is, those made under that division of the Federal housing insurance—have been self-supporting.

I think it was agreed before the subcommittee that the operations have been highly successful and have greatly aided housing in the United States.

In title II the principal change is to increase the amount which may be insured from \$4,000,000,000 to \$5,000,000,000. The additional \$1,000,000,000 is placed under control of the President of the United States and may not be used by the Housing Administration unless the President finds that it is necessary. That is the same as the present law, except that the original outside amount which might be insured was \$3,000,000,000, and authority was given to the President to raise it to \$4,000,000,000. The \$4,000,000,000 has about been used up, and authority is granted to increase the amount to \$5,000,000,000.

As I stated at the beginning of my remarks, the senior Senator from Alabama [Mr. BANKHEAD] will explain the portion of the amendments which relates to the farm-tenancy program. He has much greater familiarity with it than have I, but I shall be very glad now to answer any questions Senators may desire to ask relative to the portion of the bill which I have in charge.

I ask that the amendments relative to the first portion of the bill, down to the portion in italics, be passed upon by the Senate.

The VICE PRESIDENT. The clerk will state the amendments reported by the committee.

The first amendment of the Committee on Banking and Currency was, in section 1, page 1, line 6, after "July 1", to strike out "1944" and insert "1943."

The amendment was agreed to.

The next amendment was, in section 3, page 2, line 5, after the word "exceeds", to strike out "\$5,000" and insert "\$2,500 (or in the case of the alteration, repair, or improvement of an existing dwelling designed or to be designed for more than one family, exceeds \$5,000)"; in line 9, after "\$3,000", to strike out "(2) striking out 'three' and inserting in lieu

thereof 'five', and (3)" and inserting "and (2)"; and in line 15, after the word "prescribed", to insert "but in no event for an additional amount or term in excess of the maximum provided for in this subsection", so as to make the section read:

Sec. 3. Subsection (b) of section 2 of such act, as amended, is hereby amended by (1) striking out "exceeds \$2,500" and inserting in lieu thereof "made for the purpose of financing the alteration, repair, or improvement of existing structures exceeds \$2,500 (or in the case of the alteration, repair, or improvement of an existing dwelling designed or to be designed for more than one family, exceeds \$5,000), or for the purpose of financing the construction of new structures exceeds \$3,000"; and (2) striking out the period at the end thereof and inserting "Provided, That any obligation with respect to which insurance is granted under this section on or after July 1, 1939, may be refinanced and extended in accordance with such terms and conditions as the Administrator may prescribe, but in no event for an additional amount or term in excess of the maximum provided for in this subsection."

The amendment was agreed to.

The next amendment was, in section 4, page 2, line 23, after "(2)", to strike out "Notwithstanding any other provision of law relating to the acquisition, handling, or disposal of real property by the United States, the Administrator shall have power", and insert "The Administrator is authorized and empowered"; on page 3, line 4, after the word "discretion", to insert "and upon such terms and conditions and for such consideration as the Administrator shall determine to be reasonable"; in line 6, after the words "conveyed to", to insert "or otherwise acquired by"; and on page 4, line 4, after the word "any", to strike out "officer, agent, or employee" and insert "officer or agent", so as to make the section read:

Sec. 4. Subsection (c) of section 2 of such act, as amended, is hereby amended by (1) inserting after the letter "(c)" the figure "(1)", (2) inserting before the word "property" the word "personal", and (3) adding at the end thereof the following new paragraph:

"(2) The Administrator is authorized and empowered (a) to deal with, complete, rent, renovate, modernize, insure, or sell for cash or credit, in his discretion, and upon such terms and conditions and for such consideration as the Administrator shall determine to be reasonable, any real property conveyed to or otherwise acquired by him in connection with the payment of insurance heretofore or hereafter granted under this title and (b) to pursue to final collection, by way of compromise or otherwise, all claims against mortgagors assigned by mortgagees to the Administrator in connection with such real property by way of deficiency or otherwise: *Provided*, That section 3709 of the Revised Statutes shall not be construed to apply to any contract of hazard insurance or to any purchase or contract for services or supplies on account of such property if the amount thereof does not exceed \$1,000. The power to convey and to execute in the name of the Administrator deeds of conveyance, deeds of release, assignments and satisfactions of mortgages, and any other written instrument relating to real property or any interest therein heretofore or hereafter acquired by the Administrator pursuant to the provisions of this title may be exercised by the Administrator or by any Assistant Administrator appointed by him without the execution of any express delegation of power

or power of attorney: *Provided*, That nothing in this paragraph shall be construed to prevent the Administrator from delegating such power by order or by power of attorney, in his discretion, to any officer or agent he may appoint."

The amendment was agreed to.

The next amendment was, in section 8, page 5, line 19, after the words "July 1", to strike out "1944" and insert "1943."

The amendment was agreed to.

The next amendment was, in section 9, on page 5, line 22, after the words "July 1", to strike out "1944" and insert "1943."

The amendment was agreed to.

Mr. BANKHEAD rose.

Mr. O'MAHOONEY. Mr. President, before the Senator from Alabama undertakes to explain the farm-tenant amendment, I desire to ask the Senator from Michigan if he will explain a little further the changes in section 3, which, as I understand, increases the limitation from \$2,500 to \$5,000, and apparently extends the power of the Federal Housing Administration to insure loans for the improvement of existing structures.

Mr. BROWN. Yes. I will say to the Senator from Wyoming that, under existing law, the insurance of loans on both new houses—which, of course, are very small, \$2,500 houses—and the alteration of existing houses is limited in amount to \$2,500. On new houses, because of the general increase in building costs, we raised that limit to \$3,000. As to existing houses which will accommodate but one family, we leave the figure at \$2,500; but the Administrator felt that because there was considerable demand, as evidenced by the applications which came to him, for the alteration and improvement of fairly large-sized houses in cities where the necessities because of the defense program are great, it was desirable to permit the insurance of loans up to \$5,000 on houses that would accommodate more than one family. That is the change which is herein provided. The idea is that it will apply to two- and three-family flats.

Mr. O'MAHOONEY. I appreciate the response of the Senator. Now may I ask whether the amendments make any change at all with respect to the application of this law to homes in agricultural areas outside the urban centers?

Mr. BROWN. The Senator is familiar with the fact that under Federal housing—and I am not talking now about the Bankhead amendment—

Mr. O'MAHOONEY. Certainly not.

Mr. BROWN. But under Federal housing last year, by an amendment proposed by the senior Senator from Wisconsin [Mr. LA FOLLETTE], we extended Federal housing loans to farm homes. The provision to which I refer reads as follows:

(d) The Administrator is authorized to insure, pursuant to the provisions of this section, any mortgage which (A) covers a farm upon which a farm house or other farm buildings are to be constructed or repaired, and (B) otherwise would be eligible for insurance under the provisions of paragraph (b) of this section: *Provided*, That the construction and repairs to be undertaken on such farm shall involve the expenditure for materials and labor of an amount not less than 15 percent of the total principal obligation of said mortgage.

This section refers to title II, which covers houses costing from \$5,400 to \$16,000.

Under the amendment which the senior Senator from Alabama will explain, we go quite fully into the farm-tenancy problem. That is covered by the amendment. Further than what I have stated, there is nothing under Federal Housing that is of particular benefit to farmers living in suburban sections. That is the reason for the Bankhead amendment.

Mr. BANKHEAD. Mr. President, the amendment known as title II has, on a former occasion, been passed by the Senate as an independent bill. The amendment covers in substance the bill which was sponsored originally by the Senator from Oklahoma [Mr. LEE] and 51 other Senators, who joined him originally in the introduction of the bill on March 16, 1939. So that the RECORD may really show the sponsors of the bill, although their names do not appear on the bill now before us, I send to the desk and ask to have the clerk read the names of the Senators who joined in the introduction of the bill originally.

The VICE PRESIDENT. The clerk will read.

The legislative clerk read as follows:

Mr. Lee (for himself, Mr. Bilbo, Mr. Chavez, Mr. Schwartz, Mr. Frazier, Mr. Thomas of Utah, Mr. Logan, Mr. Thomas of Oklahoma, Mr. Truman, Mr. Minton, Mr. Guffey, Mrs. Caraway, Mr. Russell, Mr. McKellar, Mr. Bankhead, Mr. Capper, Mr. Reynolds, Mr. Miller, Mr. Hill, Mr. Pepper, Mr. Ellender, Mr. Hughes, Mr. Andrews, Mr. La Follette, Mr. Lundeen, Mr. Hayden, Mr. Hatch, Mr. George, Mr. Johnson of Colorado, Mr. Overton, Mr. Mead, Mr. Downey, Mr. Burke, Mr. Neely, Mr. Murray, Mr. Gillette, Mr. Brown, Mr. Stewart, Mr. Connally, Mr. Bulow, Mr. Byrnes, Mr. Clark of Idaho, Mr. Bone, Mr. McCarran, Mr. O'Mahoney, Mr. Wagner, Mr. Nye, Mr. Schwellenbach, Mr. Wiley, Mr. Sheppard, Mr. Herring, and Mr. Wheeler).

Mr. BANKHEAD. Mr. President, during the year 1939 the bill was fully considered by the Committee on Agriculture and Forestry of the Senate. It was referred to a subcommittee of seven members; hearings were had; a favorable report was made to the full committee; the full committee considered the bill and reported it to the Senate. It came up for action in the Senate, not on the Consent Calendar, but it was brought up in the Senate on motion, and after some discussion it was passed and went to the House. I have thought it well to go into the history of the legislation for the information of those who were not here at the time or who have not kept in close touch with it.

The Committee on Agriculture in the House, having jurisdiction, considered the bill and reported it to the House, in exactly what form I do not recall, and I would not undertake to say that it was in the literal language of the bill now before us, but full hearings were held on the bill and it was reported to the House with the fundamentals of the measure we are now considering contained in it. While on the calendar in the House the bill never reached the stage of being put upon passage. Of course, we all know that at that time important emergency legislation became necessary. At any rate, the bill

was not brought up for action, and when the session ended, of course, the bill died.

At the beginning of the present session the Senator from Oklahoma [Mr. LEE] reintroduced the bill, and the names of one or two of us were put on it, but after so many Senators had joined in introducing the bill originally, and after it had had the degree of consideration in the Senate I have stated and received the approval of the Senate, it was not thought necessary to have it sponsored by all those who had originally been its sponsors.

I shall now state why the amendment is presented at this session. The Federal Housing Administration will be ended by law on the 1st of July, less than 30 days hence, unless the power of that organization is extended. The House has passed the original of the measure now before us, extending the life of the Federal Housing Administration and increasing its authorized power to insure mortgages on urban homes, increasing the amount from \$4,000,000,000 to \$5,000,000,000.

I think most of us are in accord with that legislation. I think most of us feel that it has been tremendously helpful in aiding many people in the towns and the cities to establish homes of their own and to secure financing for the needed repair of their homes. It is based upon the principle, as we all know, of the insurance by the Government of mortgages given upon town homes to provide funds for acquisition or repair. In addition to that, at the inception of the program, a large part of the fund originally authorized was used not for the purpose of building homes but to refinance mortgages which then existed upon town homes which were being foreclosed as a result of the depression and reduction in the earning power of the owners of the homes.

As I have stated, the bill passed the House, and it was referred in the Senate to the Committee on Banking and Currency, which has jurisdiction of all legislation relating to the Federal Housing Administration.

In view of the fact that the farm-tenancy program has received the approval of this body since 1934, it was felt, at least by some of us, that we were justified in placing the Lee bill, which had already passed the Senate, on the pending measure, so as to assure a vote in the House upon the farm tenancy section of the bill.

This program is built upon the principle of the Federal Housing Administration. Nearly all of us supported the legislation back of that. There have been no city blocs, there have been no farm blocs, there have been no blocs at all involved in this legislation. The legislation has been helpful; it has been humane; it has been economic; it has not been wasteful and has not involved the Government in the expenditure of large amounts which may be lost. We all approve it, and, probably without opposition, regardless of political lines, regardless of other lines of thought, I am sure we will vote as the House has voted, to continue the mortgage insurance of homes in the towns to the extent of another billion dollars.

We propose here in a very simple way, in a very modest way, to add to the appropriations which have been made in relatively small amounts for farm tenancy home acquisition only \$350,000,000, to be used over a period of 3 years in insuring mortgages given for farm-tenant purchases upon the same principle and under the same rules on which we have been conducting the program for the acquisition of homes by urban residents.

The amount stated received the approval of the Bureau of the Budget and of the President when a similar bill was previously under consideration. So we are not seeking legislation which has not been fully considered by various branches of the Government, including the White House.

This measure has received the approval of the Senate Committee on Agriculture and Forestry and the House Committee on Agriculture, and now has received the approval of the Senate Committee on Banking and Currency. The Committee on Banking and Currency is composed of able and thoughtful men. In my judgment, it is one of the strong committees of the Senate. It considered this amendment for a period of 1 full day. Discussion of the details of the amendment was had in the full committee, after the subcommittee had held hearings on it, had made some amendments to it, and made its report to the full committee. The full committee, as I said, stayed in session all day, and the able men on that committee considered the matter fully. On it are my friends the junior Senator from Connecticut [Mr. DANAHER] and the junior Senator from Michigan [Mr. BROWN], who have very few farm-tenant constituents. These Senators, with manifestations of sympathy for the farm tenancy in this country, went over the amendment section by section, word by word; and, after the adoption of certain amendments to it, which brought it squarely and fully in line with the insurance program contained in the Federal Housing Administration Act, they agreed to report it.

In view of the consideration which has been given the subject for a number of years here, and the thorough consideration given the subject recently by these committees, as well as the previous approval of the proposal by an overwhelming majority of the Members of the Senate, I feel that it is unnecessary to go into a detailed discussion of the provisions of the amendment. It has been fully considered by your committee. Unless Senators desire to ask me some questions, I am willing that the matter be submitted to a vote.

First, I shall offer an amendment, which I ask to have stated. I have submitted it to the junior Senator from Michigan [Mr. BROWN] and to the junior Senator from Connecticut [Mr. DANAHER]. They have no objection to the amendment. They were active members of the committee in the consideration of the bill.

The PRESIDING OFFICER (Mr. BROWN in the chair). The amendment will be stated.

The CHIEF CLERK. At the end of the committee amendment, on page 25, after

line 3, it is proposed to add the following new section:

SEC. 22. The first sentence of subsection (b) of section 4 of the Federal Farm Mortgage Corporation Act, as amended (U. S. C., 1934 ed., title XII, sec. 1020 (d)), is amended by inserting after the word "bonds", where said word first appears, the following: "and to purchase and make loans upon mortgages insured under title I-A of the Bankhead-Jones Farm Tenant Act."

The PRESIDING OFFICER. Without objection, the amendment to the committee amendment is agreed to, and without objection, the committee amendment as amended is agreed to.

Mr. BANKHEAD. Mr. President, I wish to have printed as part of my remarks a statement containing an explanation of the amendment.

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

PROPOSED AMENDMENT TO H. R. 4693 (AS REPORTED TO THE COMMITTEE ON JUNE 5, 1941, BY THE COMMITTEE ON BANKING AND CURRENCY) AND EXPLANATION THEREOF

Amend H. R. 4693, as reported to the Senate by the Committee on Banking and Currency, by adding at the end thereof the following new section:

"SEC. 22. The first sentence of subsection (b) of section 4 of the Federal Farm Mortgage Corporation Act, as amended (U. S. C., 1934 ed., title 12, sec. 1020 (d)), is amended by inserting after the word 'bonds', where said word first appears, the following: 'and to purchase and make loans upon mortgages insured under title I A of the Bankhead-Jones Farm Tenant Act.'"

#### EXPLANATION OF AMENDMENT

The effect of this amendment would be to permit the Federal Farm Mortgage Corporation to purchase and sell mortgages insured under title I A of the Bankhead-Jones Farm Tenant Act in the same manner as the Corporation is now authorized to purchase consolidated farm-loan bonds of the Federal land banks. Section 4 (b) as it now stands, with the proposed amendment in italic, is as follows:

"The Corporation is further authorized to purchase from time to time for cash such consolidated farm-loan bonds and to purchase and make loans upon mortgages insured under title I A of the Bankhead-Jones Farm Tenant Act, at such prices and upon such terms as may be approved by the board of directors of the Corporation \* \* \*"

The purpose of this amendment is to provide a secondary market for insured mortgages similar to the secondary market which is provided for mortgages insured under the National Housing Act through the Federal National Mortgage Association established under the provisions of title III of the National Housing Act. The proposed amendment, therefore, will not represent any innovation. To the contrary, it merely incorporates one of the features found desirable and useful in the field of urban housing.

#### DESCRIPTION OF THE FEDERAL NATIONAL MORTGAGE ASSOCIATION

The organization of the Federal National Mortgage Association, and its usefulness in providing a secondary market for mortgages insured by the Federal Housing Administrator, is described on pages 34 to 36 of the Fifth Annual Report of the Federal Housing Administrator, dated April 27, 1939, and on pages 24 and 25 of the Sixth Annual Report of the Federal Housing Administrator, dated May 20, 1940. The following is a summary of the activities of the Association:

The Association was incorporated on February 4, 1938, under the provisions of title III

of the National Housing Act. The Association is owned and operated by the Reconstruction Finance Corporation which furnished its paid-in capital and surplus. The Association, in other words, is a Government corporation similar to the Federal Farm Mortgage Corporation.

The Association has an authorized capitalization of \$50,000,000 and is empowered to acquire mortgage loans to an amount not exceeding 20 times such paid-in capital or a total of \$1,000,000,000. It is authorized to purchase insured mortgages and also to make advance firm commitments to purchase pending mortgages, subject to their consummation and insurance by the Federal Housing Administration.

As stated on page 36 of the Fifth Annual Report, this Association has been extremely useful. Through its purchase of mortgages, "a dependable secondary market for insured mortgages has been maintained. The existence of this market has added to the desirable qualities of insured mortgages as an investment and played an essential part in assuring the general availability of insured mortgages under the amended legislation. This was particularly important in a number of States where capital for home mortgage lending purposes is relatively scarce."

The proposed amendment to the authority of the Federal Farm Mortgage Corporation is designed to provide a similar secondary market for insured farm mortgages as is provided through the Federal National Mortgage Association in the field of urban insured mortgages particularly in those States where capital for farm mortgage lending purposes is relatively scarce, or where State legislation has not yet been enacted authorizing State banks to invest in mortgages insured under title I (a) of the Bankhead-Jones Farm Tenant Act.

The original bill, S. 1836, as it passed the Senate, authorized the Secretary of Agriculture to issue debentures, instead of insuring mortgages in order to take care of situations where the mortgage market would not absorb the insured mortgages. This debenture provision has been eliminated by the committee. The present amendment does not revive that debenture provision but, instead, attempts to meet the problem in the same manner as it is met under the National Housing Act.

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

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 4693) was read the third time and passed.

Mr. BANKHEAD subsequently said: I move that the Senate insist upon its amendments to House bill 4693, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. BANKHEAD, Mr. BROWN, and Mr. DANAHER conferees on the part of the Senate.

#### DEFERMENT UNDER SELECTIVE SERVICE ACT

Mr. HILL. Mr. President, out of order, from the Committee on Military Affairs I report back favorably, with amendments, the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940.

Mr. BYRNES. Mr. President, Senate bill 1524 to authorize the deferment of men by age group or groups under the Selective Training and Service Act of

1940, which has just been favorably reported from the Committee on Military Affairs, is, of course, not on the printed calendar. I ask unanimous consent, however, that the Senate proceed to the consideration of the bill.

The VICE PRESIDENT. Is there objection?

Mr. LA FOLLETTE. Mr. President, if the bill is not on the calendar, may it be stated?

The VICE PRESIDENT. The title of the bill will be stated for the information of the Senate.

The CHIEF CLERK. A bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940.

Mr. LA FOLLETTE. Mr. President, I do not have a copy of the bill. I should like to have the bill read from the desk for the information of the Senate.

The VICE PRESIDENT. The bill will be read.

The Chief Clerk read as follows:

*Be it enacted, etc.,* That section 5 (e) of the Selective Training and Service Act of 1940 is amended by adding at the end thereof the following:

"Anything in this act to the contrary notwithstanding, the President is authorized, under such rules and regulations as he may prescribe, to provide for the deferment, by age group, from training and service under this act in the land and naval forces of the United States of those men whose age or ages are such that he finds their deferment to be advisable in the national interest: *Provided*, That the President may upon finding that it is in the national interest terminate, by age group, the deferment of any or all of the men so deferred."

Mr. McNARY. This bill was ordered to be reported favorably from the Committee on Military Affairs last Friday. In the absence of an agreement to take up the bill, without regard to the rule which requires that it be received and lie over for a day, the bill is now presented, and a request is made for immediate consideration. I understand that the Committee on Military Affairs reported the bill unanimously. Is that correct?

Mr. BYRNES. Mr. President, it is my understanding that it was reported unanimously with amendments.

Mr. McNARY. Yes; also coupled with amendments, which met with some stern opposition. The bill, as amended, also might be considered in connection with the bills offered by the Senator from Texas [Mr. CONNALLY] and the able Senator from North Carolina [Mr. REYNOLDS]. I am curious to know if, in connection with the bill as amended, it is proposed to consider the bills which have been referred to the Committee on Military Affairs, to which I have just made reference.

Mr. BYRNES. My information is that if the bill is taken up for consideration, the Senator from Texas [Mr. CONNALLY] will offer as an amendment thereto the bill which he introduced on last Thursday.

Mr. McNARY. Has that bill, which would be offered as an amendment, been printed?

Mr. BYRNES. It was printed in the RECORD in connection with the remarks

of the Senator from Texas, and I am certain it has been printed.

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

Mr. BYRNES. I yield.

Mr. GURNEY. May I send to the desk for reading the bill as it was agreed to and reported by the Senate Committee on Military Affairs?

Mr. BYRNES. Mr. President, I think that would be well. I have a copy of it and had intended at the conclusion of the inquiries which are being made in respect to the matter to ask that that be done.

Mr. GURNEY. Mr. President, will the Senator agree to have it done now?

Mr. BYRNES. I ask that the bill be read, including the amendments which were adopted by a majority of the Committee on Military Affairs.

The VICE PRESIDENT. It is the understanding of the Chair that the bill has just been reported from the committee.

Mr. BYRNES. The bill has now been reported from the committee but is not on the calendar. It is not in order to take it up for consideration now, except by unanimous consent.

Mr. LA FOLLETTE. Then, Mr. President, I object.

Mr. McNARY. Mr. President, I stated a moment ago that, of course, it would have to be done by unanimous consent. Before the Senator from Wisconsin makes his objection, or before I make an objection, I should like to have the RECORD disclose the amendments offered by the Senator from South Dakota [Mr. GURNEY].

The VICE PRESIDENT. The amendments will be read.

The CHIEF CLERK. On page 1, line 8, after the word "deferment", it is proposed to strike out the comma and the words "by age group", and on line 10, after the words "United States", to strike out "of those men whose age or ages are such that he finds their deferment to be advisable in the national interest: *Provided*, That the President may upon finding that it is in the national interest terminate, by age group, the deferment of any or all of the men so deferred", and insert: "The men who (1) are liable for such training and service, (2) have not been inducted into the land or naval forces for such training and service, and (3) attain their twenty-eighth anniversary of the day of their birth prior to their induction for such training and service."

Mr. GURNEY. Mr. President, I ask that the bill be read as it would appear with my amendment, so that there may be a complete understanding of the entire matter.

Mr. McNARY. Mr. President, what I wanted to do was to have the bill read as reported from the committee. It has been read. It is not on the calendar, and unanimous consent is required to consider it.

Following the reading of the bill, I should like to have read the amendment offered by the Senator from South Dakota. I understand also that an amendment is to be offered by the Senator from Texas [Mr. CONNALLY], which I should also like to have read, in order to have a

complete record of the legislative proposal.

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

Mr. McNARY. I yield.

Mr. HILL. As I understand, there is no opposition to the amendment of the Senator from South Dakota. In fact, the amendment which the Senator from South Dakota has proposed is really a committee amendment. The amendment simply carries out exactly what General Hershey, the Director of the Selective Service Administration, said he would do if Congress should pass the bill. So I understand there is no opposition to the amendment.

Mr. McNARY. I appreciate the comments of the Senator from Alabama.

Mr. LA FOLLETTE. Mr. President, will the Senator from Oregon yield?

Mr. McNARY. I will yield in a moment.

In order to complete the record of the proposed legislation, let me say that I am advised by the able Senator from South Carolina [Mr. BYRNES] that he intends to offer an amendment to the bill, in addition to the amendment offered by the Senator from South Dakota.

Mr. BYRNES. Mr. President, if I may make a brief statement, the Senator from Texas [Mr. CONNALLY] intends to offer an amendment to attain the same objective. In view of that fact the Senator from South Carolina will not offer an amendment. I send to the desk the amendment intended to be offered by the Senator from Texas and ask that it be read.

Mr. LA FOLLETTE. Mr. President, before that is done, I should like to make a statement. I interposed objection to the consideration of the bill, because I am opposed to Congress giving blanket authority, as provided in the bill, a copy of which I have before me, to the President of the United States, at his own discretion, to fix the age limits of those who will be subjected to compulsory military service. I think Congress should retain that authority. Unless the amendment proposed by the Senator from South Dakota accomplishes that purpose, I shall continue to object to consideration of the bill. From the reading of the amendments by the clerk, indicating various amendments scattered through the bill, I could not understand the real purport of the Senator's amendment.

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

Mr. LA FOLLETTE. I yield.

Mr. GURNEY. I ask that the bill, as reported by the committee, including my amendment, be read for the information of the Senate.

The VICE PRESIDENT. Without objection, the bill as reported from the committee, including the amendment of the Senator from South Dakota, will be read.

The Chief Clerk read as follows:

*Be it enacted, etc.,* That section 5 (e) of the Selective Training and Service Act of 1940 is amended by adding at the end thereof the following:

"Anything in this act to the contrary notwithstanding, the President is authorized, under such rules and regulations as he may prescribe, to provide for the deferment from

training and service under this act in the land and naval forces of the United States of the men who (1) are liable for such training and service, (2) have not been inducted into the land or naval forces for such training and service, and (3) attain the twenty-eighth anniversary of the day of their birth prior to their induction for such training and service."

Mr. BYRNES. Mr. President, I ask that the amendment intended to be offered by the Senator from Texas [Mr. CONNALLY] be read.

The VICE PRESIDENT. Without objection, the amendment will be read.

The CHIEF CLERK. At the end of the bill, it is proposed to add the following:

That section 9 of the Selective Training and Service Act of 1940 is hereby amended by adding at the end thereof the following new paragraph:

"The power of the President under the foregoing provisions of this section to take immediate possession of any plant upon a failure to comply with any such provisions, and the authority granted by this section for the use and operation by the United States of any plant of which possession is so taken, shall also apply as hereinafter provided (1) to any plant equipped for the manufacture of any articles or materials which may be required for the national defense or which may be useful in connection therewith, and (2) to any plant which, in the opinion of the Secretary of War or the Secretary of the Navy, is capable of being readily transformed into a plant equipped for the manufacture of any such articles or materials. Such power and authority may be exercised with respect to any such plant during the existence of the national emergency declared by the President on September 8, 1939, or in time of war in which the United States is engaged, whenever the President finds, after investigation, that the national-defense program will be impeded or delayed by an existing or threatened failure of production at such plant as a result of a strike or other labor disturbance or other cause, and that the exercise of such power and authority is necessary or desirable in the public interest."

Mr. BYRD. Mr. President, I intend to offer an amendment to the amendment of the Senator from Texas. I send the amendment to the desk and ask that it be read.

The VICE PRESIDENT. Without objection, the amendment will be read for the information of the Senate.

The CHIEF CLERK. To the amendment of the Senator from Texas [Mr. CONNALLY] it is proposed to add the following:

Whereas the unsettled condition of the world today and the uncertainties of the future necessitate complete cooperation between Government, management, and labor; and

Whereas numerous strikes are taking place in national-defense industries throughout the United States; and

Whereas such strikes are retarding and greatly impeding our efforts to build an adequate Army and Navy and to render effective aid to other democracies: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that strikes in industries that affect the national-defense effort are contrary to sound public policy and they are hereby condemned.

Mr. McNARY. Mr. President, it would appear from the reading of the several amendments that the legislative situation is becoming very complex. I think the amendments should be printed and

lie on the table until tomorrow. I therefore object to consideration of the bill today, so that the matter may go over until tomorrow.

The VICE PRESIDENT. Objection is heard to the present consideration of the bill. The bill will be placed on the calendar.

Mr. DANAHER. Mr. President, I should like to ask the Senator from South Carolina [Mr. BYRNES], so that the RECORD may show, whether the amendment submitted by the Senator from South Dakota [Mr. GURNEY] was acted upon and agreed to by the Committee on Military Affairs.

Mr. BYRNES. Mr. President—  
Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. BYRNES. I yield to the Senator from Colorado.

Mr. JOHNSON of Colorado. The amendment submitted by the Senator from South Dakota was acted upon favorably by the committee, and those who opposed the motion to approve it withdrew their objection. So, as a matter of fact, I think it has the unanimous support of the entire committee.

In that connection, let me say that the amendment intended to be offered by the Senator from Texas [Mr. CONNALLY] and the perfecting amendment to be offered by the Senator from Virginia [Mr. BYRD] were not before the Military Affairs Committee at any time.

Mr. DANAHER. I thank the Senator. The last point is what I particularly sought to establish.

Mr. CONNALLY. Mr. President, the committee may not have considered the amendment of the Senator from Texas, but certainly it was before the committee.

#### STRIKES IN DEFENSE INDUSTRIES

Mr. BYRD. Mr. President, I ask unanimous consent to have inserted in the body of the RECORD, as a part of my remarks, a statement from the War Department as to the strikes existing and threatened on June 7 in defense industries, and likewise a statement from the Navy Department as to the number of strikes existing on June 7 in defense industries having Navy contracts. I further ask unanimous consent to have inserted in the body of the RECORD an article by David Lawrence entitled "Backstop Needed in Mediation."

The VICE PRESIDENT. Without objection, the statements and article will be printed in the RECORD.

The matters referred to are as follows:

WAR DEPARTMENT,  
OFFICE OF THE UNDER SECRETARY,  
LABOR SECTION,  
June 7, 1941.

Subject: Strikes and labor disputes affecting War Department procurement.  
Memorandum for the Under Secretary of War.

Friday, June 6, 1941: Number of strikes, 30. New strikes reported June 6, 1941: Antrim Iron Co., Mancelona, Mich.; Gager Lime Co., Sherwood, Tenn.; Ethyl Gas Plant, Baton Rouge, La.; Karp Metal Products, Brooklyn, N. Y.

Cases where men have returned to work: Metals Disintegrating Co. (exact date of return not reported).

Cases to be omitted: Hercules Powder Co., Radford, Va. (construction is progressing satisfactorily).

American Potash & Chemical Co., Trona, Calif.:

Strike: March 19, 1941, of 1,000 mine, mill, and smelter workers (C. I. O.).

Issues: Closed shop and wage increases.  
Status: Certified to National Defense Mediation Board April 23, 1941. National Defense Mediation Board relinquished jurisdiction June 6, 1941.

Interest: Borax and boric acid for Kimball Glass Co. and Corning Glass Works. Medical Corps contracts far behind schedule.

Antrim Iron Co., Mancelona, Mich.:  
Strike: May 29, 1941 of 450 United Mine Workers (C. I. O.).

Issue: Alleged discriminatory discharge of one employee.

Status: Commissioner is conducting conferences.

Interest: Supplies charcoal, pig iron, and methanol for various defense projects.

Apollo Steel Corporation, Apollo, Pa.:  
Strike: May 19, 1941, of 950 Steel Workers Organizing Committee (C. I. O.).

Issues: Closed shop and wage increases.  
Status: Commissioner Ward and Office Production Management labor consultant on case. Joint conference held June 5, 1941.

Interest: Sheet steel for A. M. C. Steel Co. for Quartermaster Corps cabinets. Hot-rolled steel for Motor Generator Co. for ordnance contracts. Motor Generator will have to cut production by one-half on July 15, 1941, if steel is not shipped from Apollo on June 30, 1941.

Black Hosiery Mills, York, Pa.:  
Strike: April 11, 1941, of 100 C. I. O. workers.

Issues: Wage increases and representation.  
Status: National Labor Relations Board election to be held prior to June 21, 1941.

Interest: Socks for Quartermaster Corps. Some are being shipped without hindrance.

Clay City Products Co., Uhrichsville, Ohio:  
Strike: May 31, 1941, of unknown number of brick and clay workers.

Issues: Unascertained.  
Status: Commissioner Fuller assigned June 3, 1941. Meetings being held.

Interest: Clay pipes for use at island air bases.

Cleveland Brass Co., Cleveland, Ohio:  
Strike: Of 150 diecasters (C. I. O.).  
Issues: Wages and union recognition.

Status: Commissioner Harris on case. Meetings being arranged.

Interest: Indirect source of supply for Ordnance.

Crescent Tool Co., Jamestown, N. Y.:  
Strike: May 12, 1941, of 500 machinists (A. F. of L.).

Issue: Alleged discriminatory discharge of one union employee.

Status: Commissioner Goldsmith on case. Deadlock in negotiations.

Interest: Pliers and wrenches for Air Corps, Quartermaster Corps, and Signal Corps.

Detroit Steel Products Co., Detroit, Mich.:  
Strike: May 7, 1941, of 1,000 U. S. W. (C. I. O.) in main plant. Spring plant struck June 2, 1941.

Issue: Union recognition.  
Status: Commissioner and Office of Production Management labor consultant on case. National Labor Relations Board election being arranged.

Interest: Steel screens for Lake City ordnance plant—urgently needed. Also supplies machine-tool plants at Springfield and Windsor in Vermont and Fort Ethan Allen and Plattsburg Barracks.

Ethyl Gas Plant, Baton Rouge, La.:  
Strike: Of unascertained number of building trades.

Issue: Closed shop.  
Status: Report of strike just received. Strike in construction of plant addition.

Interest: Plant owned by Standard Oil. One of the largest aviation-gasoline plants in the country.

Fuld & Hatch Knitting Co., Cohoes, N. Y.:  
Strike: June 2, 1941, of 240 U. T. W. A. (A. F. of L.) in knitting and spinning departments.

Issue: Wages.  
Status: Commissioner holding meetings.  
Interest: Undershirts and drawers for Quartermaster Corps.  
Gager Lime Manufacturing Co., Sherwood, Tenn.:

Strike: June 5, 1941, of 185 cement, lime, and gypsum workers (A. F. of L.).

Issue: New contract terms.  
Status: Report of strike received June 5, 1941.

Interest: Source of supply for lime to many large defense contractors including: Aluminum Co. of America, Mobile, Ala.; Tennessee Corporation; Reynolds Metal Co., Lister, Ala.; Republic Steel Co.; Atlantic Steel Co.; South Chemical & Cotton Co. Alternate source of supply for lime is available but has not been obtained at this time.

General Ceramics Co., Keasbey, N. J.:  
Strike: May 30, 1941, of unascertained number of independent workers.

Issue: Closed shop.  
Status: Union to vote on proposed agreement June 6, 1941.

Interest: Insulators for Signal Corps.  
Karp Metal Products, Brooklyn N. Y.:  
Strike: June 5, 1941, of 35 U. E. R. M. W. A. (C. I. O.).

Issue: Union recognition.  
Status: Only 35 of the 185 shop employees are on strike. Production is interfered with to some extent.

Interest: Metal boxes and containers for ordnance; boxes and binding posts for Signal Corps.

LaFayette Worsted & Spinning Co., Woonsocket, R. I.:  
Strike: May 9, 1941, of 315 independent textile workers.

Issue: Closed shop.  
Status: Commissioner Weinstock on case; meetings continuing.

Interest: Yarns for Princeton Worsted Mills and Verdun Manufacturing Co., both having Quartermaster Corps contracts for cloth.

Louisville Tin & Stove Co., Louisville, Ky.:  
Strike: May 21, 1941, of 225 A. F. of L. workers.

Issues: Wages and closed shop.  
Status: Negotiations deadlocked.  
Interest: Miscellaneous cooking equipment for Quartermaster Corps.

Lumber industry in the Pacific Northwest area, State of Washington:

Strikes: May 10, 1941, and May 16, 1941, of about 16,000 woodworkers (C. I. O.).

Issues: Wages and contract terms.  
Status: Twin district council, Seattle, Wash. Certified to National Defense Mediation Board on May 9, 1941. President Murray, of the C. I. O., has requested the men to return to work.

Willapa Harbor Lumber Mills, Raymond, Wash. It is believed that the union here is awaiting the outcome of the National Defense Mediation Board negotiations on the twin district council case.

Interest: Lumber for construction projects and for airplane production.

Madison Woolen Co., Madison, Maine:  
Strike: May 12, 1941, of 410 textile workers (C. I. O.).

Issue: Contract terms.  
Status: Company asking for 5-year agreement; conferences being held.

Interest: Subcontractor for suiting cloth on large Quartermaster Corps contracts.

Maisel Co., Brooklyn, N. Y.:  
Strike: May 9, 1941, of 33 textile workers (C. I. O.).

Issues: Wages and improved working conditions.

Status: Commissioner on the case.  
Interest: Quartermaster Corps contract for 65,000 pillows.

Marlin Rockwell Corporation, Plainville, Conn.:  
Strike: May 27, 1941, of 1,000 U. A. W. (C. I. O.).

Issues: Wages and grievance machinery.  
Status: Commissioner on the case. State board conference June 6, 1941.

Interest: This company is one of the largest manufacturers of ball and roller bearings in the country. Priority rating, A-1-a. Continental Motors will have to stop production on eight tank engines by June 11 because of failure to receive bearings.

New Jersey Galvanizing Co., Newark, N. J.:  
Strike: May 23, 1941, of 35 S. W. O. C. (C. I. O.).

Issues: Wages and union shop.  
Status: Commissioner on the case.  
Interest: Holding up iron frames necessary to complete Fort Monmouth project.

North American Aviation Corporation, Inglewood, Calif.:  
Strike: June 5, 1941, of 11,000 U. A. W. (C. I. O.).

Issues: Wages and union shop.  
Status: Report of strike; this in defiance of the N. D. M. B., which has had the case since May 22.

Interest: One of the most important sources for aircraft; manufactures trainers and bombers; British also have contracts.

Picker X-Ray Corporation, Cleveland, Ohio:  
Strike: June 2, 1941, of 200 U. E. R. M. W. A. (C. I. O.).

Issues: Wages, hours, seniority, and closed shop.

Status: Commissioner Neblitt on the case. Conferences with O. P. M. labor and industry consultant attending.

Interest: Company is one of the largest manufacturers of X-ray machines and equipment.

Pittsburgh truckers, Pittsburgh, Pa. (176 companies involved):

Strike: June 2, 1941, of 1,500 A. F. of L. teamsters, chauffeurs, and warehousemen.

Issue: Wages.  
Status: 50 of the 176 companies have already signed contract. Commissioner on the case. O. P. M. labor consultant attending meetings.

Interest: Tying up deliveries from freight terminals as well as deliveries between mills in the Pittsburgh area. Many Air Corps contracts are affected. Slowing down delivery of Curtiss-Wright propeller blades.

Reliance Manufacturing Co., Michigan City, Columbus, and Washington, Ind.:

Strike: April 28, 1941, of 1,200 A. C. W. (C. I. O.).

Issue: Union status.  
Status: Commissioner Cofer reports case deadlocked.

Interest: 100,000 pairs cotton drawers for Quartermaster Corps at Michigan City plant; 90,000 cotton duck trousers at Columbus plant.

Republic Stamping & Enameling Co., Canton, Ohio:

Strike: May 26, 1941, of 470 A. F. of L.

Issue: Wages.  
Status: Commissioner on the case. Conference held June 4.

Interest: Supplies steel sheets for roofing of Weldon Springs building. These sheets are needed June 9.

St. Louis Steel Fabricating Cos., St. Louis, Mo.:

Strike: Approximately 200 ironworkers (A. F. of L.) between May 19 and May 24, involving 13 companies.

Issues: Closed shop and signed agreement.  
Status: O. P. M. labor consultant is investigating. Commissioner William F. White on

the case, and joint conferences were held June 4 to consider Mr. White's proposal.

Interest: Delaying 41 tons of structural steel for oil-storage building at Curtiss-Wright, St. Louis, Mo.; 10 tons of structural steel for boiler building at Weldon Springs ordnance plant. Subcontractor for Navy gun mounts; also manifold piping for Weldon Springs. Delaying Venice, Ill., generating plant, which furnishes power for St. Louis ordnance plant and Weldon Springs.

Shampaine Co., St. Louis, Mo.:  
Strike: May 20, 1941, of 131 Steel Workers Organizing Committee (C. I. O.).

Issue: New contract.  
Status: Commissioner on the case. Union considering company wage proposal, June 5, 1941.

Interest: Hospital equipment for Medical Corps.

Sivyer Steel Castings Co., Chicago, Ill.:  
Strike: May 23, 1941, of 250 United Automobile Workers (C. I. O.).

Issues: Wages, closed shop, and vacations with pay.

Status: Commissioner holding meetings; next one for June 5, 1941. Attempts being made to remove castings for gun carriages to Milwaukee plant.

Interest: Castings for International Harvester for limber and gun carriages for 155-millimeter high-speed adapters. Harvester deliveries will be delayed proportionate to the length of this strike (critical). Castings for Allis-Chalmers, who make crawler tractors for ordnance. Important subcontractors for Navy. Delaying production of trailers at Athey Truss Wheel Co.

Standard Knitting Mills, Knoxville, Tenn.:  
Strike: May 28, 1941, of 2,800 I. L. G. W. (A. F. of L.).

Issues: Wages and improved working conditions.

Status: Commissioner Deal assigned. No change in status.

Interest: Undershirts and drawers for Quartermaster Corps. Deliveries up to schedule.

Wilson Jones Co., Chicago, Ill., and Elizabeth, N. J.:

Strike: May 15, 1941, of 1,200 bookbinders at the two plants (C. I. O.).

Issues: Unascertained.  
Status: Commissioner Scheck conducting meetings, June 4, 1941.

Interest: Posting trays, stands, and guides for Quartermaster Corps for laundries in 37 camps, posts, and stations.

#### THREATENED STRIKES

##### Most immediate danger

Aluminum Co. of America, Cleveland, Ohio (five plants): Aluminum for ordnance and Air Corps. Strike postponed indefinitely pending results of Mediation Board action. Hearings for Monday, June 9, 1941.

American Brass, Waterbury, Conn.: Ordnance prime and subcontracts amounting to \$7,000,000; manufactures brass for Frankford Arsenal for small-arms ammunition; also major suppliers of raw and finished brass products. Strike vote taken May 28, 1941. Negotiations deadlocked on wages. Joint conference June 5, 1941.

Bohn Aluminum & Brass Corporation, Detroit, Mich.: Manufactures aluminum molds, castings, and bearings; ordnance prime and subcontracts; Air Corps subcontractor for Curtiss-Wright, Vultee, and Pratt & Whitney companies; company is 80 percent defense production. Union threatening to strike June 9, 1941, if company fails to start negotiations. Commissioner Dewey assigned. Joint conference recessed pending return of company officer from Washington. Company contends existing contract is bar to union request for wage increase.

Consolidated Aircraft Corporation, San Diego, Calif.: Large and important contractor for Air Corps, Navy, England, Netherlands,

and Canada. Negotiating new contract and terms run parallel with those being asked at North American Aviation. Union will take strike vote next Tuesday, June 10.

Dow Chemical Co., Midland, Mich.: Manufactures magnesium; leading plant in the country of this critical item; strike threatens on issue of union recognition. National Labor Relations Board started hearings May 26, 1941; hearings completed but no decision rendered. Election to be held some time in June.

Over-the-road truckers (in 11 States): Trucking in Michigan, Ohio, Indiana, and other States; Teamsters Union, American Federation of Labor; deadline postponed until mediation June 6, 1941. Office of Production Management labor consultant and Commissioner Connor on the case.

Soft coal: John L. Lewis threatens to call out 300,000 to 400,000 soft-coal miners again unless satisfactory wage agreement with Southern operators is obtained. National Defense Mediation Board handling case since May 23; is drawing up public findings and recommendations. Southern operators and United Mine Workers were called to meeting on June 4 to hear the Board's recommendations for settlement of their wage controversy. Recommendations are to be made public after they have been submitted to participants in the controversy. Conferences will be continued until June 5.

#### OTHER SERIOUS THREATS (THREATENED STRIKES)

American Aluminum Co., Los Angeles, Calif.: Aluminum metal for Air Corps. Awaiting outcome of National Labor Relations Board election held April 30, 1941.

American Bobbinet Co., Newburgh, N. Y.: Manufacturing mosquito netting for Quartermaster Corps. Wage controversy; strike threatening. Company states they cannot grant wage increase. Conference on June 5. Commissioner Post assigned.

E. W. Bliss Co., Brooklyn, N. Y.: Prime contractor for Ordnance for presses and small-arms ammunition machinery (\$10,000,000) for Lake City, Denver, and St. Louis Ordnance plants; Navy and British also have contracts. Certified to National Defense Mediation Board May 22, 1941; strike threatened for May 28, 1941; postponed indefinitely. Negotiations to continue before the Board in an effort to settle new minimum wage-rate dispute. Board is preparing findings and recommendations.

Electro Metallurgical Co., Alloy, W. Va.: Supplies steel companies with ferromanganese; manufactures 75 percent of total tonnage of alloys for the entire country. Congress of Industrial Organizations and company negotiating contract. National Labor Relations Board dismissed A. F. of L. petition for hearings to contest the C. I. O. victory at recent election.

Gar Wood Industries, Inc., Detroit, Mich.: Manufactures 75-mm. howitzers and carriages for Ordnance. Wage controversy; union filed notice of intent to strike on June 5, 1941.

Reynolds Metal Products Co., Louisville, Ky.: Manufactures \$4,000,000 worth of Army and Navy contracts. May 29, 1941, workers voted 95 percent to strike. Negotiations for new contract in progress. Commissioner Smith on case. Conference on June 5, 1941.

Scullen Steel Co., St. Louis, Mo.: British order for 50,000 bombs through Ordnance; also 100 steel bodies. Steel Workers Organizing Committee (C. I. O.) threatening to strike within a few days unless recognition is granted by the company. Negotiations are deadlocked. Steel Workers Organizing Committee and independent union have agreed to Commissioner's proposal for joint conference of committees.

Sealed Power Corporation, Muskegon, Mich.: Manufactures pistons and rings for Air Corps, Ordnance, and Quartermaster Corps. Strike vote taken; no date set. Union and management agreed to submit the company's financial report to Muskegon bank

officials. Thirty-day-notice period expired June 5, 1941.

United States Rubber Co., Detroit, Mich.: Prime and subcontractor for Ordnance, manufacturing tires and tubes; numerous prime contracts with Quartermaster Corps for raincoats and boots. Wage controversy; union took strike vote June 4, 1941. Commissioner Rye on case.

Vanadium Corporation of America, Bridgeville, Pa.: Ordnance contracts; company one of the most important suppliers of ferrovanadium in United States. Certified to National Defense Mediation Board March 27, 1941. Union may call strike now, as company has refused to entertain grievances growing out of a strike that was recently settled.

Wright Propeller Division, Caldwell and Clifton, N. J.: Manufactures propellers for Air Corps. Strike vote was taken May 26. Union insists upon deadline for June 9 unless consent election for Caldwell plant agreed to. National Labor Relations Board endeavoring to arrange for disposal of issue by action on election petition.

JOSEPH F. BATTLE,   
Major, United States Army,   
Chief, Labor Section.

#### DEPARTMENT OF THE NAVY, OFFICE OF THE ASSISTANT SECRETARY, Washington, June 7, 1941.

Memorandum for the Assistant Secretary of the Navy.

Subject: Strikes on Naval Defense Contracts.

There are listed below strikes which were in effect during the week ending June 7, 1941, in plants having naval-defense contracts. More complete information may be obtained from the Shore Establishments Division, Room 2026, Branch 812, where information as to discrepancies noticed, or as to urgency of contracts in the plants listed, should be sent.

Man-days lost on national-defense work in plants at which naval-defense contracts have been involved, have accumulated in the first 5 months of 1941 to a total of between 1,500,000 and 2,000,000. This lost time is equivalent to the time necessary to build at least 8 submarines, or at least 8 destroyers, or 2 cruisers, or nearly 1,000 fighter planes, or 500 patrol planes. The total lost man-days has been increased during the past week by approximately 52,000.

American Potash & Chemical Co., Trona, Calif.: Began March 19, 1941. Status, 1,000 workers involved. This strike is preventing placement of Navy Department orders for urgently needed potash. Referred to Mediation Board April 23, 1941.

Apollo Steel Co., Apollo, Pa.: Began May 19, 1941. Status, 1,600 men involved. Strike is not seriously interfering with naval-defense material as yet. Under negotiation. No settlement in sight.

Atlantic Metal Products Co., Long Island, N. Y.: Began May 13, 1941. Status, 165 men involved. Jurisdictional dispute. Completed material being shipped but new production has been stopped.

Busch-Sulzer Diesel Engine Co., St. Louis, Mo.: Began April 21, 1941. Status, 75 men involved. A. F. of L. jurisdictional row over installation of machinery in plant extensions. Machine-tool installation proceeded with on June 2 with metal trades workers, which has caused withdrawal by building trades union of all affiliated workers on plant-extension work.

Carborundum Co., Niagara Falls, N. Y.: Began May 26, 1941; ended May 28, 1941.

Crescent Tool Co., Jamestown, N. Y.: Began May 12, 1941. Status: 500 machinists involved. So far negotiations unsuccessful.

Curtis Manufacturing Co., St. Louis, Mo.: Began April 7, 1941; ended May 31, 1941.

Detroit Steel Products Co., Detroit, Mich.: Began May 7, 1941. Status: 750 men involved. Issue is union recognition. N. L. R. B. election agreed to. Efforts to have

employees return to work pending election so far unsuccessful. Possible 3 weeks' further delay involved.

Fedders Manufacturing Co., Buffalo, N. Y.: Began May 22, 1941. Status: An increase in wages demanded. Efforts are under way to arbitrate.

General Ceramic Corporation, Keasbey, N. J.: Began May 31, 1941. Status: 460 employees involved. Company came to agreement with independent union, which will be presented to union membership Friday night, June 6, for ratification.

C. G. Hussey Co., Pittsburgh, Pa.: Began May 20, 1941; ended May 30, 1941.

Kennedy Valve Manufacturing Co., Elmira, N. Y.: Began May 15, 1941. Status: 500 involved. The A. F. of L. unions involved are willing to cooperate in shipping national-defense materials.

Lone Star Cement Co., Birmingham, Ala.: Began May 29, 1941. Status: Strike not expected to be of long duration. Cement for Navy defense contract may be secured from other plants in vicinity.

Lumber Mills, Tacoma, Wash.: Began May 10, 1941. Status: Situation active with National Defense Mediation Board.

Marathon Electric Manufacturing Corporation, Wausau, Wis.: Began May 26, 1941. Status: 500 employees involved. Entire plant walked out on May 26. Union and company refuse compromise on issue of discharged employees. No negotiations possible before June 9.

Marlin Rockwell Co., Plainville, Conn.: Began May 27, 1941. Status: 700 employees involved. Joint conferences being held.

Monsanto Chemical Co., St. Louis, Mo.: Began April 16, 1941; ended May 28, 1941.

Morgan Bros. Co., Pittsburgh, Pa.: Began June 2, 1941. Status: Strike not sanctioned by union.

North American Aviation Corporation, Inglewood, Calif.: Began June 5, 1941. Status: This is an attempt made by C. I. O. to strike for union recognition. Some expectation that possible majority of A. F. of L. employees may continue production.

Phoenix Iron works, Phoenixville, Pa.: Began May 14, 1941; ended May 31, 1941.

Plymouth Rubber Co., Canton, Mass.: Began June 2, 1941. Status: Company now negotiating with A. F. of L., the union involved.

San Francisco Shipyards, San Francisco, Calif.: Began March 3, 1941. Status: 2,000 union members involved. Violation of stabilization conference agreement. All metal-trade crafts except machinists have returned to work.

Sawyer Foundry & Machine Co., Oswego, N. Y.: Began May 8, 1941. Status: 11 men involved out of total number of 22 employees.

Schurk Iron Co., St. Louis, Mo.: Began May 22, 1941. Status: 30 involved. Case before N. L. R. B.

Sivyer Steel Castings Co., Chicago, Ill.: Began May 23, 1941. Status: 254 workers affected. Plant practically shut down. Conciliation commissioner has secured cooperation of union and company in releasing material.

Superior Lime & Hydrate Co., Pelham, Ala.: Began April 9, 1941. Status: 37 men involved. One source of supply of lime and limestone for steel manufacture.

Trumble Electric Co., San Francisco, Calif.: Began May 14, 1941; ended May 19, 1941.

Washington Motor Coach Co., Seattle, Wash.: Began May 29, 1941. Status: 212 involved. Strike affects to some extent transportation of employees to plants engaged in national-defense work. No direct Navy contracts involved. Negotiations unsuccessful. Situation not hopeful.

Wilson Jones Co., Chicago, Ill., and Elizabeth, N. J.: Began May 15, 1941. Status: 1,200 affected. Company agreed to wage increase at joint conference.

Woodstock Flag Co., Birmingham, Ala.: Began May 2, 1941. Status: 50 employees involved. Plant shut down.

Youngstown Sheet & Tube Co., Indiana Harbor, Ind.: Began June 2, 1941. Status: 625 involved. This is a renewal of a strike which ended after agreement between company and union on May 26. New negotiations proceeding.

Listed below are companies in which strikes are pending but information relative to naval defense contracts not yet available:

Clay City Products Co., Uhrichsville, Ohio, May 31, 1941.

Ethyl Gas Plant, Baton Rouge, La., June 3, 1941.

Metals Disintegrating Co., Townley, N. J., May 28, 1941.

Nelson, C., Mfg. Co., St. Louis, Mo., June 5, 1941.

New Jersey Galvanizing & Tinning Co., Newark, N. J., June 3, 1941.

Picker X-Ray Co., Cleveland, Ohio, June 2, 1941.

Republic Stamping & Enameling Co., Canton, Ohio, May 26, 1941.

Spring Products Co., Trenton, N. J., June 2, 1941.

Tri-Boro Transit Co., Binghamton, N. Y., June 2, 1941.

[From the Washington Star of June 6, 1941]  
BACKSTOP NEEDED IN MEDIATION—ROOSEVELT MAY HAVE TO PUT OWN POWER BEHIND BOARD

(By David Lawrence)

The National Defense Mediation Board thus far has had only the strength of an aroused public opinion to support its insistence that the parties to labor disputes accept the findings of the board and end work stoppages. But it begins to look as if President Roosevelt will find it necessary to back up the Board with the broad range of his discretionary authority under many different statutes.

What did President Wilson do in the first World War when confronted with a similar situation? Representative SATTERFIELD, Democrat, of Virginia, has called the attention of Mr. Roosevelt to a remarkable letter written by President Wilson on September 13, 1918, which was addressed to a local union of the International Association of Machinists at Bridgeport, Conn. It reads as follows:

"GENTLEMEN: I am in receipt of your resolutions of September 6 announcing that you have begun a strike against your employers in Bridgeport, Conn. You are members of the Bridgeport branches of the International Union of Machinists. As such, and with the approval of the national officers of your union, you signed an agreement to submit the questions as to terms of your employment to the National War Labor Board and to abide by the award which, in accordance with the rules of procedure approved by me, might be made.

#### BREACH OF FAITH

"The members of the Board were not able to reach a unanimous conclusion on all the issues presented, and as provided in the Constitution, the questions upon which they did not agree were carried before an arbitrator, the unanimous choice of the Board.

"The arbitrator thus chosen has made an award which more than 90 percent of the workers affected accept. You who constitute less than 10 percent refuse to abide by the award, although you are the best paid of the whole body of workers affected, and are, therefore, least entitled to press a further increase of wages because of the high cost of living. But whatever the merits of the issue, it is closed by the award. Your strike against it is a breach of faith calculated to reflect on the sincerity of national organized labor in

proclaiming its acceptance of the principles and the machinery of the National War Labor Board.

"If such disregard of the solemn adjudication of a tribunal to which both parties submitted their claims be temporized with, agreements become mere scraps of paper. If errors creep into awards, the proper remedy is submission to the award with an application for a rehearing to the tribunal. But to strike against the award is disloyalty and dishonor.

#### SHOE FITS BOTH FEET

"The Smith & Wesson Co., of Springfield, Mass., engaged in Government work, has refused to accept the mediation of the National War Labor Board and has flouted its rules of decision approved by Presidential proclamation. With my consent, the War Department has taken over the plant and business of the company to secure continuity in production and to prevent industrial disturbance.

"It is of the highest importance to secure compliance with reasonable rules and procedure for the settlement of industrial disputes. Having exercised a drastic remedy with recalcitrant employers, it is my duty to use means equally well adapted to the end with the lawless and faithless employees.

"Therefore, I desire that you return to work and abide by the award. If you refuse, each of you will be barred from employment in any war industry in the community in which the strike occurs for a period of 1 year. During that time the United States Employment Service will decline to obtain employment for you in any war industry elsewhere in the United States, as well as under the War and Navy Departments, the Shipping Board, the Railroad Administration, and all other Government agencies, and the draft boards will be instructed to reject any claim of exemption based on your alleged usefulness in war production.

"Sincerely yours,

"WOODROW WILSON."

The same drastic steps referred to in Mr. Wilson's letter have been suggested in Washington many times this year, but the soft pedal has been put on them in the belief by the administration that the strikes would soon quiet down and be eliminated.

#### HELPLESS UNLESS BACKED

The National Defense Mediation Board is doing a constructive job under trying circumstances, but it will be helpless if it isn't backed up by the President. Incidentally, it is gratifying to be able to announce that Vice Chairman Davis of the Mediation Board states positively that any alleged spokesmen for the Board in the Middle West who are endeavoring to predict either his views or those of other members of the Board with reference to cases not yet brought before the Board are misrepresenting the work of the Board.

The Mediation Board's prestige will rise or fall in accordance as it is held to be an impartial body.

#### PRESSURE TO FORCE INVOLVEMENT IN WAR

Mr. WHEELER. Mr President, I desire to call attention to an article appearing in the Washington Post which refers to a speech made by Budget Director Harold Smith in a Nation-wide broadcast. In this talk the Budget Director simply echoed what a number of other persons have been saying, to the effect that we here in the United States shall be enslaved if England does not win. I quote the newspaper article, which states:

#### SMITH SPEAKS IN KANSAS

Smith, in a nationally broadcast (National Broadcasting Co.) address at seventy-fifth

anniversary ceremonies of the University of Kansas at Lawrence, Kans., warned that a German triumph would provoke a vast upheaval that would bring economic enslavement to the world.

This statement has been repeated so many times by columnists and a few others who are anxious for war that I desire to call attention to another article. It appeared in the Wall Street Journal, and is based on an interview with Mr. Bernard M. Baruch. No one can contend that Mr Baruch is anything but a loyal American citizen. No one can call him an appeaser, or a "fifth columnist," or a Nazi. The article in the Wall Street Journal, including the headline, reads:

UNITED STATES CAN UNDERSSELL TOTALITARIANS IN WORLD MARKETS, SAYS BARUCH—GERMANY WOULD BE "ON SPOT" ECONOMICALLY EVEN IF SHE WON WAR, HE ASSERTS— WOULD CURB PRICE ADVANCES

(By Robert Laffan)

The United States can undersell totalitarian countries in world trade, according to Bernard M. Baruch, formerly chairman of Woodrow Wilson's War Industries Board, now a national-defense consultant to the Roosevelt administration.

In an exclusive interview with the Wall Street Journal, Mr. Baruch pointed out that Germany, not the United States, would be "on the spot" economically if Germany were to win control of the European continent.

"What will she do? Where can she sell her products or those of the countries she has conquered?" the veteran of another all-out war asked this reporter.

The United States market will be cut off from European countries that formerly sold here, according to Mr. Baruch. Under proper economic policy the United States should be able to drive Germany out of any desired neutral market, he believes.

#### A PROGRAM FOR THE UNITED STATES

According to Mr. Baruch this country must:

1. Maintain a low price structure throughout this war.
2. Develop quality and economy in mass-production industries.
3. Build military defenses.

Fears concerning Germany's economic prowess and cheap labor are exaggerated, according to Mr. Baruch.

He cited evidence he had just received from a large American company that owns a factory in a leading industrial city in Germany. (He named the city, but suggested the name be omitted.) The parent American company has received a report from the German factory, Mr. Baruch asserted, that shows conclusively that despite low wages and long hours, with the German mark at 37 cents, the American plant is turning out the same products more cheaply.

"Oh, they can make gimcracks where we don't make them," Mr. Baruch remarked, "but there is no reason why we can't undersell them in important mass-production products provided we maintain a low price structure."

#### IMPORTANCE OF LOW PRICES

He stressed the importance of this. A price rise now would have to be liquidated in the post-war period, and that would throw this country off balance and place it in an unfavorable position to wage economic war, he pointed out. But if prices here are held down, Germany will be faced with the huge unemployment and economic problem after the war, he believes.

Won't that mean that Germany will be forced to attack us? Mr. Baruch was asked.

"Let 'em come," he replied. Mr. Baruch emphasized that he is not one of those who have been complacent about Germany over the past many years. Like Winston Churchill, Mr. Baruch can point to the fact that he has been trying to awaken public opinion ever since 1935 to the rise of Nazi military power and to the need for preparedness.

Mr. Baruch's comments followed a discussion of his book, *American Industry in the War*, which has just been issued by Prentice Hall, Inc. The book is a reprint of the report of the old War Industries Board, together with Mr. Baruch's own program for total mobilization of the Nation as presented to the War Policies Commission in 1931. It also contains material on priorities and price fixing.

#### QUESTION OF LABOR CONTROLS

The present national defense effort has followed some outlines of the previous emergency effort. One major point of difference seems to be that the present administration has not followed Mr. Baruch's recommendations for an over-all ceiling on prices and costs.

I call attention to this article because Mr. Baruch is not a theorist. He is an outstanding financier. He is an economist of national and international repute. He is not swayed by hysteria. He is a realist—a practical businessman.

The warmongers in this country—and there are many of them—and the columnists and others, are saying what? That unless we enter this war our people will be enslaved. That is what we hear from some persons speaking over the radio. They appeal to our emotions; but at no time do they give us the facts.

I am glad to call the Senate's attention to this article regarding Mr. Baruch because I know the respect with which he is held by a great number of the Members of the Senate as a patriotic American citizen; but I assume that because of this statement he probably will be attacked, as others have been attacked, as being an appeaser, or a Nazi sympathizer, or something else. So much for that article.

Then I desire to call attention, Mr. President, to another article, written by Messrs. Alsop and Kintner, which appeared the other day in the *Washington Post* and other newspapers throughout the country. I would not pay very much attention to what these columnists write except for the fact that we all know that Alsop and Kintner are close to some of the administrative agencies of government. We know that they do get inside information from the State Department. We know that they had published the *White Book*, which contained material that could have been obtained only from the State Department. Members of the Senate could not get the information; yet it was published in the *White Book* and sold to the public for a profit. Furthermore, we all know the close connections of Messrs. Alsop and Kintner and the family relationship of one of them to certain members of the administration. Here is what they say, under the heading "German incident":

All the President's recent utterances and actions have been made mysterious by a basic contradiction. He says that he means to act, yet he does not act, and in the next breath even seems to foreclose important

avenues of action. The contradiction is easy to explain, however, once it is understood that the immediate future depends on the answer to a simple question. Will the President continue determined to force the Germans to fire the first shot?

I think the answer to the question is that the President is resisting many persons who are bringing pressure upon him for war. These columnists, however, put a very low estimate on the President of the United States, it seems to me, in the remainder of their article.

This determination of the President is apparently the most important of the psychological obstacles he must surmount before he can commit the United States to full fighting partnership with Britain. Of course, there are other obstacles. There is his desire not to move until the country is fully united behind him, from which his wish to force the Germans to give him a pretext for action no doubt arises. There are the various commitments and semicommitments he has made in the last year against conveying, against taking the country into war, and so forth. Strangely enough, considering earlier trends of constitutional interpretation at the White House there is even said to be some fear in his mind that if he orders action without requesting a prior declaration of war from Congress, he will be transgressing his constitutional prerogatives as Commander in Chief.

I do not believe that anyone in the Congress who is familiar at all with the Constitution of the United States will for a moment say that the President of the United States has the right under the Constitution, although he may have the power, to take this country to war without coming to the Congress of the United States. Yet we find men, lawyers, and columnists urging the President of the United States to take the country to war without a declaration by Congress. In one breath they say we must fight for democracy on other continents and in the next breath they urge disregard and of constitutional democracy in the United States. They urge the President to violate his oath of office, and to ignore the Constitution of the United States of America, in other words they are saying, "To hell with the Constitution, go ahead anyway."

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. CLARK of Missouri. The Senator will recall that a few days ago or a few weeks ago the Senator from Montana himself in the course of a speech charged that the very policy of seeking to bring about an incident which would be equivalent to war was being urged upon the President. The Senator from Montana was assailed and abused like a pickpocket by all the mud batteries of the columnists of the war party and the limber-legged incense burners who have been trying to get up a war. Now these two columnists, who represent the nadir of the columnistic effort to get us into the war, not only avow that but charge that the President of the United States, in violation of his oath of office, is deliberately trying to pursue such a policy.

Mr. WHEELER. I thank the Senator. The article goes on to say:

But according to men qualified to speak with authority—

Who are the men from whom they get this information that are "qualified to speak with authority"? Members of the Senate do not get this information, and yet some of these columnists get from the War Department, from the Navy Department, and from the State Department information which no Senator and no Member of the House of Representatives is permitted to have—

But according to men qualified to speak with authority, these other obstacles are now entirely secondary. Events have made them so. As Ambassador John G. Winant has reported to the President—

The article says Mr. Winant has so reported to the President—

and as all his ablest advisers here have been telling him for weeks, he has the choice between acting now or waiting until it may be too late. If he delays too long, neither public opinion, nor his own record, nor his constitutional prerogatives will matter a particle. The policy which he has been vigorously prosecuting for the last 2 years will be utterly defeated. He will find his niche in history as one of the great failures.

Because he does not take this country to war he will, in the opinion of these warmongers, go down in history as a great failure; he will go down in history as a failure because he does not take the Nation to war in violation of the Constitution of the United States and without submitting the question to the Congress.

And if German victory is as inimical as he and most other informed men suppose, the country will soon be overtaken by catastrophe.

These are obvious facts, assuming the President's advisers are correct in their judgment of the urgency of the war situation.

Who are the advisers who are trying to tell him to go to war?

In the light of them, it is easy to see why all the secondary obstacles to action have ceased to be really important—

What are the secondary obstacles? The Constitution of the United States is the chief secondary obstacle.

Giving due weight to the President's penchant for doing a job the smart way, it is also easy to see why the primary obstacle remains to be surmounted. If the Germans can only be persuaded to shoot first, then they will have the major share of responsibility for what follows.

If only somebody can be persuaded to shoot first, then, according to these columnists, the President would welcome it, and we would get into the war.

The two thoughts, mutually inconsistent though they may seem, still coexist in his mind today. In the past weeks he has been repeatedly urged to order immediate action. He has been warned that to delay was to court disaster. He has been able to act, for all the necessary preparations for meeting the German threat in the battle of the Atlantic have at last been completed. Yet he has not acted, because he hopes to drive the Germans into shooting first.

What a charge that is to make against the President of the United States. Can any Member of this body conceive that the President of the United States is

hoping the Germans will shoot first so that he can take us into the war? I have criticized the President in debate here, as probably all of us have done at one time or another, but never have I charged the President with deliberately hoping that somebody would shoot so that we would go to war.

Mr. SHIPSTEAD. Mr. President—

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Minnesota?

Mr. WHEELER. I yield.

Mr. SHIPSTEAD. The President, like the rest of us, takes an oath of office to support and uphold the Constitution, and when he does so he takes an oath to confine his activities within the limits imposed upon the President's office by the Constitution.

I do not know who wrote the article, but whoever he is he is intimating that many people are very much disappointed because the President hesitates to violate his oath of office; and the writer even goes so far as to intimate that the President will welcome a chance to do so. Whoever wrote that article impugns the motives and the honor of the President of the United States.

Mr. WHEELER. I thank the Senator.

Mr. NYE. Mr. President, will the Senator indicate the date of the particular column from which he is reading?

Mr. WHEELER. It is dated June 4, and I have another article which was published this morning, along the same line, to which I intend to call attention.

Mr. NYE. It was written on June 4. Has there been any repudiation whatsoever by administration circles of that particular contention?

Mr. WHEELER. If there has been, I have not seen it.

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

Mr. WHEELER. I yield.

Mr. CONNALLY. In view of the question of the Senator from North Dakota, does the Senator from Montana or does the Senator from North Dakota think that the President of the United States ought to rush into print and make a public statement about everything that is said about him or in criticism of him?

Mr. WHEELER. I certainly do not.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. CLARK of Missouri. I call attention to the fact, however, that this same pair, Alsop and Kintner, as the Senator said a moment ago, once published what is called a White Book purporting to reveal the most intimate details of conversations between the President and Ambassador Bullitt and the President and Assistant Secretary of State Berle; I think it even purported to tell the color of the pajamas the President wore when he had one of the conversations with Bullitt or Berle. I do not recall whether that is exactly true; but the whole trend of the remarks revealed such an intimate knowledge, which they sold for profit, that the President of the United States at his press conference said it was a very interesting publication, and more or less gave his approval to the disclosure of the

intimacy of these people with the White House.

Mr. WHEELER. My recollection was that he gave it his blessing in some form. While he may have repudiated it, I have not seen any repudiation; but the significant thing is that they republished something similar to it today.

I will go back:

The two thoughts, mutually inconsistent though they may seem, still coexist in his mind today.

They are telling what is in the President's mind.

In the past weeks he has been repeatedly urged to order immediate action.

Immediate action for what? Immediate action for war.

He has been warned that to delay was to court disaster. He has been able to act, for all the necessary preparations for meeting the German threat in the battle of the Atlantic have at last been completed. Yet he has not acted, because he hopes to drive the Germans into shooting first.

Perhaps, instead of depending on one simple question, the future may depend on two. The men around the President are now united in attempting to persuade him to order action out of hand, without waiting for a pretext. If they fail, if the President's determination is not weakened by the remorseless logic of events, then a second question will have to be answered. Will the President's plan succeed?

The problem was mentioned in this space in a recent discussion of the Atlantic patrol, in which it was pointed out that the President and the men around him privately hope the patrol will produce an incident.

That is to say, the President privately hopes, and the men around him hope, that the patrol will produce an incident.

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

Mr. WHEELER. I yield.

Mr. SHIPSTEAD. When I made my previous remarks I was not aware who had written that statement. The fact that it has been announced that Alsop and Kintner wrote it makes the statement sound very much worse to me, knowing their past history, since they are apparently speaking ex cathedra on matters from the White House.

Mr. WHEELER. I thank the Senator.

No one can doubt the German high command will do everything possible to avoid shooting first. The President's plan leaves the initiative to Germany, which is a mode of procedure that has cursed the democracies from the start of the war.

Today, on the front page of the Washington Post, is another story by Alsop and Kintner:

Nothing better illustrates the strangely equivocal position in which present war policy places this country than the undisclosed episodes of the Atlantic patrol. In one case, rather more than a month ago, an encounter between German and American warcraft at sea very nearly terminated in an attack by the Germans. In another, slightly more recent, an attack on what was believed to be a German submarine was actually made by an American destroyer.

No details of the first episode are available, but the basic facts of the second are known.

Known to whom? Known to these columnists, who get inside information

from the War Department and from the Navy Department—facts which are denied the Members of the United States Senate.

The destroyer, the name of which cannot be ascertained, was picking up survivors from a British vessel sunk not far from the coast of Greenland. While the operation was in progress the destroyer's detecting device announced the approach of a submarine. The submarine could only have been German. It was virtually certain to use its torpedoes, as semidarkness concealed the nationality of the American ship. And the commander of the destroyer accordingly dropped three depth charges.

#### SHOOTING ALREADY

Thus, although the President is waiting for the Germans to shoot first, the truth is that there has been shooting already.

In other words, here on the front page of the Washington Post is an article by these men saying, "Now you have an excuse. Shooting has already started. You ought to go into the war, and you ought to start shooting in a shooting war."

The truth may be denied—indeed, it is likely to be. The outcome of the episode is a mystery, since the light was too poor for the commander of the destroyer to make certain that the submarine really was nearby, or to guess whether the depth charges had taken effect. But official denials cannot alter either the episode's basic facts or its broad meaning.

What nonsense. One minute they say shooting has already taken place, and the next minute they say they do not know whether the submarine was a German submarine or not; they do not know how close it was; they do not know anything about it.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. WHEELER. Yes.

Mr. CLARK of Missouri. The Senator will recollect that a few weeks ago certain newspapers in New York and Washington were very severely rebuked, first by the Secretary of the Navy and later by the President of the United States, for having published a picture of undoubted authenticity of a British warship which had come into New York Harbor for the purpose of being repaired, which was subject to being seen at any time by millions of persons in the city of New York, and the presence of which was certainly a fact which would have been disclosed to any interested foreign government. In view of the self-imposed censorship of the Secretary of the Navy, it will be interesting to see what he has to say about the alleged disclosures in this article by men who claim to be so close to the inner circle of the administration.

Mr. WHEELER. Of course, what happens is that some of these columnists get inside information; and if it is the kind of information that the Secretary of the Navy wants to have published—

Mr. CLARK of Missouri. Then they proceed to sell it.

Mr. WHEELER. They proceed to sell it to the American people, provided, of course, that it is information which the Secretary of the Navy and those who

want to take us to war want to have get out; but if it is information the publication of which the Secretary and others think is not to the interest of their war crowd, then, of course, the columnists are publicly reprimanded for disclosing it.

The article goes on to say:

The episode's meaning is pretty obvious. The Atlantic patrol in itself is not effective. Even now it has not been extended to cover the most dangerous waters, yet four British ships have recently been sunk in the part of the ocean it supposedly guards. The President, all his most important advisers, and the War and Navy Departments hope, however, that the patrol will produce an incident to serve as the pretext for really effective action by this country. The interest of the Germans is to avoid such an incident. It is perfectly possible that the submarine was in fact sunk, and that the Germans have suppressed all public complaint in order to keep public opinion here in its present lulled condition. Nevertheless, as the episode described above pretty clearly demonstrates the chances are strong that an incident will eventually occur.

In other words, here are the War and Navy Departments, here are the advisers of the President, and, according to this article, the President himself, hoping and praying that an incident will occur that will take the United States into the bloody conflicts of Europe and Asia. Talk about dastardly conduct. If that is true, I consider it one of the most dastardly and horrible things that ever happened to the United States. How terrible, how blood-curdling, to think that the Secretary of War, that the Secretary of the Navy, and other close advisers around the President are hoping and praying for an incident which will take this country into war. If that article is true, and if that is the viewpoint of the Secretary of the Navy and of the Secretary of War, both those gentlemen should receive their passports out of the Government service.

It has just been called to my attention that Mr. Winant says that the British can win without America in the war. Of course, but these inside columnists say, "Oh, if we do not get in tomorrow, if some incident does not take place to get us in tomorrow, then it is going to be too late."

Mr. CLARK of Missouri. Mr. President, will the Senator yield further?

Mr. WHEELER. I yield.

Mr. CLARK of Missouri. I call attention to a portion of the article which the Senator read a little while ago, in which Mr. Alsop and Mr. Kintner make charges which are unquestionably true, but which they say will be denied by responsible officials; in other words, that the American people will be lied to. That seems to me to be a very serious reflection on the whole administrative group in this country.

Mr. WHEELER. I refer again to the article by Alsop and Kintner, and repeat:

Nevertheless, as the episode described above pretty clearly demonstrates the chances are strong that an incident will eventually occur.

Then they say:

The trouble with that is the word "eventually."

In other words, they are afraid it will not occur quickly enough.

The time is now desperately short. In his desire for a pretext for the action the President wants to take and knows he must take, he is wasting days and weeks that may forever alter the balance of the war.

The Navy, as has been stated before in this space, is fully ready to act.

Of course, Colonel Knox has been ready to act for the last year or so. I believe that he was ready to act when he was running a newspaper in Chicago. I am sure that he wanted to go to war then, when he did not know anything about the Navy and did not know whether it was ready or not. And there are naval experts who will say that our Navy is not ready today for a European war.

The article continues:

Possibly measures may soon be taken to solve the minor aspects of the Atlantic problem. It is far from improbable that the preventive occupation of the Azores and the Cape Verdes, or the garrisoning of Iceland, will be ordered in the near future. But among the men who should know the President's intentions if anyone does, the prevailing opinion still is that all-out shipping protection will not be instituted for some time, unless an incident occurs, even though other aggressive steps are taken.

There is considerable confusion about the nature of an all-out system of shipping protection, chiefly arising from the President's repeated assertion that convoys are outmoded.

I was glad the President made the statement that convoys were outmoded. There were Representatives, there were Members of this body, there was Secretary Knox, urging convoys. There was the Secretary of War urging convoys. There were all the columnists urging convoys. I was very happy the President repudiated these people when he stated that convoys were outmoded, and that he was not going to use them. But terrific pressure was put upon him to use convoys something like a week or 10 days ago.

Now the war group are complaining because the President does not desire to violate his oath of office, because he does not want to break his promises to the American people. But they say the reason for it is not that he does not want to go to war—they say he does—but that he wants an incident, and that he is hoping and praying for an incident, and all his advisers want an incident, so that they can take the American people into a bloody war. According to Mr. May, of the Office of Production Management, it would cost us \$40,000,000,000 a year to assure a victory to England—\$40,000,000,000 and the English have predicted that the defeat of Hitler will take from 3 to 5 years. Three years would mean \$120,000,000,000 of debt for war purposes straddled upon the American people. Five years would mean \$200,000,000,000 straddled upon the American people. And where is the person who will stand upon the floor of the Senate and say that this country can service a debt of \$200,000,000,000, in addition to what we already owe? It would mean repudiation; it would mean inflation; it would mean that the United States would suffer the same fate that befell France and Germany and other countries after the first World War. Yet many of the President's advisers are so much inter-

ested in saving democracy across the water that they are willing to destroy democracy in the United States.

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

Mr. WHEELER. I yield.

Mr. SHIPSTEAD. Who wrote the second article to which the Senator referred?

Mr. WHEELER. Alsop and Kintner.

Mr. SHIPSTEAD. It has been my observation that most of these commentators have the same theme song, that they intimate the same thing—that the only thing that keeps us out of war is that there has not been any shooting. They all intimate that the President is anxious to go to war, but that he wants an incident; and I hope it is not true.

Mr. WHEELER. If what Alsop and Kintner say about the President is not true, then they are doing the President of the United States a very great disservice. If what they say is true, then the American people should know it. Whether it is true or untrue I do not know, but it is inconceivable to me that a man who has been elected President of the United States for three consecutive terms, who has been given the greatest honor the American people could bestow upon him, would be anxious to take the country into war; I cannot believe he is praying for an incident which would make it possible for him to take us into war.

Mr. CONNALLY. Mr. President—

Mr. WHEELER. I say that a charge of that kind almost means that the President of the United States desires to violate the trust and the confidence of the people and to violate the Constitution of the United States. I cannot and I will not believe that to be true.

Mr. CONNALLY. The statement the Senator has just made obviates the necessity for my asking the question I was about to propound. I was about to ask the Senator whether he made that charge.

Mr. WHEELER. They made it; I did not.

Mr. CONNALLY. But the Senator quotes them about half the time in a condemnatory manner, and then he turns about and says, "If what they say is true, so and so and so and so."

Mr. WHEELER. The Senator would agree with me that if what they said was true—

Mr. CONNALLY. I was about to ask the Senator whether he believed it; but he has denied it.

Mr. WHEELER. I think the Senator would agree with me that if the charges are untrue Messrs. Alsop and Kintner are doing the President a very great disservice; and I am sure the Senator from Texas would not impute motives of that kind to the President of the United States.

Mr. CONNALLY. In other words, the Senator from Montana does not believe it?

Mr. WHEELER. That is correct.

Mr. CONNALLY. Very well.

Mr. CLARK of Missouri. Mr. President, let me ask the Senator whether he attaches any importance to the fact that the Washington Post, one of the

leading war-mongering journals of the United States, apparently, and by common consent, prints this latest Alsop and Kintner story on the front page of the edition today, rather than in the usual place invariably occupied by it before, opposite the editorial page.

Mr. WHEELER. That is correct.

Mr. CLARK of Missouri. In other words, it seems to indicate a concerted effort to attempt to besmirch the President of the United States.

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

Mr. WHEELER. I yield.

Mr. NYE. The Senator from Connecticut [Mr. DANAHER] has called attention to an article appearing in the New York Herald Tribune Sunday in which a five-column headline announces, "Winant says British Can Win Without America in War." I observe that the Washington Post has not made any mention of that particular story involving Ambassador Winant's declaration.

Mr. WHEELER. That is correct.

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

Mr. WHEELER. I yield.

Mr. BONE. Reference was made by the Senator a moment ago to a statement of some respectable authority that there was intention of spending \$40,000,000,000 a year for the next 2 years.

Mr. WHEELER. No; the story came from Mr. May, who is Chief of the Division of Research and Statistics in the Office of Production Management. He stated that the United States would have to spend \$40,000,000,000 a year in order to insure victory for England. I stated that I have seen reports coming from England in which it was predicted that the war would continue for at least 3 years, and perhaps from 3 to 5 years. So I say that on the thesis that the war will continue for 3 years we would have to spend at the rate of \$40,000,000,000 a year, or a total for 3 years of \$120,000,000,000, and if the war continued as long as for 5 years, we would have to spend \$200,000,000,000.

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

Mr. WHEELER. I yield.

Mr. BONE. Such a national debt could not be serviced by any tax formula ever suggested to Congress. It would be an utter impossibility to service the national debt under any such formula, and the debt would go to astronomical figures far beyond anything ever before dreamed of in this country. I cannot conceive of a debt of a hundred and fifty billion dollars, or \$200,000,000,000, or, possibly, \$300,000,000,000 being attained and the country continuing with any of its normal activities. I am wondering, as I think everyone else is wondering what would happen to our economic fabric if we had such a debt saddled upon us. From time to time I have listened to able statements made by such Senators as the junior Senator from Virginia [Mr. BYRD], and I recall that he said only a matter of months ago that an increase in our national debt of \$20,000,000,000 would threaten the stability of our economic institutions. I think he felt that was true, and I be-

lieve a great many other Senators felt it was true. I know the conservative journals of my own State have reflected that viewpoint. Obviously if an increase of from ten to twenty billion dollars would threaten the stability of our economic system, one could only wonder—and he would not wonder in a vague sort of way, for it would be a very acute sort of wonder—what would happen to our whole economic pattern if we had a debt of \$200,000,000,000.

Mr. WHEELER. Of course, those who would want to take us into war were a few years ago the loudest in proclaiming—and I do not mean this to apply to the Senator from Virginia—that we had to balance the Budget.

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

The PRESIDING OFFICER (Mr. STEWART in the chair). Does the Senator from Montana yield to the Senator from Texas?

Mr. WHEELER. I yield.

Mr. CONNALLY. I do not think the Senator from Montana was exactly accurate in his statement of what Mr. May, of the O. P. M., said. I know the Senator wants to be accurate.

Mr. WHEELER. I hope the Senator from Texas will correct me if I was incorrect in my statement.

Mr. CONNALLY. Mr. May is a statistician and is the head of the department of statistics in the O. P. M., in charge of estimates, figures, and guesses. What he said was that if the United States should spend as large a percentage of our national income as Germany and England were spending of theirs, it would require an expenditure of \$40,000,000,000 a year, and that he thought we ought to spend \$40,000,000,000 a year. He intimated that the program was not going forward as it should go, and I pressed him for particulars as to who was at fault, and in what respect we were failing, and he declined to or did not point out anything. It is just a matter of mathematics with him, though, taking the common denominator, and the divisor, and so on, that it would take \$40,000,000,000 a year.

Mr. BONE. I do not think it would be possible for American industry to absorb that much, because it could not step up the tempo of production to the point where that much money could be spent.

Mr. CONNALLY. Well, he fizzled out under examination.

Mr. WHEELER. I saw the story in the newspaper, and I thank the Senator for his statement.

Mr. CONNALLY. The reason I know about the matter, I will say to the Senator, is that Mr. May appeared before the Truman committee a day or two following the public statement, and testified, and the Senator from Texas happens to be a member of that committee.

Mr. WHEELER. I did not see the statement he made before the committee, but I was quoting from his speech as it was published in the newspapers.

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

Mr. WHEELER. I yield.

Mr. DANAHER. I should like to call the Senator's attention to the fact that in the Herald Tribune bureau article,

which appears in the New York Herald Tribune of yesterday, June 8, the following appears:

Meanwhile, it was learned that in a 3-hour conference late yesterday with Vice President HENRY A. WALLACE and congressional leaders Mr. Winant based his conviction that Britain can defeat Germany without United States' participation on the following assertion:

For the moment let me break the quotation while I point out that the conference with the congressional leaders was requested by Mr. Winant, and was arranged by Vice President WALLACE.

Among those attending it were Senators WALTER F. GEORGE, Democrat, of Georgia, chairman of the Senate Committee on Foreign Relations; JAMES F. BYRNES, Democrat, of South Carolina; TOM CONNALLY, Democrat, of Texas; and LISTER HILL, Democrat, of Alabama.

Since the columnists to whom the Senator from Montana has referred have been telling us that we must act before it is too late; that we must act now; that the President must not postpone his decision; that we must not let anyone down, and have made other similar assertions, when it appears that congressional leaders, following that conference, were quoted as saying of Mr. Winant's report, "It was not a gloomy picture at all," I think it becomes important that somebody give us the facts. It seems to me we should very properly ascertain under what circumstances and to what extent the United States is being pushed into war before it is too late, as these columnists would have it, when the American Ambassador, the Ambassador of our President at the Court of St. James, says that the British can win without America.

Mr. WHEELER. I thank the Senator.

Mr. DANAHER. Mr. President, will the Senator yield further?

Mr. WHEELER. Yes.

Mr. DANAHER. At the conclusion of the remarks of the Senator from Montana I shall ask unanimous consent that the entire article appearing in the New York Herald Tribune, to which reference has been made, be incorporated in the RECORD.

Mr. WHEELER. Mr. President, I wish to conclude by saying that I rose originally to insert the article on Mr. Bernard Baruch's economic views. I wanted to point out how his views contradicted other statements which were being made to the effect that we would become economic slaves if Germany happened to win. The first contention originally made in the Senate of the United States was that if we did not get into this war we would be invaded from across the sea by Germany. When that theory was exploded by naval experts, then the next contention was that Germany would go to Dakar, Africa. From Dakar German forces would cross over to Brazil, and then go over roadless mountains, trackless swamps, and impenetrable forests, and finally reach the Rio Grande. When that idea was laughed out of court, so to speak, it was said, "But there will be an economic invasion of the United States, and consequently we must go to war to save this country from slavery."

Mr. President, it seems to me Mr. Baruch's article refutes that assertion beyond the question of a doubt, because all Senators who know him are aware of his vast experience and that he is not guided by sentiment but that he is a realist.

Then it was said that of course we have to fight. We must establish the four freedoms, and in our generation bring liberty to all the countries of the world. I presume we are going to establish the four freedoms under Chang Kai-shek, in China, where the people have never known what it was to have liberty or freedom. Then we will go to Russia, and then we will go to India, and then we will go to some of the countries of Africa.

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

Mr. WHEELER. I yield.

Mr. CONNALLY. I wish to ask the Senator from Montana a question in all fairness. He had just made a comment about our going to China and enforcing the four freedoms, and going to Russia and enforcing the four freedoms. Does the Senator from Montana seriously contend that the President or any other responsible man in official life has taken any such position as that?

Mr. WHEELER. Oh, no; I do not say that the President has. He did talk about—

Mr. CONNALLY. Well, who in the Government is saying that?

Mr. WHEELER. I did not say that, but the President is the one who first brought up the matter of the four freedoms. Let me say that if the Senator from Texas will read a book by Thomas Mann and Herbert Agar, which has just been published, he will find that the men who are urging this country to go to war, and are not only urging—

Mr. CONNALLY. The Senator—

Mr. WHEELER. Let me finish, please.

Mr. CONNALLY. Well, the Senator is very nimble, but he is not answering my question.

Mr. WHEELER. I will answer the Senator's question. All he has to do is to read the President's speech. He made such a statement. I do not pretend to quote him, but he did talk about the establishments of the four freedoms all over the world in our generation.

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

Mr. WHEELER. I yield.

Mr. CONNALLY. We have all read the President's speech. The Senator from Montana has read it; and I think the Senator from Montana not only read it but understood it.

Mr. WHEELER. I think I did.

Mr. CONNALLY. The Senator from Montana does not take issue with the statement that the four freedoms are highly desirable everywhere in the world. The point I am making is that I think the Senator from Montana is unfair if he maintains that at any time the President of the United States or any Member of the Senate has said that the object of the United States, or our proposed war aim, is to go over to China or Russia and, by force of arms, establish the four freedoms. I think that before we charge columnists with slipping around and ex-

panding the truth, varying it, or changing it, we ourselves ought to be accurate when we are speaking on the floor of the Senate.

Mr. WHEELER. If I am not accurate I want the Senator to correct me. I say that in his speech to the Congress the President talked about the establishment of the four freedoms all over the world, and in our generation. If "all over the world" does not include China, Russia, the interior of Africa, and South America, then I do not understand the English language. I do not mean to say that the President said he was going to establish the four freedoms in China; but he did say what I have stated he said; and his statement has been taken up by speakers who urge American entry into war from an idealistic standpoint. They have even gone so far as to say that what we must do is to set up a City of Man, and elect a president of the universe. I do not know whom they propose to elect president of the universe.

Mr. CONNALLY. I know several who would like to be elected.

Mr. WHEELER. The Senator may be one of them, but I am not.

Mr. CONNALLY. I am not a candidate.

Mr. WHEELER. Neither am I.

Mr. CONNALLY. Mr. President, will the Senator further yield?

Mr. WHEELER. I yield.

Mr. CONNALLY. In all good conscience, I was not questioning what the President said on that subject. When I rose I understood the Senator to refer to the time when we shall go to China and Russia to establish the "four freedoms."

Mr. WHEELER. If the Senator will read my remarks, he will find that what I said was that certain persons are advocating that we go to war because we must establish the four freedoms all over the world. I did not say the President said that.

Mr. CONNALLY. No; but the Senator said that we must establish the four freedoms. I have not heard anyone advocate our establishing the four freedoms by force of arms.

Mr. WHEELER. The Senator has not been following some of the speeches which have been made by those who are trying to get us into war. Not only has such a statement been made, but, as a matter of fact, some of those who are urging us to get into the war have gone further. As I stated a moment ago, they have talked about setting up a City of Man, electing a president of the universe, and giving him absolute power in times of emergency.

I have been diverted. In closing, I simply wish to say that it seems to me that every argument which has thus far been advanced as a reason for us to go to war has been dissipated by the logic of events, reason, and by cold, hard facts.

First, I say that, regardless of what the Secretary of the Navy may say, this country is not prepared to wage a war on other continents at this particular time. I do not know of any first-class military or naval expert in the country who will say that we are fully prepared for an offensive war. Some persons state that the President should start shooting

before someone else does. Some say that he is only waiting for somebody to shoot. Some are urging that we go to war now. I say that in my judgment they are doing a disservice to the Nation and to the American people.

Mr. DANAHER. Mr. President, I should like to call the attention of the Senator from Montana to the fact that the Senators who participated in the conference with the Ambassador have been on the floor during the discussion and while the article in question was reported to the Senate. It appears from the article that Ambassador Winant told the Senators that there was no tendency in Great Britain to blame the United States for staying out of the war. It seems to me that that is an important consideration, in the light of the comments which have been so ably submitted by the Senator from Montana.

Mr. President, I ask unanimous consent that the entire article to which reference has been made be printed in the Record at this point.

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

[From the New York Herald Tribune of June 8, 1941]

HULL REVEALS SECRET FRENCH GUARANTIES ON COLONIES IN HEMISPHERE; WINANT SAYS BRITISH CAN WIN WITHOUT AMERICA IN WAR—ENVOY DECLARES ENGLAND IS NOT WAVERING, CAN HOLD SUEZ, BAR INVASION—CONGRESS LEADERS GET 3-HOUR REPORT—HE ASSURES THEM PATROLS ARE REDUCING LOSSES OF AMERICAN-AID CARGOES

WASHINGTON, June 7.—Great Britain is not weakening or wavering in the war against Germany, John G. Winant, American Ambassador to the Court of St. James, declared today. His statement came after he had informed congressional leaders that Britain's chances of winning the war still are favorable and that he sees no immediate necessity for the United States to intervene, provided this country intensifies its present aid program.

Mr. Winant conferred with Sumner Welles, Under Secretary of State, and later encountered Viscount Halifax in the diplomatic waiting room of the State Department. They chatted for several minutes. Asked later about the feeling in Britain toward the war, Mr. Winant said:

"There is no wavering at all—neither in the Government nor in the people. It is the people's fight and they know it."

#### WHY BRITAIN SHOULD WIN

Meanwhile, it was learned that in a 3-hour conference late yesterday with Vice President HENRY A. WALLACE and congressional leaders Mr. Winant based his conviction that Britain can defeat Germany without United States participation on the following assertion:

That the British can hold the Suez Canal and the Mediterranean and that they have large and well-equipped forces in Africa and Egypt capable of defeating Nazi invasion units.

That the British believe they have air superiority over the channel and the invasion ports of occupied France—a conclusion supported by a sharp decline in daylight bombings and fewer successful night raids by the Nazis in recent weeks.

That the administration's neutrality patrol is becoming increasingly effective and is narrowing danger areas for vital shipping in the Atlantic.

That there has been a tapering off of the sinkings of merchant ships carrying American war materials to Britain.

Several of the congressional leaders, after hearing Mr. Winant, expressed optimism. "It was not a gloomy picture at all," was the way one summed up the conference.

Mr. Winant jubilantly told reporters that he was "glad to see that increasing shipments of materials are going to Britain from this country" and noted that they were "on a constantly mounting scale." He said he would be glad to report this in detail when he goes back to London. After his conference with Mr. Welles, Mr. Winant called on Norman Davis, chairman of the American Red Cross. He is also scheduled to see Frank Knox, Secretary of the Navy, over the week end.

The conference yesterday with congressional leaders, it was learned today, was requested by Mr. Winant and arranged by Vice President WALLACE. Among those attending it were Senators WALTER F. GEORGE, Democrat, of Georgia, chairman of the Senate Committee on Foreign Relations; JAMES F. BYRNES, Democrat, of North Carolina; TOM CONNALLY, Democrat, of Texas; and LISTER HILL, Democrat, of Alabama.

Among other things that Mr. Winant told the gathering was that he believed Rudolf Hess, No. 3 Nazi, fled from Germany by airplane to Scotland in fear for his life. Mr. Winant ventured that as his own opinion on the basis of his conversations with some British officials who had seen Hess. He added that while Hess was very close to Adolf Hitler during the years of his political rise, he may have had cause to fear military leaders now in power. Mr. Winant declared that Hess is not insane, as has been charged by Berlin.

Mr. Winant also told the Senators frankly that many Britons would like to see this country enter the war, but that there was no tendency to blame the United States for staying out.

Mr. Winant is convinced, the Senators said, that the French people do not want to fight Britain and that many hope Britain eventually will liberate them. He was represented, however, as believing with equal conviction that the Vichy Government is under complete Nazi domination and could be forced into war against her former British ally, even to the extent of letting Germany use the French fleet.

Lord Halifax, after his chat with Mr. Winant, conferred for half an hour with Under Secretary Welles on the tense situation growing out of Franco-German collaboration.

Lord Halifax declined to comment on the discussion, but he and Mr. Welles were believed to have exchanged views and information on the manner and extent of that collaboration.

Mr. BYRNES. Mr. President, I did not intend to rise for the purpose of referring to the article offered for the RECORD by the Senator from Connecticut; but I shall refer to it to the extent of saying that Senators who participated in the conference with the Ambassador might be on the floor, and might not make any statement with reference to that conference. Any failure to do so certainly does not mean that the various stories that are printed in the newspapers are correct.

I am one of the Senators referred to. I have learned much about the conference from the newspapers. I receive a great deal of information from the newspapers as to what took place there. I shall certainly not oblige the Senator from Connecticut by denying any of the statements in the newspapers. I have been in public life for 25 years; and to this good day I have never denied anything that ever appeared in the news-

papers, even when it was written about me. I make that suggestion to the Senator from Connecticut.

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

Mr. BYRNES. I yield.

Mr. DANAHER. Will the Senator tell us whether or not the Ambassador advised the conference that it was not necessary for the United States to participate in the war in order that Great Britain might win?

Mr. BYRNES. Mr. President, I have already told the Senator that I do not intend to make any statement about the matter. If I intended to make a statement about it, I should make a statement; and when I do not, the Senator from Connecticut would be no more successful than are newspapermen when they try to provoke me into making a statement by suggesting what might have been said. That is an old and familiar custom among newspapermen. We are familiar with it. The Senator from South Carolina certainly will not make any statement as to anything that was published in the newspapers.

Let me say to the Senator from Montana [Mr. WHEELER] that I hope he will not seriously say that the President of the United States should deny what columnists may say as to the views he entertains about foreign affairs. The other day, on the floor of the Senate, when the Senator from Louisiana [Mr. OVERTON] was speaking with reference to one of the columnists, I heard the Senator from Montana say that he was devoted to the Senator from Louisiana, and that he really could not understand why the Senator from Louisiana should make the mistake of answering anything said by the columnists. That is the wise policy of the Senator from Montana. I know he would not want the President of the United States daily to deny statements of columnists. I can prove by the CONGRESSIONAL RECORD that the Senator from Montana believes that two of the columnists referred to, Messrs. Alsop and Kintner, are very inaccurate. Other Senators who have participated in this discussion have heretofore expressed the opinion that they are exceedingly inaccurate. I have a much higher opinion of them than have other Senators who have discussed the subject.

The columnists referred to are enterprising gentlemen. However, I think that when they undertake to say what is in the minds of the President and all his Cabinet officers, and of officials in the Navy Department and the War Department, they are covering too much territory. That is very difficult for anybody to do.

If the Senator from Montana should attempt to answer what the columnists say about him, he would not have an opportunity to do anything else in life, because the columnists have devoted considerable of their space to the Senator from Montana. Life is too short for a sane and discreet person to devote his energies and time to such a pastime.

#### PUBLIC POLLS

Mr. NYE. Mr. President, I have sponsored, and it has been before the com-

mittee for 10 days or 2 weeks, a resolution which calls upon the Committee on Interstate Commerce to conduct an investigation into the manner in which public polls are taken and recorded. So many people are accepting such polls as being truly indicative of public sentiment that I think the public has every right to know the measure of care that is practiced in taking the polls. All of us have ability to remember that not so many years ago a magazine which had been affording what were accepted as very authentic polls went out of being because it was found on one occasion that one of its polls was far from accurate.

I think the public has a right to know how extensive is the set-up which polls the public and garners its sentiments. If 1,000 part-time poll takers should work for 20 hours a week, Mr. President, and if each one of them polled as many as 4 persons an hour, he would cover only 80 persons in a week, or 80,000 for all the 1,000 poll takers. Eighty thousand of 130,000,000 people, then, would be represented by a poll, if it were as extensive as the example just cited. I have reason to believe that not so large a poll as that is undertaken.

The manner in which polls are undertaken is revealed in an article by a very reliable writer, Helen Essary, in her column, "Dear Washington." A few days ago she reported this in her column:

The authentic and startling glimpse I got recently into the methods of forming public opinion by poll taking gives me some concern.

Not only had I never met a poll taker before, I had never met anybody who had ever been asked a question by a public-opinion poll taker. Nor had I ever met anybody who knew anybody who had ever been asked a question by a public-opinion poll taker.

Naturally, talking to a poll taker in the living flesh, whose name must be anonymous, was a big experience. I was curious.

"How do you choose the people to question?" I asked. "I assume that you pick at random in order to get a typical group."

"Oh, no," the poll taker answered. "I am given the names of 15 people whom I must go to see."

"What sort of people?"

"P. W. A. workers and people on relief."

"Well, aren't they likely to be prejudiced in favor of the administration?" I asked.

"Possibly. But I do what I'm told. I've just finished a questionnaire on convoys."

"Did most of your people know what convoys meant?"

"Very few of them did. So I had to tell them."

"Now this is indeed interesting," I continued. "How did you describe a convoy?"

"I merely said that convoys are ships going in pairs. One ship going with another."

"Did you explain that one of such ships is a warship with guns to be shot when necessary? And that shooting such guns is an act of war and will put this country and its people in great danger?"

"No, indeed," was the calm answer. "I didn't go into that. I didn't think they'd understand."

Well, there you are. Of such stuff are opinion polls made. Hardly a serious, honest reflection of what people think.

Mr. President, upon the convening of the Senate today I offered a bill, which has been identified as S. 1606, going to the question of polls. The bill, if passed, would require all publications reporting polls to publish the statistics of the

number of samples taken and the number of persons polled, and would require the poll takers to keep intact for a period of 2 years all their polls, all their ballots, and all their reports growing out of the poll takings. I ask unanimous consent, Mr. President, that the bill referred to—S. 1606—may be printed in the RECORD at this point. It has been referred to the Committee on Interstate Commerce, where my resolution asking for an investigation has gone.

There being no objection, the bill (S. 1606) to require the publication of certain information and the preservation of certain records in connection with polls of public opinion, was ordered to be printed in the RECORD, as follows:

*Be it enacted, etc.,* That (a) it shall be unlawful to publish in any newspaper, magazine, or other publication within the District of Columbia or within any Territory or possession of the United States, or to publish in any newspaper, magazine, or other publication with the knowledge or intent that such newspaper, magazine, or other publication will be transmitted through the mails or in interstate commerce, the results or purported results of any poll or straw ballot purporting to measure or indicate the state of public opinion upon matters of national interest or national importance, unless such publication also contains together with such results or purported results a statement showing the number of persons polled or voting, as the case may be, in such poll or straw ballot and the number of persons polled or voting in each of the respective places, States, or regions with respect to which the state of public opinion is purported to be measured or indicated separately.

(b) In any case where the results or purported results of any such poll or straw ballot are to be published in any newspaper, magazine, or other publication to which this section is applicable and are to be so published by any person other than the person by whom or under whose direction such poll or straw ballot was conducted, the person by whom or under whose direction such poll or straw ballot was conducted shall furnish to the person by whom such results are to be published the information necessary for the statement required by subsection (a); and the person publishing such results shall not be liable under this act because of inaccuracies in the statement required by subsection (a) if such statement is based on information furnished under this subsection and is not known by the person publishing it to be false.

Sec. 2. Any person who conducts or directs the conducting of any such poll or straw ballot with the knowledge or intent that the results thereof will be published in any newspaper, magazine, or other publication with respect to which the provisions of subsection (a) of the first section of this act are applicable shall preserve for a period of 2 years all reports, ballots, and other records used in ascertaining or computing the results of such poll or straw ballot.

Sec. 3. Any person who violates the provisions of this act, or who knowingly publishes or furnishes any false information in connection with any statement published or any information furnished pursuant to the requirements of this act, shall, upon conviction thereof, be punished by a fine of not more than \$5,000, or by imprisonment for not more than 1 year, or both.

Sec. 4. For the purposes of this act—

(a) The term "person" includes an individual, partnership, corporation, or any other form of association or organization.

(b) The term "interstate commerce" includes any transmission from any place in-

side any State, Territory, or possession of the United States to or through any place outside of such State, Territory, or possession.

ADDRESS BY THE PRESIDENT DECLARING FULL EMERGENCY (S. DOC. NO. 64)

Mr. O'MAHONEY. Mr. President, when the President of the United States sends a message to Congress the message is always printed in the RECORD in the largest type in which the RECORD itself is printed. On the 27th of May last the President delivered over the radio a very important message to the people of the country. It is one which deals with the vital subject of our international relations. I find, on looking for copies of it, that it has not been printed as a Senate document, and that it is not available in the CONGRESSIONAL RECORD in the ordinary type in which Presidential messages are usually printed. It was inserted in the RECORD at the request of a Member of the House of Representatives, together with the proclamation of the emergency, and with a list of laws which convey power to the President to act in case of emergency or in case of war.

The material offered—the proclamation of the emergency, the President's address, and the schedule of acts, prepared by the Attorney General—is of such great importance, Mr. President, that I feel that all three should be printed as a Senate document and made available to the Members of the Senate, the Members of the House, and to the public generally. In the circumstances I ask unanimous consent that this material may be printed as a Senate document.

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

CONSIDERATION OF MEASURES ON THE CALENDAR

Mr. BYRNES. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of uncontested bills on the calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will state the first order of business on the calendar.

The resolution (S. Res. 30) amending rule VIII so as to prohibit action by unanimous consent on bills in cases where a Senator has given written notice of his objection to their consideration was announced as first in order.

Mr. McNARY. Let the resolution go over.

The PRESIDING OFFICER. The resolution will be passed over.

CALL OF THE ROLL

Mr. McCARRAN. Call the roll. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Brewster	Capper
Aiken	Brooks	Caraway
Andrews	Brown	Chandler
Bailey	Bulow	Chavez
Ball	Bunker	Clark, Idaho
Bankhead	Burton	Clark, Mo.
Barbour	Butler	Connally
Bilbo	Byrd	Danaher
Bone	Byrnes	Davis

Downey	Johnson, Colo.	Rosier
Ellender	Kilgore	Shipstead
George	La Follette	Smith
Gillette	Lucas	Spencer
Glass	McCarran	Stewart
Green	McFarland	Taft
Guffey	McNary	Thomas, Idaho
Gurney	Maloney	Thomas, Okla.
Hayden	Murdock	Tunnell
Herring	Norris	Tydings
Hill	Nye	Van Nuys
Holman	O'Mahoney	Wallgren
Houston	Overton	Wheeler
Hughes	Pepper	White
Johnson, Calif.	Radcliffe	

The PRESIDING OFFICER. Seventy-one Senators having answered to their names, a quorum is present.

BILLS AND RESOLUTION PASSED OVER

The bill (S. 1290) to further amend the act of February 9, 1927, entitled "An act relating to the transfusion of blood by members of the Military Establishment," was announced as next in order.

Mr. McNARY. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 96) making rule XVI applicable to amendments to relief and work-relief bills, was announced as next in order.

Mr. McNARY and Mr. LA FOLLETTE asked that the resolution be passed over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and Naval Establishments, was announced as next in order.

Mr. LA FOLLETTE. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 2475) to prohibit prostitution within such reasonable distance of Military or Naval Establishments as the Secretaries of War and Navy shall determine to be needful to the efficiency, health, and welfare of the Army and Navy was announced as next in order.

Mr. JOHNSON of Colorado. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 4293) to further amend the act of February 9, 1927, entitled "An act relating to the transfusion of blood by members of the Military Establishment," was announced as next in order.

Mr. McNARY. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

JOHN L. SAVAGE

The bill (S. 1488) to amend an act entitled "An act authorizing the temporary detail of John L. Savage an employee of the United States to service under the government of the State of New South Wales, Australia, and the government of the Punjab, India" (act of June 29, 1940, Public, No. 678, 76th Cong., 3d sess.) was considered, ordered to be engrossed for a third reading, read the third time, and passed as follows:

*Be it enacted, etc.,* That the act entitled "An act authorizing the temporary detail of John L. Savage, an employee of the United

States, to service under the government of the State of New South Wales, Australia, and the government of the Punjab, India," approved June 29, 1940 (Public, No. 678, 76th Cong., 3d sess.), is hereby amended by striking out the words "State of New South Wales, Australia," and by inserting in lieu thereof the words: "Commonwealth of Australia."

#### RED-CEDAR SHINGLE INDUSTRY

The Senate proceeded to consider the resolution (S. Res. 79), submitted by Mr. BONE on February 24, 1941, which had been reported from the Committee on Finance with an amendment at the beginning of line 2 to strike out "authorized" and insert "requested", so as to make the resolution read:

*Resolved*, That the United States Tariff Commission is requested, pursuant to the authority conferred by section 332 of the Tariff Act of 1930, as amended, to investigate the effect upon the red-cedar shingle industry in the United States of importations of red-cedar shingles from Canada.

The amendment was agreed to.

The resolution as amended was agreed to.

#### FIRES ON PUBLIC DOMAIN, AND SO FORTH

The Senate proceeded to consider the bill (S. 633) to amend the Criminal Code in respect to fires on the public domain or Indian lands or on certain lands owned by the United States, which had been reported from the Committee on the Judiciary with amendments.

The first amendments were, on page 1, line 6, after the word "willfully", to strike out "and without authority so to do"; in line 8, after the word "grass", to insert "or other inflammable material"; in line 9, after the word "or", to strike out "on" and insert "upon"; on page 2, line 1, after the word "States", to insert "which are"; in line 3, after the word "seashore", to insert "lake shore"; in the same line, after the word "cemetery", to strike out "or"; in line 4, after the word "project", to strike out "or in any"; in the same line, after the word "refuge", to strike out "or in any"; in line 5, after the word "or", to strike out "upon any"; in line 10, after the name "United States", to strike out "which are held by the Secretary of Agriculture" and insert "and under the jurisdiction of the Forest Service or the Bureau of Animal Industry or administered"; in line 13, after the word "act", to insert "(50 Stat. 522, 525), or upon any lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted under the act of March 1, 1911 (36 Stat. 961), as amended, or title III of the said Bankhead-Jones Farm Tenant Act", so as to make the section read:

That section 52 of the Criminal Code (act of Mar. 4, 1909, sec. 52; 35 Stat. 1098, U. S. C., title 18, sec. 106) is hereby amended to read as follows:

"Sec. 52. Whoever shall willfully set on fire or cause to be set on fire any timber, underbrush, or grass or other inflammable material upon the public domain or upon any lands owned by the United States which are included in a park, forest, monument, historical park, military park, battlefield site, parkway, recreational area, seashore, lake shore, cemetery, recreational demonstration project, wildlife refuge, grazing district, or stock driveway, or upon any land title to which was revested in the United States under the act of June 9, 1916 (39 Stat.

218), or upon any land reconveyed to the United States under the act of February 26, 1919 (40 Stat. 1179), or upon any lands owned by the United States and under the jurisdiction of the Forest Service or the Bureau of Animal Industry or administered under title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 522, 525), or upon any lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted under the act of March 1, 1911 (36 Stat. 961), as amended, or title III of the said Bankhead-Jones Farm Tenant Act or upon any Indian reservation or lands belonging to or occupied by any tribe or group of Indians under authority of the United States, or upon any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, shall be fined not more than \$5,000 or imprisoned not more than 5 years, or both."

The amendments were agreed to.

The next amendments were, in section 2, page 3, line 5, after the word "fire", to insert "or cause a fire to be built"; in line 8, after the word "including", to insert "lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted under the act of March 1, 1911 (36 Stat. 961), as amended, or under title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 522, 525)"; in line 20, after the word "fire", to insert "or whoever shall permit or suffers said fire to burn or spread beyond his control"; in line 21, after the word "shall", to strike out "willfully or carelessly"; in line 23, after the word "than", to strike out "\$1,000 or imprisoned not more than 1 year, or both", and insert "\$500 or imprisoned not more than 6 months without hard labor, or both", so as to make the section read:

Sec. 2. Section 53 of the Criminal Code, as amended (act of June 25, 1910, sec. 6, 36 Stat. 857; U. S. C., title 18, sec. 107), is hereby amended to read as follows:

"Sec. 53. Whoever shall build a fire or cause a fire to be built in or near any forest, timber, or other inflammable material upon any lands owned or controlled by the United States, including lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted under the act of March 1, 1911 (36 Stat. 961), as amended, or under title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 522, 525), any Indian reservation, or lands belonging to or occupied by any tribe or group of Indians under the authority of the United States, or any Indian allotment while the title to the same shall be held in trust by the United States, or while the same shall remain inalienable by the allottee without the consent of the United States, shall, before leaving said fire, totally extinguish the same; and whoever shall neglect and omit totally to extinguish said fire or whoever shall permit or suffer said fire to burn or spread beyond his control or whoever shall leave or suffer said fire to burn unattended in such places, shall be fined not more than \$500 or imprisoned not more than 6 months without hard labor, or both."

The amendments were agreed to.

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

#### OFFICIAL RESIDENCES OF COURT CLERKS, MARSHALS, AND UNITED STATES DISTRICT ATTORNEYS

The bill (H. R. 148) to amend section 2 of an act entitled "An act making ap-

propriations for the legislative, executive, and judicial expenses of the Government for the year ending June 13, 1875, and for other purposes" was considered, ordered to be engrossed for a third reading, read the third time, and passed.

#### PLACES OF CONFINEMENT OF FEDERAL PRISONERS

The bill (H. R. 1831) to amend section 7 of the act of May 14, 1930, relating to places of confinement and transfers of prisoners convicted of an offense against the United States, was considered, ordered to a third reading, read the third time, and passed.

#### PURCHASE OF METAL FOR MINOR COINS

The bill (H. R. 4132) to amend section 3528 of the Revised Statutes, as amended, relating to the purchase of metal for minor coins of the United States, was considered, ordered to a third reading, read the third time, and passed.

#### JOSEPH ARREAS

The bill (S. 708) for the relief of Joseph Arreas 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 Labor be, and is hereby, authorized and directed to cancel deportation proceedings in the case of Joseph Arreas, any provision of existing law to the contrary notwithstanding. From and after the date of the approval of this act Joseph Arreas shall not again be subject to deportation by reason of the same facts upon which the outstanding proceeding rests, and he shall be deemed to have been lawfully admitted at San Francisco in 1928 as an immigrant for permanent residence.

#### CHAIM WAKERMAN, KNOWN AS HYMAN WAKERMAN

The bill (S. 456) to record the lawful admission to the United States for permanent residence of Chaim Wakerman, known as Hyman Wakerman, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Attorney General be, and he is hereby, authorized and directed to record the lawful admission for permanent residence of Chaim Wakerman, known as Hyman Wakerman, New York, N. Y., on June 23, 1929, and that he shall for all purposes under the immigration and naturalization laws be deemed to have been lawfully admitted as an immigrant for permanent residence.

#### MIRA FRIEDBERG

The bill (S. 452) for the relief of Mira Friedberg (Mira Dworecka) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That in the administration of the immigration laws relating to the issuance of immigration visas for admission to the United States for permanent residence and relating to admissions at ports of entry of aliens as immigrants for permanent residence in the United States, that provision of section 3 of the Immigration Act of 1917 (39 Stat. 875), as amended (U. S. C., title 8, sec. 139 (e)), which excludes from admission into the United States persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude, shall not hereafter be held to apply to Mira Friedberg (Mira Dworecka), who is the wife of Louis

Friedberg, a citizen of the United States of America, on account of an offense admitted to have been committed abroad, prior to her marriage to said Louis Friedberg at Danzig, Europe, on or about May 30, 1933. If she is found otherwise admissible under the immigration laws, an immigration visa shall be issued to her and admission granted to said Mira Friedberg (Mira Dworecka) under this act, for permanent residence in the United States of America.

Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the nonpreference category of the quota during the current year.

NELL VICTORIA LEA

The bill (S. 756) for the relief of Nell Victoria Lea was announced as next in order.

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). The Chair desires to state that this bill was recommitted earlier in the day and there has been reported today a similar House bill without amendment. Is there objection to the consideration of the House bill at this call of the calendar?

Mr. McCARRAN. I inquire what is the number of the House bill?

The PRESIDING OFFICER. The Chair is informed it is House bill 3810.

Mr. McNARY. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. McNARY subsequently said: Mr. President, when the calendar was being called I objected to the consideration of Order No. 389, Senate bill 756. Subsequently I have been advised regarding the matter, and am informed that the House bill is identical with the Senate bill with the amendment reported by the committee. I withdraw my objection.

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

There being no objection, the bill (H. R. 3810) for the relief of Nell Victoria Lea was considered, ordered to a third reading, read the third time, and passed.

SEWARD, ALASKA

The bill (H. R. 95) to amend section 6 of an act of Congress approved May 20, 1935, entitled "An act concerning the incorporated town of Seward, Territory of Alaska," was considered, ordered to a third reading, read the third time, and passed.

Mr. DANAHER subsequently said: Mr. President, I ask unanimous consent that the report of the House committee and the report of the Senate committee on House bill 95 appear in the RECORD at the point where the bill was being considered.

There being no objection, the reports, Nos. 502 and 377, respectively, were ordered to be printed in the RECORD, as follows:

REPORT NO. 502

The Committee on the Territories, to whom was referred the bill (H. R. 95) to amend section 6 of an act of Congress approved May 20, 1935, entitled "An act concerning the incorporated town of Seward, Territory of Alaska," having considered the same, report favorably thereon without amendments and recommend that the bill do pass.

The purpose of the bill is to enable the incorporated town of Seward, Alaska, to purchase certain private utilities consisting of an electric system and telephone system

now being operated in and adjacent to the town.

By the act approved May 20, 1935 (49 Stat. 282), the town of Seward was authorized to construct and operate a municipal electric system. Section 6 of the act made provision for the purchase of the local private electric utilities for a sum not to exceed \$75,000. However, the owner of the private utilities did not elect to sell for that sum, and so the municipal plant was built and put into operation and has since been used. Money for the construction of the municipal plant was obtained by loan and grant from the Public Works Administration. The loan amounted to \$96,000, and revenue bonds were issued by the town of Seward to the Public Works Administration in that amount. Those bonds are now held by the Reconstruction Finance Corporation.

It appears that there is not sufficient business in Seward to permit the profitable operation of both plants, now or in the predictable future, but that the purchase of the private utilities and the operation of the plants, consolidated into one plant, by the town through largely increased income and materially reduced operation expenses, may give sufficient profits to justify the proposed purchase. Therefore, it may be advisable for the town of Seward to purchase the private utilities if terms can be agreed upon. The bill in question is intended to give authority to make such purchase, providing the holders of at least 75 percent of the outstanding electric revenue bonds of the town agree to the purchase, and provided that the purchase is approved by a majority of the qualified electors of the town of Seward. Authority is also given to refund the outstanding revenue bonds issued in connection with the loan to the town made by the Public Works Administration for the construction of the municipal plant.

The bill does not obligate anyone to do anything. It merely authorizes the purchase of the private utilities under the conditions mentioned, if it is considered wise to do so and if the money can be obtained to make such purchase. Every possible safeguard is afforded to all concerned.

The Bureau of the Budget offers no objection to the passage of the bill.

The bill was submitted to the Department of the Interior and to the Federal Loan Administrator for the customary departmental reports thereon. Both the Acting Secretary of the Interior, A. J. Wirtz, and the Federal Loan Administrator, Jesse H. Jones, have approved the bill, as indicated by their respective letters, each dated February 28, 1941, and addressed to the chairman of the committee, copies of which follow:

THE SECRETARY OF THE INTERIOR,  
Washington, February 28, 1941.

HON. LEX GREEN,  
Chairman, Committee on the Territories, House of Representatives.

MY DEAR MR. GREEN: I have received your request of January 8 for a report on H. R. 95, a bill to amend section 6 of an act of Congress approved May 20, 1935, entitled "An act concerning the incorporated town of Seward, Territory of Alaska."

The act of May 20, 1935 (49 Stat. 282), authorized the town of Seward to erect and operate a municipal electric plant and to issue revenue bonds for that purpose. By section 6 of the act the powers thus authorized were not to be invoked if within a specified time (1 week after proper notification of the passage of the act) the owner of the private utilities then serving the town should offer to sell his plant to the municipality for \$75,000. The owner did not make the offer and the town of Seward constructed the plant authorized, issuing bonds in the amount of \$96,000. These bonds are held by the Reconstruction Finance Corporation.

Both electric plants now solicit patronage from the residents of Seward, a town of approximately 950 inhabitants. It need hardly be demonstrated that there is insufficient sale of electric current to support two producers and distributors. Due largely to the divided patronage, the town has with difficulty been able to meet its interest obligations. The present owners of the private utility (heirs of Mr. S. M. Graff, owner in 1935) have, I understand, indicated a willingness to sell.

The enactment of H. R. 95 would enable the town to purchase the private utilities provided the transaction be approved by the holder or holders of not less than 75 percent of the electric revenue bonds and by a majority of the qualified electors of the town voting upon the question. It also authorizes the town to utilize the property purchased in whatever way may be to its best interest. The bill further makes provision for the issuance of the necessary refunding and acquisition bonds, subject to the approval of the holder or holders of 75 percent of the electric revenue bonds at the time the approval is given.

It is my view that the town of Seward should be enabled to consider the purchase of the private utilities, and I recommend that the bill be enacted.

I am advised by the Director of the Bureau of the Budget that there is no objection to presenting this report to the Congress.

Sincerely yours,

A. J. WIRTZ,  
Acting Secretary of the Interior.

FEDERAL LOAN AGENCY,  
Washington, February 28, 1941.

HON. LEX GREEN,  
House of Representatives,  
Washington, D. C.

DEAR CONGRESSMAN GREEN: Receipt is acknowledged of your inquiry under date of January 8, 1941, in respect to H. R. 95, a bill to amend section 6 of an act of Congress approved May 20, 1935, entitled "An act concerning the incorporated town of Seward, Territory of Alaska."

This bill, as did H. R. 10519, of the Seventy-sixth Congress, authorizes the town of Seward, Alaska, to purchase certain private utility properties if, among other conditions, such purchase is approved by the holders of 75 percent in principal amount of the electric revenue bonds of that municipality now outstanding. The Reconstruction Finance Corporation now holds \$96,000 in such bonds.

As indicated in my letter of December 4, 1940, in respect to H. R. 10519, Seventy-sixth Congress, there appears to be no reason against the vesting of this authority in the town of Seward and I, therefore, see no objection to the enactment of such legislation. The Bureau of the Budget has, under date of December 2, 1940, and in respect to H. R. 10519, Seventy-sixth Congress, indicated concurrence in this opinion.

Sincerely yours,

JESSE H. JONES, Administrator.

Changes in existing law are indicated below, with matter proposed to be omitted enclosed in brackets and new matter proposed to be inserted printed in italic:

"SEC. 6. This act shall become effective thirty days after its passage: [Provided, however, That none of the powers herein granted to the said town of Seward, Alaska, shall be exercised by said town in the event that the Seward Light and Power Company, a corporation, shall within one week after a copy of this act is served on said Seward Light and Power Company, offer in writing to sell and convey to the said town of Seward all right, title, and interest in and to its electric generating plant or plants, electric distributing system, pipe lines, and water rights now

owned by it and used and employed in supplying electric energy to the inhabitants of said town, said offer of sale to be for the sum of \$75,000, and to guarantee that delivery of said title, free from encumbrance and debt of any kind, shall be made to said town upon payment of said sum, any time within six months from date of said written offer to sell: *Provided further*, That said offer and agreement to convey title must be delivered by said Seward Light and Power Company, to the town clerk of said town of Seward, Alaska, within the time specified above. Service of copy of this act on the Seward Light and Power Company shall be made by delivery thereof to its president, S. M. Graff, or any other officer of the corporation: *And provided further*, That in the event the said Seward Light and Power Company offers to sell and convey its properties as provided for in this section, the said town is authorized to purchase such properties and to issue bonds for such purpose in an amount not to exceed \$75,000, such bonds to be issued in the manner provided for in this act.] *Provided*, That if at any time hereafter the public-utilities property consisting of an electric system and a telephone system now being operated in and adjacent to said town of Seward under the name of Seward Light and Power, or Seward Light and Power Company, shall be offered by the owner or owners thereof to the town of Seward at a reasonable price, and the purchase shall be approved by the holder or holders of not less than 75 per centum in principal amount of electric-revenue bonds of said town outstanding on the date of approval by said bondholders, and by a majority of the qualified electors of the town of Seward voting upon the question at a regular election or at a special election called and held for that purpose within ninety days after the formal submission of said offer, the town of Seward is hereby authorized and empowered (a) to acquire said property, and to pay the agreed purchase price thereof; (b) to operate and maintain all or any part thereof for its own use and benefit and for the use and benefit of public and private consumers or users within and without the territorial boundaries of said town, as an integral part of the municipal electric system of said town; (c) to issue its bonds to finance in whole or in part the cost of acquiring said property; (d) to prescribe and collect rates, fees, tolls, or charges for the services, facilities, and commodities furnished in connection with the operation of said property; (e) to pledge to the punctual payment of said bonds and interest thereon all or any part of the gross or net revenues from the operation of said property, separately or in conjunction with property heretofore acquired by said town (including improvements, betterments, or extensions thereto hereafter constructed or acquired): *Provided further*, That the principal amount of bonds authorized under the foregoing provisions of this section shall in no event be in excess of the purchase price stated in the offer and all proceedings for the issuance and sale of said bonds shall be submitted to and approved by the holder or holders of not less than 75 per centum in principal amount of aforesaid electric-revenue bonds of said town outstanding on the date of such approval: *Provided further*, That said town may, upon consent of the holder or holders of not less than 75 per centum in principal amount of bonds of said town issued under this act and outstanding on the date of such consent, issue its refunding and acquisition bonds in the aggregate principal amount as the probable revenues from the operation of the combined systems will reasonably justify. Refunding and acquisition bonds, if issued, shall bear interest not exceeding 4 per centum per annum; otherwise they shall be issued in compliance with other bond provisions contained in this act."

## REPORT NO. 377

The Committee on Territories and Insular Affairs, to whom was referred the bill (H. R. 95) to amend section 6 of an act of Congress approved May 20, 1935, entitled "An act concerning the incorporated town of Seward, Territory of Alaska," having considered the same, report favorably thereon and recommend that the bill do pass without amendment.

The enactment of the measure is desired by all of the interested parties, and no opposition to it from any source has been expressed.

The objects and purposes of the bill are adequately explained in the House Report No 502 on the bill, and as therein appears, the bill has the approval of the Department of the Interior, the Federal Loan Agency, and there is no objection from the Bureau of the Budget. The bill does not authorize or carry any appropriation.

The House report on the bill follows:

"The Committee on the Territories, to whom was referred the bill (H. R. 95) to amend section 6 of an act of Congress approved May 20, 1935, entitled 'An act concerning the incorporated town of Seward, Territory of Alaska,' having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

"The purpose of the bill is to enable the incorporated town of Seward, Alaska, to purchase certain private utilities consisting of an electric system and telephone system now being operated in and adjacent to the town.

"By the act approved May 20, 1935 (49 Stat. 282), the town of Seward was authorized to construct and operate a municipal electric system. Section 6 of the act made provision for the purchase of the local private electric utilities for a sum not to exceed \$75,000. However, the owner of the private utilities did not elect to sell for that sum, and so the municipal plant was built and put into operation and has since been used. Money for the construction of the municipal plant was obtained by loan and grant from the Public Works Administration. The loan amounted to \$96,000, and revenue bonds were issued by the town of Seward to the Public Works Administration in that amount. Those bonds are now held by the Reconstruction Finance Corporation.

"It appears that there is not sufficient business in Seward to permit the profitable operation of both plants, now or in the predictable future, but that the purchase of private utilities and the operation of the plants, consolidated into one plant, by the town through largely increased income and materially reduced operation expenses, may give sufficient profits to justify the proposed purchase. Therefore, it may be advisable for the town of Seward to purchase the private utilities if terms can be agreed upon. The bill in question is intended to give authority to make such purchase, providing the holders of at least 75 per cent of the outstanding electric revenue bonds of the town agree to the purchase, and provided that the purchase is approved by a majority of the qualified electors of the town of Seward. Authority is also given to refund the outstanding revenue bonds issued in connection with the loan to the town made by the Public Works Administration for the construction of the municipal plant.

"The bill does not obligate anyone to do anything. It merely authorizes the purchase of the private utilities under the conditions mentioned, if it is considered wise to do so and if the money can be obtained to make such purchase. Every possible safeguard is afforded to all concerned.

"The Bureau of the Budget offers no objection to the passage of the bill.

"The bill was submitted to the Department of the Interior and to the Federal Loan Administrator for the customary departmental reports thereon. Both the Acting Secretary of the Interior, A. J. Wirtz, and the Federal Loan Administrator, Jesse H. Jones, have approved the bill as indicated by their respective letters, each dated February 28, 1941, and addressed to the chairman of the committee, copies of which follow:

"THE SECRETARY OF THE INTERIOR,  
Washington, February 28, 1941.

"HON. LEX GREEN,  
Chairman, Committee on the Territories, House of Representatives.

"MY DEAR MR. GREEN: I have received your request of January 8 for a report on H. R. 95, a bill to amend section 6 of an act of Congress approved May 20, 1935, entitled 'An act concerning the incorporated town of Seward, Territory of Alaska.'

"The act of May 20, 1935 (49 Stat. 282), authorized the town of Seward to erect and operate a municipal electric plant and to issue revenue bonds for that purpose. By section 6 of the act the powers thus authorized were not to be invoked if within a specified time (1 week after proper notification of the passage of the act) the owner of the private utilities then serving the town should offer to sell his plant to the municipality for \$75,000. The owner did not make the offer, and the town of Seward constructed the plant authorized, issuing bonds in the amount of \$96,000. These bonds are held by the Reconstruction Finance Corporation.

"Both electric plants now solicit patronage from the residents of Seward, a town of approximately 950 inhabitants. It need hardly be demonstrated that there is insufficient sale of electric current to support two producers and distributors. Due largely to the divided patronage, the town has with difficulty been able to meet its interest obligations. The present owners of the private utility (heirs of Mr. S. M. Graff, owner in 1935) have, I understand, indicated a willingness to sell.

"The enactment of H. R. 95 would enable the town to purchase the private utilities provided the transaction be approved by the holder or holders of not less than 75 per cent of the electric revenue bonds and by a majority of the qualified electors of the town voting upon the question. It also authorizes the town to utilize the property purchased in whatever way may be to its best interest. The bill further makes provision for the issuance of the necessary refunding and acquisition bonds, subject to the approval of the holder or holders of 75 per cent of the electric revenue bonds at the time the approval is given.

"It is my view that the town of Seward should be enabled to consider the purchase of the private utilities, and I recommend that the bill be enacted.

"I am advised by the Director of the Bureau of the Budget that there is no objection to presenting this report to the Congress.

"Sincerely yours,

"A. J. WIRTZ,

Acting Secretary of the Interior."

"FEDERAL LOAN AGENCY,

Washington, February 28, 1941.

"HON. LEX GREEN,

House of Representatives,

Washington, D. C.

"DEAR CONGRESSMAN GREEN: Receipt is acknowledged of your inquiry under date of January 8, 1941, in respect to H. R. 95, a bill to amend section 6 of an act of Congress approved May 20, 1935, entitled 'An act concerning the incorporated town of Seward, Territory of Alaska.'

"This bill, as did H. R. 10519, of the Seventy-sixth Congress, authorizes the town of

Seward, Alaska, to purchase certain private utility properties if, among other conditions, such purchase is approved by the holders of 75 percent in principal amount of the electric revenue bonds of that municipality now outstanding. The Reconstruction Finance Corporation now holds \$96,000 in such bonds.

"As indicated in my letter of December 4, 1940, in respect to H. R. 10519, Seventy-sixth Congress, there appears to be no reason against the vesting of this authority in the town of Seward and I, therefore, see no objection to the enactment of such legislation. The Bureau of the Budget has, under date of December 2, 1940, and in respect to H. R. 10519, Seventy-sixth Congress, indicated concurrence in this opinion.

"Sincerely yours,

"JESSE H. JONES, Administrator."

Changes in existing law are indicated below, with matter proposed to be omitted enclosed in brackets and new matter proposed to be inserted printed in italic:

"SEC. 6. This act shall become effective thirty days after its passage: [Provided, however, That none of the powers herein granted to the said town of Seward, Alaska, shall be exercised by said town in the event that the Seward Light and Power Company, a corporation, shall within one week after a copy of this act is served on said Seward Light and Power Company, offer in writing to sell and convey to the said town of Seward all right, title, and interest in and to its electric generating plant or plants, electric distributing system, pipe lines, and water rights now owned by it and used and employed in supplying electric energy to the inhabitants of said town, said offer of sale to be for the sum of \$75,000, and to guarantee that delivery of said title, free from encumbrance and debt of any kind, shall be made to said town upon payment of said sum, any time within six months from date of said written offer to sell: *Provided further, That said offer and agreement to convey title must be delivered by said Seward Light and Power Company to the town clerk of said town of Seward, Alaska, within the time specified above. Service of copy of this act on the Seward Light and Power Company shall be made by delivery thereof to its president, S. M. Graff, or any other officer of the corporation: And provided further, That in the event the said Seward Light and Power Company offers to sell and convey its properties as provided for in this section, the said town is authorized to purchase such properties and to issue bonds for such purpose in an amount not to exceed \$75,000, such bonds to be issued in the manner provided for in this act.] *Provided, That if at any time hereafter the public utilities property consisting of an electric system and a telephone system now being operated in and adjacent to said town of Seward under the name of Seward Light and Power, or Seward Light and Power Company, shall be offered by the owner or owners thereof to the town of Seward at a reasonable price, and the purchase shall be approved by the holder or holders of not less than 75 per centum in principal amount of electric revenue bonds of said town outstanding on the date of approval by said bondholders, and by a majority of the qualified electors of the town of Seward voting upon the question at a regular election or at a special election called and held for that purpose within ninety days after the formal submission of said offer, the town of Seward is hereby authorized and empowered (a) to acquire said property, and to pay the agreed purchase price thereof; (b) to operate and maintain all or any part thereof for its own use and benefit and for the use and benefit, of public and private consumers or users within and without the territorial boundaries of said town, as an integral part of the municipal electric system of said town; (c) to issue its bonds to finance in whole or in part the cost of acquiring said property; (d)**

*to prescribe and collect rates, fees, tolls, or charges for the services, facilities, and commodities furnished in connection with the operation of said property; (e) to pledge to the punctual payment of said bonds and interest thereon all or any part of the gross or net revenues from the operation of said property, separately or in conjunction with property heretofore acquired by said town (including improvements, betterments, or extensions thereto hereafter constructed or acquired): Provided further, That the principal amount of bonds authorized under the foregoing provisions of this section shall in no event be in excess of the purchase price stated in the offer and all proceedings for the issuance and sale of said bonds shall be submitted to and approved by the holder or holders of not less than 75 per centum in principal amount of aforesaid electric revenue bonds of said town outstanding on the date of such approval: Provided further, That said town may, upon consent of the holder or holders of not less than 75 per centum in principal amount of bonds of said town issued under this act and outstanding on the date of such consent, issue its refunding and acquisition bonds in the aggregate principal amount of bonds to be refunded and such additional principal amount as the probable revenues from the operation of the combined systems will reasonably justify. Refunding and acquisition bonds, if issued, shall bear interest not exceeding 4 per centum per annum; otherwise they shall be issued in compliance with other bond provisions contained in this act."*

#### COPPER RIVER AND NORTHWESTERN RAILWAY CO.

The Senate proceeded to consider the bill (S. 1289) authorizing the Copper River and Northwestern Railway Co. to convey to the United States its railroad right-of-way and other railroad properties in Alaska, for use as a public highway, tramroad, or tramway, and for other purposes, which had been reported from the Committee on Territories and Insular Affairs with an amendment, in section 2, page 2, line 12, after the word "contrary", to strike out "and to dispose of such of said properties or parts thereof, under rules and regulations prescribed by him, as may not be needed in the repair, operation, and maintenance of the highway, tramroad, or tramway, the proceeds from the disposition of such properties to be available until expended for the construction, repair, and maintenance of roads, tramways, ferries, bridges, trails, and other works in the Territory of Alaska under the provisions of the said act of June 30, 1932", so as to make the bill read:

*Be it enacted, etc., That the Copper River and Northwestern Railway Co., or any of its successors in interest or assigns, is hereby authorized to give and convey to the United States of America (1) all or any portion of its railroad right-of-way acquired under grants made by Congress or otherwise, including station and terminal grounds and lands used as sites for railroad structures or purposes of any kind, and (2) equipment, including telephone and telegraph poles and lines, ties, rails, rolling stock, bridges, buildings, and other properties in Alaska used in connection with the construction, maintenance, and operation of the railroad.*

Sec. 2. The Secretary of the Interior is hereby authorized and empowered to accept, on behalf of the United States and without cost to the United States, gifts and conveyances of said properties to be used, operated, and maintained, as far as may be practicable or necessary, as a public highway, tramroad,

or tramway under the provisions of the act of June 30, 1932 (47 Stat. 446), notwithstanding anything within any act to the contrary.

Sec. 3. The provisions of the act of March 8, 1922 (42 Stat. 414), shall not affect the right-of-way, or any portion thereof, or any other lands or properties donated, granted, or conveyed to the United States pursuant to the authorization contained in this act.

The amendment was agreed to.

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

#### BILLS PASSED OVER

The bill (S. 1358) to amend section 1 of the act entitled "An act to provide that funds allocated to Puerto Rico under the Emergency Relief Appropriation Act of 1935 may be expended for permanent rehabilitation, and for other purposes," approved February 11, 1936, was announced as next in order.

Mr. McNARY. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 357) to provide for the rehabilitation of the anthracite coal industry was announced as next in order.

SEVERAL SENATORS. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

#### REIMBURSEMENT OF NAVAL OFFICERS AND MEN FOR PROPERTY LOST OR DESTROYED

The Senate proceeded to consider the bill (S. 378) to amend the act of October 6, 1917, entitled "An act to provide for the reimbursement of officers, enlisted men, and others in the naval service of the United States for property lost or destroyed in such service," which had been reported from the Committee on Naval Affairs with amendments, on page 5, line 13, after the word "paid", to strike out "And provided" and insert "Provided further"; in line 23, after the word "officer", to strike out "of" and insert "for"; and, on page 6, after the words "Coast Guard", to insert:

*And provided further, That the provisions of this act shall apply to the personnel of the Coast and Geodetic Survey in like manner as to the personnel of the Navy, except that all reimbursement shall be made in money and shall be limited to such articles of personal property as the Director of the Coast and Geodetic Survey shall decide to be reasonable, useful, and proper for such officer, member of the crew, or other person while engaged in the public service in line of duty, without reference to articles required by the United States Naval Regulations, and all of the duties, which, under this act, devolve upon the Major General Commandant of the Marine Corps with reference to the personnel of that corps, shall devolve upon the Director of the Coast and Geodetic Survey, and in cases involving persons in the Coast and Geodetic Survey reimbursement shall be made by a disbursing officer for the Coast and Geodetic Survey from the Coast and Geodetic Survey appropriation from which the officer or man is paid.*

So as to make the bill read:

*Be it enacted, etc., That the act approved October 6, 1917 (40 Stat. 389), entitled "An act to provide for the reimbursement of officers, enlisted men, and others in the naval service of the United States for property lost or destroyed in such service", be amended by adding the words "or by fires, floods, earth-*

quakes, hurricanes, or similar disasters, occurring on land" immediately following the word "disaster" in line 8 thereof, and by adding a proviso at the end of the act, the act as amended to read as follows:

"That the Paymaster General of the Navy be, and he is hereby, authorized and directed to reimburse such officers, enlisted men, and others in the naval service of the United States as may have suffered, or may hereafter suffer, loss or destruction of or damage to their personal property and effects in the naval service due to the operations of war or by shipwreck or other marine disaster, or by fires, floods, earthquakes, hurricanes, or similar disasters, occurring on land, when such loss, destruction, or damage was without fault or negligence on the part of the claimant, or where the private property so lost, destroyed, or damaged was shipped on board an unsaworthy vessel by order of an officer authorized to give such order or direct such shipment, or where it appears that the loss, destruction, or damage of or to the private property of the claimant was in consequence of his having given his attention to the saving of the lives of others or of property belonging to the United States which was in danger at the same time and under similar circumstances. And the liability of the Government under this act shall be limited to replacement in kind of the clothing such individual may be required by regulation to have in his possession, reimbursement in cash or other personal effects which shall include toilet articles not exceeding \$5 and where required for aviation ratings a watch not exceeding \$25, and in addition, for chief petty officers, cooks, and stewards such additional clothing as the Chief of the Bureau of Navigation with reference to the personnel of the Navy, or the Major General Commandant of the Marine Corps, with reference to the personnel of that corps, shall decide to be reasonable, and the certificate of said chief of bureau or Major General Commandant, as the case may be, shall be sufficient voucher for and shall be final as to all matters necessary to the establishment and payment or settlement of any claim filed hereunder; and the action of the said chief of Bureau or Major General Commandant, as the case may be, upon all claims arising under this act shall be final, and no right to prosecute a claim or action in the Court of Claims or in any other court of the United States, or before any accounting officer of the United States, or elsewhere, except as herein provided, shall accrue to any person by virtue of this act: *Provided*, That the liability of the Government under this act shall be limited to such articles of personal property as are required by the United States Naval Regulations and in force at the time of loss or destruction for such officers, petty officers, seamen, or others engaged in the public service in the line of duty: *Provided further*, That with reference to claims of persons in the Marine Corps filed under the terms of this act the paymaster of the Marine Corps shall make the reimbursement in money, and the quartermaster of the Marine Corps shall make the reimbursement in kind herein provided for: *Provided further*, That all claims now existing under this act shall be presented within 2 years from the passage hereof and not thereafter; and all such claims hereafter arising shall be presented within 2 years from the occurrence of the loss, destruction, or damage: *Provided further*, That the term 'in the naval service', as herein employed, shall be held to include service performed on board any vessel, whether of the Navy or not, provided the claimant is serving on such vessel pursuant to the orders of duly constituted naval authority: *Provided further*, That all claimants under this act shall be required to submit their claims in writing and under oath to the said Chief of the Bureau of Navigation or Major General

Commandant, as the case may be: *Provided further*, That claims arising in the manner indicated in this act and which have been settled under the terms of previously existing law shall be regarded as finally determined and no other or further right of recovery under the provisions hereof shall accrue to persons who have submitted such claims as aforesaid: *Provided further*, That sections 288, 289, and 290, Revised Statutes, and the act of March 2, 1895 (28 Stat. 962), are hereby repealed: *Provided further*, That reimbursement for loss, destruction, or damage sustained and determined as herein provided shall be made in kind for such articles as are customarily issued to the service and shall be made in money for other articles at the valuation thereof at the time of their loss, destruction, or damage: *Provided further*, That in cases involving persons in the Navy reimbursement in money shall be made from the appropriation 'Pay of the Navy', and reimbursement in kind shall be made from the appropriation 'Outfits on first enlistment', and in cases involving persons in the Marine Corps reimbursement in money shall be made from the appropriation 'Pay, Marine Corps', and reimbursement in kind shall be made from the appropriation 'Clothing, Marine Corps', respectively, current at the time the claim covering such loss, damage, or destruction is paid: *Provided further*, That the provisions of this act shall apply to the personnel of the Coast Guard in like manner as to the personnel of the Navy, whether the Coast Guard is operating under the Treasury Department or operating as a part of the Navy, and all of the duties, which, under this act, devolve upon the Major General Commandant of the Marine Corps with reference to the personnel of that corps, shall devolve upon the Commandant of the Coast Guard, and in cases involving persons in the Coast Guard reimbursement in money shall be made by a disbursing officer for the Coast Guard from the appropriation 'Pay and Allowances, United States Coast Guard,' and reimbursement in kind shall be made by the Commandant from the appropriation 'Pay and Allowances, United States Coast Guard': *And provided further*, That the provisions of this act shall apply to the personnel of the Coast and Geodetic Survey in like manner as to the personnel of the Navy, except that all reimbursement shall be made in money and shall be limited to such articles of personal property as the Director of the Coast and Geodetic Survey shall decide to be reasonable, useful, and proper for such officer, member of the crew, or other person while engaged in the public service in line of duty, without reference to articles required by the United States Naval Regulations, and all of the duties, which, under this act, devolve upon the Major General Commandant of the Marine Corps with reference to the personnel of that corps, shall devolve upon the Director of the Coast and Geodetic Survey, and in cases involving persons in the Coast and Geodetic Survey reimbursement shall be made by a disbursing officer for the Coast and Geodetic Survey from the Coast and Geodetic Survey appropriation from which the officer or man is paid."

The amendments were 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. 374) to provide for the better administration of justice in the Navy was announced as next in order.

Mr. McNARY. Mr. President, I recognize this bill as one which was considered a few days ago on the floor of the Senate. Disposition has not been made of it. I think it was agreed that the bill should

come up on Thursday of this week. In any event, I object to its consideration at this time.

The PRESIDING OFFICER. The bill will be passed over under objection.

The bill (S. 1529) to amend the act approved May 13, 1908, relative to retirement of officers of the United States Navy after 30 years' service was announced as next in order.

Mr. CLARK of Missouri. Mr. President, may we have an explanation of this bill?

The PRESIDING OFFICER. The bill was reported by the senior Senator from Massachusetts [Mr. WALSH], who is temporarily absent.

Mr. CLARK of Missouri. I ask that the bill be passed over temporarily.

The PRESIDING OFFICER. The bill will be passed over without prejudice.

#### OFFICE OF BUDGET AND REPORTS IN NAVY DEPARTMENT

The Senate proceeded to consider the bill (H. R. 3782) establishing an Office of Budget and Reports in the Navy Department, and for other purposes, which had been reported from the Committee on Naval Affairs, with an amendment, in section 4, page 2, line 21, after the word "amended", to insert "or otherwise as he may elect", so as to make the section read:

SEC. 4. There shall be a civilian assistant to the Director of Budget and Reports, who shall be appointed by the Secretary of the Navy in accordance with civil-service laws and the Classification Act of 1923, as amended, or otherwise as he may elect. Such civilian assistant shall perform such duties as the Director of Budget and Reports may designate.

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.

#### BILL PASSED OVER

The bill (S. 1467) to amend section 12 (a) of the Selective Training and Service Act of 1940 was announced as next in order.

Mr. CLARK of Missouri. Mr. President, I should like to have some explanation of this bill.

The PRESIDING OFFICER. This bill likewise was reported by the senior Senator from Massachusetts [Mr. WALSH], who is temporarily absent.

Mr. CLARK of Missouri. I ask that the bill go over temporarily.

The PRESIDING OFFICER. The bill will be passed over without prejudice.

#### PAY OF AVIATION PILOTS IN NAVAL AND MARINE CORPS RESERVE

The bill (S. 1508) to provide for the pay of aviation pilots in the Naval and Marine Corps Reserve, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That each enlisted man of the Naval Reserve or the Marine Corps Reserve who is designated, under regulations prescribed by the Secretary of the Navy, as a student aviation pilot, and who commences flight training leading to designation as aviation pilot, shall sign an agreement, with the consent of his parent or guardian if he be a minor, to serve for a continuous period of

2 years on active duty in the Naval Reserve or the Marine Corps Reserve, following successful completion of flight training, unless sooner released: *Provided*, That in time of peace such aviation pilot may, with his own consent, in the discretion of the Secretary of the Navy, serve on active duty for an additional period of not more than 2 years.

Sec. 2. Enlisted men of the Naval Reserve and the Marine Corps Reserve who are designated, under regulations prescribed by the Secretary of the Navy, as aviation pilots shall, while on active duty, receive the pay of the third grade, or that of their rating, whichever is greater.

Sec. 3. Aviation pilots of the Naval Reserve or the Marine Corps Reserve may, if qualified under regulations prescribed by the Secretary of the Navy, be commissioned as ensigns in the Naval Reserve or second lieutenants in the Marine Corps Reserve.

Sec. 4. Any student aviation pilot or aviation pilot designated as such in accordance with sections 1 and 2 of this act may at any time in the discretion of such administrative authority as the Secretary of the Navy may designate, be discharged or released from active duty.

Sec. 5. Student aviation pilots shall, while undergoing training, be issued necessary uniforms and equipment at Government expense.

Sec. 6. Enlisted personnel of the Naval Reserve and Marine Corps Reserve while on active duty undergoing training leading to designation as aviation pilot, and thereafter while on continuous active duty with designation as aviation pilot, shall be issued Government life insurance in the amount of \$5,000, the premiums for which shall be paid from the current appropriations "Pay, subsistence, and transportation, Navy," "Naval Reserve," or "Pay, Marine Corps," as may be appropriate. Upon release from active duty or discharge such enlisted personnel shall have the option of continuing such insurance at their own expense: *Provided*, That nothing herein contained shall be deemed to restrict the total amount of Government life insurance to which such pilots would otherwise be entitled.

#### BILL PASSED OVER

The bill (H. R. 4671) to authorize a plant-protection force for naval shore establishments, and for other purposes, was announced as next in order.

Mr. McNARY. Mr. President, I should like to have an explanation of this bill by some member of the Committee on Naval Affairs.

The PRESIDING OFFICER. If the Chair may be permitted to make a statement, the Chair is under the impression that this bill is similar to the Senate bill to which the Senator from Oregon referred in his previous statement.

Mr. McNARY. Very well; then I ask that it be passed over.

The PRESIDING OFFICER. The bill will be passed over under objection.

#### MEETING OF NATIONAL DIRECTORS OF METEOROLOGICAL SERVICES

The joint resolution (S. J. Res. 81) to authorize the President of the United States to invite the governments of the countries of the Western Hemisphere to participate in a meeting of the national directors of the meteorological services of those countries, to be held in the United States as soon as practicable, in 1941 or 1942, to invite Regional Commissions III and IV of the International Meteorological Organization to meet concurrently therewith; and to authorize an appropriation for the expenses of organizing and holding such meetings, was

considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Resolved, etc.*, That the President be, and he is hereby, authorized to invite the governments of the countries of the Western Hemisphere to participate in a meeting of the national directors of the meteorological services of those countries, to be held in the United States as soon as practicable, in 1941 or 1942, and to invite Regional Commissions III and IV of the International Meteorological Organization to meet concurrently therewith.

Sec. 2. That the sum of \$14,500, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the expenses of organizing and holding such meetings, including personal services in the District of Columbia and elsewhere, without regard to the Classification Act of 1923, as amended; communication services; stenographic reporting, translating, and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); travel expenses; local transportation; hire of motor-propelled passenger-carrying vehicles; transportation of things; rent in the District of Columbia and elsewhere; printing and binding; entertainment; official cards; badges; purchase of newspapers, periodicals, books, documents, maps, charts, etc.; stationery; and such other expenses as may be actually and necessarily incurred by the Government of the United States by reason of observance of appropriate courtesies in connection therewith, and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified.

#### PAYMENT OF FEES AND COSTS OF WITNESSES AND JURORS

The Senate proceeded to consider the bill (S. 1051) relating to the payment of fees and costs of witnesses and jurors and the accounting therefor, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 6, before the word "No", to insert "Sec. 846"; on page 2, line 3, after the word "have", to insert "incurred"; in line 13, before the word "The", to insert "Sec. 855"; and in line 16, after the words "United States", to strike out "are parties", and insert "is a party", so as to make the bill read:

*Be it enacted, etc.*, That section 846 of the Revised Statutes, as amended (U. S. C., title 28, sec. 577), is hereby amended to read as follows:

"Sec. 846. No accounts of fees or costs paid to any witness or juror, upon the order of any judge or commissioner, or to any witness upon the certificate of attendance of the United States attorney or assistant United States attorney, or to any juror upon the certificate of attendance of the clerk of the court, shall be so reexamined as to charge any marshal for an erroneous taxation of such fees or costs. Where the ministerial officers of the United States have incurred or shall incur extraordinary expense in executing the laws thereof, the payment of which is not specifically provided for, the President of the United States is authorized to allow the payment thereof under the special taxation of the district court of the district in which the said services have been or shall be rendered, to be paid from the appropriation for defraying the expenses of the judiciary."

Sec. 2. Section 855 of the Revised Statutes (U. S. C., title 28, sec. 608) is hereby amended to read as follows:

"Sec. 855. The marshal shall pay to the jurors all fees to which they appear to be entitled on the certificate of attendance of the clerk of the court, and in cases where the United States is a party, the marshal shall pay to the witnesses all fees to which they appear to be entitled on the certificate of attendance of the United States attorney or assistant United States attorney, which sum shall be allowed the marshal in the General Accounting Office in his accounts."

The amendments were agreed to.

Mr. TAFT. Mr. President, may we have an explanation of this bill?

Mr. KILGORE. Mr. President, the purpose of the bill is to relieve the judges of the Federal courts of administrative duties. Under existing law the judges are required to certify in an order the attendance of witnesses and jurors. This has to be done purely upon the representation of the clerk or the district attorney; and the judge really certifies something that he knows nothing of, other than what is told him by the district attorney or the clerk, as the case may be. The purpose of the bill is to permit attending witnesses and attending jurors to be paid by the marshal upon the certificate of the clerk or of the district attorney, as the case may be, and, in the case of exceptional witnesses, upon the order of the President of the United States out of the fund set aside for the operation of the judiciary.

The bill came to the Senate, and was introduced by the Senator from Indiana [Mr. VAN NUYS] at the request of the Judicial Council, in order to relieve the judges of this administrative burden, which really means nothing. In other words, no purpose is accomplished by having them certify to something of which they can have no personal knowledge. As the bill has been reported, the amendments are merely to clarify the English in it where a couple of mistakes were made by the original drafting officer.

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.

#### TRAVELING AND SUBSISTENCE EXPENSES OF JUDGES OF COURT OF CLAIMS

The Senate proceeded to consider the bill (S. 1052) relating to the traveling and subsistence expenses of judges and retired judges of the Court of Claims, which had been reported from the Committee on the Judiciary with amendments, on page 2, line 13, after the word "receive", to insert "the same"; in line 14, after the word "expenses", to insert "as"; in the same line, after the word "for", to insert "other judges"; and in line 15, after the word "act", to insert "while absent from their actual places of residence"; so as to make the bill read:

*Be it enacted, etc.*, That section 2 of the act of February 24, 1925, entitled "An act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation" (43 Stat. 965), as amended (46 Stat. 799; U. S. C., title 28, secs. 270, 275a), is hereby reenacted and amended to read as follows:

"Sec. 2. Each of the said commissioners shall devote all of his time to the duties of

his office and shall receive a salary of \$7,500 per annum, payable monthly out of the Treasury. The chief justice, or any judge of the Court of Claims, may sit at any place within the United States to take evidence in any case instituted in said court. The chief justice, and any judge of the court, the commissioners, and stenographers authorized by the court, shall also receive their necessary traveling expenses and their actual expenses incurred for subsistence while traveling on duty and away from Washington in an amount not to exceed \$10 per day in the case of the chief justice or any judge of the court, \$7 per day in the case of commissioners, and \$5 per day in the case of stenographers. Retired judges recalled to active duty in Washington or elsewhere shall be entitled to receive the same travel and subsistence expenses as provided for other judges in this act while absent from their actual places of residence. The expenses of travel and subsistence herein authorized shall be paid upon order of the court."

The amendments were agreed to.

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

The PRESIDING OFFICER. That completes the calendar.

STATEMENT AND EXECUTIVE ORDER BY THE PRESIDENT RELATIVE TO NORTH AMERICAN AVIATION, INC.

Mr. BYRNES. Mr. President, I ask unanimous consent to insert in the body of the RECORD an Executive order of the President issued today, with reference to the North American Aviation Co., and the statement of the President accompanying the order.

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

The statement and Executive order are as follows:

STATEMENT BY THE PRESIDENT

Continuous production in the Los Angeles plant of North American Aviation, Inc., is essential to national defense. It is engaged in the production of airplanes vital to our defense and much of the property in the plant is owned, directly or indirectly, by the United States. Production in this plant has ceased because of a labor dispute.

Conciliation was resorted to and efforts at conciliation failed. The dispute was then certified by the Secretary of Labor to the National Defense Mediation Board.

The course of mediation has now been interrupted in violation of an agreement entered into by the bargaining representatives of the workers to continue production during the course of the mediation. Full stoppage of production has resulted. This has created a situation seriously detrimental to the defense of the United States.

Because of this situation, as President and Commander in Chief of the armed forces of the United States, I have determined that this plant must be reopened at once. I have therefore directed that the Secretary of War shall immediately take charge of the plant and remain in charge and operate the plant until normal production shall be resumed.

Our country is in danger and the men and women who are now making airplanes play an indispensable part in its defense. I call upon the workers to return to their jobs, with full confidence in the desire and ability of this administration to protect their persons and their interests. I have an abiding confidence in the loyalty and patriotism of the American workers, and I am sure that they will seize this opportunity to cooperate in the national interest. Their fundamental rights as free citizens will be protected by the Government, and negotiations will be conducted through the process of collective bar-

gaining to reach a settlement fair and reasonable to the workers and to the company. The company already has stated that any such settlement will be retroactive to May 1.

The Army has been directed to afford protection to all workers entering or leaving the plant, and in their own homes.

EXECUTIVE ORDER

Whereas on the 27th day of May 1941 a Presidential proclamation was issued, declaring an unlimited national emergency and calling upon all loyal citizens in production for defense to give precedence to the needs of the Nation to the end that a system of government which makes private enterprise possible may survive; and calling upon all our loyal workmen as well as employers to merge their lesser differences in the larger effort to insure the survival of the only kind of government which recognizes the rights of labor or of capital, and calling upon all loyal citizens to place the Nation's needs first in mind and in action to the end that we may mobilize and have ready for instant defensive use, all of the physical powers, all of the moral strength, and all of the material resources of the Nation; and

Whereas North American Aviation, Inc., at its Inglewood plant in the city of Los Angeles, State of California, has contracts with the United States for the manufacture of military aircraft and other material and articles vital to the defense of the United States; and the United States owns aircraft in the course of production, raw material, machinery, and other property situated in the said company's plant; and

Whereas a controversy arose at said plant over terms and conditions of employment between the company and the workers which they have been unable to adjust by collective bargaining; and whereas the controversy was duly certified to the National Defense Mediation Board, established by the Executive order of March 19, 1941, and whereas before the negotiations had been concluded before the said Board, and in violation of an agreement between the bargaining representatives of the company and the workers authorized to appear before the Board and conduct the negotiations, production at said plant of said aircraft and other articles and materials vital to the defense of the United States was interrupted by a strike which still continues; and

Whereas the objectives of said proclamation of May 27, 1941, are jeopardized, and the ability of the United States to obtain aircraft essential to its armed forces and to the national defense is seriously impaired by said cessation of production; and

Whereas for the time being and under the circumstances hereinabove set forth it is essential in order that such operations be assured and safeguarded that the plant be operated by the United States;

Now, therefore, I, Franklin D. Roosevelt, pursuant to the powers vested in me by the Constitution and laws of the United States, as President of the United States of America and Commander in Chief of the Army and Navy of the United States, hereby authorize and direct that the Secretary of War immediately take possession of and operate the said plant of North American Aviation, Inc., through such person or persons as he may designate, to produce the aircraft and other articles and materials called for by its contracts with the United States or otherwise, and to do all things necessary or incidental thereto. Such necessary or appropriate adjustments shall be made with respect to existing and future contracts and with respect to compensation to the company as further orders hereafter issued by the Secretary of War shall provide. The Secretary of War shall employ or authorize the employment of such employees, including a competent civilian adviser on industrial relations,

as are necessary to carry out the provisions of this order. And I hereby direct the Secretary of War to take such measures as may be necessary to protect workers returning to the plant.

Possession and operation hereunder shall be terminated by the President as soon as he determines that the plant will be privately operated in a manner consistent with the needs of the national defense.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 9, 1941.

"THE FOUR FREEDOMS"

Mr. CLARK of Missouri. Mr. President, in the course of the remarks made by the Senator from Montana [Mr. WHEELER] a little while ago, he was taken to task by the Senator from Texas [Mr. CONNALLY] as to the pledges that have been made as to "the four freedoms." I desire to read into the RECORD—it will take only a moment—what, so far as I know, is the origin of the policy of the United States with regard to "the four freedoms."

At the end of the President's message to the Congress of January 6, 1941, he said:

In the future days, which we seek to make secure, we look forward to a world founded upon four essential human freedoms.

I assume that India, China, Dakar, and other sections of Africa and Asia are parts of the world.

The first is freedom of speech and expression everywhere in the world.

The second is freedom of every person to worship God in his own way everywhere in the world.

I assume that Asia and Africa and Europe and the islands of the sea are all parts of the world.

The third is freedom from want, which, translated into world terms, means economic understandings which will secure to every nation a healthy peacetime life for its inhabitants everywhere in the world.

The fourth is freedom from fear—which, translated into world terms, means a world-wide reduction of armaments to such a point and in such a thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbor—anywhere in the world.

That is no vision of a distant millennium. It is a definite basis for a kind of world attainable in our own time and generation.

In his fireside chat of May 27 the President said:

We will accept only a world consecrated to freedom of speech and expression—freedom of every person to worship God in his own way—freedom from want—and freedom from terrorism.

It seems to me that those quotations, taken together, abundantly justify the statement made by the Senator from Montana.

ABANDONMENT OF BRANCH OF DENVER & RIO GRANDE WESTERN RAILROAD CO.

Mr. JOHNSON of Colorado. Mr. President, on March 13 last, Senate Resolution 82, with respect to an investigation of the proposal to abandon the connecting line between the Denver & Rio Grande Western and the Atchison, Topeka & Santa Fe Railroad systems, was adopted by the Senate. Pursuant to the resolution a committee was appointed to make the investigation, the committee consisting of

the senior Senator from Minnesota [Mr. SHIPSTEAD], the junior Senator from Wyoming [Mr. SCHWARTZ], and the junior Senator from Colorado [Mr. JOHNSON]. We were assisted in making our report by the junior Senator from New Mexico [Mr. CHAVEZ]. The committee has finished its investigation, and I am at this time submitting the report of the committee.

I ask unanimous consent that Senate Resolution 82 be printed in the RECORD at this point.

There being no objection, the resolution (S. Res. 82) was ordered to be printed in the RECORD, as follows:

Whereas authentic reports indicate that all of the pertinent facts were not disclosed in the hearing before the Interstate Commerce Commission following which an order was entered on January 22, 1941, by a division of the Interstate Commerce Commission ordering the abandonment of the narrow-gauge railroad between Antonito, Colo., and Santa Fe, N. Mex.; and

Whereas national defense, with which the American people are vitally concerned, demands that this railroad line be not abandoned but that it remain serviceable during the present emergency for the transportation of military supplies: Therefore be it

*Resolved*, That the Committee on Interstate Commerce or any duly authorized subcommittee thereof is authorized and directed to make, and to report to the Senate the results of, a thorough and complete investigation of the proposed abandonment and all pertinent facts, including the practices, the methods, and acts or omissions to act, of The Denver & Rio Grande Western Railroad Co. in the operation of the narrow-gauge branch of said The Denver & Rio Grande Western Railroad Co. between Antonito, Colo., and Santa Fe, N. Mex.

The Committee on Interstate Commerce, or any duly authorized subcommittee thereof, is authorized and directed to obtain such facts as other Government agencies may have, and to secure the assistance of other Government agencies in the investigation hereby authorized.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places, either in the District of Columbia or elsewhere, during the sessions, recesses, and adjourned periods of the Senate in the Seventy-seventh and subsequent Congresses, to employ such experts, and clerical, stenographic, and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production and impounding of such books, papers, and documents, to administer such oaths, and to take such testimony and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed \$3,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

Mr. JOHNSON of Colorado. I also ask unanimous consent that the report of the committee be made a part of my remarks at this point.

The PRESIDING OFFICER. Is there objection?

There being no objection, the report (Rept. No. 411) was ordered to be printed in the RECORD, as follows:

REPORT NO. 411

[Pursuant to S. Res. 82]

Pursuant to Senate Resolution 82, the Senate committee named to investigate the

proposed abandonment of the rail line between Antonito, Colo., and Santa Fe, N. Mex., respectfully submit this report. The committee held public hearings in Alamosa, Colo., for 3 days, April 1, 2, and 3, and in Santa Fe, N. Mex., on April 5, where everyone interested was given a full opportunity to express his views freely. Many, many ranchers, townspeople, and shippers voluntarily appeared and protested against the abandonment. Their testimony was submitted to vigorous cross-examination by able railroad officials and attorneys who tried to dispute some of the statements which were made. The committee also made a trip of inspection over the rail line from Antonito to Santa Fe and were met at all stops by large delegations of shippers urging the continuance of this railroad connection.

It was established beyond any doubt that, while the investment of the Denver & Rio Grande Western Railroad is considerable in southern Colorado, the investment of shippers, producers, farmers, ranchers, and townspeople is many times as great. The evidence clearly indicated that the railroad management has deliberately discouraged railroad traffic, both freight and passenger, by embargoes, rate discrimination, and extremely poor service and accommodations. It was proven at the hearing that the Denver & Rio Grande Western discontinued shipments of hogs from the San Luis Valley to California points via Santa Fe, and compelled such shipments to be routed via Pueblo and Salt Lake. This long haul required three feeds as against one feed via the Atchison, Topeka & Santa Fe, and at least 24 hours' longer time in transit. Wool shipments to Boston were driven off this line by a 15-cent higher freight rate than that in force at competitive shipping points on the Atchison, Topeka & Santa Fe, a fact which absolutely compelled shippers to route their wool against their will over the Atchison, Topeka & Santa Fe lines.

The evidence strongly indicated that the Denver & Rio Grande Western Railroad made it a practice to subsidize, with railroad funds and the free services of railroad officials, competing motorbus and truck service along all of its lines in southwestern Colorado and encouraged such competition in every way, but most effectively by arranging slower rail transportation schedules. Perishable local freight shipments to points on the Santa Fe branch were delayed until they rotted—a most effective method to make it impossible to ship by rail.

Even though the Denver & Rio Grande Western has excellent coal mines located on its narrow-gauge system, it has made it necessary by a combination of poor service and high freight rates for shippers on this branch to ship coal to Santa Fe from points on the Atchison, Topeka & Santa Fe line in standard-gauge cars then unload and deliver to points on the Santa Fe branch by truck.

The evidence indicated that the Denver & Rio Grande Western Railroad has not solicited traffic from shippers in competitive territory, nor has it shown any interest whatsoever in rail shipments to or from its narrow-gauge territory.

The obvious policy of organized and directed promotion of truck and bus competition, the deliberate neglect and progressive curtailment of service on all of the Denver & Rio Grande Western lines south and west of Pueblo, and south and west of Salida, Colo., must convince even the most optimistic of southern Colorado citizens that the present management will divest itself of every rail line other than its main line at the earliest possible opportunity. If that policy is to be checked, it should be checked now by denying the pending application, and the actual situation should be understood by all of the

people of southern Colorado and by the Interstate Commerce Commission.

Even though transportation and its problems have always been the responsibility of the Congress, yet, due to the enormous detail involved, it became obvious long ago that Congress could not supervise the operation of railroads and other methods of transportation. It, therefore, created the Interstate Commerce Commission to serve as its right arm in establishing rates, issuing and revoking certificates of convenience and necessity, determining applications for abandonment, and the multitude of other details incidental to domestic commerce.

Nevertheless, Congress cannot escape its responsibility in these things and when a question incidental to them arises which affects the public interest to an unusual degree, it is the duty of Congress to see that proper consideration has been given to the welfare of the people. Congress cannot and does not go into every application for abandonment pending before the Interstate Commerce Commission. To do so would constitute gross interference with its own agency.

A few years ago Congress did halt the contemplated abandonment of the Minneapolis, St. Louis & Southern Railroad and, as a result of its exposure of the purposes behind the proposal, a self-supporting railroad rendering the public a much-needed service was preserved. It is now proposed to abandon the railroad from Antonito, Colo., to Santa Fe, N. Mex., the connecting line between two great railroad systems. This proposal does not contemplate merely the abandonment of an unprofitable narrow-gauge branch railroad line. Rather it involves the whole policy of the operation of the Denver & Rio Grande Western Railroad and its rail outlets. If this application be granted, a very important railroad system, the Atchison, Topeka & Santa Fe Railway, and a very important trade area in New Mexico, Arizona, and California will be lost to the southern half of Colorado and portions of northern New Mexico, which will very materially affect their present prosperity and their economic future.

When General Palmer conceived the scheme of building the Denver & Rio Grande Western he visioned an international railroad running from Denver, Colo., to Mexico City, Mexico. With that object in view, the railroad was built from Denver to Santa Fe, N. Mex. Valuable and extensive ore bodies and other natural resources were being discovered about that time in many parts of western Colorado, and the Denver & Rio Grande Western postponed its dream of becoming an international railroad and devoted its energies to the extension of its lines over much of southwestern Colorado and northern New Mexico. It served well the development and growth of this virgin area, and grew in strength and popularity. Its directors were not satisfied with the natural outlet to the southwest and the Pacific coast via Santa Fe, thence over its enemy railroad of long standing, the Atchison, Topeka & Santa Fe. Unfortunately for all concerned, the directors began casting their eyes to a Salt Lake connection and a new line to the Pacific coast which had no economic justification for its construction.

By this venture into the speculative, the Denver & Rio Grande Western quickly became hopelessly involved in the high-finance operation and stock manipulation of the Western Pacific, which some 20 years ago wound it up in bankruptcy and receivership.

During the last few years, due to the able management of its trustees, Wilson McCarthy and Henry Swan, much progress has been made toward solvency. Only in the last few days United States District Judge J. Foster Symes has agreed to an investment of \$2,500,000 in new Diesel locomotives, which are now required to handle its greatly increased freight traffic. This management,

however, able and alert as it is, seems to be far more interested in converting the property into a trunk-line railroad, bridging eastern railroads entering Denver with Salt Lake connections, than it is with building up its whole system and giving southern and western Colorado good rail service.

It is very apparent even to the casual observer that the new policy is to improve the service and facilities of the main-line railroad (Denver to Salt Lake) to the highest degree, and to neglect the facilities and gradually curtail the service on the balance of the system, especially that portion of it serving the territory south and west of Pueblo and south and west of Salida, Colo. A cold-blooded railroad operation, without regard for the welfare of large and important areas of Colorado, might perhaps justify such a stern policy, provided dollars and cents were the whole consideration. The public interest, however, must never be lost sight of in the operation of a public utility. The use of the Moffat Tunnel (constructed with public funds) and the Dotsero cut-off (constructed with Reconstruction Finance Corporation funds) makes such an operation feasible. Doubtless it is very attractive to the city of Salt Lake, the Reconstruction Finance Corporation, and connecting lines, but it is absolutely disastrous to a large area of Colorado dependent upon the Denver & Rio Grande Western service for the right to live and develop. The proposed abandonment of the southern connection of this railroad, the Santa Fe branch, is an all-important step in furthering this scheme of getting out of southern Colorado. The Congress, whose first duty is to protect the public interest, is, therefore, compelled to examine with great circumspection the effect of the proposal of this public utility to divest itself of its natural and long-established outlet to the Pacific coast via Santa Fe, N. Mex., and the Atchison, Topeka & Santa Fe.

Prior to the Western Pacific fiasco, surveys, and studies were completed to replace the narrow-gauge Santa Fe line with a broad-gauge railroad, using the tracks of the San Luis Southern Railway Co., Blanca to Joroso, for a portion of the line. The distance from Pueblo, Colo., to Santa Fe, N. Mex., via this route would have been 275 miles as against 362 miles via the Atchison, Topeka & Santa Fe Railway. It was an evil day for the Denver & Rio Grande Western Railroad, its helpless stockholders, and all of southern Colorado when this route was abandoned to dip into the sordid manipulation of Western Pacific high finance and a Salt Lake outlet.

It must be borne in mind that the most vital thing in connection with the proposed abandonment of the Santa Fe branch is the loss of the right which the Denver & Rio Grande Western now enjoys—a southern Colorado rail connection with the Atchison, Topeka & Santa Fe Railway. In other words, the Denver & Rio Grande Western, by virtue of the Santa Fe branch, possesses a certificate of convenience and necessity to operate a railroad between its Colorado lines and Santa Fe. If this railroad be abandoned, that certificate will be lost forever to all practical purposes, and Colorado will be denied a southern rail outlet on the west side of the mountains for all future time. For the public welfare of the State of Colorado and the future growth of the Denver & Rio Grande Western Railroad system, the application to abandon the Santa Fe branch should be denied without further delay. In the opinion of the subcommittee of the Senate Interstate Commerce Committee, the Interstate Commerce Commission should at least postpone permission to abandon this vital rail connection until the adverse effect on large areas of the Southwest has been given further study and examination.

It is alleged that this connecting line, in itself and by itself, does not return a profit.

It is doubtless true that no railroad line in New Mexico, taken by itself or of itself, including the main line of the Santa Fe, returns a profit; but that does not constitute a basis for abandonment, since connections with profitable territory on both ends obviously must be maintained through unprofitable territory. The Post Office Department continues much unprofitable service in order to make its whole service more complete and satisfactory. Railroads, if operated in the public interest, must do the same thing.

The Denver & Rio Grande Western a few years ago had rail connections with the Atchison, Topeka & Santa Fe Railway at Trinidad, but was permitted by the Interstate Commerce Commission to sever that rail connection and abandon its line from Walsenburg to Trinidad. It is very apparent that the Rio Grande's present management does not desire rail connections with the Atchison, Topeka & Santa Fe. Nevertheless the public interest in four States demands that this connection be continued.

The public interest and general welfare of southwestern Colorado and the States of New Mexico, Arizona, and California demand that rail connections with the Atchison, Topeka & Santa Fe be maintained for the reason that this railway is an outstanding system and that the natural market for southern Colorado products lies to the southwest and on to the Pacific coast. The public interest further requires that the neglected and obsolete narrow-gauge line with its miserable service between Antonito and Santa Fe be replaced by a broad-gauge line which doubtless will result in very satisfactory business. The junction with the Denver & Salt Lake Railroad has brought a large volume of new traffic to the Denver & Rio Grande Western because the new connection has made it the shortest rail line between Denver and Salt Lake City. If the Santa Fe branch be replaced with a broad-gauge line, the Denver & Rio Grande Western will have the shortest rail line between Denver and Santa Fe, N. Mex., and rail traffic will be stimulated thereby to the south just as it so recently has been stimulated to the west.

ED. C. JOHNSON (Colorado), *Chairman*.

HARRY H. SCHWARTZ (Wyoming).

HENRIK SHIPSTEAD (Minnesota).

DENNIS CHAVEZ (New Mexico).<sup>1</sup>

Mr. JOHNSON of Colorado. I now ask that the report of the committee be approved.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

#### THE PETROLEUM INDUSTRY

Mr. GILLETTE. Mr. President, within the last week there appeared in the various media of public expression two matters in which I feel every member of the public is intensely interested. The first dealt with the appointment by the President of a coordinator of the petroleum industry. This came in the way of a letter addressed to Secretary Ickes making the appointment, and I read two or three paragraphs from this first item of news:

In order to provide the desired coordination, I am hereby designating you as Pe-

<sup>1</sup> Senator DENNIS CHAVEZ, of New Mexico, not a member of the Interstate Commerce Committee of the Senate, due to the vital importance to his constituents in New Mexico of the proposal to abandon the railroad, Antonito to Santa Fe, joined the committee in its investigations, attended the hearings, and is wholeheartedly in accord with this report.

troleum Coordinator for National Defense. In that capacity it will be your function and responsibility as my representative:

1. To obtain currently from the States and their agencies, from the petroleum and allied industries, from the officers and agencies of your Department, and from other appropriate Federal departments and agencies information as to certain specified phases of the petroleum industry in connection with national defense, and to report any suggestions for alleviation or change or correction or protection of the national defense in connection with the petroleum industry.

Mr. President, for one I was very much pleased when I learned of this appointment. If the appointment of a coordinator is necessary—and perhaps in the situation in which we now find ourselves it is necessary—the appointment of Secretary Ickes is pleasing to me and perfectly satisfactory to me, and I am sure it must be to the great majority of the American people. He is an honorable, honest, hardworking, able man, thoroughly dependable, and thoroughly impressed with the subject matter committed to him.

There has been another development since this appointment to which I shall presently direct attention, and in that connection I think I may in fairness to the Senate review briefly a little history.

For a long time many of us were deeply concerned with the belief and feeling that the large integrated oil companies were taking advantage of a Nation-wide situation, and, through coordinated monopolistic efforts, were imposing on the general public a price level for gasoline and petroleum products which was much higher than justified, and in that connection were driving out of business independent producers, refiners, distributors, and retailers.

In conjunction with the late-lamented Senator from Idaho, Senator Borah, I introduced two measures—as I recall, the first was introduced in the Seventy-fifth Congress or the first session of the Seventy-sixth—both of them looking to the divorcement of the business of retailing from the production field and looking to the divorcement of the pipe-line distribution field from the production and refining field.

Due to the illness of the late Senator and due to the interest which he and all of us had in the neutrality discussion which followed shortly, after a few hearings were held on these measures, hearings conducted by a subcommittee headed by the able Senator from Nevada [Mr. McCARRAN], further action was postponed.

There followed the death of Senator Borah, and a year ago this past March Mr. Thurman Arnold, in charge of the Antitrust Division of the Department of Justice, called on me personally and asked me to postpone action on the legislative proposal because his department had for over a year and a half given study to the development of facts in connection with the petroleum industry, which they expected to make the basis of criminal action as well as certain equity actions. It was his request that legislative action be postponed so that hearings could be conducted on the legislative proposals at the same time the

judicial proceedings were taking place, so that there could be parallel action. This I agreed to in March 1940. I waited until August 14, 1940. No suits were filed, and at that time I addressed a letter to Mr. Arnold. I read briefly from that letter:

You requested me to delay hearings on the legislative proposals until such time as you were ready to proceed with the suits you were preparing to file. I recognized the wisdom of your request and acceded to it. I have delayed the hearings up to the present time. I learned indirectly that you were about to abandon the prosecutions contemplated. I am sure you will recognize the unfortunate position in which it places me and the pending legislation.

I will say in that connection that there appeared in the public press a statement that the Department of Justice was about to abandon this prosecution. Mr. Arnold personally brought to my office the reply to my letter of August 14, and I will read an excerpt from it.

DEAR SENATOR GILLETTE: I have received your letter inquiring about the delay in starting the proceedings against the major oil companies which have been under preparation by the Antitrust Division for a number of months.

As a matter of courtesy to the Defense Commission and information to this Department the matter was referred for study as to possible effects on national defense.

Without reading further, that seemed perfectly reasonable to me, and I was willing to wait until the Council for National Defense made a report to the Department of Justice as to their viewpoint of the extent to which these proceedings would interfere with or impede national defense. I will now read in that connection a paragraph from an article written by Mr. Ernest K. Lindley at that time:

The Antitrust Division of the Department of Justice has pending several suits involving industries of importance to the national defense. But it is feeling the pressure to lay off, lest it make the industries involved non-cooperative with the defense program.

It already has run into difficulty in its suit against a number of the large oil companies. This was to have been filed almost 3 weeks ago. It was not regarded with open hostility by the oil companies, because it was a civil suit. It covered various questions which had been raised already in criminal suits and which would be raised eventually in additional suits if this over-all civil suit were not carried through.

The filing of the suit, however, was deferred.

Mr. President, listen:

The filing of the suit, however, was deferred on representations from the Defense Commission that it might impair the psychological attitude of the oil-company officials toward the national-defense program.

Proceedings which had been begun by the Department of Justice, based on facts which had been developed for a year and a half in an endeavor to lay the foundation for criminal suits, in connection with which pleas of guilty have since been entered and fines of almost \$500,000 imposed, were delayed, and abandonment of the suits was suggested by the Defense Commission because of the psychological effect it might have on the companies, which might result in their unwillingness to cooperate in the defense program.

Mr. President, shortly after that I received a letter from the Department of Justice. I believe this letter was from the Attorney General himself. In reply I addressed a letter to him under the date of September 18 last. I shall read a paragraph or two from that letter:

Since the receipt of your letter of August 27 ultimo, I requested Mr. Thurman Arnold to give me what information he had available relative to the prospects for filing these suits. Mr. Arnold informed me that suggestions had been made by him for changes in the prayer for relief in the suits, and he has made available to me the suggestions which he has made for these changes. From a copy of these proposals before me I note that the wish of the plaintiff is to secure three primary objectives:

1. To prevent fixing prices at artificial levels to the consumer.

That, of course, was the objective we sought.

2. To permit retail dealers to compete without artificial restrictions.

That was very desirable.

3. To provide a free market for the presently existing independent refiners and for new enterprise in the oil industry.

While these three objectives are what I am trying to secure through the legislative proposals now pending in the Congress and which were introduced by the late Senator Borah and myself, I fully realize that none of us is ready to do or say anything which might jeopardize or delay our national-defense preparation. But I believe that any possibility of such result is removed entirely by the suggestion of Mr. Thurman Arnold that the last paragraph of the prayer in the petitions should state:

I quote from Mr. Thurman Arnold's suggestion for the equity prayer in his petition:

Plaintiff prays for such further and other relief as the court may deem proper and in considering such relief, or in considering any of the specific relief herein prayed for, that the court hear all relevant testimony as to the effect of such relief on the problem of national defense to the end that no combination necessary for national defense be improvidently held to be illegal.

With the addition of that prayer, to which I think no fair-minded man can object, there certainly would not be any fear, psychological or otherwise, on the part of the oil industry, and that paragraph, Mr. President, was incorporated in the equity prayer for relief, and the suits were filed last fall. They have been pending since that time. But very recently, within the last 2 weeks, in fact, there has arisen a situation in which these oil companies now say that they are not disturbed psychologically, but they want the suits dropped, they want the suits disposed of and wiped off the docket. Since that time, on May 6, 1940, Mr. President, 12 major oil companies and 5 of their officers, on a plea of guilty which was sustained by the upper court, were fined more than \$400,000, and in Madison, Wis., on the 2d of June, 2 oil companies and 4 individuals were fined a total of \$18,000 by Federal Judge Lindley on charges that they had conspired to raise or fix retail gasoline prices at artificially high levels, in violation of the Sherman antitrust law.

I have before me a list of those companies which were finally compelled to pay fines under pleas, not of guilty but of

nolo contendere. Those fines were imposed last week.

Now, Mr. President, comes the appointment of the Coordinator, which, as I stated, I heartily favor; but what followed? The second item of news which appeared was contained in a news release by the Attorney General of the United States, dated May 31, 1941, from which I read:

Last September, before authorizing the bringing of antitrust suits against the major oil companies, I wrote a letter to Senator GUY M. GILLETTE, in which I stated, in part, as follows:

Then he sets out a quotation from his letter to me, which is already in the Record. But this is the important part:

The Antitrust Division has been negotiating a consent settlement of the oil cases.

These equity cases are now pending in the District of Columbia and involve over 300 defendants. The Attorney General says that the Antitrust Division has been negotiating settlement. There is no question that they have absolutely the goods on these defendants, just as they were able to produce the goods on other defendants and secure the imposition of fines under pleas of guilty or after conviction a year ago and also 2 weeks ago. But this is the thing that startles me:

To avoid any conflicts with the administrative program which may be established by the Secretary of the Interior, further negotiations in the pending proceedings will be submitted to him, to the end that the national-defense objectives of the new oil control shall be in no way impeded.

I was glad to see Secretary Ickes appointed Coordinator. I want him to survey the field through the agencies under his direction and determine the facts. If there is anything impeding, jeopardizing, or thwarting the national defense, it should be dealt with. In that connection, with the authority which the President gave him, and which I suggested he utilize in the letter which I wrote to Secretary Ickes, his duty is to discover the facts and report them to the agencies which can utilize them.

But what is the result? Instead of waiting until Coordinator Ickes develops the facts and reports them to the Department of Justice for the Department to determine its course, the Department of Justice abnegates its rights and the judicial department of the Government says, "We are turning over to the administrative department our constitutional obligation to determine whether or not suits which are already filed shall be prosecuted or shall be dismissed"—not by the Department of Justice but by the Coordinator. The President gave the Coordinator no such power. He does not expect to use such power.

O, Mr. President, I have seen, much to my dismay, that to some extent at least the Congress of the United States has been reduced to a position of desuetude—not innocuous desuetude, as a former President would say, but to a position of desuetude. Today on this floor I heard a statement by the Senator from Montana [MR. WHEELER] that certain columnists were in possession of information relative to national policy, whereas Members of Congress who have

the responsibility do not have the information. I do not know whether that is true, but the allegation was made. I presume the information is available to Members of Congress through the proper channels; but the fact remains that those of us who are here representing sovereign constituencies are not in possession of information. When we are asked what is going on and what the policy is, we have to say we do not know, and depend on the statements of columnists.

It is not enough that the legislative department be put in a position of desuetude, as I stated; but now the judicial department does not say, "We will wait until we hear from Secretary Ickes, the Coordinator, and if justified we may delay these suits." It says, "We are turning the matter over to the Coordinator, and we will do whatever he says to do relative to those suits or suits hereafter filed."

Mr. President, this morning comes a news report, through the National Petroleum News, that Ralph K. Davies, vice president of the Standard Oil Co. of California, has been appointed Deputy Coordinator under Secretary Ickes. On the 23d of April of this year the Standard Oil Co. of California announced that on April 24 it was advancing the cost of crude oil in the New Orleans area and other sections three-quarters of a cent. The Standard Oil Co. of California acted in conjunction with the Standard Oil Co. of New Jersey, which raised the price of gasoline on the eastern seaboard 2 cents within the past 10 days. The vice president of the Standard Oil Co. of California has been named Assistant Coordinator to determine the course of the suits now pending. Of the list of 23 on the Advisory Council working with the National Defense Council at the present time, 14 are defendants in the suits which are now pending in the District of Columbia.

Twelve of them were defendants who were fined after a plea of guilty; and yet the American Petroleum Institute, which is one of the defendants, is asked to give advice. The matter then goes to the Department of Justice, which says, "We will do whatever you tell us to do."

Mr. President, I have no criticism of the Attorney General of the United States personally, politically, or professionally; but I am a United States Senator. I have a responsibility. When I see the legislative department in a democratic country, which we are trying to preserve for the world, short-circuited and detoured, and when I see these moves to turn over the judicial department to those who are defendants in the suits pending, and take their advice as to what action shall be taken, I think I should be derelict in my duty if I did not call attention to it. That is why I have imposed myself on the Senate at this time.

#### REHABILITATION OF ANTHRACITE COAL INDUSTRY

Mr. DAVIS. Mr. President, I desire to make a statement as to the objects and purposes of Senate bill 357, a bill to provide for the rehabilitation of the anthracite coal industry. The bill is now on the calendar, and was objected to by the senior Senator from West Virginia [Mr.

KILGORE] when it was reached during the call of the calendar. I introduced the bill on January 14, of the present session, and an identical bill has been introduced in the House by Mr. FENTON, of Pennsylvania, as H. R. 1083, providing for the rehabilitation of the anthracite coal industry of Pennsylvania by the establishment and operation, by the Secretary of the Interior, acting through the United States Bureau of Mines, of a research laboratory in the anthracite coal region for research and investigations relating to the mining, preparation, and utilization of anthracite coal, with special reference to conserving resources for national defense.

The bill further provides for the development of new scientific, chemical, and technical uses and new and extended markets and outlets for anthracite coal and its products. The proposed research laboratory is planned also to serve as a center of information and assistance in matters pertaining to safety, health, and sanitation in mining operations and other matters relating to problems in the anthracite coal industry.

I believe that if an anthracite research laboratory such as that proposed in Senate bill 357 were established by the Federal Government, it would fulfill a twofold purpose: First, creating new uses for anthracite coal and, second, substantially aiding in carrying out the program of the President and the National Resources Committee for conserving other national resources, the supply of which is limited.

#### COOPERATION OF THE COMMITTEE ON MINES AND MINING

Mr. President, at this time I desire to express my sincere appreciation for the attentive cooperation and deep-seated interest of the members of the Senate Committee on Mines and Mining, and to the chairman of the committee, my colleague the Senator from Pennsylvania [Mr. GUFFEY], who provided every possible assistance for the favorable report of this bill. This measure has won the endorsement of the members of the committee, the operators, the miners, and the public of Pennsylvania who are closely affected by it.

I wish to offer my heartiest congratulations to Representative FENTON, who introduced the bill in the other House.

Legislation of the character such as provided in Senate bill 357, for the establishment of an anthracite research laboratory, primarily for the purpose of rehabilitating a vital State industry without any related political significance, is a very splendid example of cooperation between both Senators from the State concerned in the accomplishment of the desired purpose. It is for this reason, Mr. President, that I want to pay this tribute to my colleague the Senator from Pennsylvania [Mr. GUFFEY] for the help he has given me in advancing this bill for Senate consideration.

#### ANTHRACITE COAL RESOURCES

The present resources of anthracite coal, according to reports from the United States Bureau of Mines, are estimated at approximately 16,500,000,000 tons, which is about 75 percent of the original reserve.

The anthracite coal industry is the basic and fundamental industry of east-

ern Pennsylvania. It is the backbone of the business enterprises, especially since there are few diversified industries in that region. The existence and prosperity of our people in that region therefore must depend on the efficient utilization and mining of anthracite coal.

Senate bill 357 aims to make available technical agencies and facilities of the Federal Government, through the Bureau of Mines, to the anthracite coal industry for essential research on the utilization of anthracite coal. As nearly as I can ascertain, it is perhaps the first definite attempt on the part of the Federal Government to render essential technical aid in research work of this character on anthracite coal—at least on the scale contemplated in the bill.

Secretary of the Interior Harold L. Ickes, in his letter of April 16, 1941, to my colleague, as chairman of the Mines and Mining Committee, in reply to the request from the committee for a report on this bill, made the following significant statement which I desire to call to the attention of the Senate:

Comparatively little research, either by governmental or private agencies, has been conducted with reference to anthracite. On the other hand, many millions of dollars per annum have been expended on research and development in the petroleum industry. The result is evident in the widespread use of petroleum products. The anthracite industry has lost a large part of its natural domestic market through the development of efficient and reliable oil burners. It is reasonable to believe that similar research would help to avert the present declining trend in the use of anthracite.

#### FEDERAL AID TO INDUSTRY

Mr. President, in view of this very striking and important statement by Secretary Ickes, it is significant to note in connection with the consideration of this bill the instances of Federal aid to other essential lines of industry, especially in view of the fact that so little has been done by the Federal Government for the anthracite coal industry of Pennsylvania.

Federal aid, for instance, has been granted to various types of transportation systems, such as (1) water transportation, (2) railroads, (3) highways, and (4) aviation. Various types of Federal aid have been extended to agriculture. Some of the more recent acts have been the Agricultural Adjustment Act of 1933, the Soil Conservation and Domestic Act of 1936, the Farm Credit Administration Act, and similar measures for the relief of agriculture.

The Bituminous Coal Division of the Department of the Interior is entrusted with the duty of stabilizing the bituminous coal industry, to study and report on its problems, and to initiate, promote, and conduct research designed to improve standards and methods used in the mining, preparation, distribution, and utilization of bituminous coal, and to discover additional uses for bituminous coal.

The Bureau of Mines, in the Department of the Interior, and the Bureau of Standards, in the Department of Commerce, render for industry services that are comparable, though in a lesser degree, to those performed by the Department of Agriculture, Engineering

experiment stations have been established at land-grant colleges.

The Bureau of Mines makes economic analyses of domestic mineral production and consumption statistics, and studies problems of distribution and marketing of minerals and scrap metals to aid in promoting commerce in mineral products. The Bureau also studies the properties, mining, preparation, and utilization of coal, providing information in the selection of coals for particular uses.

#### IMPORTANCE OF CHEMICAL RESEARCH

Mr. President, I should like to call the attention of the Senate to the provision in Senate bill 357, for the conduct of research investigations by the Federal Government to develop new scientific, chemical, and technical uses for anthracite coal and its products.

In this connection I should like to quote from a letter dated July 28, 1939, from Mr. Alfred P. Sloan, Jr., chairman of the board, to the stockholders of General Motors Corporation, as follows:

In no field of industrial research has greater progress been made during the depression years than that of chemistry. The science of synthetics, through which new substances are brought into being from coal, milk, cotton, wood, from water and the elements of the air, seems to broaden with each forward step. Plastics, a growing family of chemically created materials, are finding hundreds of new uses in industry and the home, promoting job opportunities all along the line from the raw material to the sale of the finished product. Synthetic fibers make possible textile filaments and fabrics with entirely new characteristics, more durable and with wider utility than any now in general use. Here are new industries in the making, with what benefits in the way of expanded employment and consumer gains, can only be surmised.

#### NYLON PRODUCED FROM COAL

The bill recognizes the possible services that chemistry and technology may be able to render in working out new industrial uses for anthracite coal and its products. Some limited attention already has been given to this type of chemical-engineering research. Mr. Robert D. Potter, Science Service chemistry expert, in the Washington Daily News of February 14, 1939, in an article entitled "Coal Produces Better Stockings Than Silk," refers to the laboratory progress being made in evolving new fibers and fabrics from milk, coal, and other strange substances.

In this article Mr. Potter states:

Chemistry, long known as the wonder work of science, has had no more outstanding achievement in many years than the discovery of the way to make new synthetic fibers from coal, air, and water.

Out of these abundant ingredients has come a fiber that is potentially a rival of glistening silk; a fiber that promises to carry its commercial fight into the last remaining large market of natural silk—the hosiery field.

Known as Nylon, this new synthetic material has already been woven into experimental stockings that approach the long-time dream of inventors everywhere—the dream of making a sheer two-thread hosiery that would have the wearing qualities of three-thread service-weight hose.

And if America can produce a synthetic material that will look better, wear better,

and cost no more than silk, the repercussions in international trade will truly be important, for the greatest single export of Japan to the United States is silk.

In working out processes for producing Nylon, this chemist of the Du Pont Co. founded what will some day be a great industry, an industry which already is having an \$8,000,000 plant built to employ 1,000 people.

This chemist worked out ways of making fibers out of chemical components known as polyamides. Polyamides are chemicals that can be prepared from black, sticky coal tar, obtained from the destructive distillation of coal. It has been from coal tar that chemists have already fashioned odors never known to nature, colors never before seen, and countless important medicines, of which aspirin is only one example among hundreds.

#### AGRICULTURAL PRODUCTS RESEARCH

Mr. President, the practical value of scientific research has been very definitely indicated by the establishment by the Department of Agriculture of the four new regional laboratories for scientific research on the utilization of farm products, at Wyndmoor, Montgomery County, Pa.; Peoria, Ill.; New Orleans, La.; and Albany, Calif.

In referring to this recent development in the Department of Agriculture, Vice President HENRY A. WALLACE, in presenting the medal of the American Institute of Chemists to Dr. Henry G. Knight, Chief of the Bureau of Agricultural Chemistry and Engineering, for outstanding service to chemists and the profession of chemistry, at the Wardman Park Hotel, in Washington, D. C., on May 17, 1941, stated as follows:

In case of need, these laboratories may help mightily in our national defense, especially in the field of working out substitutes for products which can no longer be imported from abroad. I know that both you (Dr. Knight) and the institute are profoundly interested in seeing the remarkable principles of chemistry put to work to help, to the greatest extent possible, in the defense of our beloved country during the months and years immediately ahead. We all share in the faith that our chemistry, unfettered by any ideology or compulsion, will outstrip, both in the theoretical and practical side, the best that Nazi-terrorized Germany can bring to pass. Gangsters cannot command the best that is in science. Only under democratic freedom can science make real progress.

#### SOME FUNDAMENTAL LINES OF ANTHRACITE RESEARCH

Mr. President, these new undertakings in the Department of Agriculture must therefore be regarded as one of the most conducive steps taken by the Department to bring the scientist into the field as a direct aid and help to the farmers of the United States.

It is therefore equally true that scientific and technical research can be used in a similar manner by the Federal Government in affording relief to the depressed anthracite coal miners in Pennsylvania, and that science can play a most important part and can render valuable services in the development of new uses for utilization of our valuable anthracite deposits.

With this in mind, in my speech of March 24, 1941, on Senate bill 357 I outlined some of the fundamental lines of technical research that could be carried

out at these laboratories. This program included research on the following subjects:

First. Anthracite coal as a source of liquid fuels for automotive needs.

Second. Anthracite coal as a source of compressed gas for motor fuel.

Third. Anthracite coal for gas production, including water gas.

Fourth. Hydrogenation of anthracite coal as a source of oil production.

Fifth. Liquefaction of anthracite coal.

Sixth. Grinding and pulverizing of anthracite coal.

Seventh. Blending of anthracite coal.

Eighth. Chemical utilization of anthracite coal.

Ninth. Anthracite ash utilization.

Tenth. Anthracite coal for produce gas.

#### STATUS OF ANTHRACITE COAL INDUSTRY

Mr. President, the hearings on this bill before the Mines and Mining Committee of the Senate developed some very important facts regarding the present status of the anthracite coal industry.

The industry employs approximately 100,000 men and has a pay roll of nearly \$150,000,000 annually.

The industry brings to the anthracite-carrying roads and connecting lines over 900,000 carloads of freight with a revenue in excess of \$100,000,000 a year.

The industry has been crippled and injured by competitive fuels for the past 15 years to the extent that its present markets are now only about 60 percent of its 1927 capacity, with the result that it has been necessary to lay off approximately 60,000 men due to loss of markets for anthracite coal.

The anthracite industry has been crippled by competitive fuels for the past 15 years. In spite of the increased population in New England and the Middle Atlantic States and the Great Lakes territory, its present markets are now only 60 percent of its 1927 capacity, and these sections of the country have been the major markets for anthracite.

Should the anthracite industry continue to recede, the effects will be far-flung throughout the entire United States—from the Atlantic seaboard to the Mississippi Valley. Despite curtailed markets, the industry still is enjoying approximately 1,000,000 tons of domestic business annually in the Great Lakes territory, or an amount equal to the entire fuel requirements of a city the size of Cincinnati.

The anthracite industry and the anthracite mining population of one and a half million have been suffering from this loss of tonnage demand over a period of years which has wiped out the entire curb reserve of the industry and drastically reduced the annual income of those that remain.

The United Mine Workers report that their membership, which comprises the entire working force of the anthracite region, has dropped from about 155,000 to somewhere in the neighborhood of 95,000 men. The anthracite coal miner, after he has given most of his life in the mines, is not able to go out into other industries and compete, as are workmen from other business enterprises.

Mr. President, in very large measure the conditions now existing in the anthracite coal region have been brought about by the perfectly legitimate competition of another fuel—oil. The anthracite industry does not seek subsidies. In seeking Federal technical assistance for the solution of some of its own problems, as provided for in this bill, it hopes to contribute something of value to the conservation of national natural resources.

The extent of the future supply of fuel oil is, of course, a matter of opinion. But certainly the demand for oil is increasing rapidly in both defense and normal industrial uses, while the available sources of supply seem to have sighted their limit under current methods of production. It would seem, therefore, to be wise public policy to promote the conservation of oil by helping in some measure to restore the use of the fuel which it has, temporarily and in a considerable measure, superseded.

In order to conserve this important natural resource the anthracite industry and the Federal Government should act jointly. Prominent, if not chief, among the steps which need to be taken is the immediate institution of a program of technical research which will lead to better and more intensive mining methods, reductions in cost of production, and more complete and efficient utilization of anthracite coal and its products.

#### NEED FOR ANTHRACITE RESEARCH

Anthracite coal is one of the Nation's principal mineral resources. A prominent scientist appearing before the Mines and Mining Committee stated that—

The anthracite reserves of the United States contain as much heat energy as all of the petroleum that has been produced in the entire world up to the present time, plus the world's known resources of petroleum obtainable by pumping and flowing methods.

Mr. President, the importance of the anthracite industry is shown by the fact that the number of men employed at anthracite mines is greater than at all metal mines of the United States, and is also greater than the total number of men employed at all mines and quarries producing nonmetallic minerals other than coal. There has been, however, as has already been pointed out, a very serious decline in anthracite production and employment.

#### RELIEF COSTS IN ANTHRACITE REGION

This decline in employment has caused major relief problems in the anthracite region, as shown by the following figures for W. P. A. expenditures and direct relief for the four principal anthracite producing counties—Lackawanna, Luzerne, Northumberland, and Schuylkill Counties—as obtained for the respective offices in Harrisburg, Pa.

	1938	1939	1940
W. P. A. expenditures.....	\$44,398,863	\$26,480,557	\$14,018,114
General assistance (relief).....	7,316,122	14,068,006	12,515,916
Total.....	51,714,985	40,548,563	26,534,030

The cost for W. P. A. and direct relief in these four anthracite region counties

has averaged approximately \$40,000,000 during the last 3 years. It has been reported that in these four principal anthracite counties, which produce about 92 percent of the total, there has been an expenditure of approximately \$182,000,000 for relief purposes since 1932.

When we consider these extensive expenditures for relief in the anthracite region, the appropriation provided in this bill, S. 357, is very reasonable in comparison with Federal expenditures for technical research affecting other mineral products. It should be noted that the proposed appropriation of \$350,000 for the cost of the building, land, and equipment is less than 1 percent of the recent average annual expenditure for W. P. A. and direct relief in the four principal anthracite counties. It should also be noted that the proposed annual appropriation of \$175,000 for maintenance and operation of this research laboratory is less than one-half of 1 percent of the average annual relief costs which have resulted from decreased anthracite production.

#### IMPORTANCE TO NATIONAL DEFENSE

One important example of a lost anthracite market is its former use as a metallurgical fuel. For many years Pennsylvania anthracite was the principal blast-furnace fuel used in America.

A total of 275 anthracite blast furnaces were built in this country, ranging from Massachusetts in the East to Wisconsin in the West. Yet this important industrial use of anthracite has practically disappeared. The present generation of blast-furnace operators is scarcely acquainted with anthracite, and the lines and dimensions of furnaces have changed so greatly that today no one knows the best way of using anthracite. Furthermore, owing to the present demand for maximum iron output, operators are reluctant to experiment with an unfamiliar blast-furnace fuel.

Mr. President, it is very important to our national welfare in the present unlimited emergency to observe that American problems of production for defense are being aggravated by a serious shortage of coke. It would, therefore, be of incalculable value to the defense program if Federal research had already shown how to use anthracite to best advantage in modern blast furnaces. In an attempt to meet the coke shortage, millions of dollars and much-needed materials and manpower are being diverted to the construction of additional coke plants which will not be ready to produce coke for a year or so, and which may be shut down at a great loss when the emergency is over.

If, on the other hand, research had already shown how to use anthracite correctly in modern blast furnaces, millions of tons of metallurgical anthracite could be made available this year, beginning immediately. This could be accomplished without the need of additional capital investment or increased personnel. The extra anthracite could be obtained simply by working existing collieries a greater number of days per month.

#### RESEARCH LABORATORY AND COAL MINE INSPECTION ACT

Senate bill 357 provides for a Federal research laboratory in the anthracite coal region of Pennsylvania to carry out a broad and comprehensive technical research program as to new uses for anthracite coal with a view to developing new outlets and new markets.

Mr. President, the Federal Bureau of Mines has never had any specific appropriation for the purposes indicated in this bill. Establishment by the Bureau of Mines of an anthracite experimental station in the anthracite coal region would not only provide for essential research but would also serve as a center of information for the industry, stimulating the operators to adopt the latest discoveries of science in the improvement of conditions in the anthracite mining region and developing more conveniences and greater efficiency in the utilization of anthracite. It would also be a stimulation to the anthracite coal miners and their families to know that their Government is planning to give technical aid and assistance in finding a solution to their problems.

The Coal Mine Inspection Act, recently passed by Congress, will doubtless make necessary the establishment by the Bureau of Mines of a central base of operations in the Pennsylvania anthracite field for the inspection of the mines in that region. This would be directly in line with the provisions of the bill S. 357, for the proposed research laboratory could be made a center of information and assistance to both operators and miners in matters pertaining to safety, health, and sanitation in mining operations and other matters relating to problems of the anthracite industry. This laboratory would then serve the important function of carrying on any research investigations considered necessary by the Bureau of Mines to develop essential measures for the adequate protection of both the miners and people in the anthracite region.

It would, therefore, appear to be both desirable and efficient for this research laboratory to be established by the Federal Government to serve these two important purposes. It would provide the necessary technical facilities for essential research as well as serving as the center of inspection and assistance for safety and health matters.

Mr. President, the passage of this bill means the dawning of a new day for the entire population in the anthracite coal region of Pennsylvania. It means that the Federal Government will make available for the first time essential technical aid that will bring new vision and new inspiration into the lives and hearts of the people in the anthracite coal fields, thereby giving new courage to a group of loyal Americans who justly deserve the aid and help their Government can give. I sincerely hope the Senate will take favorable action on this bill.

#### EXECUTIVE SESSION

Mr. BYRNES. 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 MESSAGES REFERRED

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair) laid before the Senate messages from the President of the United States submitting several nominations (and withdrawing two nominations), which were referred to the appropriate committees.

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

#### EXECUTIVE REPORTS OF A COMMITTEE

The following favorable committee reports of nominations were submitted:

By Mr. HAYDEN, from the Committee on Post Offices and Post Roads:  
Sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

#### BITUMINOUS-COAL CONSUMERS' COUNSEL

The legislative clerk read the nomination of Luther Harr, of Pennsylvania, to be bituminous-coal consumers' counsel.

Mr. DAVIS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McNARY. Mr. President, a number of Senators have left the Chamber upon the promise that no further business would be transacted today. I have just suggested to the able Senator from Pennsylvania that we might take up this nomination tomorrow. I think that is agreeable to him.

Mr. DAVIS. That is all right.

Mr. McNARY. If so, I ask unanimous consent that the order for calling the roll may be vacated, so that we may proceed with other executive business.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. McNARY. Mr. President, I am advised that the Senators from Pennsylvania are unable to agree upon a date for taking up this nomination. I therefore withdraw my request and ask that the roll call proceed.

The VICE PRESIDENT. The clerk will resume the calling of the roll.

The legislative clerk resumed the calling of the roll.

Mr. McNARY. Mr. President, I shall make another attempt to adjust matters. I think it is now understood that this nomination may be considered a week from today, next Monday. I should like to have an order made to that effect, if that is agreeable to the Senator from South Carolina.

Mr. BYRNES. It is agreeable to me, Mr. President.

Mr. McNARY. Then, if that is agreeable, I ask that the order for a roll call be vacated.

The VICE PRESIDENT. Without objection, it is so ordered.

#### POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters,

Mr. BYRNES. I ask that the nominations of postmasters be confirmed en bloc.

The VICE PRESIDENT. Without objection, it is so ordered.

That concludes the Calendar.

#### ADJOURNMENT

Mr. BYRNES. As in legislative session, I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 20 minutes p. m.) the Senate adjourned until tomorrow, Tuesday, June 10, 1941, at 12 o'clock meridian.

#### NOMINATIONS

Executive nominations received by the Senate, June 9 (legislative day of May 26), 1941:

#### SELECTIVE SERVICE

Brig. Gen. Guy N. Henninger, Adjutant General of Nebraska, to be State director of selective service for Nebraska. (This nomination is submitted at this time for the purpose of correcting an error in the nomination as submitted to the Senate on October 24, 1940, in the name of Guy W. Henninger.)

#### APPOINTMENT IN THE ARMY

Maj. Gen. Lesley James McNair, United States Army, for temporary appointment as lieutenant general in the Army of the United States, under the provisions of section 127a, National Defense Act, as amended by an act of Congress approved September 9, 1940.

#### MISSISSIPPI RIVER COMMISSION

Col. Malcolm Elliott, Corps of Engineers, United States Army, for appointment as a member of the Mississippi River Commission provided for by the act of Congress approved June 28, 1879, entitled "An act to provide for the appointment of a 'Mississippi River Commission' for the improvement of said river from the Head of the Passes near its mouth to its headwaters," vice Col. Roger G. Powell, Corps of Engineers, relieved.

#### COAST GUARD OF THE UNITED STATES

Radio Electrician Hamlett I. Allen to be a chief radio electrician in the Coast Guard of the United States, to rank as such from June 1, 1941.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate June 9 (legislative day of May 26), 1941:

#### POSTMASTERS

##### ALABAMA

Catherine C. Hudson, Spring Hill.

##### COLORADO

Edward F. Baldwin, Nucla.  
Clarence A. Reynolds, Slink.

##### CONNECTICUT

John L. Bradley, Cheshire.  
Joanna Madeline Clifford, Colchester.  
Everett F. Wilson, Mystic.

##### FLORIDA

Leslie A. Sherouse, Hawthorn.  
Frank H. Clyatt, Micanopy.  
William J. Bulloch, Monticello.  
Harry W. Craig, Tarpon Springs.  
Dorothy E. Franklin, Venice.  
Paul A. Tompkins, Webster.

##### IDAHO

Mildred Richards, Mackay.

##### INDIANA

Ozro Latshaw, Carlisle.  
Damon C. Thompson, Darlington.

Neola S. True, Demotte.  
Leander Franklin Adams, Depauw.  
Frank E. Louette, Goodland.  
Gertrude Armstrong, Hazleton.  
Ethel L. Price, Howe.  
George M. Mougeotte, Lagro.  
Ruth O. Storen, Lexington.  
Carl R. Kluger, Morristown.  
Ralph H. Adams, Newport.  
Thomas J. Lemasters, Oakland City.  
Dawson M. Liggett, Spiceland.  
Mary H. Greene, Westfield.  
Lydia Rae Parker, Wheatfield.

#### MINNESOTA

Mervill W. Monroe, Browns Valley.

#### MISSOURI

Susan T. Fulbright, Doniphan.  
Ernest P. Goggins, Elvins.  
Earl J. Vinyard, Leadwood.  
Edgar L. Todd, Morehouse.  
William Goebel Ray, Purdy.  
Ercelle W. Johnson, Ridgeway.  
Frank E. Lafferty, Trenton.  
Willia B. Dodge, Union Star.

#### MONTANA

Kenneth LeCompt, Arlee.  
George A. Wright, Havre.  
Guy R. McClarren, Ryegate.  
Marvin E. Corkill, White Sulphur Springs.

#### NEBRASKA

Mary B. Packwood, Cook.

#### NEW YORK

H. Bertram Miller, Amenia.  
Otis J. West, Bayville.  
Eugene A. Westcott, Jr., Cleveland.  
Augustus W. Dymes, Jr., Croton on Hudson.  
Fred W. Odwell, Downsville.  
Henry J. Hoogkamp, East Greenbush.  
Joseph J. Reilly, Irvington.  
Isidore F. Linehan, Mamaroneck.  
William A. Eggison, Marcy.  
Orville E. Vellej, Millerton.  
James H. Mackin, Oswego.  
James Boylan, Peekskill.  
Bert E. Holden, Peru.  
Maryan Batt, Woodmere.

#### OKLAHOMA

Dora E. Senter, Bristow.

#### WISCONSIN

James F. Horan, Jr., Friendship.  
John D. Costello, Racine.  
Walter J. Amend, Ripon.  
Alfred H. Bernhard, Waupun.  
Oscar L. Ringle, Wausau.

#### WYOMING

Anna Edith Morgan, Sunrise.

#### WITHDRAWALS

Executive nominations withdrawn from the Senate June 9 (legislative day of May 26), 1941:

#### CALIFORNIA DEBRIS COMMISSION

Col. Malcolm Elliott, Corps of Engineers, United States Army, for appointment as a member of the California Debris Commission.

#### POSTMASTER

Abbie J. Yandell to be a postmaster at New Deal, in the State of Montana.

## HOUSE OF REPRESENTATIVES

MONDAY, JUNE 9, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God of the weak and of the strong, teach us the sacrifice, and the work that blesses and binds. Let Thy voice be heard, uniting us in the sacred love of

truth and brotherhood. So clothe us with the spirit of our Master that we may pray in complete assurance of the final triumph of righteous law, authority, and the ideals for which our Democracy stands. Increase, we beseech Thee, our faith and confidence in that Providence which hitherto has shaped and guided the destiny of our Republic, that each citizen throughout the length and breadth of our land may be loyal to those patriots who caught the light of freedom. We thank Thee for those principles which they dared to enunciate, bold in their declarations of the right to worship, the right to speak, and the right to work. Give to our Speaker, the Congress, and all our people the strength and the will to bear their burdens and to think and labor for the common good with increased devotion to our institutions and to the Government of our fathers. We pray that in all high and humble places, wheresoever our citizens may come together they may plan for the increased good and contentment of our great Country. We most earnestly pray for the continued health and strength of our President and that the spirit of unity and cooperation may dominate all the proceedings of the Congress, and Thine shall be the praise. In the name of the Prince of Peace. Amen.

The Journal of the proceedings of Friday, June 6, 1941, was read and approved.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on June 6, 1941, the President approved and signed bills of the House of the following titles:

H. R. 179. An act for the relief of Frank E. Nichols;

H. R. 250. An act for the relief of Otto Meyer and Leigh Kelly;

H. R. 713. An act for the relief of Elizabeth Hessman;

H. R. 816. An act to provide for the reimbursement of certain members or former members of the United States Coast Guard (formerly the Bureau of Lighthouses) for the value of personal effects lost in the hurricane of September 21, 1938, at several light stations on the coast of Massachusetts, Rhode Island, Connecticut, and New York;

H. R. 1731. An act for the relief of Beulah Belle Nolte and George C. Nolte;

H. R. 1732. An act for the relief of Floyd Wilday, Vera Wilday, and James M. Wells;

H. R. 1801. An act amending the act of February 27, 1936 (49 Stat. 1144);

H. R. 2107. An act to authorize the Secretary of the Navy to sell equipment and supplies to and perform work for the Commonwealth of the Philippine Islands;

H. R. 3084. An act for the relief of Hugh C. Russell;

H. R. 3309. An act for the relief of Louis J. Banderet;

H. R. 3629. An act for the relief of Irene Trauernicht;

H. R. 4105. An act to authorize the Secretary of the Navy and the Secretary of the Treasury to exchange certain equipment in part payment for new equipment of the same or similar character; and

H. R. 4466. An act to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes.

#### EXTENSION OF REMARKS

Mr. JOHNSON of West Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by the insertion of a letter that I have received from Mr. Knudsen, of the Office of Production Management.

The SPEAKER. Is there objection? There was no objection.

#### PRODUCTION OF ALUMINUM

Mr. JOHNSON of West Virginia. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection? There was no objection.

Mr. JOHNSON of West Virginia. Mr. Speaker, the letter that I have just offered for the RECORD deals with the production of electricity to be used in the production of aluminum. On Friday last there appeared before our committee Mr. Batt, of the O. P. M., and I commend to all you gentlemen the reading of his testimony. I trust every Member of this House will get a copy of that testimony and go through it carefully. Today the question of electrical energy and the production of aluminum is not only serious, but very critical, and when I say critical I mean just that—a most serious situation. There is a bottleneck in the production of electrical energy in the matter of the production of aluminum and there is a bottleneck in the supply of aluminum.

#### REQUISITIONING OF PERSONAL PROPERTY

Mr. MAY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection? There was no objection.

Mr. MAY. Mr. Speaker, there are so many Members interested in the matter about which I am going to talk that I thought it would be wise and proper for me to make a statement to the House this morning. The Committee on Military Affairs of the House will begin hearings tomorrow morning at 10:30 o'clock on the recently introduced proposal to authorize the War Department to requisition personal property. That bill is in the nature of an amendment to section 9 of the Selective Service and Training Act, which we passed last year. So many amendments have been proposed and so many amendments introduced and suggestions as to the numerous particulars in which that act ought to be amended, according to the sponsors of the various suggestions and proposals, that I felt the Members ought to know about it. I have already referred all those amendments to the legislative subcommittee of the House Committee on Military Affairs having jurisdiction of it, and that subcommittee has had an executive session and will make recommendations to the committee at the proper time.

The SPEAKER. The time of the gentleman from Kentucky has expired.

#### TAKING OVER OF NORTH AMERICAN AVIATION PLANT

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection? There was no objection.

[Mr. LELAND M. FORD addressed the House. His remarks appear in the Appendix of the RECORD.]

#### ATLANTIC PATROL

Mr. HILL of Washington. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection? There was no objection.

[Mr. HILL of Washington addressed the House. His remarks appear in the Appendix of the RECORD.]

#### EXTENSION OF REMARKS

Mr. HILL of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks by the introduction of certain excerpts from a letter I received from a constituent, and also by the insertion of a telegram that I have received from the Governor of Colorado in respect to the gasoline tax.

The SPEAKER. Is there objection? There was no objection.

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a joint resolution adopted by the Legislature of the State of Wisconsin memorializing Congress to clear the name of Brig. Gen. William L. Mitchell.

The SPEAKER. Is there objection? There was no objection.

Mr. LeCOMPTE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a statement from the Eddyville (Iowa) Tribune with reference to the dedication of a monument to a Revolutionary soldier, and also by including a telegram from the Governor of Iowa.

The SPEAKER. Is there objection? There was no objection.

Mr. PITTINGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD in connection with the St. Lawrence seaway project, and to include an article by J. Adam Bede, a former Member of Congress.

The SPEAKER. Is there objection? There was no objection.

#### PROPERTY-SEIZURE BILL

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

The SPEAKER. Is there objection? There was no objection.

Mr. COX. Mr. Speaker, I had a letter from a young soldier on yesterday who said that the property-seizure bill is a "dodge"; and he right. It is a "dodge", and so is the threat to seize and take over industry where strikes continue. I have said that the ending of strikes was the responsibility of the Federal Government, and I repeat it. The whole country is ashamed of Washington and ashamed of everything in Washington in the Government.

It has been said that there are those in the Government who have been encouraging the racketeers in labor; that both see in the slowing down of industry for defense purposes the creation of a condition that will afford an excuse for the Government taking over industry. How does the record appear to

you? Irrespective of how it appears, this is probably what you will see.

Homer, in his Iliad, said:

For when two

Join in the same adventure

One perceives

Before the other how they ought to act;

While one alone, however prompt, resolves  
More tardily and with a weaker will.

What I would like to know is who perceives before the other, and who resolves with a weaker will, the Government or the racketeers in labor? [Applause.]

[Here the gavel fell.]

#### EXTENSION OF REMARKS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include certain editorial excerpts and news writings.

The SPEAKER. Is there objection?

There was no objection.

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an address delivered by my colleague the gentleman from Missouri [Mr. PLOESER].

The SPEAKER. Is there objection?

There was no objection.

#### RESTRICTION OF USE OF GASOLINE

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

The SPEAKER. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Speaker, great consternation has been caused in New England by the announcement that there was a likelihood that Secretary Ickes might cancel the right to buy gasoline in that territory. In New England we are beginning to have what is known as the recreation period. Five hundred million dollars are invested in recreational opportunities for the people of the United States to enjoy in New England, and if this threat of gasless Sundays should be carried out it would certainly interfere with the well being of that group of people.

We are all for national defense, but I, for one, am not for national defense to the extent of embarrassing our own people while supplying Canada with all the gasoline it may need on Sundays or any other day. Let us begin to look after our own people a little before we take such good care of our neighbors to the north. [Applause.]

[Here the gavel fell.]

#### PICKETING THE WHITE HOUSE

Mr. YOUNG. 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.

There was no objection.

[Mr. YOUNG addressed the House. His remarks appear in the Appendix of the RECORD.]

#### EXTENSION OF REMARKS

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to extend in the RECORD my comments pertaining to W. P. A. as it applies to the State of California.

The SPEAKER. Is there objection?

There was no objection.

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a newspaper article.

The SPEAKER. Is there objection?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter.

The SPEAKER. Is there objection?

There was no objection.

Mr. SANDERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a resolution from the Ponchatoula, La., Rotary Club.

The SPEAKER. Is there objection?

There was no objection.

#### SUPPLEMENTARY REPORT

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to file a supplementary report on the bill H. R. 4854.

The SPEAKER. Is there objection?

There was no objection.

#### EXTENSION OF REMARKS

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a recent editorial from the Endicott Bulletin.

The SPEAKER. Is there objection?

There was no objection.

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the Providence Journal on Factory Seizure and Production.

The SPEAKER. Is there objection?

There was no objection.

Mr. ZIMMERMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a resolution adopted by the Junior Chamber of Commerce of the city of Caruthersville, Mo.

The SPEAKER. Is there objection?

There was no objection.

Mr. BURGIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address by Albert W. Hawkes, president of the Chamber of Commerce of the United States.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a resolution passed by the Legislature of Texas.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix and to include a reply from the Tennessee Valley Authority regarding the General Accounting Office controversy.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(Mr. CURTIS, Mr. WOODRUFF of Michigan, and Mr. HOFFMAN asked and were given permission to extend their own remarks in the RECORD.)

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to ex-

tend my own remarks in the RECORD and to include a memorandum submitted to the Office of Production Management by the Emergency Association of New York, setting forth pertinent reasons why daylight saving should be adopted.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### TEMPORARY APPOINTMENT OR ADVANCEMENT OF CERTAIN PERSONNEL OF NAVY AND MARINE CORPS

Mr. SABATH, from the Committee on Rules, submitted the following privileged report on the bill (H. R. 4473) authorizing the temporary appointment or advancement of certain personnel of the Navy and Marine Corps, and for other purposes (H. Res. 214, Rept. No. 757) for printing, under the rule:

*Resolved*, That immediately upon adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of H. R. 4473, a bill authorizing the temporary appointment or advancement of certain personnel of the Navy and Marine Corps, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

#### REGULATING POSSESSION OF EXPLOSIVES IN TIME OF WAR

The SPEAKER. The Chair recognizes the gentleman from West Virginia [Mr. SMITH].

Mr. SMITH of West Virginia. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 3019) to amend the act entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes," approved October 6, 1917 (40 Stat. 385).

The Clerk read the title of the bill.

Mr. MICHENER. Mr. Speaker, reserving the right to object, will the gentleman from West Virginia explain the bill?

Mr. SMITH of West Virginia. Mr. Speaker, I yield to the gentleman from New York [Mr. BEITER] to explain the bill.

Mr. BEITER. Mr. Speaker, this is the bill that was unanimously reported from the Committee on Mines and Mining and was to be considered when the Consent Calendar was called the other day, but due to objection on the part of the gentleman from Michigan [Mr. WOLCOTT]

it was passed over. Since that time the gentleman from Michigan has withdrawn his objections. I may explain the bill briefly by reading from a letter addressed to the chairman of the committee by the Secretary on the Interior, who wrote:

H. R. 3019 is intended to revise the act of October 6, 1917, relating to the regulation of the manufacture and distribution of explosives. The act of 1917 is operative "when the United States is at war." The provisions of H. R. 3019 would become effective upon a declaration of war, or of the existence of a state of war, by the Congress or upon the issuance of a Presidential proclamation that there exists a state of war or a national emergency requiring the operation of the act to provide for the national defense and security. Past experience has indicated that dangerous sabotage may develop while the Nation is technically at peace. Under modern conditions of sudden undeclared warfare, the lack of adequate authority to deal with this menace may be disastrous. It is extremely desirable, therefore, that provision be made for the regulation of the manufacture and use of explosives whenever the needs of national defense require that such action be taken. The enactment of H. R. 3019 would provide the requisite authority.

I may state that a great many Members have this bill confused with another now pending which would license the use of firearms. This has nothing to do with firearms, merely with powder and the material that goes into the manufacture of explosives.

Mr. MICHENER. As I understand it, then, this bill gives the President the same power the President had in the last war when the country was actually at war.

Mr. BEITER. The gentleman is correct.

Mr. MICHENER. This bill recognizes the present condition as an undeclared war, and the purpose of the bill is to give the President the same power in reference to the subject matter covered as if the Congress had declared war. Is that correct?

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

Mr. BEITER. I yield.

Mr. McCORMACK. I may say to my friend, the gentleman from Michigan, that this bill came up last Monday on the call of the Consent Calendar, but the gentleman from Michigan [Mr. Wolcott] objected because he said there were some amendments that would be ironed out he thought between then and the next call of the Consent Calendar. I made the remark at the time that I hoped it would be because this legislation is important. In the meanwhile, as I understand it, the gentleman from New York and the gentleman from Michigan [Mr. Wolcott], with representatives of the Department, have conferred, and now the gentleman from Michigan [Mr. Wolcott] is satisfied. That is what the gentleman from New York informs me.

This bill, of course, is necessary in the emergency. It is not equivalent to any undeclared war. I respect the opinion of my friend from Michigan [Mr. MICHENER] but I am expressing my opinion now. This is legislation necessary in the emergency and in no sense has it the remotest connection with an undeclared war. Nothing that has occurred to date has entered into the category of an un-

declared war. Without getting into that question, and I would rather not, so far as this bill is concerned, the only objection was to some elements of the bill, not to the bill itself. These elements have been removed as a result of the conference between the gentleman from New York and the gentleman from Michigan [Mr. Wolcott] with representatives of the Department. Is that correct?

Mr. BEITER. That is correct.

Mr. McCORMACK. I understand everything is satisfactory from that angle.

Mr. MICHENER. The matter is satisfactory to the gentleman from New York, and if it is satisfactory to the gentleman from Michigan [Mr. Wolcott], therefore the majority leader feels we should ask no further questions.

Mr. McCORMACK. No. I always thought the gentleman from Michigan had too much respect for me to entertain that thought.

Mr. MICHENER. I have, and I do not want to leave a wrong impression.

Mr. McCORMACK. I would regret it if any one entertained any such opinion with reference to myself.

Mr. MICHENER. The gentleman from Michigan [Mr. Wolcott] is one of the official objectors on the Unanimous Consent Calendar. He represents the minority in this capacity. He gives careful study and attention to the bills which are on the Consent Calendar. For one, I am usually quite willing to go along with him. The gentleman from Michigan [Mr. Wolcott] is on the floor at the present time. May I ask him to give us his views in reference to the advisability of passing this bill in its present form at this time?

Mr. WOLCOTT. Mr. Speaker, when the bill was up for consideration on the Consent Calendar there was some thought by hunting clubs, target-practice clubs, and other similar clubs that it applied to the use of small weapons. I think there was some confusion between this bill and a bill which seeks to license firearms. The way it has been explained to me and the conclusion I have come to from a study of the bill is, there being an express exemption in the bill in respect to the use of shells and cartridges, it would not apply to the use of small arms in any particular. What they apparently want to accomplish is to be able to follow back to the source the purchase and sale of explosives which are used in bombs in connection with sabotage and other un-American activities.

I have no hesitancy in saying, after conferring with the gentleman from New York [Mr. BEITER] and representatives of the Department, and after restudying the bill, I not only think it is not a war measure but perhaps it is something which should be on the statute books in time of peace, so that the Government will have some check upon the use of explosives and un-American activities.

Mr. FISH. Will the gentleman yield?

Mr. MICHENER. I yield to the gentleman.

Mr. FISH. Does not the gentleman think this proposal has very little to do with the national emergency and that this ought to be on the books anyhow as a peacetime measure?

Mr. WOLCOTT. Yes. It was brought out as an emergency measure. There is perhaps an immediate need for it because of the emergency, but it seems to me that the principle of the legislation could well be enacted to apply in peacetime as well as in an emergency.

Mr. MICHENER. Mr. Speaker, further reserving the right to object, and I do not want to object to the enactment of needed national-defense legislation, I do protest against the bringing of this kind of legislation in under the shroud of national emergency if it is to be peacetime legislation. I think many sins, legislative and economic, are being committed in the name of the national defense at this time. I have not studied the bill. The gentleman from Michigan [Mr. Wolcott] has. I therefore defer to his judgment and withdraw my reservation of objection.

Mr. FISH. Mr. Speaker, reserving the right to object, and I do not propose to object, I want to clear up right now a question that has been injected into the debate. There is no such thing recognized by the Congress or under our form of government as an undeclared war. This is perfectly proper legislation, and I think it would be perfectly proper in peacetime or in an emergency.

But only yesterday one of our most distinguished and one of our ablest Ambassadors, the Ambassador to Japan, Mr. Grew, was reported in the press as saying that we were in the war. I am quite confident that Mr. Grew never made any such statement. He is a career man, he knows what war is, he knows that there has been no shooting, no killing, no sinkings, and no blood has been spilt. We are not in the war and we do not recognize an undeclared war in America.

The only way we can go to war under our constitutional form of government is by act of the Congress of the United States. Certainly, if anybody is thinking of taking us into the war, the only decent, honest, and honorable course to pursue is to submit a war resolution to the Congress and let the Congress under our constitutional form of government vote it up or down.

Let us stop this talk about being in an undeclared war, at least until there is some shooting and killing of American citizens and Congress has acted. I want to go on record as saying very clearly that our Ambassador to Japan never made any such statement. He knows what war is. He was obviously misquoted in the press, because he never could have stated that we were in the war. All of our Ambassadors know that we are not in the war and will not be in the war until shooting starts or the Congress of the United States puts us into war.

Mr. HOFFMAN. Reserving the right to object, Mr. Speaker, I notice the title of this bill is:

A bill to amend the act entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives"—

And so on.

What is the idea of that phrase in there? If we are not in war, why do you want it now?

Mr. BEITER. That is merely the title of the bill.

Mr. HOFFMAN. Does this bill in any way prohibit strikers from having weapons on the picket line? We do not want to interfere with them, do we?

Mr. BETTER. They would be required to get a license if they wanted to get some powder.

Mr. HOFFMAN. That would be fine.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the title of the act of October 6, 1917, is hereby amended to read as follows: "An act to regulate the manufacture, distribution, storage, use, and possession of explosives, to authorize regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes."

SEC. 2. The act of October 6, 1917, is hereby amended to read as follows:

"That as used in this act—

"(1) The terms 'explosive' and 'explosives' shall mean gunpowders, powders used for blasting, all forms of high explosives, blasting materials, fuzes (other than electric circuit breakers), detonators, and other detonating agents, smokeless powders, and any chemical compounds or mechanical mixture that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities, or packing that ignition by fire, by friction, by concussion, by percussion, or by detonation of the compound or mixture or any part thereof may cause an explosion. The term 'explosive' or 'explosives' shall not include cartridges for small arms or shotguns.

"(2) The term 'ingredients' shall mean phosphorus and active oxidizing chemicals that can be combined with one or more reducing materials to produce an explosive.

"(3) The term 'person' shall include executive departments, independent establishments, and other agencies of the United States, the District of Columbia, Territories, and insular possessions of the United States, States, and municipalities and other political subdivisions thereof; and individuals, partnerships, associations, societies, and corporations.

"(4) The term "Director" shall mean the Director of the Bureau of Mines.

SEC. 2. No person shall manufacture, distribute, store, sell, issue, give, or otherwise dispose of explosives or ingredients unless such person is licensed under this act.

"Except as provided in section 4, no person shall distribute, sell, issue, give, or otherwise dispose of explosives or ingredients to a person who is not licensed under this act.

"Except as provided in section 4, no person shall possess, purchase, accept, receive, acquire, or use explosives or ingredients unless such person is licensed under this act.

"No person shall import or export explosives or ingredients unless such person is licensed under this act.

SEC. 3. The purchase or possession of ingredients when purchased or held in small quantities and not used or intended to be used in the manufacture of explosives shall not be subject to the provisions of this act. This act shall not apply to explosives or ingredients which are in transit upon vessels or railroad cars in conformity with statutory provisions or the rules of the Interstate Commerce Commission. This act shall not be construed to prevent the manufacture under the authority of the United States of explosives for, or their sale to or possession by, the military or naval service of the United States or the Federal Bureau of Investigation. This act shall not apply to arsenals, navy yards, depots or other establishments owned by, or operated by or on behalf of, the United States. The Director may, however,

cooperate with the heads of departments having jurisdiction over such establishments. Nothing in this act shall be construed to modify or otherwise affect in any way the authority of the Federal Bureau of Investigation with respect to the investigation of explosives, accidents, or fires.

SEC. 4. A superintendent, foreman, or other duly authorized employee at a mine, quarry, or other work, may, when licensed so to do, sell or issue to any employee under him such amount of explosives or ingredients as may be required by that employee in the performance of his duties. The employee may purchase or accept the explosives or ingredients so sold or issued, but the person so selling or issuing the same shall see that any unused explosives or ingredients are returned and that no explosives or ingredients are taken by the employee to any point not necessary to the carrying on of his duties.

SEC. 5. Each person licensed to sell, issue, or otherwise dispose of explosives or ingredients shall keep a complete, itemized, and accurate record showing each person to whom and the purpose for which explosives or ingredients are sold, issued, or otherwise disposed of; the quantity and kind of explosives or ingredients sold, issued, or otherwise disposed of; and the date of such sale, issuance, or other disposition, and such other information as the Director by regulation may require. The record shall be sworn to and furnished to the Director or his authorized representatives whenever requested.

SEC. 6. The Director is hereby authorized to issue licenses as follows:

"(a) Manufacturer's license, authorizing the manufacture, possession, and sale of explosives and ingredients.

"(b) Vendor's license, authorizing the purchase, possession, and sale of explosives or ingredients.

"(c) Purchaser's license, authorizing the purchase, possession, and use of explosives and ingredients.

"(d) Foreman's license, authorizing the purchase and possession of explosives and ingredients and the sale and issuance of explosives and ingredients to employees as provided in section 4.

"(e) Exporter's license, authorizing the licensee to export explosives, but no such license shall authorize exportation in violation of any proclamation of the President issued under any act of Congress.

"(f) Importer's license, authorizing the licensee to import explosives.

"(g) Analyst's, educator's, inventor's, and investigator's licenses, authorizing the purchase, manufacture, possession, testing, and disposal of explosives and ingredients.

SEC. 7. The Director may designate as licensing agents persons authorized by law to administer oaths and may authorize such agents to issue vendor's, purchaser's, and foreman's licenses; and wherever possible the Director shall select as licensing agents qualified officers or employees of the several States or of political subdivisions or public bodies thereof. Applications for vendor's, purchaser's, and foreman's licenses may be made to the licensing agent in the district within which the explosives or ingredients are to be sold or used. Such agents may collect a fee of 25 cents for each license issued, and shall be entitled to no other compensation from the United States for their services.

Licensing agents shall keep an accurate record of all licenses issued, in manner and form to be prescribed by the Director, and shall make reports from time to time as the Director may require. The Director shall furnish to the agents the necessary blanks and blank records. The Director may revoke the authority of licensing agents, and all licenses issued by them shall be subject to revocation by the Director as provided in section 8.

SEC. 8. The Director shall provide for the renewal of licenses issued under this act.

No license shall be valid for more than 1 year. All licenses outstanding on the termination of a war in which the United States may be engaged or on the day set by Presidential proclamation for the suspension of the operation of the provisions of this act shall expire on such termination or on that day.

"The Director or a licensing agent may refuse to issue a license when in his opinion, based on facts of which he has knowledge or reliable information, the applicant (a) is not sufficiently reliable and experienced to be authorized to manufacture or handle explosives and ingredients; or (b) is disloyal or hostile to the United States, or, if the applicant is a firm, association, society, or corporation, its officers, directors, or controlling shareholders or members are disloyal or hostile to the United States.

"When the Director has reason to believe on like grounds that any licensee is disloyal or hostile to the United States, he may revoke all licenses issued to such licensee. If, after notice and an opportunity to be heard, the Director finds that a licensee has violated any of the provisions of this act or of the regulations issued hereunder, the Director may revoke all licenses issued to such licensee.

"An applicant to whom a license is refused by the Director or any licensee whose license is revoked by the Director may within 30 days after notification of the rejection of his application or the revocation of his license apply to the Council of National Defense for such license or the cancellation of such revocation. The Council shall make its order upon the Director either to grant or to withhold the license, or shall affirm or reverse the revocation.

"An applicant to whom a license is refused by a licensing agent may within 30 days after notification of the rejection of his application apply to a regional officer for such license, and the officer shall grant or withhold the license. The Director shall designate officials of the Bureau of Mines stationed in the field to pass on such appeals. If a regional officer upholds a licensing agent, the applicant may appeal to the Director.

SEC. 9. Unless the explosives and ingredients are to be purchased or accepted pursuant to section 4, any person desiring to manufacture, distribute, store, sell, issue, give, possess, purchase, accept, receive, acquire, use, import, or export explosives or ingredients shall make application for a license under this act. The applicant, under oath, shall state his name; place of birth; whether a citizen of the United States, whether native-born or naturalized citizen of the United States; if a naturalized citizen, the date and place of naturalization; if a firm, association, society, or corporation, the names, nationality, and addresses of its officers and directors, and the nationality of the controlling stockholders or members; business in which engaged; the amount and kind of explosives or ingredients which during the past 6 months have been acquired, disposed of, or used by him; the amount and kind of explosives or ingredients now on hand; whether sales, if any, have been made to jobbers, wholesalers, retailers, or consumers; the kind of license to be issued, and the kind and amount of explosives or ingredients which the license will authorize to be manufactured or handled; and such further information as the Director may from time to time require.

SEC. 10. A licensee or an applicant for license under this act shall furnish such information regarding himself and his business, so far as such business relates to or is connected with explosives or ingredients, at such time and in such manner as the Director or his authorized representative may request. Licensees and applicants who are regularly engaged in the manufacture of explosives prior to the date upon which the

provisions of this act are made operative by a proclamation of the President shall not be compelled to disclose secret processes, costs, or other data unrelated to the distribution of explosives.

"Sec. 11. No person shall represent himself as having a license issued under this act when he has not such a license, or as having a license different in form or in conditions from the one which he in fact has, or without proper authority make, cause to be made, issue, or exhibit anything purporting or pretending to be such license, or intended to mislead any person into believing it is such a license, or refuse to exhibit his license to any law-enforcement officer, Federal or State, or to a representative of the Bureau of Mines.

"Sec. 12. Every person licensed under this act to manufacture or store explosives shall clearly mark and define the premises on which his plant or magazine may be and shall conspicuously display thereon the words 'Explosives—Keep Off.'

"Sec. 13. No person, without the consent of the owner or his authorized agents, except law-enforcement officers, the Director and persons designated by him in writing, shall knowingly be in or upon any plant or premises on which explosive are manufactured or stored, or knowingly be in or upon any magazine premises on which explosives are stored. No person shall discharge any firearms or throw or, without the consent of the owner, place any explosives or inflammable bombs at, on, or against any such plant or magazine premises, or cause the same to be done. This section shall not be construed to prohibit the discharge of firearms by law-enforcement officers or others in the lawful performance of their official duties, or to prevent the proof-firing of weapons, projectiles, ammunitions, or explosives, or the testing of fuses, detonators, or other materials upon the premises.

"Sec. 14. The Director is hereby authorized to investigate all explosions and fires which may occur in mines, quarries, factories, warehouses, magazines, houses, cars, boats, conveyances, and all places in which explosives or ingredients are manufactured, transported, stored, or used. The Director is authorized to investigate all explosions, accidents, or fires in which there is reason to believe that explosives were involved. The Director may in his discretion report his findings in such manner as he may deem fit to the proper Federal or State authorities, to the end that if such explosion has been brought about by a willful act the person or persons causing such act may be proceeded against and brought to justice; or, if the explosion has been brought about by accidental means, that precautions may be taken to prevent similar accidents from occurring. In the prosecution of such investigations the employees, under the direction of the Director, are hereby granted the authority to enter the premises where such explosion or fire has occurred, to examine plans, books, and papers, to administer oaths to, and to examine all witnesses and persons concerned, without let or hindrance on the part of the owner, lessee, operator, or agent thereof.

"Sec. 15. The Director shall exercise the authority conferred upon him by this act under the supervision of the Secretary of the Interior. The head of any executive department or independent establishment of the Federal Government may cooperate with the Director in the administration and enforcement of this act and may assign employees to operate under the direction of the Director. The officers and employees of the District of Columbia and of the Territories and island possessions of the United States and of the municipalities and other political subdivisions thereof shall cooperate with the Director in the administration and enforcement of this act. The Director may coop-

erate with the officers and employees of the several States and of the municipalities and other political subdivisions thereof. When such officers and employees act under the direction of the Director, their acts done in the administration and enforcement of this act shall be deemed to be fully authorized.

"Sec. 16. To administer this act, the Secretary of the Interior may employ such number of employees of the various classes recognized by the Classification Act of 1923 as may be appropriated for by the Congress. The Secretary may appoint as officers or employees persons who volunteer to serve without pay. The Secretary may delegate to subordinates the power to employ.

"Sec. 17. Without authority from the applicant for a license, from the licensee, or from the Director, no officer or employee or licensing agent engaged in the administration or enforcement of this act shall divulge any information obtained in the course of his duties under this act regarding the business of any licensee or applicant for a license.

"Sec. 18. The Director may issue rules and regulations to effectuate the purposes of this act, subject to the approval of the Secretary of the Interior.

"Sec. 19. Any person violating any of the provisions of this act or any rules or regulations made thereunder shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$5,000 or by imprisonment not more than 1 year, or by both such fine and imprisonment.

"Sec. 20. The provisions of this act and the regulations issued hereunder shall become operative only upon a declaration of war or of the existence of a state of war by the Congress, or upon the issuance by the President of a proclamation declaring that there exists a state of war or a national emergency requiring the application of the provisions of this act to provide for the national defense and security, and shall remain operative until the termination of the war, or until such proclamation is revoked by the President.

"Sec. 21. This act shall be known as the Federal Explosives Act."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

**VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—HAZEN G. CHAMBERLAIN AND CUBA MEMORIAL HOSPITAL (H. DOC. NO. 253)**

The SPEAKER laid before the House the following veto message from the President of the United States:

*To the House of Representatives:*

I return herewith, without my approval (H. R. 926) a bill for the relief of Hazen G. Chamberlain, doctor of medicine, and Cuba Memorial Hospital.

It is the purpose of the bill to pay the sum of \$95 to Dr. Hazen G. Chamberlain, and the sum of \$99.50 to the Cuba Memorial Hospital, Cuba, N. Y., for services rendered by them to six enrollees of the Civilian Conservation Corps who were injured in an automobile accident on September 19, 1937, while on leave, and while riding in a privately owned vehicle.

At the time the Civilian Conservation Corps enrollees were injured and the medical and hospital services rendered by Dr. Chamberlain and the Cuba Memorial Hospital, respectively, the law permitted payment by the Federal Government of medical and hospital expenses of en-

rollees injured in line of duty, but the regulations promulgated by the Director of the corps specifically provided that private medical attendance and private hospitalization of a member of the Civilian Conservation Corps, sick or injured while on leave, were not to be chargeable to public funds.

The War Department, which has been delegated by the Director of the corps to handle hospitalization and medical attendance for members of the corps has, in accordance with the regulations hereinabove referred to, declined to pay a number of accounts where the enrollees were sick or injured while on leave, and no substantial reason is known why the enrollees for whom special relief is proposed in this bill merit special legislation to relieve them from personal obligation for their hospitalization and medical attendance.

I, therefore, feel obliged to return the bill to the Congress without my approval.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 9, 1941.

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Without objection, the message and accompanying papers will be referred to the Committee on Claims and ordered to be printed.

There was no objection.

**WORK PROJECTS ADMINISTRATOR**

Mr. TABER. 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 New York?

There was no objection.

Mr. TABER. Mr. Speaker, as this is the day upon which the Committee on Appropriations reported out the W. P. A. bill, I believe I ought to take a moment to call attention to a grand example of W. P. A. efficiency. To get 25 copies of the hearings, reports, and the bill, they sent a chauffeur, a man, and a woman and a big limousine up here. The package would be less than a foot high. A 3-year-old youngster could handle it. The only trouble was that they did not have an armed guard along, and David Lasser to supervise that armed guard. I believe when you come to consider a measure of this importance you should consider the ability in administration of this agency. [Applause.]

[Here the gavel fell.]

**EXTENSION OF REMARKS**

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD with regard to civilian defense.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution of the Illinois House of Representatives.

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

There was no objection.

#### WORK PROJECTS ADMINISTRATION

Mr. CASEY of Massachusetts. 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. CASEY of Massachusetts. Mr. Speaker, the gentleman from New York has picked on an incident in order to poison our minds with respect to a very important measure that is shortly to come before us. Just understand the logic of his position. He takes a single, isolated instance with regard to the delivery of a small package of bills here and says that is a symbol of W. P. A. lack of efficiency. I hope we are not going to legislate on such an important program, important to the welfare of millions of our citizens and their families, on any such illogical and trivial basis as that. The gentleman is engaged in his usual pastime of throwing pebbles. We should discuss these questions on their merits, and in a large, broad way, to find out where the truth lies and where they lack merit, rather than bringing in such trivial incidents. [Applause.]

[Here the gavel fell.]

#### DISTRICT OF COLUMBIA DAY

The SPEAKER. This is District of Columbia day. The Chair recognizes the gentleman from West Virginia [Mr. RANDOLPH].

#### AID FOR NEEDY BLIND PERSONS OF THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I call up the bill (H. R. 4660) to amend the act entitled "An act to provide aid for needy blind persons of the District of Columbia and authorizing appropriations therefor," approved August 24, 1935, and ask unanimous consent that it may be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

Mr. RANDOLPH. Mr. Speaker, the purpose of this legislation is to authorize the expenditure of funds for the necessary burial expenses of blind persons who have been receiving aid under existing law. At the present time there are 219 persons in the District of Columbia who are receiving assistance, and if the proposed bill is enacted into law it is estimated that the cost would not exceed \$1,000 per annum. The measure has the approval of the Commissioners of the District of Columbia and also the Bureau of the Budget.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 5 of the act entitled "An act to provide aid for needy blind persons of the District of Columbia and authorizing appropriations therefor," approved August 24, 1935, be, and the same is hereby, amended by inserting at the end of said section the following: "On the death of

a recipient of aid under this act such reasonable funeral expenses as the Board or its designated agency may deem necessary may be paid for the burial of such person and such funeral expenses so paid may be recovered in the same manner as provided in sections 11 and 12 for the recovery of amounts expended as aid."

Mr. RANDOLPH. Mr. Speaker, I move the previous question.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### AUTHORIZING PENNSYLVANIA RAILROAD TO CROSS NEW YORK AVENUE NE.

Mr. RANDOLPH. Mr. Speaker, I call up the bill (S. 774) to authorize the Pennsylvania Railroad Co., by means of an underpass, to cross New York Avenue NE., to extend, construct, maintain, and operate certain industrial sidetracks, and for other purposes, and ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

Mr. RANDOLPH. Mr. Speaker, the purpose of this measure is to grant to the Pennsylvania Railroad Co. the right to construct an underpass at New York Avenue. This proposal has been considered by the Director of Highways for the District of Columbia and it is found that there is no reason why such an underpass should not be constructed. The bill contains provisions which amply protect the District of Columbia and the measure has the full approval of the Commissioners.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Pennsylvania Railroad Co., operating lessee of all of the railroads and appurtenant properties of the Philadelphia, Baltimore & Washington Railroad Co., in the District of Columbia, be, and it is hereby, authorized to establish switch and siding connections with its tracks in parcel 130/9, to cross New York Avenue by means of a suitable underpass, and thence into and through parcel 129/33 and lot 801 in square 3585, as well as into and through the bed of Brentwood Road between New York Avenue and Florida Avenue, if and when said road is officially vacated by the Commissioners of the District of Columbia, all of said parcels of land being thus known and identified on the plat books of the Surveyor's Office of the District of Columbia, with all switches, crossings, turn-outs, extensions, spurs, and sidings, as may be or become necessary for the development of the said squares and parcels of land above indicated for such use as may be permitted in the use district or districts in which said squares and parcels of land are now or may hereafter be included as defined in the zoning regulations of the District of Columbia and shown in the official atlases of the Zoning Commission.

Sec. 2. Before any of the work above authorized shall be begun on the ground a plan or plans thereof shall be prepared and submitted to the Commissioners of the District of Columbia for their approval and only to the extent that such plans shall be so approved shall said work or any portion thereof be permitted or undertaken.

Sec. 3. Nothing herein contained shall be construed as limiting or abridging the

authority of the Commissioners of the District of Columbia under the act of Congress approved March 3, 1927 (44 Stat. L. 1353), entitled "An act to provide for the elimination of grade crossings of steam railroads in the District of Columbia, and for other purposes."

Sec. 4. Nothing herein contained shall be construed as modifying the requirements of section 1 (18) of the Interstate Commerce Act insofar as they would apply to the construction referred to in section 1 of this act.

Sec. 5. That Congress reserves the right to amend, alter, or repeal this act.

Mr. RANDOLPH. Mr. Speaker, I move the previous question.

The previous question was ordered.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

Mr. RANDOLPH. Mr. Speaker, it had been the intention of your Committee on the District of Columbia to bring to the House today the so-called small-loan bill. At the request of our colleague the gentleman from Mississippi [Mr. McGEHEE], a member of the committee, who had the measure in charge and who finds himself unable to be present, I am asking that the legislation be passed over for the day. It is the intention of the District Committee to bring the bill before the House on June 23, the next District of Columbia day.

This completes the business for today of the District of Columbia Committee, Mr. Speaker.

#### MILITARY ESTABLISHMENT APPROPRIATION BILL, 1942

Mr. SNYDER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 4965) making appropriations for the Military Establishment for the fiscal year ending June 30, 1942, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4965, the military appropriation bill, 1942, with Mr. LANEHAM in the chair.

The Clerk read the title of the bill.

Mr. SNYDER. Mr. Chairman, how much time is left for debate on the pending amendment?

The CHAIRMAN. The Chair will state for the information of the Committee that when the Committee rose on Friday, time on the pending amendment and all amendments thereto had been limited to 50 minutes, including the 5 minutes which had already been used by the gentleman from Massachusetts [Mr. McCORMACK]. Of that time there remains 24 minutes, and the names of the Members who are to be recognized in that time are Mr. SMITH of Virginia; Mr. FACE, of Georgia; Mr. FITZGERALD, of Connecticut; Mr. CASE of South Dakota; Mr. ELIOT of Massachusetts; Mr. HOOK, of Michigan; Mr. RAMSPECK, of Georgia; Mr. DOWNS, of Connecticut; Mr. HOFFMAN, of Michigan; and Mr. SNYDER, of Pennsylvania. Accordingly the Chair recognizes the gentleman from Virginia [Mr. SMITH] for 2 minutes.

Mr. SMITH of Virginia. Mr. Chairman, I yield back the time allotted to me.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Chairman, at the close of the debate upon this amendment on last Friday I wished to make some remarks. I rise now in opposition to the amendment because I want to represent a great many things that have been said about organized labor, of which I have been a member for over 35 years, carrying a card in the International Moulders Union, and today I have seen in the papers where the International Moulders Union has just celebrated its fiftieth anniversary of peace, never having had a strike in 50 years.

I am just as strong in my belief as any man in the United States that the racketeers of labor should be driven out of the labor movement, but I do not believe that the Starnes amendment will do this. I believe the amendment will put into the hands of the racketeers the greatest weapon they can ever have. The Starnes amendment provides that when a strike is called and lasts over 10 days, the employer shall not be able to hire back any of his help and that those who are engaged in the strike shall not be permitted to work on any kind of defense program. In this way you will stop production and paralyze it.

In my opinion, this would be the greatest weapon that could be put into the hands of the racketeers who are in control of some of the unions today. I believe the President of the United States has the power, and I have confidence in the President of the United States using this power. I believe he will control these racketeers when the time arrives. [Applause.]

Mr. ELIOT of Massachusetts. Mr. Chairman, as the gentleman from Connecticut [Mr. FITZGERALD] just pointed out, this amendment permanently blacklists any worker who continues on strike for 10 days. It seems to me that the adoption of this amendment would be one of the greatest gifts that we could bestow on the radical and subversive elements in the labor movement. If we should adopt the amendment we could go to some one who had subversive purposes in mind and say to him, "There is a defense plant down the road where there are some grievances. It is an important factory, and the workers there are skilled workers, such as tool makers and die casters. Go there and get them out on strike and just keep them out on strike for 10 days. Just keep negotiations going on that long. In other words, just cripple the defense program for 10 days and then we, the Congress of the United States will go to your aid. We will make the strike permanent. We will permanently cripple the defense program."

Mr. Chairman, I know that that is not the aim of the proponents of the amendment and that they are seeking to cure a difficult situation, but I submit that the remedy is far worse than the disease.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. ELIOT of Massachusetts. No. However we may feel about the organ-

ized labor movement, however much disturbed and alarmed we may be about the defense strikes, this is not the way to meet that problem. It would play squarely into the hands of the enemies of the Republic. I urge the rejection of the amendment. [Applause.]

Mr. PACE. Mr. Chairman, I want first to read to you a short paragraph from the fireside chat delivered by the President a few nights ago:

A Nation-wide machinery for conciliation and mediation of industrial disputes has been set up. That machinery must be used promptly—and without stoppage of work. Collective bargaining will be retained, but the American people expect that impartial recommendations of our Government services will be followed both by capital and by labor.

I have drawn the following, by way of amendment, for your consideration and I ask you to listen to it carefully:

No part of any appropriation contained in this act shall be available for the payment of compensation to any person—

and that applies to the employer and to the employee alike—

who shall for as long as 10 days fail or refuse to respect and abide by the recommendations of the National Defense Mediation Board.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. PACE. Just a moment. It does not prohibit strikes, but after a Government agency has investigated the facts, and has made its recommendation, I think, as did our distinguished former President, Mr. Wilson, in 1918 think, that when a person continues on strike or does strike against the recommendation of a constituted Federal agency, he is in fact striking against the Federal Government itself. This covers the employer should he fail or refuse, and it also covers the employee. They are treated the same and are both required to respect the findings and recommendation of the duly constituted Federal agency, and, as President Wilson notified them in 1918, if they continue to strike against that agency, they should not be permitted to participate in defense work, or compensation. I shall withhold this amendment for the present and await further discussion of the question and your consideration and action on amendments which are now pending.

Mr. CASE of South Dakota. Mr. Chairman, I have a substitute amendment at the desk, which I desire to have read.

The CHAIRMAN. Does the gentleman desire to have it read for information or does he offer it at this time?

Mr. CASE of South Dakota. I would like to have it read and offered.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from South Dakota.

The Clerk read as follows:

Substitute amendment for the Starnes amendment by Mr. CASE of South Dakota: "Sec. 13. No part of any appropriation contained in this act shall be available for the payment of compensation to any person for services in a plant engaged in the manufacture or production of any defense article as defined in Public Act No. 11, Seventy-seventh Congress, who assists in maintaining a

picket line or otherwise seeks forcibly to prevent the return of workmen after the National Mediation Board shall have certified to the President that further stoppage of work in that plant will critically impede the national-defense program."

Mr. SNYDER. Mr. Chairman, do I understand that the amendment is offered at this time?

The CHAIRMAN. The gentleman from South Dakota has offered a substitute for the amendment of the gentleman from Alabama [Mr. STARNES].

Mr. SNYDER. Mr. Chairman, I reserve a point of order on the substitute.

Mr. CASE of South Dakota. Mr. Chairman, during the discussion of the Starnes amendment last week the point was made that the phrase in that amendment "by whomsoever employed" would prevent the payment of salary to a person who had been engaged in a stoppage of work for more than 10 days and thereafter was drafted and drawn into the Army. The use of that phrase "by whomsoever employed" would prevent the payment to him of his salary while in the Army or in the Navy. I think that is correct, because the Starnes amendment applies to all of the appropriations in this act and uses the phrase "by whomsoever employed."

The other day there was considerable discussion of the phrase "10 days," as to how that should be determined and whether the 10 days would count from the start of the strike or after it had been examined by the National Mediation Board. At least, many questions were raised with reference to the language of that amendment.

I have drawn a substitute amendment in a way that I think takes care of those objections. I want to read it very slowly:

No part of any appropriation contained in this act shall be available for the compensation to any person for services in a plant—

That does not prevent payment for services in the Army or something else, but—

in a plant engaged in the manufacture or production of any defense article as defined in Public Act No. 11, Seventy-seventh Congress, who assists in maintaining a picket line or otherwise seeks forcibly to prevent the return of workmen after the National Mediation Board shall have certified to the President that further stoppage of work in that plant will critically impede the national-defense program.

I think that amendment is workable. It does not draft labor, but it protects the men who want to respond when the Board says further stoppage of the defense program is dangerous. It opens the way for a man to go back to work who wants to work and will make possible the operation of the plant. [Applause.]

[Here the gavel fell.]

Mr. SNYDER. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. On what ground?

Mr. SNYDER. From the reading, that it requires the performance of an act by an executive agency. It is, therefore, legislation on an appropriation bill.

The CHAIRMAN. In the opinion of the Chair, it does not, by reason of the fact that the National Mediation Board has such authority at the present time.

Mr. CASE of South Dakota. Mr. Chairman, if the Chair would permit, I might point out that this amendment does not require the National Mediation Board to make a certification, but says that after the National Mediation Board shall have done so, then no money can be paid.

The CHAIRMAN (Mr. LANHAM). The Chair has so stated. In the opinion of the Chair, the substitute amendment offered by the gentleman from South Dakota [Mr. CASE] is not subject to the point of order made by the gentleman from Pennsylvania [Mr. SNYDER]; but inasmuch as it is a limitation, the Chair overrules the point of order.

The Chair, however, is clearly of the opinion that the substitute amendment is not in order by reason of the fact that it is not germane to the amendment offered by the gentleman from Alabama [Mr. STARNES]. The amendment as offered by the gentleman from Alabama has to do with the stoppage of work, by its terms saying "shall hereafter stop work for a period in excess of 10 days," and so forth, whereas the amendment offered by the gentleman from South Dakota has to do with picketing and picketing lines, which is quite different from a stoppage of work.

For that reason the substitute is not in order, inasmuch as it is not germane to the amendment offered by the gentleman from Alabama [Mr. STARNES]. On the ground that it is not germane, the Chair holds it is out of order.

Mr. CASE of South Dakota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CASE of South Dakota. Under the ruling of the Chair, I understand it would be in order if offered as a separate new section?

The CHAIRMAN. The Chair, of course, would pass upon that question when it was presented.

The Chair recognizes the gentleman from Michigan [Mr. Hook] for 2½ minutes.

Mr. HOOK. Mr. Chairman, a very heavy burden rests upon your shoulders and my shoulders here today. We must have responsible labor support in this great national-defense program but we cannot get it by repressive legislation against legitimate patriotic desires of labor.

You know and I know that the great majority of labor, both organized and unorganized, are truly American, ready and willing to sacrifice their lives and their fortunes for their country—your country and mine.

There is a well-organized efficient minority group in organized labor today working and collaborating with a handful of leaders operating throughout certain sections of the United States, Mexico, and the Latin countries under the leadership of Berlin and Moscow in an attempt to break down our great national-defense program and our aid to democratic countries of the world who are attempting to stop Hitler, the enemy of freedom.

You heard our distinguished minority leader last Friday point out that this amendment would bar certain patriotic

Americans from participating in the national-defense program. If this amendment were adopted, we would be doing the very thing that these unpatriotic saboteurs under the leadership of Berlin and Moscow, agents of Hitler and Stalin, are seeking to accomplish.

Philip Murray of the C. I. O. and William Green of the A. F. of L. are leading that great patriotic group representing real American labor in a valiant fight to rid this Nation of the rats who are undermining the very foundation of our liberties. Let us uphold this patriotic group but drive out those who are collaborating with our enemies.

Great Britain did not meet the situation with repressive legislation, because repressive legislation would inflame, not retard, this scourge of strikes, but followed a program such as was recommended by Philip Murray, known as the Murray council plan, where labor and industry collaborated together with the Government in councils set up in each national-defense factory to the extent of 100-percent productions.

There is no doubt that if this minority group of saboteurs are allowed to destroy patriotic organized labor, patriotic industry, and Government agencies it is open revolution, and if this group are in open revolution then we should treat it as an open revolution and take such action as is necessary to put our national-defense production program in order.

Let us uphold the patriotic hand of labor and join with industry and Government to carry out an all-out aid program to the democracies of the world through the national-defense program so as to stop the onrush of Hitlerism throughout the world. We need patriotic labor in our fight. Let us defeat this amendment. Let us set up a program that will forever rid ourselves of the rats that are collaborating with Berlin and Moscow. They would like to have this legislation on the statute books. Do not fall into this trap. Councils of patriotic labor leaders, patriotic industry, and Government must be our goal. We must save this Nation but we cannot save it without 100-percent cooperation from patriotic labor groups. [Applause.]

The CHAIRMAN. For what purposes does the gentleman from Alabama rise?

Mr. STARNES of Alabama. Mr. Chairman, I ask unanimous consent to withdraw the amendment which I sent to the desk last Friday.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

Mr. MARCANTONIO. Mr. Chairman, I object.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut [Mr. Downs] for 2½ minutes.

Mr. DOWNS. Mr. Chairman, when I asked for time to speak on this amendment I did not realize that the gentleman who offered the amendment intended to withdraw it. I think this effort on his part deserves favorable comment, and if he deems it advisable to do so, I believe he should be allowed to withdraw it.

Mr. Chairman, as an employer dealing with three different unions, I take the

floor to oppose the amendment taking away the constitutional rights of labor. There is no question in my mind but that the rank and file of labor in this country is patriotic. You cannot blame these people for the acts of a few with un-American tendencies and Communists who have been allowed to creep into key positions in labor unions in various parts of the country.

I represent a district in Connecticut that is an arsenal for defense. Some of the largest factories in the country are located in this district. I am happy and proud to say that with these factories working day and night we have not had a single defense strike. I congratulate the laboring men in the district. I cannot conscientiously come down here and vote for an amendment which is going to take away their rights.

I say what this Congress should do is to take drastic and definite action against the leaders of labor who have communistic leanings and un-American tendencies, such as Bridges and a few others.

If this amendment is not withdrawn I urge that it be defeated. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, undoubtedly the idea of the gentleman from Alabama in asking to withdraw his amendment was to offer a substitute.

All are for national defense, but all are not for production for national defense. This is quite evident from numerous votes which have been taken. William Green, Daniel Tobin, of the A. F. of L.; Phillip Murray and Frankenstein of the C. I. O. have condemned the strike on the west coast. They asked the men to go back to work on the west coast. The men refused and are still out, delaying, as these labor leaders say, national defense. We need legislation to take care of the very few outlaw strikes and racketeer labor leaders just as we need legislation to take care of the small minority of law violators in this country.

It has been said, in fact, we here in the House have been threatened and told that if we interfere with these radical labor leaders we are not going to get production because they will not work. They forget that they can be separated from Government jobs—that they can be drafted. What have you to say about the proposition that you will draft men into the Army at \$21 a month for a year, yet you will keep on the pay rolls men who voluntarily quit their jobs in national defense when they receive eight times the pay the drafted men get? Why not insist upon a little justice, a little equality? Whether this amendment or some other be adopted, at least let us do something, let us not say we are for national defense and then every time legislation which would aid in giving us production for national defense is offered come back with the excuse that this is not the time, this is not the way to do it. If the President has to call out the Army, as he has, to break a picket line, why should not we give aid to that program and adopt legislation which, while permitting picketing, protects the willing, patriotic worker

from the violence of the pickets, legislation which will let patriotic men go to work and which prohibits those who would interfere with the national defense by unlawful means from accomplishing their purpose of delaying or preventing the production of defense materials?

[Applause.]

[Here the gavel fell.]

The CHAIRMAN. The remaining 2½ minutes are yielded to the gentleman from Pennsylvania [Mr. SNYDER].

Mr. SNYDER. Mr. Chairman, the gentleman from Alabama [Mr. STARNES] has asked me to yield to him to propound a unanimous-consent request. I now yield to him.

Mr. STARNES of Alabama. Mr. Chairman, I failed to state a moment ago in submitting my unanimous-consent request that I did it for the purpose of later offering an amendment, which I think will be more comprehensive than the one that is pending.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. STARNES of Alabama. In making my request I did not make it clear that I was not relinquishing any position I had theretofore held. In view of what has occurred since we last met, I think it would create a tremendous psychological effect all to the disadvantage of this country if we did not take some action at this time.

Mr. Chairman, I renew my unanimous-consent request that I may withdraw the pending amendment so that I may later offer a substitute.

Mr. COX. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

Mr. MARCANTONIO. Mr. Chairman, I object.

Mr. COX. Am I in order? I take it that the gentleman agrees with me—

Mr. SNYDER. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The Chair understood that the gentleman from Pennsylvania [Mr. SNYDER] yielded time to the gentleman from Alabama [Mr. STARNES]. The gentleman from Georgia asked a question, which is the regular order.

Mr. COX. Does not the gentleman agree with me that this concoction of anarchy and communism that has been stewed up by the leftists in and out of Government and which they call democracy ought to be crushed? That is as I take it what the amendment is aimed at.

Mr. SNYDER. Mr. Chairman, in the remaining time, may I say that from what has happened since last Friday, and from what happened this morning at the White House, I am convinced, as far as I can see, that it would be unwise for the Congress to pass the amendment offered by my good friend and colleague the gentleman from Alabama. From now on I feel these situations will be adjusted all right and in an orderly manner and that we will not need the amendment. We did not conceive of the turn of events last Friday. That is all I have to say.

[Here the gavel fell.]

The CHAIRMAN. All time has expired. The question is on the amend-

ment offered by the gentleman from Alabama [Mr. STARNES].

Mr. MICHENER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MICHENER. The gentleman from Alabama has attempted to withdraw his amendment, which unanimous-consent request was denied. If the amendment which the gentleman has offered is voted down, the House will then be given an opportunity to vote on the later amendment which he contemplates offering?

Mr. MARCANTONIO. Mr. Chairman, that is not a parliamentary inquiry.

The CHAIRMAN. The committee will be permitted to vote on any amendment that is in order.

The question was taken; and on a division (demanded by Mr. BOREN) there were—ayes 20, noes 132.

So the amendment was rejected.

The Clerk read as follows:

SEC. 11. No part of any money appropriated herein or included under any contract authority herein granted shall be expended for the payment of any commission on any land purchase contract in excess of 2 percent of the purchase price.

Mr. STARNES of Alabama. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

Mr. SMITH of Virginia. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SMITH of Virginia. Are we reading another paragraph now? My amendment was on the paragraph last under consideration.

The CHAIRMAN. The Clerk has just read section 11.

Mr. SMITH of Virginia. My amendment was on the Clerk's desk.

The CHAIRMAN. The Clerk read the next paragraph, section 11.

Mr. SMITH of Virginia. My amendment was offered to the same section that the Starnes amendment was offered.

The CHAIRMAN. The Chair may say that he is advised by the Clerk that the gentleman from Virginia had an amendment on the desk to section 10; consequently, the gentleman from Virginia will be recognized to offer the amendment at this time, in the absence of any member of the committee offering an amendment.

Mr. SMITH of Virginia. Mr. Chairman, I am recognized to offer an amendment?

The CHAIRMAN. The gentleman from Virginia offers an amendment.

Mr. CASEY of Massachusetts. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CASEY of Massachusetts. Mr. Chairman, does a member of the committee who has had on the desk since last Friday an amendment receive priority in recognition?

The CHAIRMAN. To be sure; if he is a member of the Appropriations Committee.

Mr. CASEY of Massachusetts. That is the case in my instance.

Mr. SMITH of Virginia. Mr. Chairman, I make the point of order that I have been recognized.

The CHAIRMAN. The Chair may say to the gentleman from Massachusetts that he is advised by the Clerk that the gentleman's amendment to the bill is on the next page, and to a different section.

Mr. SMITH of Virginia. Mr. Chairman, I make the point of order I have been recognized on my amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Virginia [Mr. SMITH].

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia: On page 71, line 12, after the period, insert the following:

"And provided further, That no part of this appropriation shall be paid to any person, firm, or corporation—

"(1) Who employs any person who is a member of any union which hereafter calls, encourages, or promotes a strike to enforce, as a condition of employment of any employee that he either join or not join or belong or not belong to a labor union unless the same be for the purpose of enforcing an existing contract between such employer and such union; or

"(2) Who employs any person who is a member of any union which hereafter calls, encourages, or promotes a strike in violation of a collective-bargaining agreement entered into in accordance with the National Labor Relations Act, or to prevent recognition of another union which has been certified as the bargaining agency by the National Labor Relations Board in accordance with the provisions of the National Labor Relations Act; or

"(3) Who employs any person who participates in any strike called on account of any jurisdictional dispute; or

"(4) Who employs any person who, by intimidation, violence, or threats of violence, seeks in any way to hinder or impede the operation of any industry engaged in the production of any article for use in connection with the national defense;

"Provided further, however, That the foregoing provisions shall not apply in any case where the employee subsequently furnishes to the employer a statement in writing and under oath that he will no longer maintain membership in such offending union, and will not again participate in such prescribed conduct."

Mr. SNYDER. Mr. Chairman, I reserve a point of order against the amendment.

Mr. HOOK. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. HOOK. Mr. Chairman, I understand that this is an amendment to section 10. The Clerk has already started the reading of section 11. The gentleman from Virginia was not recognized before the Clerk went on to section 11. Therefore, Mr. Chairman, I make the point of order against the amendment, and I make the further point of order that it is not germane.

The CHAIRMAN. Insofar as the first point of order is concerned, the gentleman from Virginia had the amendment to section 10 pending on the desk and had advised the Chair that he was offering the amendment to section 10. In accordance with customary parliamentary procedure, the Chair recognized the gentleman to offer his amendment to section

10. The Chair consequently overrules that point of order and will investigate the matter of germaneness.

Mr. MARCANTONIO. Mr. Chairman, with the permission of the Chair, I desire to press the point of order on the additional ground that this amendment is not germane to the section to which it is offered.

The CHAIRMAN. The Chair had understood that that was one of the points of order made by the gentleman from Michigan.

Mr. MARCANTONIO. I beg the Chair's pardon. I did not hear it.

Mr. HOOK. Mr. Chairman, I make the further point of order that it is legislation on an appropriation bill, not a restriction.

Mr. SMITH of Virginia. Does the Chair care to hear me on the point of order?

The CHAIRMAN. The Chair will be glad to hear the gentleman from Virginia on the question of the germaneness of the amendment to this particular section.

Mr. SMITH of Virginia. I may state in that connection, Mr. Chairman, that that question has already been ruled upon. On the question of its relevancy at the particular point to which it is offered, I would say two things: First, that it is offered at that point in the bill where we have a like provision with respect to Communist activities. I should like to say further in that connection that I have offered similar amendments to nearly every appropriation bill at the same point, and they have passed the gantlet of points of order.

May I call the attention of the Chair further to the fact that a similar amendment was offered by the gentleman from Alabama on Friday and was sustained, and we have just disposed of that amendment. I have examined the bill pretty carefully, and I cannot think of any place where the matter can be more nearly germane than to the point in the bill where we are dealing with the question of the limitation on the payment of any of this money to Communists.

Mr. THOMAS F. FORD. Mr. Chairman, I make the point of order that all debate on that section and all amendments thereto was closed by the agreement entered into on Friday.

The CHAIRMAN. The Chair may say for the information of the gentleman from California that the debate had been closed only on the pending amendment and all amendments thereto, not on the section, and such was the order of the House on Friday.

Mr. MARCANTONIO. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The gentleman from New York.

Mr. MARCANTONIO. Mr. Chairman, I submit in reply to the gentleman from Virginia that the section to which he is offering the amendment relates to pay with regard to persons who advocate violence, and his amendment deals with the question of the open shop and the closed shop. These questions are entirely unrelated; consequently, the amendment offered by the gentleman is not germane, because the subject with which the

amendment offered by the gentleman deals is entirely unrelated to the subject with which the section the gentleman seeks to amend deals.

Mr. SNYDER. Mr. Chairman—  
The CHAIRMAN. The gentleman from Pennsylvania.

Mr. SNYDER. Mr. Chairman, out of courtesy to the gentleman offering the amendment I reserved the point of order. I now make the point of order.

The CHAIRMAN. The gentleman from Michigan has already made the point of order.

Mr. SMITH of Virginia. I should like to have it disposed of, Mr. Chairman. I do not care to make a speech unless the amendment is in order.

The CHAIRMAN. In the opinion of the Chair, section 10 deals with a subject matter different from that of the amendment offered by the gentleman from Virginia, and the amendment, therefore, would not be germane to this section. The Chair sustains the point of order with reference to germaneness.

Mr. SMITH of Virginia. Mr. Chairman, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia: On page 71, after line 12, insert a new section, as follows:

"Sec. 10A. No part of this appropriation shall be paid to any person, firm, or corporation—

"(1) Who employs any person who is a member of any union which hereafter calls, encourages, or promotes a strike to enforce, as a condition of employment of any employee that he either join or not join or belong or not belong to a labor union unless the same be for the purpose of enforcing an existing contract between such employer and such union; or

"(2) Who employs any person who is a member of any union which hereafter calls, encourages, or promotes a strike in violation of a collective-bargaining agreement entered into in accordance with the National Labor Relations Act or to prevent recognition of another union which has been certified as the bargaining agency by the National Labor Relations Board in accordance with the provisions of the National Labor Relations Act; or

"(3) Who employs any person who participates in any strike called on account of any jurisdictional dispute; or

"(4) Who employs any person who, by intimidation, violence, or threats of violence, seeks in any way to hinder or impede the operation of any industry engaged in the production of any article for use in connection with the national defense;

"Provided further, however, That the foregoing provisions shall not apply in any case where the employee subsequently furnishes to the employer a statement in writing and under oath that he will no longer maintain membership in such offending union and will not again participate in such prescribed conduct."

Mr. MARCANTONIO. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. MARCANTONIO. Mr. Chairman, I make the point of order that the amendment is new legislation and sets up new duties for the executive branch of the Government and, in fact, sets up entirely different and separate, as well as new functions for sundry departments and I submit it is clearly legislation on an appropriation bill even though offered as a separate section.

The CHAIRMAN. Will the gentleman from New York indicate to the Chair wherein the amendment imposes additional affirmative duties on any governmental agency?

Mr. MARCANTONIO. They would have to determine, for instance, what member of what union had done the things which the gentleman proscribes in his amendment, and certainly such new duties are set out in the amendment. The amendment definitely and affirmatively sets up duties to be performed by other branches of the executive department, including the National Labor Relations Board, and in addition there has to be determined what constitutes a closed shop or an open shop, which is a judicial question. Questions after questions are set up to be determined by other branches of the Government.

The CHAIRMAN. The Chair will be pleased to hear the gentleman from Virginia on the point of order.

Mr. SMITH of Virginia. Mr. Chairman, on the point of order I have offered similar amendments, as I have said before, to nearly every appropriation bill. I, of course, foresaw the enthusiasm with which certain gentlemen would press points of order against this amendment, so I therefore drew the amendment with a great deal of care, and if the Chair will read it carefully the Chair will entertain no doubt whatever about the fact that the amendment could not be construed as imposing additional duties upon any Government official. The amendment is purely a limitation.

Gentlemen have also spoken on the question of the germaneness of these provisions. As the Chair well recognizes, limitations on appropriations are an exception to the general rule relative to germaneness. I am satisfied from previous rulings of the Chair on this very matter that the amendment is in order.

Mr. McGRANERY. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will be pleased to hear the gentleman from Pennsylvania.

Mr. McGRANERY. In addition to the point of order already pointed out by the gentleman from New York [Mr. MARCANTONIO], I would ask the Chair to examine closely the last paragraph of the gentleman's amendment or a new section thereto. In there you will find the amendment requires that an affidavit be filed on behalf of the person or persons affected. This, strictly speaking, is not a limitation on an appropriation bill, but rather, as I submit to the Chair, is new legislation and therefore not in order here.

Mr. SMITH of Virginia. Mr. Chairman, my reply to that statement is the same as the other. There is no duty imposed on any Government employee. That section merely provides a way out for the offending employee, but does not require anything to be done by any Government official.

Mr. McGRANERY. It is not a limitation, however, but is new legislation.

Mr. SMITH of Virginia. But it is an exception to the limitation.

The CHAIRMAN. In the opinion of the Chair, the amendment being offered as a new section is not subject to the point of order of germaneness. The Chair having read the amendment very carefully, noting that it is negative in its provisions and therefore a limitation, cannot see that it imposes any affirmative duties on any governmental agency and, furthermore, accepts the statement as made by the gentleman from Virginia that the last provision is an exception to a limitation and therefore in order.

In the opinion of the Chair the points of order are not well taken and are overruled.

The gentleman from Virginia [Mr. SMITH] is recognized for 5 minutes.

Mr. SNYDER. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman from Pennsylvania rise?

Mr. SNYDER. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

Mr. DOWNS. Mr. Chairman, I object.

Mr. SNYDER. I ask unanimous consent, Mr. Chairman, that all debate close in 20 minutes.

Mr. SMITH of Virginia. Mr. Chairman, I hope the gentleman will let us proceed a little farther before limiting debate.

Mr. SNYDER. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 30 minutes.

Mr. CASEY of Massachusetts. Mr. Chairman, I object. I would like to go a little way on this matter and see what develops.

The CHAIRMAN. Objection is heard.

Mr. SMITH of Virginia. Mr. Chairman, in order that I may fully explain the amendment I hope the Committee will not object to a unanimous-consent request by myself to be permitted to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to proceed for 5 additional minutes. Is there objection?

Mr. HOOK. Mr. Chairman, I object.

Mr. CASEY of Massachusetts. Mr. Chairman, I ask unanimous consent that the gentleman from Virginia be granted 5 additional minutes.

The CHAIRMAN. Is there objection?

Mr. HOOK. Mr. Chairman, I reserve the right to object. I certainly would like to help my friend from Massachusetts, and I feel that we should have open discussion on this and I hope we will have open discussion from now on with no limitation on debate. For that reason I withdraw my objection.

The CHAIRMAN. The Chair hears no objection. The gentleman from Virginia is recognized for 10 minutes.

Mr. SMITH of Virginia. Mr. Chairman, I express my deep gratitude to my good friend from Massachusetts [Mr. CASEY] for obtaining for me this additional time and I also appreciate the courtesy of the gentleman from Michigan [Mr. Hook]. I shall take the time of the House only to explain to the House in as simple language as I can exactly what this amendment does and what effect it will have. I decline to yield until

I have finished the explanation, because I believe the House wants to know what this amendment is, and what will be its effect. I think the House knows that I have had some experience in these labor matters in the last few years and I wish to give the House a full explanation of the full purport of the amendment. I am offering the amendment in the first place because the Starnes amendment has been defeated. We have had extended debate on this subject of strikes in defense industry. I think it would be a terribly bad influence on the country if it went out from here today that this House is unwilling to even express in the mildest way its disapproval of the outrageous conduct of some labor leaders on the most important matter that is holding up the national defense today. It would be said that this House has not the courage to do anything about it. I know that is not the fact, because we came in here last year with amendments to the National Labor Relations Act, and this House in the face of a coming election, in the face of all the power and persuasion of the labor unions that could be brought to bear, passed those amendments because the House regarded it as a patriotic duty to do so, and it passed them by a vote of two to one. I regret that those amendments still lie in a pigeonhole in another body because I believe if they had been adopted and put into effect, many of the disastrous things occurring today would never have occurred.

Now, to my amendment. It has four sections. The first section provides against the employment of any person who is a member of a union which calls, encourages, or promotes a strike to enforce a condition of employment that a person belong or not belong to a labor union, and I have made an exception there—except where such strike is for the purpose of enforcing an existing contract between such employer and employee. Where they have a closed-shop agreement, it is all right, they can go on a strike, they can maintain the closed-shop agreement; but where, as is the case in nine-tenths of these strikes, they are striking for organizational purposes, as well as increase in wages, and are insisting on a closed shop, insisting on enforcing on American citizens their dicta that no man shall work unless he pays his tribute to a labor union, then this amendment says "No." It says if you strike in a non-closed-shop plant for the purpose of enforcing a closed shop, then these men who strike may not again be employed. I repeat, where there is a closed-shop contract, this amendment does not affect it. I hope that is clear.

The next section, section 2, prohibits the employment of persons who are members of the union which calls, encourages, or promotes strikes in violation of a collective bargain or agreement entered into in accordance with the National Labor Relations Act, or prevents recognition of another union which has been certified as a bargaining agent by the National Labor Relations Board. Under the National Labor Relations Act a union may go before the Board and get itself recognized as a bargaining agency by election or by certifi-

cation, or it can by negotiation enter into a contract with the employer. All this amendment does is to say to these fellows, "You have gone before the Labor Board and submitted your claim and gotten your contract, and you have a binding contract which is binding on your employer; it is going to be binding on you also; and if you strike in violation of your contract, then you are out on this recognition."

Is there anything wrong with that? Is that not fair? Is that not honest? Is that not just? Why should a labor union, any more than you or me or a corporation or any other citizen, be permitted to enter into a binding contract and then say that the employer must perform, but "we can strike any time we want"? I would like to hear somebody argue against No. 2.

No. 3 prohibits the employment of anyone who employs a person who participates in a strike called on account of any jurisdictional dispute.

Why should your national defense be tied up, for instance out here at Walter Reed Hospital, because one union has a contract to build this building and another union has a contract to build that building, and the one union says, "We will not build this building because our rival union is going to build another building over here for the Government"? They say, "We are going to tie up your whole national-defense program while we are having a jurisdictional dispute with a rival union."

I want to hear some of you gentlemen who want full debate on this matter get up on the floor and defend that.

Let us see what you have to say about section 3. Let us see how you defend any such conduct as that. I challenge you to do it. If you have no objection to it and you cannot defend it, I expect you to vote for this amendment, and the American people expect you to vote for it.

No. 4 prohibits any person from working who by intimidation, violence, or threats of violence seeks in any way to hinder or impede the operation of any industry engaged in the production of articles for national defense.

Is there anybody on this floor who wants to get up and defend violence today? Is there anybody who wants to get up here and defend those striking employees who are ready with a blackjack or a baseball bat or a piece of lead pipe to strike down their fellow workmen? That is all I have to say on section 4.

Mr. McKEOUGH. Will the gentleman yield?

Mr. SMITH of Virginia. No; not now. When the time comes to debate this I hope my distinguished friend the gentleman from Illinois [Mr. McKEOUGH], who is very able and capable, will undertake to defend violence, which prohibits and prevents work in a national-defense industry.

Mr. McKEOUGH. Will the gentleman yield there?

Mr. SMITH of Virginia. I do not yield, Mr. Chairman.

Now, those are the provisions of this amendment, but I have given them an out on it. I have an exception at the

close of the section. I have given every one of them an out. It is as follows:

*Provided further, however,* That the foregoing provisions shall not apply in any case where the employee subsequently furnishes to the employer a statement in writing and under oath that he will no longer maintain membership in such offending union and will not again participate in such proscribed conduct.

In other words, if he comes back and says, "Yes; I have been a bad boy, but I am going to be a good boy from now on," he can go back to work and everything will be forgiven.

Mr. McKEOUGH. Will the gentleman yield?

Mr. SMITH of Virginia. I now yield to the gentleman from Illinois.

Mr. McKEOUGH. I thank the gentleman from Virginia for his generosity. I would like to direct his attention to section 4 of his amendment:

No allowance in this appropriation to be paid—

And so forth—

who employs any person who by intimidation, violence, or threats of violence, seeks in any way to hinder or impede the operation of any industry engaged in the production of any article for use in connection with the national defense.

I would like to ask the distinguished gentleman from Virginia who is to judge of these particular threats and intimidation, and so forth, that he refers to in this phraseology? Who is to decide whether or not they are violence?

Mr. SMITH of Virginia. The employer can decide.

Mr. McKEOUGH. So it is to be an *ex parte* situation? It is a generous contribution to the thing the gentleman from Virginia seeks.

Mr. SMITH of Virginia. I suggest to the gentleman from Illinois if he really wants to do something about this and he is sincere, that he just offer a clarifying amendment, and I assure him I will accept it. [Applause.]

[Here the gavel fell.]

Mr. McKEOUGH. Mr. Chairman, I rise in opposition to the amendment.

I do not think I violate any secret when I say to this House that the gentleman from Virginia [Mr. SMITH] is to be commended for his perseverance and his determination to make impossible the development of the so-called movement of labor as it is defined by an organized effort, voluntarily arrived at by any group of workmen in any kind of factory or commercial establishment in America for collective bargaining purposes. I have no particular quarrel with his approach. I concede to the gentleman from Virginia every prerogative, every right, and every privilege as a Member of this Congress in his deliberation and consideration of any pending legislation, his approach to whatever philosophy he subscribes. I cannot, however, fail to remember that some year or two ago the gentleman from Virginia [Mr. SMITH] sought action of this House with relation to a program that provided the fullest measure of protection of a closed shop for the milk producers of the States of Virginia and Maryland, as that

production related itself to the consumptive power of the inhabitants of the District of Columbia. It was then the philosophy of the gentleman from Virginia that the idea of a closed shop was certainly an acceptable one, because it related to those who produced milk in Virginia and Maryland, and legislated out every other one of the 46 remaining States of the Union with relation to the market for milk on the part of the consumers of the District of Columbia.

I wonder if the gentleman from Virginia at that time would have brought to the House in connection with his proposal the language he inserts in paragraph 4 of his pending amendment that makes it impossible for anyone to understand what would constitute intimidation. I submit, under the language of this amendment, a representative of an employer seeking to obtain information on the part of those who were employed, and who were applying in their interest the legally established American principle of collective bargaining, and who reported to the employer that John Smith was actively attempting to organize his fellow workers in a union under the principle of collective bargaining, that that would constitute intimidation, or if John Smith would say to John Jones that in the interest of John Jones he should join a labor organization, it would also be construed by the employer—who is the sole judge—it would be intimidation within the scope of this proposed amendment.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. McKEOUGH. I shall be pleased to yield when I finish my statement.

Mr. Chairman, I wonder, applying that reasoning to the milk producers of Virginia and Maryland, if some one of those producers sought to impress upon a fellow producer the advisability of joining their organization to protect their interests with relation to the District of Columbia milk-consuming public, he would infringe upon this particular language even if he only sought to "sell" the idea to his fellow producers of milk in those two States.

I submit to the House there is need for some action to curb so-called "outlaw" strikes. I am confident this Congress realizes, as it must, that the 50,000,000 people who toil in America whether they be in labor organizations, or unorganized, contribute more to the defense program in a single instant than the Office of Production Management, or any other group in the country. I also submit that a single one of the highly skilled mechanics engaged in defense work contributes more effective results than all those engaged in the Office of Production Management, because the latter are equipped only to make plans whereas the toilers in the factory, in the commercial areas of America, or in the mine, if you please, produce the materials, and by their skill convert them into the finished product that spells adequate defense of America.

I hope the Congress, in its good judgment, will vote down this amendment in the interest of sound Americanism, and in the interest of the real preparation every red-blooded American wants to see

made to the defense of our beloved country. [Applause.]

Mr. BARDEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, today's newspapers carry a quotation that must be of interest to this House and is certainly of interest to the American people relative to the strike now in progress in California. You see on this page I hold in my hand the picture of a group of men trying to protect a man who encouraged them to go back to work, trying to protect him from the violence of the other group which is attempting to hold the hands of Uncle Sam at a time when this Government is trying to make the necessary defense preparations for this country.

The statement I refer to is that Elmer Frietag, head of the strike negotiating committee for the union, wired Stephen Early, White House Secretary, "Armed forces will not break our strike. Bombers can't be made with bayonets."

Mr. STARNES. Mr. Chairman, will the gentleman yield at that point?

Mr. BARDEN. Very briefly.

Mr. STARNES. That is the same Frietag who swore before a congressional committee here in this Capitol last week that he registered as a Communist in California in 1938.

Mr. BARDEN. I do not know what he swore to, but my idea of Americanism leads me to swear that he is not a good American. [Applause.]

Mr. Chairman, the American people are more disturbed over this situation today than any other one thing in the world except Hitler. It outranks Mussolini. [Laughter and applause.] And the American people are not willing for this House to assemble here and say, We are against this, we are against that; and every suggestion that is made the wrecking crew attempts to stop it. The safety of America is at stake and I for one say let us do something. I would rather do something partially wrong about this thing than to sit idly by and see the national-defense program of this country strangled in any such way.

Mr. Chairman, we have a Labor Committee in this House. I do not know of any situation that has confronted the American people in the past 10 years that has caused more comment or that more vitally affects labor and industry than this very situation existing at the present time. I feel that it is time for the Labor Committee to take cognizance of this. I happen to be a member of the Committee on Labor. But every Member of this House is going to have to assume his or her share of responsibility.

Mrs. NORTON. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mrs. NORTON. The gentleman knows, does he not, that most of the legislation that should have been sent to the Labor Committee was referred to other committees of the House?

Mr. BARDEN. Madam Chairman—and I would not enter into controversy with my chairman—I have heard it intimated in the House that probably the reason for that was that the Committee on Labor has been a little slow about acting on matters of this kind. [Ap-

plause.] I do not say this with any idea of attacking the chairman of the Committee on Labor, but I think the lady may be taking my suggestion a little too seriously.

Mrs. NORTON. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from New Jersey.

Mrs. NORTON. I may say to the gentleman that I have never taken him too seriously at any time on any subject.

Mr. BARDEN. I certainly take Madam Chairman very seriously.

Mrs. NORTON. I remind the gentleman that before the Labor Committee had any opportunity to act, the bills that should have been referred to it were referred to other committees. The gentleman is a member of the Committee on Labor and should resent as much as I do the discrimination against the committee. I intend to vote against every amendment to this bill. It is an appropriation bill and should not be used as a vehicle to carry amendments which if considered in a separate bill would at least receive the consideration of a committee and we would understand their purpose. This is an extraordinary method of considering labor legislation. It is unfair to the great body of American labor, the majority of which can be depended upon to serve our country, and should not be confused with that small segment of labor responsible for agitating against the national-defense program. I have the utmost confidence in the responsible labor leaders and believe they will do a good job in housecleaning within labor ranks. They will see to it that America is not "sold down the river" by the Communists and Nazis who are creating dissension within the ranks of labor. The amendments offered here today will not help the labor situation. If adopted they will do a great deal of harm. They are unnecessary. The President has already signed the order designating the United States Army to take over the North American Co. at Inglewood, Calif. If and when it becomes necessary to the defense of our country to act we can depend upon the President to do so. New legislation enacted in the heat of emotion and without full and deliberate consideration would, in my opinion, be a crime against the hundreds of thousands of honest, patriotic, loyal workers throughout the country. [Applause.]

[Here the gavel fell.]

Mr. BARDEN. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina [Mr. BARDEN]?

There was no objection.

Mr. BARDEN. Mr. Chairman, where bills are referred is something over which I have no control whatever. I am not here for the purpose of attacking the Labor Committee. The gentleman from New Jersey [Mrs. Norton] and myself disagree, but we respect each other, I am sure. I say this is our responsibility. It is our responsibility, and the good laboring people of this country, the honest, hard-working pa-

triotic labor, are entitled to some protection at our hands. I say that the labor of this country has never been successfully accused of being unpatriotic, disloyal, or unwilling to provide the necessary weapons of defense for this land. It centers around a certain small group that would flout and challenge even the White House. No; tanks cannot be made with bayonets, and I do not know how many bayonets it will take to open up these plants and to provide the necessary defensive weapons, but I hope they will be used if necessary.

In the last 3 days I talked to one of the commanding generals of a large camp, and I asked him, "General, how are you on equipment?" He said, "I have about 15,000 men, and if they were called upon to fight, Heaven knows what we would do." I said, "You mean you have not cannon, and you have not equipment for them to fight with?" He stated, "I am sorry to report we do not have them, and I do not know where they are coming from." It is bad enough to call on a man to go to camp, and even fight, if necessary, for \$21 per month, and then for us to permit a hold-up in the production of arms and planes with which these same men are to train and defend this country it not only unfair and absurd, but reckless. [Applause.]

[Here the gavel fell.]

Mr. NICHOLS. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, the subject of labor is a subject that I seldom address myself to the House on. I do not think that there is anybody in this Chamber who has a better labor record than I, and if voting in support of those things to which labor is entitled can be called a labor record, then I know I have as good a one as anybody. But I see going on this afternoon something that I think we ought to stop and take stock of. Today the world is upside down, topsy-turvy, the United States is on the brink of no one here knows what. Certainly we are in the middle of the most determined and desperate era of preparation for war that this country has ever seen. Despite all this I find you, my colleagues, are divided for the most part in but two groups, for or against labor.

Mr. Chairman, this is a bigger problem than that. The right of labor, the right of any individual or any group, is insignificant and infinitesimal at this particular time. This involves the protection of 130,000,000 people. Better, I say to you, it is that a laboring man or any other man have a few cents or a few dollars less in his pay envelope at the end of this week than that he lay one thing in the way of this big program which may mean the life of your child and mine. Labor has no more stake here than the farmers or does the little merchant. Labor has no more stake than my mother and yours. This is not a fight for labor, and it is not a fight against labor.

I would sound this warning to labor: You had better clean house, if you can, my labor friends, and I hope you can and I think you can; because, if you do not, whether this amendment passes or some

other at the moment is unimportant; it is inevitable if you do not do it yourself the Congress will, and that is going to hurt.

I think a conservative estimate would be that 96 percent of labor are good, loyal, true, hard-hitting, hard-fighting, red-blooded American citizens, as patriotic as you or I. I do not want to hurt them. Let them take care of the 4 percent; because, if the Congress has to do it, legislation goes straight down the line, and you are going to hurt the 96 to get the 4.

Mr. Chairman, this country is getting a little bit weary of all the arguments about labor. They are a little bit weary of you and I dividing ourselves on this floor as pro- and anti-labor. Let us forget that. This job is big. It is bigger than they are. It is the biggest thing that confronts you and me today. The very idea of one man standing up and telling the great Government of the United States that even if it sends troops in there to protect men's right to work he does not bow to the will of any government is absurd. It is he that speaks for a part of labor, if not all of it. I beseech you to drop this argument between the pros and antis and let us get down, whether it is the Smith amendment or something else, and take care of the job. [Applause.]

[Here the gavel fell.]

Mr. CASEY of Massachusetts. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I certainly do not subscribe to any attitude that would divide Congress for or against any group of American people. We have got a good, hard job ahead of us, but there is a silver lining. All the taxes that are being piled upon us and all additional burdens we will have to bear will awaken our social consciousness. Some American businessmen are intent upon a profit to the exclusion of everything else. I know them personally. They have little knowledge of the relationship of the welfare of the Nation as a whole to the welfare of their own particular business. They have less knowledge of the relationship of the welfare of other nations to the welfare of this country. This crisis is awakening them. I plead for unity; I want unity because we have a big job ahead of us. You are attacking this problem from a little, small angle. You call it labor trouble. Why not call it employer trouble? Why not call it employer-labor trouble?

What causes these strikes? Oh, yes; you can pick a few. You can take a few of them, but if you do you do not see all of the picture. You just see the strikes, such as the North American Aviation strike. This is held up before us and we lose our perspective. The great rank and file of labor love this country; they want to serve it. In trying to pass legislation hastily, ill-tempered, with venom, during a period of hysteria, and tying it on to an appropriation bill, you are going to give the great army of labor in this country a gratuitous insult. You are going to insult that section of labor that never tied up the defense program. They have the right to strike, but they have not used it. It is a constitutional right for labor to withhold its services,

and it is no good unless it is withheld en masse. It has no force and effect otherwise.

When I tell you that there is employer trouble here as well as labor trouble, and that we should condemn them both equally, I mean that from the beginning of this defense program employers have held up the program demanding 50 percent increase on their contracts. Did you get stirred up about that? If you did not, your view is distorted.

I have before me facts that show that 50 percent of these strikes are caused by the failure of employers to acknowledge the National Labor Relations Act, and that is the law of the land. We condemn jurisdictional strikes, but they are only 5 percent of the total strikes. There are employers in this country who are making more than they made in 1929. I could read the list.

Is it not only natural that the man who works should ask for a raise? A 5-percent increase, a 10-percent increase to take care of the rising cost of living. He is not asking that in this program he be allowed to make millions. He ought to be allowed to make enough for food, shelter, and the other necessities.

The administrative branch of this Government ought to take care of specific instances of flagrant abuse of the right to strike. It ought to do it with resoluteness. If it lacks any power, we ought to give that power to the administration. If you do it by general legislation you will be doing a harm that you will not be able to undo for a great many years to come.

Consider this advisedly. Give it your considered judgment as statesmen. [Applause.]

[Here the gavel fell.]

Mr. HOFFMAN. Mr. Chairman, I rise in support of the amendment.

Mr. HOFFMAN. Mr. Chairman, the argument of the gentleman from Massachusetts, who just concluded his remarks, that manufacturers are obtaining an exorbitant profit is easily answered, and it is no answer to a charge that some workers are preventing or delaying national defense to say that some employers are making an excessive profit. Why not bring in legislation, if there are such instances, and let us do away with the profiteers? I will support it, and undoubtedly the House will pass it.

The further answer is, if some are making an excessive profit, are you going to cure it by letting someone else hold up the whole national-defense program? If I steal, is that an excuse for you?

I call the attention of my criticizing colleagues, some who have designated me as a labor baiter, to the fact that William Green and Daniel Tobin, of the A. F. of L., and Phil Murray and Richard Frankenstein, of the C. I. O., have used as bitter terms in condemning some of the strikes which are now being carried on as I ever used anywhere.

I call their attention to the fact that there is not one single thing in this amendment which interferes in any way with any legitimate right of organized labor. This amendment applies, as the gentleman from Virginia so well said, to

only four things. It applies, first, to the employees, members of unions, who violate their contract. Do those who vote against this amendment sanction the violation of collective bargaining agreements by union members and unions? It applies, second, to those unions that engage in industrial jurisdictional strikes. Do those who will vote against this amendment believe that the existence of our Nation should be jeopardized because these unions are quarreling? If not, then why not vote for this amendment?

We had illustrations of this down here last year in Washington. One store was picketed by the A. F. of L., and another store, not a block away, was picketed by the C. I. O. The sole reason in each case was that the other union was doing the work. As the gentleman from Virginia said, there is not a man on the floor who believes in that kind of conduct, which results in the holding up of our defense program.

The next proposition was that we should have here in America legislation which permits the man who wants to work, who is not guilty of any offense, to go to work without being forced to purchase a work permit. A committee of the other body has now established the fact that on one Government job at one of these forts just outside of Washington men were forced to pay \$800,000 for the privilege of working. As the gentleman from Virginia said, is there anyone here who will rise in defense of that kind of conduct? Is there anyone here who would bar an American citizen from working for his Government until he has paid for the privilege? Have men who want to work no right which will be protected by this Congress?

The other proposition is that the use of force on the picket line shall be prevented. The gentleman from Illinois [Mr. McKEOUGH] wanted to know when you would find intimidation. I show you here some pictures of intimidation, of the gentle art of persuasion as established by the C. I. O. in the Dearborn strike at the Ford Motor Co. plant. These show one of the methods used by the C. I. O. to obtain members. I want you to take these pictures and look them over. They show four men beating another until he was unconscious. He was a defenseless worker, a man who wanted to do his part on a Government job, a timekeeper who wanted to get into the plant to make up the pay roll for the strikers. Not one of these four men was employed in the Ford plant. They worked over at Briggs. The man who is being beaten, the man who is bent over, the man with his overcoat over his head, is Melvin Bartling. At the time he was beaten, sworn testimony in the Federal court at Detroit shows that Michigan State police, some 20 of them, were within 50 feet of where these law violators were pounding him. The State police took no action to protect him. The assault occurred in daytime, on a public highway.

The man with the U. A. W.-C. I. O. overseas cap, the man with the upraised club which he is about to bring down on the back of Bartling is Roy Snowden. He was not an employee of the Ford Motor Co. The second man in front of

Snowden and to the left of Bartling and who is attempting to bring an upper cut to the face of the helpless Bartling is Eugene Torrence. He was not an employee of Ford Motor Co. Torrence and Snowden are both Communists, both are members of the Communist Party in Michigan and hold membership therein.

The man just back of Bartling and who is about to swing a right into Bartling's right side or groin is one of the Ferraza brothers. The other brother is just at Bartling's head and is swinging left and right to Bartling's head and neck.

A pretty picture, is it not? I only wish it could be printed in the RECORD so that all might see how brave, how courageous, these C. I. O. unionists really are. I wish you could see how the Michigan State police fail to protect helpless citizens when a gang of strikers assault them. This is not an isolated instance. Hundreds of men, yes, and of women too, have been beaten by burly cowardly strikers and pickets. Let those members of this House who always defend pickets take the pictures I have passed out home to their wives and children and show them the kinds of men and actions Congress protects by its inaction. None of these men assaulting were employees of Ford. They were members of Briggs Local No. 208 U. A. W., C. I. O.

Oh, I know, you do not approve of conduct like this—Oh no? Then why not adopt this amendment which would aid in preventing a repetition.

This sort of thing has prevailed in Michigan ever since the sit-down strikes of 1937. It is the usual and customary thing—the approved practice whenever men seek to pass a picket line—whenever men seek to go to work where the C. I. O. has called a strike. As the attorney general of Michigan said in substance not long ago—if protection is not given peaceful citizens the time will come when, and I use his word, “night riders” and “vigilantes” will take the law into their own hands and we will have civil strife throughout the land. That we will all deplore, and perhaps the strikers and pickets more than anyone else, for they will learn to their sorrow that while our people are patient and long suffering when they do let loose the C. I. O. will have no monopoly of violence.

Let us adopt this amendment and not only aid Green and Murray in controlling the outlaw strikes but put an end to this lawlessness.

Mr. McKEOUGH. Would the gentleman judge the 50,000,000 by one?

Mr. HOFFMAN. No; but I would take care of the one when the time came.

[Here the gavel fell.]

Mr. SNYDER. Mr. Chairman, I wonder if we cannot conclude this debate very shortly? I ask unanimous consent that all debate on this section and all amendments thereto close in 20 minutes.

Mr. THOM. I object, Mr. Chairman.

Mr. SNYDER. Mr. Chairman, I move that all debate on this section and all amendments thereto close in 20 minutes.

The question was taken; and, on a division (demanded by Mr. SNYDER) there were—ayes 22, noes 79.

So the motion was rejected.

Mr. HOOK. Mr. Chairman, I was very much interested in the remarks of the gentleman from North Carolina [Mr. BARDEN], and I agree with him explicitly; but I believe that most of those who are trying to straighten out this situation do not really realize the actual condition that exists.

As I stated in my previous remarks, there is a militant minority in organized labor that is collaborating with agents of Stalin and Hitler and have operating organizations in Mexico and in the Latin Americas. Mr. Chairman, the patriotic, real American labor want to get rid of that group, but you cannot rid the country of that group by repressive labor legislation. I take my hat off to the valiant fight that is being made by Great Britain in the face of odds. Why is that fight being made, and how is it being made? It is being made because of the fact that there has not been one single, solitary piece of repressive labor legislation passed by the British Parliament. Mr. Bevin, representing labor; industry, and the Government, collaborate in their councils with regard to production management, and thus take care of the national-defense program. I am pleading with you here today to vote down repressive labor legislation and let the patriotic American group have the help of the Government in order to rid themselves of that group that is sabotaging the defense program.

There have been suggestions previously made that would, if carried out, straighten out this whole affair. I say to you that the Murray council program is parallel to the program that is now in operation in Great Britain that has been so successful, and if you will emulate the very thing that is going on in Great Britain and take into your confidence those great labor leaders in this country who are true Americans, those great industrialists who are true Americans, and set up your councils where the members of the councils will sit down and see that everything is carried on without interruption, then if a small minority group tries to sabotage this great program, your councils are in a position in these factories to rid the defense program and the factories of this country of Communists and Nazis and those who are operating with them. But do not do something that will cause a reaction on the part of labor to the point where it will interfere seriously with the defense program.

Let me make it impressive that if we follow the program that has been carried on in Great Britain we will have 100 percent, all-out aid to Great Britain, and that is all we are asking; and I hope we will be given the opportunity to go on for at least this week, and you will see that there will be things happening that will open your eyes and show that we will take care of these saboteurs. [Applause.]

[Here the gavel fell.]

Mr. BENDER. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I rise to make one or two observations. Several weeks ago the President of the United States declared an unlimited emergency. I am sure all of you read in the CONGRESSIONAL RECORD a

day or two later a list of all the powers that the President has under such an unlimited emergency. Surely, no further legislation is needed. The responsibility for every difficulty rests with the President of the United States. He, today, has the power to put an end to communistic activities everywhere. As a matter of fact, he has assumed the authority to make almost anyone in this country goose-step, as he has commandeered the goose-step from most of his Members in Congress.

This country is not weary of Congress, as has been stated by the gentleman from Oklahoma [Mr. NICHOLS]. The country is weary of "Ma" Perkins and Harry Hopkins and the way they have been running this show. They are asking for action, and the only way we can get action is to have someone take "Ma" Perkins' place and Harry Hopkins' place and give us action instead of delay and more delay. [Applause.]

Mr. WHITTINGTON. Mr. Chairman, I move to strike out the last four words.

This is not the time nor the occasion for name calling or denunciation. It is rather a time to face the cold facts. The facts are that there has been delay in our defense program. There has been an unjustifiable delay in the manufacture of arms for the men who have been drafted to serve their country.

It has been said that millions are being made in war contracts. I know there is selfishness and greed among employers. But, Mr. Chairman, we will deal with that problem at the proper time. If we could deal with it in the pending legislation, I would gladly do so. I believe there should be no war profiteers, no war millionaires in the present emergency, and as a member of this body I think I speak the sentiments of the House when I say that we are looking to the Committee on Ways and Means to report a tax bill that will substantially prevent any increase in income as a result of excess profits that accrue from manufacture of munitions, and we will look after the selfish employers when that bill comes before the Congress. For my part, I trust that it will not be possible for any person or institution in the United States, in the present defense program, to make a larger income than they have been making on the average during the past few years. So much for the selfishness of the employer. Our business is to attend to that problem when we can.

However, Mr. Chairman, as the facts are stated, and not denied, there are more strikes in war manufactures today than ever before in the past 12 months. If it be true, as it is agreed that there are communistic and subversive leadership in labor organizations of our country, I say that now when we are providing for additional manufactures and for additional defense, it is time to call upon labor to clean house, because labor can no longer hide behind the skirts of subversive, un-American, or communistic leadership. The Members of Congress have the right to call upon labor to clean house, and to rid itself of such leadership. No better way has been suggested, than the adoption of the pending amendment.

In the third place, Mr. Chairman, it is said that there must be collaboration as

a result of voluntary cooperation in leadership. If we had depended upon voluntary cooperation, I respectfully submit that no legislation in behalf of labor would have been demanded at the hands of the Congress. We passed legislation with respect to wages and hours, and we passed legislation with respect to the National Labor Relations Board. If that Board is unable to function; if the Mediation Board established by the President of the United States cannot enforce its adjudications, I say that there is just as much, if not more, reason for asking the Congress of the United States to pass legislation making those adjudications effective as there was to pass legislation to provide for labor in this country. There must be no more strikes in the defense plants of this country. [Applause.]

Under leave to extend, I should like to say that, while I believe the great body of laborers in the United States are patriotic, I also believe that the great body of Americans are patriotic. I favor collective bargaining; I am sympathetic with labor; but the Commander in Chief, the President of the United States, has set up a National Defense Mediation Board to do justice between the employer and employee. Bargaining must not result in delay; delay is dangerous.

We boast of our power and of our wealth. We indulge in denunciations of Hitler; we challenge Hitler, but thus far, with strikes multiplying and without the curbing of strikes, we confess our inability to overcome admitted communistic and subversive enemies of America within our own borders. If the United States cannot deal with "fifth columnists," labor baiters, subversive and communistic leadership in labor groups; if we cannot overcome these within our own borders, how can we expect to overcome Hitler?

The people of the United States are alarmed at the strike situation; they are demanding action; they are expecting the President and the Congress to prevent strikes. There is a feeling that the Department of Labor is not functioning effectively. There are even demands for the resignation of the Secretary of Labor. Many citizens feel that the agencies that administer the labor laws are arrogant and intolerant. The administration of the Wages and Hours Act is repulsive to many patriotic Americans. The country is not satisfied with the delays in national defense; it is not satisfied with the mistakes in preparedness; it is not satisfied with the unjustifiable demands of labor, particularly with respect to jurisdictional matters. Our citizens are not satisfied with the arrogant and selfish demands of war profiteers; they are concerned about prompt and adequate preparedness. The defense of our homes and of our firesides depends upon speed.

The President of the United States declared an unlimited emergency on May 27. He referred to it in closing his address on that date. His words reassured the American people. He said, and I quote:

A Nation-wide machinery for conciliation and mediation of industrial disputes has been set up. That machinery must be used promptly—and without stoppage of work.

Collective bargaining will be retained, but the American people expect that impartial recommendations of our Government services will be followed both by capital and by labor.

During the Seventy-sixth Congress, the House passed amendments to existing labor laws. The bill died in the Senate. During the present session the President of the United States has informed the Congress that he needs no additional legislation to prevent strikes. I am among those who believe that a word from the Commander in Chief will prevent and stop strikes in national-defense plants. The President has now spoken. Both capital and labor must cooperate.

Today the President of the United States is making good his words by his deeds. He has placed the Army in charge of an airplane factory in California. Labor is important, industry is important, but it is time to put first things first, and country comes before either capital or labor.

In the pending bill \$10,000,000,000 are appropriated for the national defense. The taxpayers will be called upon to foot the bill. Congress owes it to the country to safeguard the expenditure of these funds. Both labor and capital should be given a square deal. Arrogance and selfishness by either capital or labor must not be condoned or encouraged.

The laborer is worthy of his hire, the manufacturer is entitled to a reasonable profit, but if men are to be drafted to defend—is there, after all, any good reason why labor and capital should not be drafted to prepare?

There are other matters vital in defense. Normal expenditures should be reduced. The ordinary expenses of the Government can be reduced at least a billion dollars. There must be no quibbling about reduction and the reduction should be general; it should not be confined to any one department or to any one bureau. While some bureaus and while some activities can be eliminated altogether, I repeat that the reduction should be general. There are agencies that can be abolished, but their abolition alone will not do the job. There must be reductions all along the line. Congress cannot escape its responsibility, but, after all, as a practical matter, there will be no general reductions unless the Chief Executive recommends these general reductions. Undoubtedly there should be material reductions in the Work Projects Administration. With the unprecedented defense program all willing to work can obtain employment. It may be necessary for some to change locations, but there is, generally, employment for those able and willing to work. The career W. P. A. worker has sinned away his day of grace if he ever had one. If there is no opportunity for employment today, there will never be opportunity for employment. At the same time provision must be made for the aged and for those unable to work.

As long as the Congress depends upon the W. P. A. for facts and for information for continuing appropriations, those whose jobs are at stake will continue to insist that there must be appropriations for unemployment.

Defense requires that we place our economic house in order. Our Budget must be balanced.

There must be no inflation. The costs of living must be kept within bounds. Wages can be too high as well as too low; commodities may be too high as well as too low. Inflation means bankruptcy and bankruptcy means unemployment and low wages and suffering, and none will suffer more than the workers. A bankrupt nation cannot defend, and certainly such a nation cannot wage, a successful war.

But back to the subject under discussion—back to strikes in defense plants. It is passing strange that spokesmen for labor, while admitting communistic and subversive leadership among labor groups, while denouncing jurisdictional strikes, propose no legislation and advocate no remedies. The spokesmen for labor admit defects, but they do not propose any cures.

I know that there is Executive responsibility. I believe the laborers of the country will heed the words of the Commander in Chief of the Army and Navy of the United States. His word will put a stop to strikes, but there is a responsibility on Congress.

While I advocate collective bargaining, I favor mediation for the adjustment of strikes and for doing justice between capital and labor.

It has been said that strikes can only be prevented by voluntary cooperation. I answer, as I have indicated, that if legislation has been enacted to help labor, legislation should be enacted to control labor in the interest of national defense. If legislation to provide for wages and hours and to provide for the National Labor Relations Board was necessary, legislation is necessary to make effective the recommendations of the National Defense Mediation Board. Legislation is necessary to prevent strikes and to provide that those who strike against the Government shall not be permitted to work in Government plants.

When young Americans now in camps have no arms it is no time for strikes. They cannot be tolerated.

If compulsory legislation was necessary to help labor, compulsory legislation can prevent strikes. The argument that compulsory legislation will not do the job is not sound. If legislation helps labor, legislation can prevent strikes.

I would not deprive labor of the right to insist upon reasonable or even higher wages in many cases, but I believe country is above labor and capital and that mediation with teeth in it will secure to labor and to capital their just rights.

The country has been patient, but it has lost patience with the unpatriotic and selfish arrogance of subversive labor leaders. Fathers and mothers have offered their sons on the altar of their country, but they demand that they be armed.

It is said that no additional legislation is needed and that the problem is for the Executive. This contention has been repeated for a year. By their fruits ye shall know them. Strikes continue; they increase; they have multiplied. There are

more strikes in defense production today than in any previous time in the past 12 months. The situation grows worse every day. The people are losing confidence. They are demanding action and they are entitled to action now.

President Wilson spoke in 1918 when he warned that strikers would be barred from future defense work. It is time for the President and for Congress to speak now.

Again it is said that the amendment will not cover all phases of the strike problem. I answer that no other amendments have been proposed. I want to condemn the unjustifiable strikes. The Committee on Labor has reported no bill. No other bill is pending on the floor of the House. I have supported every amendment proposed and every law to curb strikes. I have followed the gentleman from Virginia [Mr. SMITH]. He has studied the question, he is thoroughly familiar with the problems. Fault was found by the spokesmen for the strikers, but it is well to observe that no proposal has been submitted by the spokesmen for the strikers to prevent strikes.

Strikes in defense plants are justified by the spokesmen for strikes because the plants themselves are making enormous profits. The remedy is not to slow down production by striking but the remedy is to tax excess profits so there will be no war millionaires and no war profiteers. It has been done before and the country expects it to be done again. No person or corporation should be permitted to make more than was being made for a reasonable term preceding 1941 and all income in excess of the average prior income should be collected as taxes to pay for national defense. There must be no quibbling either about strikes or war profits. Strikes must stop and excess profits must be collected as taxes.

It is not enough to appropriate for national defense. The appropriations must be made effective. There must be no delay; bottlenecks must be removed and strikes must be curbed. If either labor or capital delays the Government must intervene. America must be prepared. Strikes must stop and production must be speeded up to the limit, otherwise the President and the Congress will not keep faith with the citizens of the Republic who are being taxed as never before to provide for their defense, nor will they keep faith with the youth of America who have been called upon to give their lives, if need be, in defense of their country.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. HEALEY. Mr. Chairman, there can be little doubt in the mind of anyone that public sentiment is outraged by strikes that are called for unjustifiable reasons, such as outlaw strikes, and jurisdictional strikes. That strikes at this critical time are cause for alarm we can all agree. Labor or any other element of our society must first of all have public opinion on its side if it is to prevail. However, some of these defense strikes have been called for justifiable reasons. If Members will take the time to analyze the full facts, and I think they owe that duty to their constituents, they will find,

from figures of the O. P. M., that 83 percent of the strikes that had been called up to a short time ago, were called by employees who were seeking to have the principle of collective bargaining established for the first time in those plants in which they have been employed, and called strikes only as a last resort in their collective efforts to establish basic machinery for peaceable adjustment of disputes such as is guaranteed by the Wagner Act. Yet those employers have resisted every effort by their employees to establish in their factories and mills the underlying principles of the Labor Relations Act. I say to the people who are conducting these outlaw strikes, these unjustifiable strikes, that they are seriously injuring the cause of sound and responsible labor organization and are causing irreparable injury to the Nation. The struggle that has gone on for more than half a century in this country to establish the rights of labor is likely to suffer a crushing blow as a result of their actions. Those of us in the Congress who have fought for the just cause of labor and have vigorously opposed the efforts of those who have attempted to impede and injure its orderly progress are finding our task immeasurably more difficult because of rash and unconsidered actions on the part of some hasty and unthinking labor leaders.

But let us get down to a concrete analysis of this particular amendment that is being offered in an hour of hysteria purportedly on the basis of public indignation aroused by outlaw strikes. However, the present situation is more the opportunity than the cause for this amendment being offered. It is being submitted by the able and experienced gentleman from Virginia, who has long sought to accomplish the very objectives that this amendment would achieve. I submit to you that this amendment can be voted on only as an entirety. It is not divisible. The second clause of the amendment seeks to freeze the status quo of closed and open shops in this country. In other words, it seeks to block the progress of labor and to outlaw legitimate objectives, recognition of which organized labor has won for workers in this country.

There is another section of the pending amendment relating to intimidation, coercion, and violence. Who decides what conduct constitutes so-called coercion, intimidation, and violence? What authority decides those important facts under this amendment? The author of the amendment, in response to a question, said the employer may decide that. How can we, as reasonable and reasoning men, possibly vote for a provision of that sort leaving as it does the decision on a judicial question of this kind up to the very man who is an adverse party in interest in the controversy? How can we reconcile such a provision with the constitutional prohibition against parties in interest sitting in judgment on a controversy? The objective of that course is to impede the progress of labor, to try to prevent the organization and unionization of people who work in industry.

But let us not forget this: The right of labor to organize and to strike is a basic and fundamental right under our American form of government. Does this proposed abridgment of basic civil liberties presage a general assault on the individual rights of free men? Are we to expect attempts to curtail free speech, a free press, and the other fundamental rights that exist under democracy? Maybe the time may come when the national welfare will compel such action. But I, for one, hope the day will never come when these most priceless rights under democracy must give way to autocratic and repressive restraints characteristic of the Nazi system. [Applause.]

[Here the gavel fell.]

Mr. CRAWFORD. Mr. Chairman, I move to strike out the last seven words.

Mr. Chairman, the only reason I take the floor for these few moments is because last week and today Members have repeatedly referred to the profits being made by business as if they were something disgraceful and should not be permitted to take place in a country such as we have. After all, this thing we call business, which to me is the fowl that lays the golden egg, which we tax in order to maintain this Government and in order to carry on its programs and its activities, is a pretty good institution. Until I came here a few years ago I never did complain about the company with which I worked, there being several of them when I was trying to work myself up in the business world—I never did complain about the company making profits. As a matter of fact, I tried to put in an average of about 300 hours or more a month assisting those companies to make profits. I never found any employees during my business experience who hesitated to make it possible for the companies which engaged them to make profits.

American business is so organized that when you permit a plant to run to capacity, as at the present time, the management reaches out and brings economic forces together and welds the whole operation into a profitable undertaking. I think I have spoken to enough members of the Ways and Means Committee to convince them that insofar as the four or five companies that I happen to be directly or indirectly connected with at the moment are concerned, I want them taxed. It is quite immaterial to me how much you tax them on war or excess profits, so long as you permit them to remain a going concern with reasonable or normal returns to investors. If the Ways and Means Committee reports a bill to this House which does not take away from the corporations of this country most of the excess profits due to the war operations, I am frank to say I will be disappointed in the Ways and Means Committee. I expect that kind of a bill to be reported. It upsets me just a little to have Members of the House get up and attempt to justify improper strikes, unjust strikes, outlaw strikes, and every other kind of a strike that can be mentioned simply because the company is making profits, because

it is up to us to exercise the taxing power to gather those profits into the Treasury of the United States, if they are profits flowing from defense or wartime activities.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. Yes; I yield to the gentleman from New York.

Mr. MARCANTONIO. I would like to have the gentleman's opinion on the following situation: Where the worker's dollar which he has been receiving for the last year does not match the increased cost of living this year, and where profits have been increased, does not the gentleman believe that business or industry should take those factors into consideration and grant to the American workers who are making his profits possible a dollar which will match the cost of living?

Mr. CRAWFORD. Management should give serious consideration to such factors, and if the gentleman was sitting on a board of directors with me we would advocate that doctrine and we would under present conditions agree to it and we would vote for it in the board of directors' room, for this reason: Suppose the profits for the first 5½ months of this year up to June 15 were running 1,000 percent above last year and suppose this increase in living costs, to which the gentleman has just referred, had occurred; you do not know what the tax liability of that corporation is going to be in the year 1941, and you would be saying to your official staff, if you used good business judgment, "Now, listen, fellows, you had better keep in reserve about 80 percent of the profits that are now running, in order to pay the tax liability that is likely to fall on you next March 15 as a result of the tax law that will be enacted toward the end of this year."

[Here the gavel fell.]

Mr. MARCANTONIO. The taxable income would be reduced by the amount of increased wages paid.

Mr. CRAWFORD. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection? There was no objection.

Mr. CRAWFORD. Now, I happen to be connected with a little concern that will probably make \$350,000 this year. That is an enormous profit as compared with what they have been making for the past 10 years, because they are engaged in defense production, and the Government set the price which was to be paid for the goods that we are producing.

I have said to the management "You had better keep in reserve 80 percent of the estimated \$340,000 to \$350,000 of profits." Believe me they had better keep it in reserve, because my opinion is that this Congress will reach in and take that as tax money before we finish the job.

Mr. SOUTH. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. SOUTH. It is a fact also that industries that now have the majority of the defense orders are not making as much profit as they made during normal times. Is not this true?

Mr. CRAWFORD. I would not agree to that just now. I expect they are making profits as great, if not greater, than normal profits. If they are not making as great profits I would look a little bit into the question of management. I cannot agree to the gentleman's observation.

If this House expects to adopt an amendment along this line in the near future I think we better give serious consideration to the adoption of this particular amendment.

Mr. Chairman, that concludes what I had to say.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. MARCANTONIO. Profits are reduced by wages.

Mr. TERRY rose.

The CHAIRMAN. For what purpose does the gentleman from Arkansas rise?

Mr. TERRY. Mr. Chairman, owing to the fact that there are a couple of other amendments along the same line pending I would like to find out if we cannot reach some agreement as to limitation of time for further debate on this section and amendments thereto.

Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

Mr. SCHULTE. Mr. Chairman, I object.

Mr. TERRY. Mr. Chairman, I modify my request and ask unanimous consent that all time for debate on this section and all amendments thereto close in 20 minutes.

Mr. SCHULTE. Mr. Chairman, reserving the right to object, six Members are standing desiring recognition on this amendment, and there are other amendments to be offered.

Mr. TABER. Mr. Chairman, reserving the right to object, if the gentleman would make his request apply to this amendment instead of this section, to this amendment and all amendments thereto, which would be the proper way, it seems to me, I believe we would make faster time and that he might get quick action on such a request.

Mr. TERRY. I so modify my request, Mr. Chairman, that all debate on this amendment and all amendments thereto close in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

Mr. SCHULTE. I object.

Mr. TERRY. Mr. Chairman, I modify my request and make it 30 minutes.

Mr. McKEOUGH. Mr. Chairman, reserving the right to object, I would suggest to the gentleman from Arkansas that he ascertain the number of Members who desire to be heard and then multiply that by an even number of minutes for each man, such as 3 minutes, or 4 minutes.

Mr. TERRY. Mr. Chairman, I modify my request again and ask unanimous consent that all debate on this amendment and all amendments thereto close in 35 minutes.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent that all debate on this amendment and all amendments thereto close in 35 minutes. Is there objection?

There was no objection.

The CHAIRMAN. The Chair will state that the Chair has taken down the names of the Members standing seeking recognition and will recognize them in this order for 4 minutes each: The gentleman from Indiana [Mr. SCHULTE], the gentleman from California [Mr. VOORHIS], the gentleman from Ohio [Mr. THOM], the gentleman from Texas [Mr. RUSSELL], the gentleman from Georgia [Mr. COX], the gentleman from Texas [Mr. SOUTH], and the gentleman from California [Mr. THOMAS F. FORD].

The gentleman from Indiana [Mr. SCHULTE] is recognized for 4 minutes.

Mr. SCHULTE. Mr. Chairman, again I find myself in opposition to my good friend from Virginia who has offered this amendment not once, not twice, not three times, but a number of times.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. SCHULTE. No. If the Smith amendment is adopted the only thing labor can do without fear of going to the penitentiary, is to draw its breath. Every other right would be taken away from them. If this amendment had been offered by any Member of the House who had at any time in the past taken this floor to defend labor it would have gone over no doubt. Who are the men who speak in favor of this Smith amendment? Have they ever stood on the floor to defend labor? I do not bow to any man in this House in my thoughts of the Communist problem. We are all agreed, each and every one of us, that we despise that Communist, yet, Mr. Chairman, it took the Committee on Immigration and Naturalization of this House to handle the Bridges case. My friend, the gentleman from Alabama, is a member of the Dies committee, yet it has not offered any remedial legislation to handle the radical situation.

Mr. Chairman, we have heard a good deal about labor. My good friend from North Carolina said there was a shortage of guns, that in talking to a general he found the Army has not sufficient guns, has not sufficient cannon, airplanes, gas masks, and other defense material.

Whose fault is that? That is not the fault of labor. Certainly that must be the fault of the Army itself for not having plans ready. Then, again, we hear the statement made that we must give to our soldiers arms and ammunition to do the fighting. You bet we do. Each and every Member of this House wants to give them every gun, every cannon, and every gas mask that is necessary to defend this Nation, and they intend to do just that.

Who are the men in the front lines? Who are the men who are going to do the fighting, and who are the men who must die if necessary? They are the sons of the very individuals you are trying to hamper this afternoon, the sons of the laboring men who come from the everyday home in America. Ninety-nine percent of them come from the homes of men who find it necessary to work for a

living. Do you tell me that the fathers of those sons are going to strike and deny their sons the ammunition unless there is some justification?

We hear a great deal about strikes. Was there a word uttered in this House when one of the largest manufacturers in the United States went on a sit-down strike against a law that was passed by this Congress? Was there a voice raised in opposition to him? No; not one. Was there a voice raised in defense of labor when Big Business hired thugs in West Virginia to shoot union men because they were organizing or going to meetings? Did any of the men who are here offering amendments this afternoon stand up and defend labor? No; not one of them did. Was there anyone who defended labor because industry was taking advantage of labor and beating them down? No.

Mr. Chairman, I hope the Members of this House will see fit to defeat the Smith amendment. No one wants a strike. Labor does not want to be sacrificed; and, so that we may have some semblance of unity in this country, stand up for labor, as labor will stand by their Government. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, I just got off an airplane. I took my family part way home to California, and I came back here because I wanted to be here when the W. P. A. bill was being considered. Since we are still on this subject, I have two or three things I very much want to say.

In the first place, the President has taken action with regard to the strike at the North American Aircraft plant in California. Every single person in the United States has got to back this action. For it is a national matter now—so far as both the company and the workers are concerned.

There have been speeches made here about strikes against the United States when they were not really strikes against the Nation but strikes against private employers. It is different in this case now. There can be but one answer. The other day the gentleman from New York [Mr. MARCANTONIO] made a speech in which he said there was no political aspect to any of these strikes, that it was wrong to say that this was a Communist-inspired strike, a Communist-led, or a Communist-protracted strike. I do not agree with that statement in some cases. Sometimes it is a Communist-inspired or a Communist-led or a Communist-prolonged strike that we have to deal with.

I believe that at this very moment for the first time we have all over the country a genuine determination by laboring men to clean out the Communists from the ranks of labor. I do not think there is a shadow of doubt but that due to whatever cause it may be that determination exists and that the constructive 95 percent or 98 percent in the ranks of labor intend to clean house and to do it thoroughly. If employers could do the same with Fascist-minded attitudes and

individuals we would be on our way out of the woods.

Under these circumstances the greatest mistake that the Congress could make would be to pass a piece of legislation which would hit at all labor and which would put the 95 percent of labor in a position where the destructive groups could say, "Now, you see that is what you are going to get from the Congress, therefore you had better follow us."

There is only one real solution to this problem and that is to get out of the labor movement by labor's own action those groups who never should have been in a position of leadership in the American labor movement. You have to have workers in the plants, you have to have men to do this national-defense work, they have to be doing it enthusiastically and they have to be doing it as free men. We should assist the leaders of the A. F. of L., we should assist Phil Murray in the things he said recently, we should support every constructive leader and man in the ranks of labor in this important and essential job. That is the only way this thing can ultimately be worked out.

I do not blame Members for saying they have been slow. That has been true, but difficult as it may be, we have to keep our heads and do the thing that is fair and discriminating so that we do not place a lot of fellows who have been trying to keep free of this trouble in the same basket with a lot of fellows who have been trying to cause strife for ulterior reasons.

Mr. ANDREWS. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from New York.

Mr. ANDREWS. The gentleman does not think that the Secretary of Labor has helped out very much?

Mr. VOORHIS of California. I have not mentioned her name. I spoke of the President and I spoke of certain leaders in the ranks of labor.

Mr. COX. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Georgia.

Mr. COX. Can the gentleman name anyone in the Government who has done anything about it?

Mr. VOORHIS of California. I believe the National Defense Mediation Board has been doing on the whole a most excellent and fair job.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. THOM] for 4 minutes.

Mr. THOM. Mr. Chairman, I am quite sure that the House does not want to do what this amendment proposes to do. By this amendment you seek to fasten a penalty on a member of a union even if he disagrees with the decision of his union as arrived at by a vote of the membership thereof. Even, Mr. Chairman, if he voted against calling the kind of strike this amendment deplores he is penalized by being ineligible for employment.

Let me read the first section of the amendment:

No part of this appropriation shall be paid to any person, firm, or corporation who employs any person who is a member of any

union which hereafter calls, encourages, or promotes a strike to enforce, as a condition of employment of any employee that he either join or not join or belong or not belong to a labor union unless the same be for the purpose of enforcing an existing contract between such employer and such union.

In other words, if the man votes against the strike and, worse than that, if he is absent from the meeting of the union at which the decision to strike is made, he is forbidden from further employment under the appropriations of this bill solely because he is a member of the union. Why, that is an unfair thing—to charge the individual member of the union with the acts of the union which he did not endorse. The same thing applies to the next section of the amendment which states that if the union calls a strike in violation of a collective-bargaining agreement then any member of the union is foreclosed from working. This applies, too, against the man who voted against such a strike.

Then you top it all by providing that a member can get back into the service of his employer by signing a statement after the strike that he has quit the union. This is required from even the man who voted against the strike and after perhaps he made a speech against the strike, if he wants to escape nonemployment. You do not want to enact such an amendment. It is faulty, it is vicious in this aspect, and it is unfair to the conservative members of the unions of this country. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. RUSSELL].

Mr. RUSSELL. Mr. Chairman, in April during the recess I made a visit home, about which I have told this House once before, and I visited Camp Walters, where they had 10,500 soldiers training with broomsticks for guns. I asked the commanding officer, as I stood on the side of the hill there and watched those full-blooded American youths, what the trouble was. He said they could not get the equipment with which to train them. I wondered then as I wondered back yonder in January when the gentleman from Virginia [Mr. SMITH] first introduced this amendment, what was going to happen. In January this House said: "The amendment is all right, but we are going to have a regular bill reported out, so it has no place here." For the second, third, and fourth times this amendment has been offered, and you are saying the same thing.

When, in the name of high heaven, is this House going to act to stop this foreign element in America? When I see what has been going on here I am reminded of what Mr. Hitler says. Let me read it to you:

When I wage war I shall long have had relations with the men who will form a new government (in the enemy country), a government to suit me. We shall find such men; we shall find them in every country. We shall not need to bribe them. They will come of their own accord. Ambition and delusion, party squabbles, and self-seeking arrogance will drive them. Peace will be negotiated.

Then his Commissioner of Agriculture has said in line with this:

We have in the United States a political organization with the same exactitude as Berlin or Prague, and we have no fear of any activities on the part of the United States.

It seems to me he is making good that threat.

Some of you have said that is not Americanism. I wonder if that is when the time comes that a man cannot in free America work in the defense program.

After the gentleman from Virginia first introduced this amendment back yonder in January I got out and began to mix and mingle with my kind—that is, those who have the horny hands of toil, from whose ranks I come. I kept count, and let me say for the benefit of the gentleman from Massachusetts I counted a hundred of those men who had union cards and I did not find a single one of them who was not as bitter against these strikes as any man in Congress. Most of them said in a praying tone, "Why doesn't Congress do something?" I say we ought to do something now to give those Americans in the ranks of union labor a chance to assert themselves.

Let me refer to what Mr. Arnold, the Assistant Attorney General, has said. No union man can claim for a minute that Mr. Arnold is unfair to labor. He wrote in the last Reader's Digest about what is happening in New York, what the union is doing there, and in Chicago, where they ostracize men who do not do as they tell them to do.

You may tell me that is Americanism. Then I say to this House that I was raised wrong, and I do not want that kind of Americanism.

Two gentlemen spoke about the employers. It seems they have it in for the employers. Let me say that if there were no employers there could be no employees, so let us take care of both of them and see that they get their just rights. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. COX].

Mr. COX. Mr. Chairman, I would hate to say anything that would give offense; but I have been hearing alibiing on this proposal for a good long while. The gentleman from Virginia [Mr. SMITH] has been introducing this same amendment to appropriation bills for many months. The gentlemen who are now opposing it opposed it then. Their arguments then were that while the proposal is wise and what it has in mind should be done, still it should come on a legislative bill.

My colleagues do not seem to realize the seriousness of the situation in which we find ourselves. They do not seem to realize that this world is on fire and that the responsibility is upon the Congress to save America, if that be possible.

The pending amendment is directed only at the racketeers in labor, and certainly they are a group with whom the Congress should deal. They are on strike, not against the employers, not against management, but against America. They are on strike against the

young men who have been drafted into the Army for the purpose of soldiering for the country.

The mothers of this country, who have led out their first-born and offered them in the service of the Republic, do not like what is going on. People generally do not like it. The responsibility of ending strikes is upon the Government, and it is a responsibility that should have been met long, long ago. What is happening on the west coast is what the Government has bid for. It is what the Government has invited, because there are those in the Government who have been working hand in hand with the racketeers in labor seeking to produce a bad situation, affording an excuse for the Government taking over industry, and the taking over of industry in the name of the Government, and operating plants by the Government does not solve the problem. That is what the racketeers in labor want. That is what they have been working for all the while; and the taking over on the part of the Government and the operation on the part of the Government mean that the reds in labor win, because this Government has not thus far even sought to restrain them. These conciliation boards that you have set up are mere representatives of the radicals in labor. They are mere shams, and some of their representatives have encouraged labor to carry on this fight against national defense, producing the situation that we now have on hand.

Mr. Chairman, this country is aflame with indignation over the behavior of the Government, which includes the behavior of this Congress. This is no time to dodge. Let us meet the issue and let us decide it now. [Applause.]

Mr. SOUTH. Mr. Chairman, I do not especially want to vote for the Smith amendment, although I am going to do it. I have said for sometime, and believed in all seriousness, that the administration has sufficient power, if exercised, to cope with the strike situation. There are evidences today that the President is going to deal firmly with the situation on the west coast. I hope so. I think the people of this country have become more impatient than we men serving in Congress and hearing each other more than we hear from the country realize. I am convinced that labor is being dominated by labor racketeers and professional troublemakers in many instances, and that such leadership is leading it into trouble which will require many years to overcome.

I rise primarily to say something about excess profits, about which we have been hearing much recently. The gentleman from New York said a few days ago that some of the companies were making 4,300 percent more profit than they made before receiving these war orders. A speaker said this morning that some of these industries are making 1,000 percent more profit than formerly. I am wondering if people who do not take time to study the financial sheets occasionally might not be greatly misled by these statements. What are the facts in connection with the profits that are being made by such companies? Many of them are making some more profits and some are not. I suspect

the average increase is from 4 to 6 percent after the payment of increased taxes. The industries in America today that have the greatest defense orders are not making the most money. The department stores, for instance, are making a better profit than the munitions factories. Is there anyone who will deny that? The General Motors Co., which has more than one-half billion dollars of war orders today, is selling on the board for less than \$40 per share. If it is such a bonanza, why do not some of you gentlemen step out and grab some of it? It is for sale. A year ago it was selling from 50 to 60, before it had these orders. Chrysler Corporation, manufacturing vast quantities of war materials, is selling between 50 and 60, as against 75 to 80 approximately a year ago. General Motors and Chrysler have both always paid out a liberal part of their earnings. Bethlehem Steel, that has more than one-half billion dollars in Government orders for defense, is selling around 70. Bethlehem Steel has always paid out a liberal portion of its earnings, and I will say to the gentleman from New York that, if it is making so much money, why not buy a little of it or advise your friends to buy it? Now, what is the truth about these industries? Men who have money today are not putting it in the industries handling defense orders. [Applause.] Why? Because they are unsafe, unstable, and constitute an unsatisfactory investment. Witness the labor problems with which they are now confronted. Consider the additional equipment which must be purchased for a few months' use. And do not forget this, these corporations will have to return to the Government, and properly so, any excessive profits which they may be able to make out of war business. In order to legislate on this question intelligently we must face the facts sanely and intelligently, otherwise we will do more harm than good by our efforts.

I have only mentioned a few industries making war equipment, but the same is true as to practically all of them. The American people must not be misinformed if they are to arrive at a correct conclusion regarding this most important issue.

Mr. THOMAS F. FORD. Mr. Chairman, I just want to make a brief statement on this. In opening I may say that you cannot indict a whole people. Burke said this a long time ago. You cannot indict a whole organization or a whole group because a part, a very infinitesimal part, of that group is doing something that is opposed to the general policy.

Many of the speakers here have said that the vast majority of the members of labor unions and labor leaders do not want to strike. This in itself proves my contention, but this amendment would put them all in the same category as that small group who are fomenting strikes. Therefore, in my judgment, this is not a fair amendment. Furthermore, I want to call the attention of the House to the fact that every metropolitan newspaper in the United States this morning carried the headline that "The Army takes over the airplane plants."

In connection with that, it has been charged on this floor repeatedly that this

President of the United States has not taken action. He has taken action, and this strike has not been in progress over a week. In spite of that fact, however, he has taken action within that time.

Another thing that has been charged is that the National Defense Mediation Board and the Department of Labor's Conciliation Service are in league with the racketeers and labor saboteurs.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. THOMAS F. FORD. Not at this time. Mr. Chairman, I happen to know the Chairman of the National Defense Mediation Board, and if there ever was a square shooter, a thoroughgoing 100-percent American, Clarence A. Dykstra is that man, and he is nobodys man. He is for neither capital nor labor. He is for the American defense program. He is pouring out every atom of his energy, and has a splendid store of it, to try to bring about a peaceful and just settlement of this tremendous problem.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. THOMAS F. FORD. Yes.

Mr. SABATH. I just received a special notice from the United States Chamber of Commerce stating that they are opposed to this kind of legislation and are favoring a peaceful adjustment.

Mr. THOMAS F. FORD. Mr. Chairman, under the circumstances would it not be wise to defer action on this and other amendments and wait and see what the President's plan will develop in the course of the next 2 or 3 days?

The CHAIRMAN. There are 3 minutes remaining of the time for debate and the Chair recognizes the gentleman from Pennsylvania [Mr. SNYDER.]

Mr. SNYDER. Mr. Chairman, as I said as to a former amendment offered by the gentleman from Alabama [Mr. STARNES], it seems to me that the situation has changed entirely today from what it was on Friday last. The gentleman who just came back from California [Mr. VOORHIS], I think hit the nail on the head when he said that the situation in California at the North American plant is now in the hands of the Army. The President has called to action the Army to see to it that radical elements are cleaned out. And if I understand correctly, or if the papers I read are correct, both Mr. Murray and Mr. Green have made the declaration that they would clean such elements out of national-defense industry.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. Yes.

Mr. McCORMACK. I call attention to the fact that the gentleman from South Dakota [Mr. CASE] has been attempting to offer an amendment which I think meets the situation that exists today, and if this amendment is defeated, personally I would be inclined to vote for the Case amendment if the gentleman offers it. What we are concerned about is the Communist element, and we do not want to penalize decent labor, which is over 99 percent of labor. This amendment provides as follows:

No part of any appropriation contained in this act shall be available for the payment

of compensation to any person for services in a plant in which the manufacture or production of any defense article, as defined in Public Act No. 11, Seventy-seventh Congress, who assists in maintaining a picket line or otherwise seeks forcibly to prevent the return of workers after the National Mediation Board shall have certified to the President that further stoppage of work in that plant will critically impede the national-defense program.

That amendment seems to me to meet the situation, and if the Smith amendment is defeated, and that amendment offered, I am inclined to vote for its adoption.

Mr. COX. Mr. Chairman, will the gentleman yield to me?

Mr. SNYDER. For a question.

Mr. COX. I hope this House will not take a run-around like this as an excuse for defeating the Smith amendment, which is an honest proposal to do an honest and a righteous thing.

Mr. RUSSELL. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. Yes.

Mr. RUSSELL. Just to ask this question: Can there be today in America a justifiable strike in a defense-production institution?

Mr. SNYDER. That is conceivable.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired. All time has expired. The question is on the amendment offered by the gentleman from Virginia.

The question was taken; and on a division (demanded by Mr. SMITH of Virginia) there were—ayes 73, noes 115.

Mr. SMITH of Virginia. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. SMITH of Virginia and Mr. SNYDER to act as tellers.

The Committee again divided; and the tellers reported there were ayes 89 and noes 143.

So the amendment was rejected.

Mr. STARNES of Alabama. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STARNES of Alabama: On page 71, after line 12, insert a new section, as follows:

"Sec. 10-a. No part of any appropriation contained in this act shall be available for the payment of compensation to any person, by whomsoever employed, who, while employed directly or indirectly in the manufacture or production of any defense article, as defined in Public Act No. 11, Seventy-seventh Congress, shall hereafter stop work for a period in excess of 10 days by reason of being a participant in any strike called in any plant manufacturing or producing defense articles, except that this provision shall not be effective in the case of persons (1) who register with their employer opposition to the strike on the day work is stopped, (2) who join and continue to serve in any of the armed services of the United States during the effective period of this section, (3) who do not resume work after 10 days for reasons not associated with the strike, or (4) who, in the case of a plant taken over by the Government for operation, resume work within 3 days after such taking over, irrespective of the period of prior absence from work."

Mr. MARCANTONIO. Mr. Chairman, I make the point of order against the amendment that it is legislation on an

appropriation bill and also on the further ground that it is not germane to the bill.

The CHAIRMAN. Does the gentleman from Alabama desire to be heard?

Mr. STARNES of Alabama. Nothing more than to call attention to the fact that it is negative; it is clearly a limitation; a new section and therefore germane.

The CHAIRMAN. The Chair ruled on a similar point of order when the Committee was last in session.

This is clearly a limitation, and the further provisions of it are exceptions to the limitation which, by parliamentary precedent, are in order.

Therefore the Chair overrules the point of order.

Mr. STARNES of Alabama. Mr. Chairman, in view of the fact that this amendment is being offered by a member of the committee, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. STARNES of Alabama. Mr. Chairman, this amendment to the bill is offered with the sincere hope that it will be adopted. It differs from the original amendment which I offered on last Friday and asked unanimous consent to withdraw today, in that it meets some of the objections which were earnestly and conscientiously made by some of my colleagues who realize the seriousness of the situation with which we are confronted today as a Nation and who desire to take constructive and remedial steps to meet the situation.

Mr. Chairman, I want to call attention to four exceptions to the limitation. First, exception No. 1 provides for a method of ascertaining the involuntary strikers. The mechanics, of course, would be worked out by the various plant executives.

The second would meet the objection raised by my good friend and colleague the gentleman from New Jersey [Mr. Powers], that none of the funds herein provided could be used to pay those men should they be drafted for service in the Army or the Navy. With this safeguard and provision, those men could now go into the Army or Navy and receive pay from this bill.

The third would take care of situations where work could not be resumed because of the plant being unready for one cause or another to recommence work after the strike, or where it was evident that the operators, with ulterior motives, were blocking the resumption of the work.

Fourth, and finally, it anticipates executive action and paves the way for men on strike to resume work, no matter how long they have been on strike, if they come back within 3 days after a plant has been taken over by the Government.

Mr. Chairman, undoubtedly there were Members of the House who desired to go along with my amendment on last Friday. I have drafted this amendment very carefully with the able assistance of the clerk of the committee and others, to meet the objections raised last Friday.

Under this amendment now under consideration it cannot be said that if a man goes out on a strike in this particular instance, there are no mechanics for finding out who the involuntary striker was. It cannot be said that he is barred from receiving pay in the Army or Navy should he be drafted or called into service or enter the service voluntarily. Third, it cannot be said that some operator or some Communist in the ranks of labor who would want to prolong the strike would have the effect of closing down the plant and shutting these people out of employment.

Furthermore, we anticipate executive action by the fourth provision in the bill; and if a worker goes back to work within 3 days after the Government takes a plant over, regardless of how long he has been out on strike, then he can obtain employment.

Now, I call on my good friends on the right, who have so earnestly expounded their philosophy with reference to the rights of labor, and tell you that we have done everything in our power, as one who has voted with you on every piece of labor legislation heretofore in order to meet your objections. Now, I am pleading with you gentlemen for support for this amendment. I am doing it because I know you are genuine, patriotic American citizens, and you want to meet this threat, this challenge to the United States Government, this threat to our national security.

I am calling on you at this time to support this amendment. I am calling on you regardless of your philosophy with reference to labor and your tender regard for the rights of organized labor, which I share—I am calling on you to have a more tender regard, a more deep and abiding affection for the lives, the liberty, and the security of all of us regardless of whether we are in the ranks of labor or out. I am basing my plea, Mr. Chairman, on the fact of a national emergency far greater than this country has ever faced in its peacetime history. I am pleading with you as I have never pleaded with any group of men before to place the interest, the security, and the safety of 130,000,000 people over and above the interest or the rights, either fancied or real, of any particular group of people in this country.

In the case of the strikes on the Pacific coast I repeat each of them is unauthorized, each of them is outlawed, each of them is condemned by the leaders in the A. F. of L. and the C. I. O., but this condemnation has not brought any results. Construction on half a billion dollars' worth of battleships, cruisers, destroyers, and so forth is being held up by an outlawed strike in San Francisco. Construction upon a \$200,000,000 contract for planes is tied up by an outlawed strike led by Communists in the North American plant. As a result of this strike 40 planes which would have been delivered within the past 4 days have not been delivered.

United States troops are on duty out there now by order of the Chief Executive. Are you going to give your moral support to your Chief Executive in this hour of crisis to meet this challenge?

You have positive proof from Frankenstein himself if you needed any more after the leader of this local strike in North American swore himself he was a registered Communist—you have Frankenstein going out on yesterday and pleading with the men to go back to work and accusing Communist influence and activities for shutting down that plant in violation of an agreement made by the union and the management that there would be no strikes while this matter was before the National Defense Mediation Board. I want to call your attention to another serious situation, Mr. Chairman. Since debate on this bill began today I have been informed of a strike having been called in Cleveland, Ohio, in the aluminum plants, a vital element in the making of planes. Our investigation in that area has reported the records show the strike is being led by Alex Balint, an alien Communist who has served a term in the penitentiary in the State of Illinois. That is the man who is leading the strike out there today in Cleveland which has closed down the aluminum plants in another challenge to the constituted authority of the United States of America, another challenge to the President, another challenge to the national security, and another challenge to national unity by an alien Communist.

O my friends, too many of these strikes have followed the same pattern. We know the hand of Stalin is in the background and his agents are being financed in part by Hitler money in all too many of these strikes.

It may be true, as some of my colleagues have said, that large profits are being made in some of these industries. I do not know whether that is a sin or not. I do not know of any written law that it offends, but I call your attention to the fact that we propose to enact legislation which will take these profits back and pay in part this program. We will be called upon to pass legislation which will give the President authority to take over any and all plants needed for defense purposes. He already has the authority, Mr. Chairman, to take over certain of these plants, certain plants which refuse or fail to cooperate in this defense effort. I want to tell you if it is a sin, if it is a crime for a man to make a profit in business, that two wrongs do not make a right. I protest with all my heart and soul against business and labor, either or both, making a Roman holiday out of this, my Nation's peril.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. STARNES of Alabama. I am glad to yield.

Mr. MAY. As I understood the gentleman's amendment of last Friday, which he withdrew today, it was construed as being so broad as to bar these men from future employment, which employment was paid for by funds provided in this act.

Mr. STARNES of Alabama. The gentleman is correct.

Mr. MAY. The difference between that amendment and the pending amendment is that within 3 days after the Government takes over a plant the men who have already struck may go back to work.

Mr. STARNES of Alabama. The gentleman is correct. The amendment further provides that if at the time the strike is called the employee registers his complaint against the strike with his employer he shall not be prejudiced.

[Here the gavel fell.]

Mr. MARCANTONIO. Mr. Chairman, I ask unanimous consent that the gentleman from Alabama may have 2 additional minutes in order that I may ask him a question.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARCANTONIO. What if the Government does not take over a struck plant and these workers have remained on strike 10 days or more, under the provisions of the pending amendment they could not be paid from appropriations carried in this bill. Is not this correct?

Mr. STARNES of Alabama. No.

Mr. MARCANTONIO. Wherein am I in error?

Mr. STARNES of Alabama. The amendment provides that if a strike is called and an employee is against the strike, as many of them often are in these plants, he may register his protest at the time, and the provisions of this amendment would not operate against him. Furthermore, if it is beyond his control, we still have the voluntary provision in there which protects that man.

Mr. MARCANTONIO. We might as well work out the mechanics of this amendment. I think the Members ought to know how it is going to work. Let us assume the ordinary situation where workers go out on strike. They are in support of the strike, therefore they do not register their opposition with the employer. The Government does not take over the plant. Under the gentleman's amendment, therefore, he refuses employment to these men if they stay out on strike for more than 10 days.

Mr. STARNES of Alabama. That is correct; and they should be.

Mr. SOUTH. Will the gentleman yield?

Mr. STARNES of Alabama. I yield to the gentleman from Texas.

Mr. SOUTH. Getting back to the question of profits, may I say to the gentleman, if he does not know it already, that the North American Co. is not making excessive profits. The stock is selling on the board today at about one-half of what it was selling for before these huge Government orders poured in.

Mr. FOGARTY. Will the gentleman yield?

Mr. STARNES of Alabama. I yield to the gentleman from Rhode Island.

Mr. FOGARTY. If the gentleman is sincere about his statements in regard to these communistic influences in connection with these strikes, why does not the Dies committee do away with those influences and throw them in the Pacific Ocean?

Mr. STARNES of Alabama. The Dies committee has made certain recommendations which would deal effectively with Communists and other subversive influences in our country, but no congressional

committee has yet acted upon them. I hope we can count upon the gentleman's support.

[Here the gavel fell.]

Mr. SNYDER. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 15 minutes.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Chairman, the amendment just proposed by the gentleman from Alabama is essentially no different from the amendment which this House voted down earlier today. When we deal with legislation treating this question, we take into consideration not the exceptional cases, such as where the Government has taken over the plant; we deal with the situation which is general and that is that in most cases the Government does not take over the plant. We also do not deal with a situation where an employee or a worker who goes out on strike registers his opposition to a strike, because in that case those registering their opposition would be in the minority. So that the two exceptions he has made in his amendment, namely, to exempt workers who return to work within a period of 3 days after the Government has taken over a plant and to exempt workers who have registered their opposition, exempts only a very small percentage of workers involved in labor disputes.

As to the overwhelming majority of workers who may become involved in labor disputes and strikes, his present amendment is the same as the amendment voted down earlier this afternoon in that any worker who has been out on strike for more than 10 days, is forever barred from receiving any wages under this appropriation.

Again, what does this mean? A strike takes place. The men are out on strike for more than 10 days. The Government does not take over the plant. It means that this plant can never reemploy any of these men who have gone out on strike. Where are you going to get the people to do the work?

Mr. Chairman, it is going to be contended here that this is going to act as a deterrent, but make up your minds on one proposition, and perhaps this may not meet with the approval of the majority of the Members because of the hysteria which has been worked up here today. Call these leaders Communists, call them Republicans, call them Democrats, call them Socialists, call them what you please, you cannot get away from the fundamental proposition that American workers do not go out on strike because of the political views of any leader. American workers do not go out on strike because of any political philosophy. These are American citizens just as good as you or I. I repeat, they are Americans. There must be some reason for going out on strike. It is not politics. It is bread and butter, and you are not going to deal with that question by passing legislation which not only sabotages the national-defense program, but which forces American workers into a state of

shackled labor akin to that of the enslaved labor of Nazi Germany.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. CASEY] for 4 minutes.

Mr. CASEY of Massachusetts. Mr. Chairman, this new amendment could not have been thought of more than 10 or 15 minutes ago. Its consequences are something that we cannot anticipate, something we cannot foresee. I am sure that you gentlemen who consider American labor as freeholders with a stake in this democracy are not going to vote for this hastily contrived amendment.

I do not know whether the gentleman has any more amendments in his other pockets or not, but I am not going to detain this House any longer than to say that this amendment and all similar amendments should be voted down in the interest of wise legislation. [Applause.]

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut [Mr. DOWNS] for 4 minutes.

Mr. DOWNS. Mr. Chairman, I believe this amendment to be no different than the first amendment offered by the gentleman. It simply intends to carry out everything the first amendment contemplated, and is slightly painted over. I say as the gentleman from Rhode Island said that if the Dies committee, which has been investigating communistic conditions in this country, would bring in definite legislation against the men who are causing these strikes in our labor circles they would be doing something constructive. I will vote for and support such a measure on the floor of the House.

In connection with every strike that has been referred to here today a Communist or some other "red" has been pointed to as the leader, or the men behind it. Some of these men have been in jail. Now they are out of jail and are creating the strike at Cleveland. I say we should put these fellows back in jail. The laboring men of this country are patriotic and loyal. They want to stand by this defense program. Do not strangle them. Do not take them out of work on defense projects. Get after the Communists and clean up the labor unions and much of the trouble will end. This is the body that can do the job. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. NICHOLS].

Mr. NICHOLS. Mr. Chairman, I hope I do not misinterpret this amendment. It seems to me this is an amendment which would make a conscientious effort to protect honest and sincere labor.

I have been sitting here thinking about a condition that might occur. Let us in our mind's imagination go into a home in an industrial center at, say, 2 o'clock in the afternoon. We find the man, his wife, and his little girl sitting around a table. The man has been employed at a factory that has been producing defense materials, but there is a strike on now, and he is not at work.

While they are talking, the son, 21 years old, comes home on furlough from the United States Army. He is amazed and

surprised to find the father at home, and he says, "Dad, what are you doing at home?" "Well, Son, the plant where I am working is on strike." "Well, Dad, we don't have guns down in the camp in which I am soldiering; we haven't got things to train the soldiers with. You are working on some of them. I know you are a good, red-blooded, patriotic American citizen. I know you don't want to send me into battle without the equipment to fight with. Why are you here?"

It seems to me that would be an embarrassing question.

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. I cannot yield to my friend. I wish I had time to yield, because the gentleman's observations are always pertinent and enlightening.

I hope the answer of the father would not be something like this, "I did not want to go out on this strike. I did not want to go out, but I was driven out by the leaders of an element within the plant which forced all of us out. Congress has shown no evidence of wanting to protect me as against these subversive elements in the plant. Congress sits idly by twiddling its thumbs and arguing about the difference between tweedle-dee and tweedle-dum. I am afraid to oppose this strike myself. If I had a route out whereby I knew I would be protected and that my family would be protected, I would be happy to take that course."

I am just wondering if this amendment does not offer that course. You are no more interested in protecting the rights of honest labor than I am, but I shall tell you how far I will go in order to protect the rights of those boys who are drawing \$21 a month, and they are not picketing those camps for a raise in salary or shorter hours or better conditions or the right to collective bargaining.

I am willing to take a chance on making it hurt just a little in order not to protect capital, for that is not the argument. Capital will be taken care of in the tax bills that will be brought out from the Committee on Ways and Means. This is not a test of whether you are for capital or for labor or against one or the other. This is a test of what will be the answer to the demand of the American people that they be given the privilege of preparing for that which may happen. And so I am willing to let it hurt just a little in order to guarantee them the protection of every preparation that can be had. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Alabama [Mr. STARNES].

The question was taken; and on a division (demanded by Mr. CASEY of Massachusetts) there were—ayes 90, noes 110.

Mr. COLMER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. STARNES of Alabama and Mr. SNYDER.

The Committee again divided; and the tellers reported that there were—ayes 99, noes 119.

So the amendment was rejected.

Mr. CASE of South Dakota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: On page 71, after line 12, insert a new section, as follows:

"SEC. 10. (a) No part of any appropriation contained in this act shall be available for the payment of compensation to any person for services in a plant engaged in the manufacture or production of any defense article as defined in Public Act, No. 11, Seventy-seventh Congress, who assists in maintaining a picket line or otherwise seeks forcibly to prevent the return of workmen after the National Mediation Board shall have certified to the President that further stoppage of work in that plant will critically impede the national-defense program and has asked the employees to return to work."

Mr. CASE of South Dakota. Mr. Chairman this is the amendment to which I directed attention earlier and which the majority leader called attention to subsequently. It may not go as far as some want to go, but it is positive action. I have tried to work out something on which we can get sufficient agreement to act.

This amendment seeks to meet the objections that have been raised to proposals thus far considered, and also to meet the objectives which have been suggested that we ought to seek in this type of legislation. It does not try to get the rank-and-file worker who may have been misled. It avoids the danger of disqualifying a large number of needed skilled workers inherent in some proposals. It seeks only to get at those people who try to prevent loyal workers from returning to work after the Defense Mediation Board shall have certified to the President that further stoppage of work in a particular plant will interfere critically with the national-defense program and has asked the employees to return to work. After the Board has done those things, this amendment would deny the use of funds in this bill to pay any person for services in a plant engaged in the production of national-defense articles if he attempts forcibly to prevent others from returning to work.

A great deal has been said about constitutional rights. This amendment attempts to protect the constitutional right of those men who want to go back to work after an appeal has been made and it is found that it is critical that these plants be permitted to go ahead. This amendment tries to make it possible for those men who want to work to go back to work.

In today's paper, the Washington Times-Herald I see a dispatch from California which speaks of pickets who surrounded a worker who attempted to enter the airplane plant yards in his automobile. They picked up his car by force and threw him out of it, turned the car around, and of course, the worker left. This amendment would operate in such a case.

This amendment would get at the men who tried to prevent other men from going back to work after the National Defense Mediation Board has certified that their production is critically essential and has appealed to the workers in the name of national need. It seems to me that the least we can do if we are to do

anything is to protect the workers who want to respond. It is all very well to say the President has power to handle the situation but the country expects Congress to do something about it. If this bill passes the House today without action on the strike situation, the Nation will feel that we have failed in our duty.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. COOLEY. The amendment is applicable to what persons? From the language used in the amendment I understood it was applicable only to those who aided in maintaining a picket line.

Mr. CASE of South Dakota. And to those who otherwise seek forcibly to prevent the return of workers.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. DONDERO. I notice the gentleman's amendment uses the word "workmen." I would suggest that the gentleman change that to "workers," because many plants have both men and women working in them. I think that would strengthen the amendment.

Mr. CASE of South Dakota. I thank the gentleman from Michigan, although I think the term is in the generic sense and would cover women as well as men. In order that there may be no uncertainty, however, I ask unanimous consent, Mr. Chairman, that the word "workmen" in my amendment may be changed to "workers."

Mr. MARCANTONIO. I object, Mr. Chairman.

Mr. CASE of South Dakota. All right. I think the amendment is clear because "workmen" is a generic term and because subsequently we use the word "employees."

Mr. ELIOT of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. ELIOT of Massachusetts. I wonder who will determine, under the gentleman's amendment, whether the activity has been forcible or not?

Mr. CASE of South Dakota. Those who audit the expenditures and determine whether employees are rightfully paid or not and that is true of every limitation. Somebody must make a determination as to whether or not a limitation has been violated. Obviously, however, they pass on the question only where it is raised.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. MARCANTONIO. What Board is the gentleman referring to?

Mr. CASE of South Dakota. The National Mediation Board.

Mr. MARCANTONIO. The National Mediation Board is not—

Mr. CASE of South Dakota. I yield to the gentleman for a question and not a speech. The Mediation Board has a member who provides a voice for the American Federation of Labor, it also represents the public, it also—

Mr. MARCANTONIO. That is the Railway Mediation Board.

Mr. CASE of South Dakota. The Board I have in mind is the one composed

of men who were appointed by the President to iron out disputes in defense industries after the dispute has been certified to them by the Secretary of Labor. They have not any power today to enforce their recommendations. This attempts to give that Board some shadow of power.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from California.

Mr. VOORHIS of California. The gentleman means the National Defense Mediation Board. There is a distinction between the two boards, and I wish the gentleman would ask unanimous consent to have the word "defense" inserted at the proper place in his amendment, because the National Mediation Board is a railroad-mediation board.

Mr. CASE of South Dakota. Let the RECORD show that the National Mediation Board referred to in this amendment is the National Defense Mediation Board which deals with disputes affecting the national-defense program.

[Here the gavel fell.]

Mr. PACE. Mr. Chairman, I offer a substitute amendment to the pending amendment.

The Clerk read as follows:

Amendment offered by Mr. PACE as a substitute for the amendment of Mr. CASE of South Dakota: At the end of section 10, add a new section as follows:

"Sec. 10 (a). No part of any appropriation contained in this act shall be available for the payment of compensation to any person, firm, or corporation who shall for as long as 10 days fail or refuse to respect and abide by the recommendation of the National Defense Mediation Board, provided this limitation shall not apply to individuals who may become members of the military or naval forces."

Mr. MARCANTONIO. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. MARCANTONIO. Mr. Chairman, I make the point of order against the substitute in that it is not germane to the amendment offered. The amendment offered deals with picketing, while the substitute deals with a decision of the Mediation Board and with the right to strike after a decision has been handed down by the National Defense Mediation Board.

Mr. CASE of South Dakota. Mr. Chairman, do I understand that the point of order is on the ground that it is not germane?

The CHAIRMAN. That is the point of order made by the gentleman from New York, as the Chair understood it.

Mr. MARCANTONIO. That is correct.

The CHAIRMAN. The question presented by this point of order is just the reverse of the one which the Chair ruled previously during the afternoon. The amendment offered by the gentleman from South Dakota [Mr. CASE] has to do with picketing, whereas the amendment offered by the gentleman from Georgia has to do with the refusal of employees to abide by certain recommendations. Consequently, in the opinion of the Chair, the amendment offered

by the gentleman from Georgia would not be germane as a substitute.

Mr. PACE. Mr. Chairman, of course the House will use its own judgment in acting on the amendment of the gentleman from South Dakota, and in some respects I am in full accord with that amendment, but I feel that what this Nation needs now, more than it probably ever did in its life, is unity. I doubt if you will ever have unity in the enactment of legislation that relates to one group only. The amendment offered by the gentleman from South Dakota applies only to the employees, the strikers. I have sought in the amendment which I have proposed, and, of course, I shall immediately offer it should the amendment of the gentleman from South Dakota be defeated, to make it apply to both parties.

The President has set up the National Defense Mediation Board. It is the constituted authority. Its recommendations are entitled to be respected. For instance, in the unfortunate situation we have now in California, the National Defense Mediation Board investigated and recommended those workmen to stay on the job, and that the negotiations between themselves and their employers continue. The employers entered into an agreement that whatever wages were agreed on as a result of the negotiations would be retroactive until May 1. Notwithstanding the recommendation of the National Defense Mediation Board, notwithstanding the statement made by the President in his fireside chat, that the agencies for mediation and conciliation set up by the Government must be respected, must be abided by, without the stoppage of work, the strike was called and has gone on.

The President said the people of this Nation expect not just labor, but capital and labor, to abide by the decisions of the constituted authority. I say to you with all the sincerity in my heart that I believe the people of this Nation are determined, if possible, through their Representatives in Congress, to prepare for the successful defense of this Nation. My amendment is quite similar to the letter which President Wilson wrote September 13, 1918, to the group in Bridgeport, Conn., where an award had been made; and that group refused to respect it or return to work. The President said in effect, "If you continue to strike after this, then you strike against the Government of the United States, and if you do not go back to work, immediately, you will not be employed in defense activities for the next 12 months, and the United States Employment Service would not serve you, and every last one will be inducted into the military service of the United States." That, in substance, was the letter of President Wilson, September 13, 1918, and that is what produced results at that time. I feel that the least that we can do, we who hold the money bag, is to tell these workers and employers that when these agencies which have been set up for mediation and conciliation make recommendations, that it is the solemn obligation, under the law, of the employee and the employer to go back on the job and

respect the constituted authorities, and let the defense of this Nation go forward.

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. PACE. Yes.

Mr. CASEY of Massachusetts. The gentleman had a substitute here which had a great deal of merit to it, but I understand that was stricken out on a point of order.

Mr. PACE. I have just said that I do not rise exactly in opposition to the amendment of the gentleman from South Dakota. It has some merit, but it applies only to one group. I believe that we might have that unity that the Nation needs, and that it would be the part of wisdom for the Congress in the enactment of any legislation to have it apply to both employer and employee.

Mr. ENGEL. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. ENGEL as an amendment to the amendment offered by Mr. CASE of South Dakota: In the Case amendment strike out the words "National Mediation Board" and insert "National Defense Mediation Board."

Mr. MARCANTONIO. Mr. Chairman, I make a point of order. The amendment offered by the gentleman from South Dakota deals with the National Mediation Board. The amendment offered by the gentleman from Michigan deals with the National Defense Mediation Board, an entirely different subject and therefore not germane to the original amendment.

The CHAIRMAN. The Chair will hear the gentleman from Michigan [Mr. ENGEL].

Mr. ENGEL. Mr. Chairman, the Case amendment deals with the payment of wages and states what must be done before this appropriation can be paid out to workers. My amendment to the Case amendment changes the name applied to the Board. It is a perfecting amendment.

The CHAIRMAN. Does the Chair understand the gentleman to say that the National Defense Mediation Board is the correct legal designation of the agency to which the amendment offered by the gentleman from South Dakota [Mr. CASE] refers?

Mr. ENGEL. That is correct.

Mr. MARCANTONIO. May I be heard on that point of order, Mr. Chairman?

The CHAIRMAN. The Chair will hear the gentleman from New York.

Mr. MARCANTONIO. The original amendment specifically stated "National Mediation Board." That deals with railway workers. That is a Board set up for the settlement of disputes in the railway industry. The amendment offered by the gentleman from Michigan [Mr. ENGEL] to the amendment deals with the National Defense Mediation Board of the Office of Production Management, two entirely different subjects. I submit, therefore, that this amendment is not germane to the original amendment for the amendment of which it is offered.

The CHAIRMAN. May the Chair make inquiry of the gentleman from South Dakota [Mr. CASE] as to whether

the National Mediation Board and National Defense Mediation Board are one and the same Board or agency?

Mr. CASE of South Dakota. In the amendment I used the term "national-defense program," and the Board referred to is the one that has the power to report to the President with reference to the defense program.

The CHAIRMAN. May the Chair inquire of the gentleman from South Dakota [Mr. CASE], What is his conception of the National Mediation Board as stated in his amendment? What is the jurisdiction of that Board?

Mr. CASE of South Dakota. My understanding of the National Defense Mediation Board is that it is a Board set up by the President, to which the Secretary of Labor may certify strikes, for purposes of conciliation.

The CHAIRMAN. Then what is the National Mediation Board?

Mr. CASE of South Dakota. When I used that term, Mr. Chairman, it was my impression that that name identified the Board which I have described. I have since been informed that the word "Defense" should be in there. So I have no objection to the gentleman's amendment to my amendment.

The CHAIRMAN. The inquiry of the Chair was directed to a determination of the question whether or not the National Mediation Board and the National Defense Mediation Board are one and the same Board, and that one is the correct designation of the Board and the other is not.

Mr. ENGEL. They are not the same Boards. The gentleman from South Dakota [Mr. CASE] intended to write "National Defense Mediation Board" and unintentionally wrote "National Mediation Board." They are not the same Boards.

The CHAIRMAN (Mr. LANHAM). In the opinion of the Chair, the amendment offered by the gentleman from Michigan [Mr. ENGEL] to the amendment offered by the gentleman from South Dakota [Mr. CASE] is simply a change in the Board which would have control, under the amendment as offered. The Chair thinks it is entirely in order for the gentleman from Michigan to offer an amendment for a different Board to be charged with the operation than the Board stated in the amendment as originally offered, and therefore overrules the point of order.

The question is on the amendment offered by the gentleman from Michigan [Mr. ENGEL] to the amendment offered by the gentleman from South Dakota [Mr. CASE].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question now recurs upon the amendment offered by the gentleman from South Dakota [Mr. CASE] as amended.

Mr. HEALEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HEALEY. Has the Pace substitute been overruled by the Chair?

The CHAIRMAN. No; it has not. The amendment offered by the gentleman from Michigan [Mr. ENGEL]

changed the agency from "National Mediation Board" to "National Defense Mediation Board," and that has been agreed to.

The question now recurs on the amendment offered by the gentleman from South Dakota [Mr. CASE] as amended by the amendment offered by the gentleman from Michigan [Mr. ENGEL].

Mr. SANDERS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SANDERS. What was the ruling of the Chair and what is the parliamentary situation with regard to the amendment offered by the gentleman from Georgia [Mr. PACE]?

The CHAIRMAN. A point of order was sustained that it was not germane to the amendment offered by the gentleman from South Dakota [Mr. CASE], in view of the fact that one dealt with picketing and the other with the stoppage of work.

Mr. PACE. Mr. Chairman, a point of order. That does not prevent the re-offering of that amendment after the adoption of the present amendment?

The CHAIRMAN. It does not. A point of order was sustained in that the amendment was not germane to the amendment offered by the gentleman from South Dakota [Mr. CASE].

The question is on the amendment offered by the gentleman from South Dakota [Mr. CASE] as amended by the amendment offered by the gentleman from Michigan [Mr. ENGEL].

The question was taken; and on a division (demanded by Mr. CASEY of Massachusetts and Mr. BRADLEY of Pennsylvania) there were—ayes 126, noes 76.

Mr. CASEY of Massachusetts. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. CASE of South Dakota and Mr. SNYDER to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 138, noes 84.

So the amendment was agreed to.

Mr. PACE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PACE: At the end of section 10, as amended, add a new section, as follows:

"Sec. 10 (b). No part of any appropriation contained in this act shall be available for the payment of compensation to any person, firm, or corporation who shall for as long as 10 days fail or refuse to respect and abide by the recommendation of the National Defense Mediation Board: *Provided*, That this limitation shall not apply to individuals who may become members of the military or naval forces."

Mr. CASE of South Dakota. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from South Dakota reserves a point of order on the amendment.

The gentleman from Georgia [Mr. PACE] is recognized for 5 minutes in support of his amendment.

Mr. PACE. Mr. Chairman, let me try to be helpful. The amendment the Committee has just adopted does one thing

only—it applies only to one single person, the striker who gets in the picket line and prevents a person from going to work. This is the only single thing the Case amendment does. Get this straight: it applies to only one single person, and that is the striker who gets in the picket line and forcefully prevents a person from going to work. If you think that has solved the problem before the Nation then in your opinion there would be no need for the amendment I have offered.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. PACE. I yield.

Mr. ANDREWS. It includes the man under 35 who may have received deferment from selective service.

Mr. PACE. It does exempt anyone who might later be inducted. I have done that in my amendment. It simply says we have the money bags here. I think, frankly, it is probably more powerful than the bayonet. We simply say that this \$10,000,000,000 we are appropriating today shall not be used in paying either the workman or the employer for any work or any defense article where that workman or that employer has gone for 10 days and refused to comply with the recommendations of the National Mediation Board. It applies to both alike. The Case amendment applies to one person only—the striker who gets in the picket line and prevents a person from working.

I believe it is proper that we throw around the Mediation Board some authority, or else we should eliminate and get rid of the Mediation Board. The Mediation Board appealed to these people who are on strike in California, as I told you a few moments ago, asking them to go back to work and negotiate their differences. The strikers refused to do so, yet there is no authority in the Mediation Board to continue defense production. We are appropriating \$10,000,000,000 here, and the only solution up to this minute that you have made of the problem of the stoppage of defense production is that you single out one individual and one only. I dare say there would not be over 100 in any big plant who might be affected. The amendment would become entirely ineffective if they imported men to man the picket line. The maintenance of the picket line would not then affect any of the employees of the plant. They could go out on strike and stay as long as they pleased. They could entirely disrupt and stop defense production.

I am not going to detain you longer. Frankly, I think the two amendments will have to be worked out in conference. I believe very firmly that the only proper solution is to treat the parties alike and cover them all, not just simply one man who is seeking to continue a strike, not just an individual or Communist who might be out there trying to keep somebody from going to work. This should apply to anybody who refuses to pay respect and attention to and comply with the recommendation of the constituted Mediation Board set up by the Government.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. PACE. I yield.

Mr. MARCANTONIO. The only difference between this amendment and the amendment offered by the gentleman from Alabama [Mr. STARNES] that we voted down is that the Starnes amendment provided that nobody could return to work—

Mr. PACE. I do not agree with the gentleman. Do not make a statement in my time, please.

Mr. MARCANTONIO. Just a moment. There is quite a good deal of difference. I feel that we should proceed in keeping with the need of the hour. All other proposals have been defeated.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from South Dakota has reserved a point of order against the amendment.

Mr. CASE of South Dakota. Mr. Chairman, I do not care to press the point of order. I withdraw the point of order.

Mr. MARCANTONIO. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Georgia [Mr. PACE].

Mr. Chairman, I rise to point out that the difference between the amendment offered by the gentleman from Georgia [Mr. PACE] and the amendment offered by the gentleman from Alabama [Mr. STARNES] is that in the case of the Starnes amendment you prohibited re-employment if the striking worker did not return until after 3 days subsequent to the plant being taken over by the Government. In this case the striking worker is denied the right to work if he does not return to work within a period of 10 days after a decision has been made by the Mediation Board. So that from all standpoints, particularly from the standpoint of you gentlemen who have raised the question right along about speeding up production in the so-called national-defense industries, you will be defeating the very purpose of speeding production, for if a group of workers remains out of work for a period of 10 days or more after a Board decision, they can never be returned to work even though that strike may be settled, even though the President of the United States himself may, by his personal intercession, bring about a settlement, even if some Government agency may bring about settlement; no matter how beneficial the settlement may be to industry or labor these workers cannot return to work. I submit that in national-defense industries, with the need for skilled workers, you are doing serious injury to production by the adoption of this amendment.

Again, what are you doing? You are making it impossible for all time for workers to return to work in any industry where they are very much needed simply because they have been out on strike for 10 days after the National Defense Mediation Board has made its decision.

I want to present another point. We are going more than far by adopting this amendment and, incidentally, by adopting the Case amendment. The National Defense Mediation Board was set up to do what? Supposedly to mediate, to bring labor and capital together, or so it was stated at the time it was set up.

How are we working it out? How is it being worked out? With what the President has done today by edict, the Board is no longer one of mediation, but is now converted by bayonets into a board of compulsory arbitration. Now we, too, are converting it, by hasty and hysterical legislation, into a compulsory arbitration board. In other words, you are legislating here—and you know it—fundamental labor law. You are going on record in 10 minutes' time legislating what? Legislating compulsory arbitration in the United States of America, a system which has been repugnant not only to labor but to the entire American people.

Mr. BRADLEY of Pennsylvania. Will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Pennsylvania.

Mr. BRADLEY of Pennsylvania. In view of the fact that the Committee has adopted the Case amendment, does not the gentleman think it would be more equitable for all concerned to now adopt the Pace amendment?

Mr. MARCANTONIO. No. The Pace amendment is worse. I was opposed to the Case amendment because it leads to compulsory arbitration to the extent that it deprives American labor of the right to picket, and a strike without the right to picket becomes meaningless. As far as the pending amendment is concerned, you are adopting the principle of compulsory arbitration in that a decision becomes enforced by the deprivation of work for all time, if the workers do not accept the decision of the National Defense Mediation Board within 10 days after it has been rendered. Therefore, by the Case amendment you deprive American workers of the right to picket, and by the Pace amendment you deprive American workers of the right to strike.

Mr. HEALEY. Will the gentleman yield?

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

Mr. HEALEY. Is it not true also that an employer who has a contract under the terms of this appropriation bill will have funds withheld from him if he does not comply with the order of the Mediation Board?

Mr. MARCANTONIO. This amendment you may rest assured will be wielded only against the workers. Experience of compulsory arbitration has established this to be so. This amendment is intended only to deprive workers of their right to strike and this is exactly how it will be enforced. Do not have any illusions about it.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. If I may point out, labor already is protected by the Walsh-Healey Act on defense contracts. This does not legislate compulsory arbitration as a general proposition, only after the National Defense Mediation Board has said that further stoppage is seriously and critically crippling the national-defense program.

[Here the gavel fell.]

Mr. MARCANTONIO. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. MARCANTONIO]?

There was no objection.

Mr. MARCANTONIO. Mr. Chairman, let me answer the gentleman from South Dakota. When the Defense Mediation Board has said that the stoppage cripples the national-defense program—well, it will say so in all cases, because it deals only with strikes and labor disputes in so-called defense industries.

As far as compulsory arbitration is concerned, when you deprive men who are on strike of the right to continue that strike after the Board has made its decision, you are enforcing that decision by force and you have thus established a condition of enforced labor. You are legislating compulsory arbitration and enforced labor no matter what you may call it.

Mr. PACE. Will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Georgia.

Mr. PACE. Did I understand the gentleman to say that my amendment did not cover the employer?

Mr. MARCANTONIO. Yes.

Mr. PACE. It says "any person, firm, or corporation."

Mr. MARCANTONIO. That does not make any difference. It will be enforced only against labor. It will work out that way.

Mr. PACE. How is the gentleman going to cover him then?

Mr. MARCANTONIO. The gentleman is specifically aiming at labor and that is the important proposition. That is the intent of his amendment and it will be used only against labor. I have no illusions on the matter nor has anyone else. As far as labor is concerned, the decision is made and labor remains out on strike for 10 days. In that case if those men do not go back to work within 10 days after the decision is rendered, they are not going to be paid any more, they are not going to be employed. Where are you going to get the men to do the work? Why do you shackle labor here by an amendment of this character?

Mr. PACE. If the employer fails to carry out the recommendation of the Mediation Board he does not get paid either.

Mr. MARCANTONIO. Again I say, that sounds fine in theory. The application and intent are what count. Both are against labor. The employer will have very little to fear from the gentleman's amendment.

Say all you please about the impartiality of your amendment the proposition is that this is compulsory arbitration. It is no longer mediation. You have illegalized picketing by the Case amendment and you are destroying the right to strike by this amendment. It is the end of collective bargaining. Say what you please, at least I want you to know what you are doing before you do it.

[Here the gavel fell.]

Mr. SNYDER. Mr. Chairman, I move that all debate on this amendment and

all amendments thereto close in 10 minutes.

The motion was agreed to.

Mr. WOODRUM of Virginia. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I hope this amendment will be adopted. For months, now, this Congress has labored day in and day out on what we have been calling a defense program, a preparedness program. The people of this country have been called upon to make stupendous sacrifices.

Nearly a year ago the President called out the National Guard and the Reserves. Men gave up their businesses; they left their families; doctors and lawyers closed their desks; everything was wiped clean, because the security of the country was at stake.

Not only that, but we went into the homes of America—I say we did, because this Congress passed the bill—and put our hands upon the young men and called them into uniform, changing their way of life and interrupting their careers, because the welfare of America was at stake.

We passed the lease-lend bill. We appropriated \$7,000,000,000. In a few days we will bring in a tax bill that will dig deep down into the pockets and the savings of every citizen of America and call upon them for additional sacrifice.

All of this is to be frustrated and put at naught. Why? Because labor in America is unpatriotic? Oh, no; that is the tragedy of it. Because labor says apologetically that a few radicals have gotten in control of the situation.

The tragedy of this whole thing is that what is happening in this country today does not represent the sentiment of the great rank and file of the laboring people of America. [Applause.] They are as patriotic, as God-fearing, and as loyal to the democratic way of life as any man who sits upon this floor. The trouble is they are being led by false prophets. The Army of the United States has been called out today. Ah, gentlemen; do not fool yourselves. The time has to come when men upon the floor of this House are willing to vote for America, even if they know they are going to stay home 2 years from now. [Applause.]

My fellow Americans, it is not asking too much of organized labor to be willing to stay at the job while these differences are being ironed out and adjudicated in the established way. The President has set up a Mediation Board. There is no partisan of labor on this floor who can say that that Board certainly has not been fair to organized labor. They have not made a decision that the most partisan advocate of labor can complain about.

This amendment simply states that when these controversies have been submitted to that Mediation Board and they have acted, that edict must be carried out, because this country is faced with imminent peril.

I say this as one who has supported regularly and systematically every piece of progressive legislation that has been offered here for labor. I have a district that has a lot of laboring people in it. Their sons are in the camps wearing the uniform, but they have no guns to shoot

and no ammunition because of work stoppages. It is an intolerable situation, and to me it is ridiculous. Let us be a bit realistic. To me it is a rather ridiculous situation for the people in America, for you and me—let us make it personal—to be strutting around bragging, thumbing our noses at Hitler and telling him what we are going to do and what we can do, when we do not have the intestinal fortitude to come to grips with a little crowd of radical labor leaders in America. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. Chairman, the right of labor to strike in peacetime industry is a precious right. Practically all labor in our country is loyal. Make no mistake on that score. Certainly no Member of this House should ever abrogate the rights of the workers of America. However, as the gentleman from Virginia [Mr. WOODRUM] has just said, this issue calls for all of us to meet our responsibility in a period of emergency. Those who believe in labor and those who believe in capital want honestly to see a movement to close ranks in a time of crisis in this country. We must march forward in behalf of unity, cooperation, and harmony which will be recognized by all of the American people. There can be no classes, no division, no backbiting today. No group can be allowed to cripple our preparedness program.

Irresponsible labor leadership on the one hand and selfish employer leadership on the other are not to be tolerated in this hour of our need. I tell you, my colleagues, the citizens of our country are rightly aroused and demand action. The people of America will enthusiastically commend fearless effort in Congress today, as I know they have commended the President of the United States in their thoughts for the courageous leadership he has displayed in the aircraft-factory strike in the past few hours. We must show by a determined vote now that we are not going to allow any ill-advised segment of labor or any greedy segment of capital to destroy the defense effort in this period of crisis.

This is no time for hysteria, it is no time for flag waving, it is just a time for Members of Congress in a sane manner, knowing their obligations to constituents and to the Republic, to stand foursquare together. Let us bring from this House to America clear-cut word that we believe in defense plants operating. I know full well in my own heart that the loyal laboring people of America unite with the loyal employer groups on this issue. All of us must band together. There will be not groups but just one great group, a determined body of patriotic Americans speaking in a forthright fashion to those who would take advantage of this critical hour to further their own selfish ends.

I say with all the sincerity that is within my heart that if the Congress will act this afternoon, as we believe we can and we must act, the Nation at large is going to honestly approve what is done. I wish we would have spoken out months ago on the matter. Let us not be afraid

to cast our votes in behalf of a plan which will aid in stopping strikes in the defense industries of America. We have the opportunity to proceed courageously. Let us, Mr. Chairman, speak that the country, and Hitler as well, will hear us. No racketeer or saboteur must be allowed to halt this defense job.

We have a fight in the world between a system of Hitler, which would bring about the subjugation of man and the blasphemy of God, and our own system of recognizing the dignity of humanity and the freedom of democracy. In such a fight we are called upon to stand united for what we believe to be right. Let us see to it that the defense industries of America continue to turn their wheels and that any difficulties between worker and management be ironed out at the mediation table and not when men are off the job.

This Congress can and will rise to its real responsibility. We must stand together with closed ranks in this time of our country's need. I listened recently to speeches by four men who had been candidates for President of the United States—Cox, Davis, Smith, and Willkie. I liked the sentiment which they expressed. They were more than former Presidential candidates. They were more than men who had disagreed with the President on domestic issues. They were leaders who were big enough to put littleness aside and stand by our Chief Executive in our defense plans for protection of our people, our institutions, and our way of life. So in our hour of need we stand together. Let us demonstrate to the United States and the world that this Congress, expressing the will of loyal citizens will not fail in the time of testing. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. PACE].

The question was taken; and on a division (demanded by Mr. MARCANTONIO) there were—ayes 172, noes 31.

So the amendment was agreed to.

Mr. SNYDER. Mr. Chairman, the so-called Case amendment and the Pace amendment have just been adopted and are numbered section 10 (a) and section 10 (b). I ask unanimous consent that the Clerk may adjust those section numbers so that they will appear as section 10 and section 12, and I ask that the succeeding sections be numbered to correspond.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read as follows:

Sec. 12. No part of any appropriation contained in this act may be obligated for the construction of quarters, including heating and plumbing apparatus, wiring and fixtures, except in Alaska, for greater amounts per unit than follow:

Permanent construction:  
For commissioned officer, \$10,000.  
For commissioned warrant or warrant officer, \$7,500.  
For enlisted man, \$6,000.  
Temporary construction:  
For commissioned officer, \$7,500.

For commissioned warrant or warrant officer, \$5,000.

For enlisted man, \$3,500.

Mr. SNYDER. Mr. Chairman, I move to strike out the last word.

On Friday the Committee adopted the so-called Engel amendment, which bars the Army from entering into any more contracts on a cost-plus-a-fixed-fee basis.

As was stated here on Friday by the gentleman from Texas [Mr. THOMASON], that form of contract is under scrutiny by a subcommittee of the Committee on Military Affairs, of which he is chairman, and the gentleman from Texas [Mr. THOMASON] indicated that we might expect legislation growing out of such investigation in the near future. That is the way to reach this matter. We just do not know what the effect of the Engel amendment might be. Since Friday I have talked with General Somervell and with Admiral Morell, who are the two men in direct charge of defense public works, and they tell me that there is no question in their minds that the Engel amendment would so tie their hands that it would be impossible to undertake many projects which are vital to the defense program. I do not think we should take precipitate action of this kind in the face of that sort of warning, and I am going to ask, at the proper time, for a separate vote on the Engel amendment. In the meantime, Mr. Chairman, I ask that the Clerk be permitted to read this letter which has come to me from General Somervell.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read as follows:

WAR DEPARTMENT,  
OFFICE OF QUARTERMASTER GENERAL,  
Washington, June 9, 1941.  
HON. J. BUELL SNYDER,  
House of Representatives,  
Washington, D. C.

DEAR MR. SNYDER: In response to your request concerning the effect of the Engel amendment prohibiting fixed-fee contracts, I can say without reservation that the amendment will do more to delay the War Department's construction program than any other device which could be adopted without actually ordering the program stopped. It will delay the completion of the work on an average of 6 months.

Although everyone realizes certain disadvantages which are inherent in the fixed-fee type of contract, the cure proposed is worse than the disease. In fact, it will kill the patient. Owing to the military situation, it will not be practical to prepare plans and specifications at all times sufficiently far in advance to permit advertising, and the conduct of the work along orthodox competitive lines. The correction of the difficulties in fixed-fee contracts lies in administrative action, which has been and is being taken, rather than in the elimination of the only possible method of finishing the program when needed. Where we can use lump-sum contracts and complete the work when required, our policy is to use them. We must have authority, however, to use fixed fee where that type, though perhaps more expensive, is the only method of completion of work to meet military necessities. It will do no good to complete the work in an economical fashion after the emergency has passed.

Sincerely yours,

BREHON SOMERVELL,  
Brigadier General, United States Army.

Mr. ENGEL. Mr. Chairman, I rise in opposition to the pro forma amendment. The answer to the assertion that it cannot be done is that it has been done and is being done right now. Take the case of Camp Dix. It was built by 14 separate contractors running all the way from a contract for \$5,000,000 on down. It cost \$9,800 to construct a 63-man barracks at Dix, as against \$17,364 at Camp Meade for the same kind of a barracks. They did the same thing at Camp Jackson; a competitive-bid job as compared to fixed-fee jobs. The chairman of the committee investigating these contracts referred to a contract in Missouri where it is being done. It is being done on all competitive contracts now in force. This amendment of mine does not require advertising. They can negotiate the contract the way they are doing now, but they cannot have a cost-plus fixed-fee job.

I have in my possession the name of every insurance company that wrote insurance on these projects, and the name of every agent and the amount of the insurance he wrote. Boss Crump, down in Tennessee, wrote nearly \$500,000 of insurance on Army projects. The commission runs from 15 to 20 percent, I am informed. If this is true, Boss Crump's firm made a profit of from \$75,000 to \$100,000. If this work is done on a competitive-bid or lump-sum basis, then the contractor himself will arrange for his own insurance and politicians cannot pay political debts that way. I talked with General Somervell Saturday afternoon. Of course, these generals in the Army will not admit that they are wrong; they will not admit that it can be done. I have no objection to the Secretary of War expressing his views to Congress. I have no objection to the head of a department or General Somervell, head of the construction, expressing his views, but I do object to generals and officers of the Army getting down to the level of common lobbyists and calling up Members of Congress and lobbying against my amendment. As I said on Friday, the whole World War cantonment program, which housed 4,000,000 men, cantoned and trained them, was built at a cost of two-hundred-and-six-million-and-odd dollars. The Graham committee said that \$76,000,000 of that was wasted. Two hundred and six million dollars was expended to build the cantonments to train 4,000,000 men. We have already expended \$800,000,000 to build cantonments to train a million men.

Mr. Chairman, we often hear it said that our national resources and the national credit are our first line of defense. Time and again you have heard men asking what will happen to our Government and our financial system if we get into the war. Wasting of those resources and of that credit must not be permitted. Mr. Chairman, I ask that my amendment be passed.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. Yes.

Mr. FOGARTY. During the gentleman's investigation of these various defense contracts did he inspect any naval air bases in this country?

Mr. ENGEL. No. I am a member of the subcommittee having in charge the military appropriation bills and would not have anything to do with the naval air bases.

Mr. FOGARTY. I have one of the largest air bases in the country in my district in Rhode Island at Quonset Point, and I know that they could not have finished those things in the length of time if they had been on a competitive-bidding basis. I think the gentleman will find that the fault will lie in the personnel of the War Department in charge of these cantonments, because the Navy Department seems to be far ahead of them in engineering.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. TERRY. Mr. Chairman, I move to strike out the last word. As I said the other day, I honor the gentleman from Michigan [Mr. ENGEL] for the work that he has done in connection with the investigation that he has made, but I do say that there has been no charge of fraud in connection with the work that has been done by General Hartman or by General Somervell, who have had charge of the construction program for the War Department. No one on this floor has said that these gentlemen have not done the best that they could to give America 100 cents out of every dollar for the work done. We are told by the military experts that if we adopt the Engel amendment it will delay the work that is so vital, for at least 6 months. If we believe in these military experts who are giving us these opinions, if we believe in them to the extent of spending ten billions of dollars; if we feel these men are worthy of trust, then we should say by our votes this afternoon that we do trust them to make these cost-plus-fixed-fee contracts.

I say to you, Mr. Chairman, that if this House adopts the Engel amendment we will set back our program at least 6 or 8 months. We talk a lot about what Hitler thinks about us. If we adopt the Engel amendment Hitler will laugh in his sleeve at what the American Congress is doing today. [Applause.]

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, the other day the Engel amendment was adopted by about 15 votes in Committee of the Whole. We all respect our distinguished friend, and we admire him for the great work he is doing. We value him as a Member of this body, but we all have our own responsibilities. The Engel amendment does not bring back competitive bidding. Some Members have the idea that the effect of the Engel amendment is to compel competitive bidding, under which a contract would be awarded to the lowest responsible bidder. The Engel amendment only precludes the Navy Department and the War Department from awarding contracts on a cost-plus-fixed-fee basis. It allows, outside of competitive bidding, only the lump-sum basis. It is a restriction of the discretion of the two departments, a restricted discretion that both departments have told us will retard our national de-

fense. We have to look to the men in charge of those departments.

Mr. ENGEL. Will the gentleman yield?

Mr. McCORMACK. Yes; I yield.

Mr. ENGEL. These lump-sum contracts which are being let are let upon competitive-bid basis.

Mr. McCORMACK. They are selective.

Mr. ENGEL. But they are competitive bidding.

Mr. McCORMACK. They are not competitive bidding in the sense that we understand competitive bidding under the law, where anybody can submit a bid.

Mr. ENGEL. They are if the War Department takes the bids.

Mr. McCORMACK. It goes to the lowest responsible bidder. Now, we have to follow the suggestions or recommendations of those who are entrusted with the responsibility of conducting our national defense. Personally I would like to see competitive bidding under the law if it could be done. Then every contractor could bid, and the lowest responsible bidder would get the contract. But they tell us that policy alone cannot be followed without retarding our national-defense program.

Now, the gentleman from Michigan [Mr. ENGEL] wants to limit it to one type of noncompetitive bidding under the law. I have a letter from Under Secretary Patterson, and he says that "if the cost-plus-fixed-fee contract is forbidden by law, the program for arming and equipping our troops will be greatly retarded. The effect on the Air Corps program with the greatly expanded plant would be disastrous." He also says in this letter, which I will put in the RECORD later, "the lump-sum form of contract is preferred by the War Department and is used wherever possible."

There is a commitment. But they do not want to have the discretion taken away on a cost-plus-fixed-fee contract where that is necessary for our present defense program.

I submit that when we go into the House and a separate vote comes on the amendment, in view of the advice we have received from the competent authorities in the War Department and the Navy Department, without regard to our own personal feelings and our likes or dislikes about some contractor getting or not receiving a contract, we should uphold the hands of our officials in the War and Navy Departments and vote down the Engel amendment.

I hope that action will be taken. [Applause.]

Under leave to extend my remarks, I include the following letter received by me from Hon. Robert P. Patterson, Under Secretary of War:

WAR DEPARTMENT,  
OFFICE OF THE UNDER SECRETARY,  
Washington, D. C., June 6, 1941.  
HON. JOHN W. McCORMACK,  
House of Representatives,  
Washington, D. C.

DEAR CONGRESSMAN: I understand that a vote is imminent on an amendment introduced by Mr. ENGEL to prohibit use of cost-plus-fixed-fee contracts by the War Department.

I hope that this measure will be defeated.

The cost-plus-fixed-fee contract, as you know, was authorized last year by Congress as an aid to rapid performance of contracts for national defense.

The policy of the War Department regarding these contracts has been made public a number of times. They are availed of in cases of urgency, where there is no time to prepare detailed plans and specifications, or where there is no experience available as to what would constitute a fair price. The lump-sum form of contract is preferred by the War Department and is used wherever possible.

If the cost-plus-fixed-fee contract is forbidden by law, the program for Army and equipping our troops will be greatly retarded. The effect on the Air Corps program, with its greatly expanded plant, would be disastrous.

The bulk of the cost-plus-fixed-fee contracts have been made by the Construction Division of the Quartermaster Corps under charge of General Somervell. I am confident that General Somervell will make use of this form of contract only when necessary and that he will keep careful check on operations under these contracts.

I have not had time to take this matter up with the Bureau of the Budget.

Sincerely yours,

ROBERT P. PATTERSON,  
Under Secretary of War.

Mr. MARCANTONIO and Mr. SNYDER rose.

The CHAIRMAN. For what purpose does the gentleman from Pennsylvania rise?

Mr. SNYDER. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments be limited to 9 minutes.

The CHAIRMAN. Is there objection? There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. MARCANTONIO] is recognized.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I rise at this time, after the House has taken the most devastating action against American workers, an action which is similar to what was done against the French workers before France's entry into the war and an action which you will inevitably regret. I am not going to debate that issue again. It has been debated. The arguments have been stated for one side as well as for the other. However, the American people will debate it. It is their decision which will be final.

Now we are confronted with the proposition of having a separate vote on the Engel amendment.

I agree that that amendment is important and I personally supported it and will support it on a record vote. Ironical is it not? We are asked to take out an amendment aimed at exploiting sharks in defense industries after we have legislated against labor here and bayoneted against labor in Ingiewood, Calif., just today. I want to make this appeal to every Member of this House, and in doing so I am not reflecting on your courage nor your integrity; but I submit that the vote on the two amendments which we have adopted, one which means no picketing and the other which means no striking after the Mediation Board has made its decision, which means compulsory labor, should not be concealed in the Committee of the Whole. It is the most fundamental vote that has been taken

Here and I appeal to your sense of fairness—yes; if it is a question of courage, I appeal to your courage—that we have a separate vote on both the Case amendment and the Pace amendment, and we owe it to the American people to have a record vote, so that they may know where the men and women of this Congress stand on those two basic, fundamental propositions, on those two assaults we have made on the rights of American labor.

Yes; I feel strongly on this question. This has been a most tragic day in the history of our country. Today the blood of American workers has been spilled and they have been deprived of their God-given right to strike by the bayonets of our Army at the direction of the President. This is the first time that American soldiers have been called out against American workers in 47 years. How the clock has gone back, from collective bargaining to enforced labor. I know what it means to American workers to be deprived of their right to picket and the right to strike. It means complete mastery over them by employers whose profits mount high and who refuse to pay American wages. We mark the end of collective bargaining, an end brought about by edict, hysterical legislation, proclamations, and bayonets. I know that you say that you are depriving workers of their rights under the guise of defense of democracy. I wonder how much democracy will be left to defend after you have deprived the workers of America of their constitutional and inalienable rights—rights which every great American patriot has defended from time immemorial. What is there to defend, when you will have American labor, under the guise of so-called national defense, shackled and fettered? By the use of hysteria, propaganda, proclamations, and bayonets we are marching steadily with 7-league boots in the direction of the establishment of slave labor in the United States such as they have in Nazi Germany. What are the American people going to fight for if they find that in their own country you have done to labor what Hitler has done to labor in Europe? You are giving American workers the enslavement that Hitler has given to the workers of the conquered European countries.

Without any hearings, without any study, this House, on the spur of the moment, worked up by hysteria forced onto the people of this country through the medium of an appropriation bill, compulsory arbitration, and illegalized the right to picket; and you have given the National Defense Mediation Board the power of enforcing its decisions by depriving American workers of their basic rights and even of the opportunity to work. All for what? Not for democracy, but for imperialism and profits.

Therefore, let us at least stand up as American men and women; let us tell the country how we stand. Let us have a record vote on these two propositions. I appeal to you. You owe it to your constituents; you owe it to the country; you owe it to every man, woman, and child in this country to let them know how you

stand on these two amendments; and I beseech you, through a sense of justice and in the name of American fairness, to let us have a record vote on the Case amendment and on the Pace amendment.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Illinois [Mr. McKEOUGH] is recognized for 2 minutes.

Mr. McKEOUGH. Mr. Chairman, I merely asked for the 2 minutes to direct the attention of the House to the language the majority leader referred to in the letter he received from the Assistant Secretary of War, which I will repeat:

If the cost-plus-fixed-fee contract is forbidden by law, the program for arming and equipping our troops will be greatly retarded.

I lay particular stress on the next sentence of the letter from the Assistant Secretary of War to Majority Leader McCORMACK:

The effect on the Air Corps program, with its greatly expanded plans, would be disastrous.

I do this to emphasize the danger of so hastily legislating on such important matters. This likewise applies to the efforts to legislate with reference to the rights of labor, which has been resorted to in the consideration of this appropriation bill. This danger is pointed out in the letter from the Assistant Secretary of War to Majority Leader McCORMACK, from which I have quoted, and I regret that any amendments involving labor's rights were likewise hastily approved in the consideration of this appropriation bill.

Mr. ENGEL. Mr. Chairman, will the gentleman yield?

Mr. McKEOUGH. I have not the time. I am sorry.

If you confirm the amendment adopted in the committee last Friday in spite of the warning from the Assistant Secretary of War, you will make the expanded Air Corps program impossible and will contribute to a disaster. I hope better judgment will be exercised by the Members as they vote on this amendment this afternoon and that we will not adopt the Engel amendment. I agree with the gentleman from New York that we should have a separate vote on the Case amendment and on the Pace amendment when we get back in the House.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Michigan [Mr. HOFFMAN] is recognized for 2 minutes.

Mr. ENGEL. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. One-half minute only.

Mr. ENGEL. I just wanted to comment in answer to the letter read by the majority leader and referred to again by the gentleman from Illinois, that Camp Jackson, S. C., a competitive-bid project, was ahead of similar projects on a cost-plus-fixed-fee basis. Fort Dix, in the same area, was ahead of Meade, Devens, and Edwards. The three latter contracts were cost-plus-fixed-fee contracts. Dix was a competitive-bid contract.

These statements are borne out by the progress sheets made by the contractors themselves.

Mr. HOFFMAN. Mr. Chairman, every amendment that was offered this afternoon which would have aided William Green and Phil Murray in taking care of these outlaw strikes, which they and the O. P. M. have condemned, was voted down except the Pace amendment. Now, do you know what the Pace amendment does? Get it and read it.

The Pace amendment provides that the National Defense Mediation Board is the final judge not only of the sum which shall be paid by the contractor, the sum which shall be paid by him as wages, but that if he fails to comply with the request of the Board he cannot receive compensation for the work he has done nor complete his contract. If the Board decides that the worker shall be paid 50 cents an hour, he gets 50 cents an hour and no more. If it decides he shall get \$2 per hour, the employer loses the contract if he does not pay it. Get the amendment and read it before you vote on it in the House. It means compulsory arbitration of labor disputes.

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Michigan has expired; all time has expired. The Clerk will read.

The Clerk concluded reading the bill.

Mr. SNYDER. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. LANHAM, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 4965) making appropriations for the Military Establishment for the fiscal year ending June 30, 1942, and for other purposes, directed him to report the same back to the House with sundry amendments with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. SNYDER. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. SNYDER. Mr. Speaker, I ask for a separate vote on the Engel amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? Does the gentleman from Pennsylvania desire a separate vote on any other amendment?

Mr. SNYDER. No, Mr. Speaker.

Mr. CASEY of Massachusetts. Mr. Speaker, I ask for a separate vote on what is known as the Case amendment.

Mr. MARCANTONIO. Mr. Speaker, I ask for a separate vote on the Pace amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The Clerk will report the Engel amendment.

The Clerk read as follows:

Amendment offered by Mr. ENGEL: On page 70, line 17, before the period, insert the following: ", except that no appropriation contained in this act shall be available for paying any obligations incurred in pursuance thereof under an original contract on a cost-plus-a-fixed-fee basis for the construction of buildings, utilities, and appurtenances thereto, any other provision in this act to the contrary notwithstanding."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. ENGEL) there were—ayes 114, noes 124.

Mr. ENGEL. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 175, nays 179, not voting 76, as follows:

[Roll No. 65]

YEAS—175

Allen, Ill.	Gore	Paddock
Angell	Gossett	Pittenger
Arends	Graham	Plumley
Baumhart	Grant, Ind.	Poage
Bender	Guyer, Kans.	Rankin, Miss.
Bennett	Gwynne	Rankin, Mont.
Bishop	Hall	Reed, Ill.
Blackney	Edwin Arthur	Rees, Kans.
Boehne	Hancock	Rich
Bolles	Hare	Richards
Bolton	Harness	Rivers
Bonner	Hartley	Rizley
Bradley, Mich.	Healey	Robertson,
Bradley, Pa.	Heldinger	N. Dak.
Bryson	Hess	Robson, Ky.
Burch	Hill, Colo.	Rockefeller
Burdick	Hill, Wash.	Rodgers, Pa.
Burgin	Hoffman	Rogers, Mass.
Butler	Holmes	Rolph
Canfield	Hope	Rutherford
Carlson	Hull	Sauthoff
Carter	Hunter	Scanlon
Case, S. Dak.	Jackson	Simpson
Casey, Mass.	Jarrett	Smith, Maine
Chipherfield	Jenkins, Ohio	Smith, Ohio
Clevenger	Jensen	Smith, Pa.
Coffee, Nebr.	Johns	Smith, Va.
Coffee, Wash.	Johnson, Calif.	Smith, Wash.
Cole, N. Y.	Johnson, Ill.	Smith, W. Va.
Colmer	Johnson, Ind.	Springer
Conner	Jones	Stefan
Copeland	Jonkman	Stevenson
Courtney	Kean	Stratton
Crawford	Kelley, Pa.	Sutphin
Crowther	Kinzer	Taber
Cunningham	Kirwan	Talle
Curtis	Knutson	Thom
Day	Kunkel	Thomas, Tex.
Dewey	Lambertson	Tibbott
Dirksen	Lands	Treadway
Disney	LeCompte	Van Zandt
Ditter	McArdle	Vincent, Ky.
Dondero	McGregor	Voorhis, Calif.
Douglas	McLean	Vorys, Ohio
Dworshak	McMillan	Vreeland
Eaton	Maas	Wastelewski
Ellot, Mass.	Marcantonio	Weiss
Elston	Martin, Iowa	Wene
Engel	Michener	Wheat
Englebright	Moser	White
Fenton	Mott	Wickersham
Fish	Mundt	Wigglesworth
Fitzgerald	Murray	Wilson
Flannagan	Myers, Pa.	Winter
Ford, Leland M.	O'Brien, N. Y.	Wolcott
Gamble	O'Connor	Wolfenden, Pa.
Gehrmann	O'Hara	Wolverton, N. J.
Gilchrist	Oliver	Woodruff, Mich.
Gillie	Pace	Young

NAYS—179

Allen, La.	Andrews	Barry
Anderson, Calif.	Arnold	Bates, Ky.
Anderson,	Barden	Bates, Mass.
N. Mex.	Barnes	Beam

Beckworth	Granger	O'Neal
Beiter	Grant, Ala.	O'Toole
Bell	Gregory	Patman
B'and	Haines	Patrick
Boggs	Harrington	Patton
Boland	Harris, Ark.	Peterson, Fla.
Boren	Harris, Va.	Peterson, Ga.
Brooks	Hart	Pfeifer
Brown, Ga-	Harter	Joseph L.
Buck	Heffernan	Pheiffer,
Buckley, Minn.	Hendricks	William T.
Buckley, N. Y.	Holbrook	Pierce
Bulwinkle	Hook	Plauché
Byrne	Houston	Priest
Camp	Imhoff	Rabaut
Cannon, Mo.	Izac	Randolph
Capozzoli	Jacobsen	Robertson, Va.
Cartwright	Jarman	Robinson, Utah
Chapman	Johnson,	Sabath
Clark	Luther A.	Sacks
Claypool	Johnson, Okla.	Sanders
Cochran	Johnson, W. Va.	Sasscer
Cole, Md.	Kee	Satterfield
Cooley	Kefauver	Schaefer, Ill.
Cooper	Kerr	Schulte
Cox	Kilday	Scrugham
Cravens	Kleberg	Secrest
Creal	Kocalkowski	Shanley
Crosser	Kopplemann	Sheppard
D'Alesandro	Kramer	Sheridan
Davis, Ohio	Lanham	Sikes
Davis, Tenn.	Larrabee	Smith, Conn.
Dickstein	Lea	Snyder
Dingel	Leavy	South
Domengeaux	Lewis	Sparkman
Doughton	Ludlow	Spence
Downs	Lynch	Starnes, Ala.
Doxey	McCormack	Steagall
Drewry	McGehee	Sullivan
Duncan	McGranery	Summers, Tex.
Durham	McKeough	Terry
Eberharter	McLaughlin	Thomason
Edmiston	MacIora	Tinkham
Elliott, Calif.	Mahon	Traynor
Ellis	May	Vinson, Ga.
Faddis	Merritt	Walter
Fitzpatrick	Meyer, Md.	Ward
Flaherty	Mills, Ark.	Weaver
Flannery	Mills, La.	Welch
Fogarty	Monrone	West
Forand	Murdock	Whelchel
Ford, Miss.	Nelson	Whittington
Ford, Thomas F.	Nichols	Williams
Gathings	Norrell	Woodrum, Va.
Gavagan	Norton	Worley
Gearhart	O'Brien, Mich.	Wright
Gibson	O'Leary	Zimmerman

NOT VOTING—76

Andersen,	Halleck	Ploeser
H. Carl	Hébert	Powers
Andresen,	Hinshaw	Ramsay
August H.	Hobbs	Ramspeck
Baldwin	Howell	Reece, Tenn.
Bloom	Jenks, N. H.	Reed, N. Y.
Boykin	Jennings	Rogers, Okla.
Brown, Ohio	Johnson,	Romjue
Cannon, Fla.	Lyndon B.	Russell
Celler	Keefe	Schuetz
Chenoweth	Kelly, Ill.	Scott
Clason	Kennedy,	Shafer, Mich.
Cluett	Martin, J.	Shannon
Collins	Kennedy,	Short
Costello	Michael J.	Somers, N. Y.
Culkin	Keogh	Stearns, N. H.
Cullen	Kilburn	Sumner, Ill.
Delaney	Lesinski	Sweeney
Dies	McIntyre	Tarver
Fellows	Maciejewski	Taylor
Fulmer	Magnuson	Tenerowicz
Gale	Mansfield	Thill
Gerlach	Martin, Mass.	Thomas, N. J.
Geyer, Calif.	Mason	Tolan
Gifford	Mitchell	Wadsworth
Green	O'Day	Youngdahl
Hall,	Osmers	
Leonard W.	Pearson	

So the amendment was rejected.

The Clerk announced the following pairs:

On the vote:

Mr. Brown of Ohio for, with Mr. Powers against.

Mr. Short for, with Mr. Cannon of Florida against.

Mr. Thill for, with Mr. Martin J. Kennedy against.

Mr. Reed of New York for, with Mr. Romjue against.

Mr. Reece of Tennessee for, with Mr. Delaney against.

Mr. Clason for, with Mr. Boykin against.  
Mr. Kilburn for, with Mr. Cullen against.  
Mr. Jennings for, with Mr. Magnuson against.

Mr. Ploeser for, with Mr. Keogh against.  
Mr. Osmers for, with Mr. Kelly of Illinois against.

Mr. Keefe for, with Mr. Bloom against.  
Mr. Cluett for, with Mr. Lesinski against.  
Mr. Halleck for, with Mr. Celler against.  
Mr. Culkin for, with Mr. Maciejewski against.

Mr. Mason for, with Mr. Michael J. Kennedy against.

General pairs:

Mr. Mansfield with Mr. Wadsworth.  
Mr. Tolan with Mr. Shafer of Michigan.  
Mr. Ramspeck with Mr. Martin of Massachusetts.

Mr. Pearson with Mr. Baldwin.  
Mr. Fulmer with Mr. Stearns of New Hampshire.

Mr. Tarver with Mr. Gale.  
Mr. Collins with Mr. H. Carl Andersen.

Mr. Green with Mr. Scott.  
Mr. Costello with Mr. Fellows.

Mr. Tenerowicz with Mr. August H. Andersen.

Mr. Schuetz with Miss Sumner of Illinois.  
Mr. Ramsay with Mr. Hinshaw.

Mr. Hobbs with Mr. Thomas of New Jersey.  
Mr. Lyndon B. Johnson with Mr. Jenks of New Hampshire.

Mr. Hébert with Mr. Chenoweth.  
Mr. Dies with Mr. Youngdahl.

Mr. Somers of New York with Mr. Gerlach.  
Mr. Russell with Mr. Howell.

Mr. Geyer of California with Mr. Leonard W. Hall.

Mrs. O'Day with Mr. Mitchell.  
Mr. Taylor with Mr. Sweeney.

Mr. McIntyre with Mr. Shannon.

Mr. MOSER changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment, upon which a separate vote is demanded.

The Clerk read, as follows:

Amendment offered by Mr. CASE of South Dakota: On page 71, after line 12, insert a new section, as follows:

"Sec. 10 (a). No part of any appropriation contained in this act shall be available for the payment of compensation to any person for services in a plant engaged in the manufacture or production of any defense article as defined in Public Act No. 11, Seventy-seventh Congress, who assists in maintaining a picket line or otherwise seeks forcibly to prevent the return of workmen after the National Defense Mediation Board shall have certified to the President that further stoppage of work in that plant will critically impede the national-defense program and has asked the employees to return to work."

The question was taken; and the Speaker announced that the yeas seemed to have it.

Mr. CASEY of Massachusetts. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

The amendment was agreed to.

The SPEAKER. The Clerk will report the Pace amendment.

The Clerk read as follows:

Amendment offered by Mr. PACE: At the end of section 10, as amended, add a new section, as follows:

"Sec. 12. No part of any appropriation contained in this act shall be available for the payment of compensation to any person, firm, or corporation who shall for as long as 10 days fail or refuse to respect and abide by the

recommendation of the National Defense Mediation Board, provided this limitation shall not apply to individuals who may become members of the military or naval forces."

The question was taken; and the Speaker announced that the yeas seemed to have it.

Mr. MARCANTONIO. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were refused.

Mr. MARCANTONIO. Mr. Speaker, I ask for a division.

The question was taken; and on the division (demanded by Mr. MARCANTONIO) there were—ayes 192, noes 65.

So the amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

The SPEAKER. The question is on the passage of the bill.

Mr. KERR. Mr. Speaker, I demand the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

The question was taken; and there were—yeas 352, nays 1, not voting 77, as follows:

[Roll No. 66]

YEAS—352

Allen, Ill.	Coffee, Nebr.	Fulmer
Allen, La.	Coffee, Wash.	Gamble
Anderson, Calif.	Cole, Md.	Gathings
Anderson, N. Mex.	Cole, N. Y.	Gavagan
Andrews	Colmer	Gearhart
Angell	Connelly	Gehrmann
Arends	Cooley	Gibson
Arnold	Cooper	Gilchrist
Barden	Copeland	Gillie
Barnes	Courtney	Gore
Barry	Cox	Gossett
Bates, Ky.	Cravens	Graham
Bates, Mass.	Crawford	Grant, Ala.
Baumhart	Creal	Grant, Ind.
Beam	Crosser	Gregory
Beckworth	Crowther	Guyer, Kans.
Beiter	Cunningham	Gwynne
Bell	Curtis	Haines
Bender	D'Alesandro	Hall
Bennett	Davis, Ohio	Edwin Arthur
Bishop	Davis, Tenn.	Hancock
Blackney	Day	Hare
Bland	Dewey	Harness
Boehne	Dickstein	Harrington
Boggs	Dingell	Harris, Ark.
Boland	Dirksen	Harris, Va.
Bolles	Disney	Hart
Bolton	Ditter	Harter
Bonner	Domengeaux	Hartley
Boren	Dondero	Healey
Bradley, Mich.	Doughton	Heffernan
Bradley, Pa.	Douglas	Heidinger
Brooks	Downs	Hendricks
Brown, Ga.	Doxey	Hess
Bryson	Drewry	Hill, Colo.
Buck	Duncan	Hill, Wash.
Buckler, Minn.	Durham	Hoffman
Buckley, N. Y.	Eaton	Holbrook
Bulwinkle	Eberharter	Holmes
Burch	Edmiston	Hook
Burdick	Ellot, Mass.	Hope
Burgin	Elliott, Calif.	Houston
Butler	Ellis	Hull
Eyrne	Elston	Hunter
Camp	Engel	Innhoff
Canfield	Englebright	Isac
Cannon, Mo.	Faddis	Jackson
Capozzoli	Fenton	Jacobson
Carlson	Fish	Jarman
Carter	Fitzgerald	Jarrett
Cartwright	Fitzpatrick	Jenkins, Ohio
Case, S. Dak.	Flaherty	Jensen
Casey, Mass.	Flannagan	Johns
Chapman	Flannery	Johnson, Calif.
Chipperfield	Fogarty	Johnson, Ill.
Clark	Forand	Johnson, Ind.
Claypool	Ford, Leland M.	Johnson,
Clevenger	Ford, Miss.	Luther A.
Cochran	Ford, Thomas F.	Johnson, Okla.
		Johnson, W. Va.

Jones	Oliver	Smith, Pa.
Jonkman	O'Neal	Smith, Va.
Keam	O'Toole	Smith, Wash.
Kee	Face	Smith, W. Va.
Kefauver	Paddock	Snyder
Kelley, Pa.	Patman	South
Kerr	Patrick	Sparkman
Kilday	Patton	Spence
Kinzer	Peterson, Fla.	Springer
Kirwan	Peterson, Ga.	Starnes, Ala.
Kleberg	Pfeifer,	Steagall
Knutson	Joseph L.	Stefan
Kociaikowski	Pheiffer,	Stevenson
Kopplemann	William T.	Stratton
Kramer	Pierce	Sullivan
Kunkel	Pittenger	Summers, Tex.
Landis	Plauché	Sutphin
Lanham	Plumley	Taber
Larrabee	Poage	Talle
Lea	Priest	Terry
Leavy	Rabaut	Thom
LeCompte	Randolph	Thomas, Tex.
Lewis	Rankin, Miss.	Thomason
Ludlow	Rankin, Mont.	Tibbott
Lynch	Reece, Tenn.	Traynor
McArdle	Reed, Ill.	Treadway
McCormack	Rees, Kans.	Van Zandt
McGehee	Rich	Vincent, Ky.
McGranery	Richards	Vinson, Ga.
McGregor	Rivers	Voorhis, Calif.
McKeough	Rizley	Vorys, Ohio
McLaughlin	Robertson,	Vreeland
McLean	N. Dak.	Walter
McMillan	Robertson, Va.	Ward
Maas	Robinson, Utah	Waselewski
Maclora	Robson, Ky.	Weaver
Mahon	Rockefeller	Weiss
Martin, Iowa	Rodgers, Pa.	Welch
May	Rogers, Mass.	Wene
Merritt	Rolph	West
Meyer, Md.	Russell	Wheat
Michener	Rutherford	Whelchel
Mills, Ark.	Sacks	White
Mills, La.	Sanders	Whittington
Monroney	Sasser	Wickersham
Moser	Satterfield	Wigglesworth
Mott	Sauthoff	Williams
Mundt	Scanlon	Wilson
Murdock	Schaefer, Ill.	Winter
Murray	Schulte	Wolcott
Myers, Pa.	Scrugham	Wolfenden, Pa.
Nelson	Secrest	Wolverton, N. J.
Nichols	Shanley	Woodruff, Mich.
Nichols	Sheppard	Woodrum, Va.
Norrell	Sheridan	Worley
Norton	Sikes	Wright
O'Brien, Mich.	Simpson	Young
O'Connor	Smith, Conn.	Zimmerman
O'Hara	Smith, Maine	
O'Leary	Smith, Ohio	

NAYS—1

Marcantonio

NOT VOTING—77

Andersen,	Halleck	Pearson
H. Carl	Hébert	Ploeser
Andresen,	Hinshaw	Powers
August H.	Hobbs	Ramsay
Baldwin	Howell	Ramspeck
Bloom	Jenks, N. H.	Reed, N. Y.
Boykin	Jennings	Rogers, Okla.
Brown, Ohio	Johnson,	Romjue
Cannon, Fla.	Lyndon B.	Sabath
Celler	Keefe	Schuetz
Chenoweth	Kelly, Ill.	Scott
Clason	Kennedy,	Shafer, Mich.
Cluett	Martin J.	Shannon
Collins	Kennedy,	Short
Costello	Michael J.	Somers, N. Y.
Culkin	Keogh	Stearns, N. H.
Cullen	Kilburn	Sumner, Ill.
Delaney	Lambertson	Sweeney
Dies	Lesinski	Tarver
Fellows	McIntyre	Taylor
Gale	Maciejewski	Tenerowicz
Gerlach	Magnuson	Thill
Geyer, Calif.	Mansfield	Thomas, N. J.
Gifford	Martin, Mass.	Tinkham
Granger	Mason	Tolan
Green	Mitchell	Wadsworth
Hall,	O'Day	Youngdahl
Leonard W.	Osmer	

So the bill was passed.

The Clerk announced the following pairs:

General pairs:

Mr. Granger with Mr. Powers.  
Mr. Cannon of Florida with Mr. Short.  
Mr. Martin J. Kennedy with Mr. Thill.  
Mr. Romjue with Mr. Reed of New York.  
Mr. Delaney with Mr. Reece of Tennessee.

Mr. Boykin with Mr. Clason.  
Mr. Cullen with Mr. Kilburn.  
Mr. Magnuson with Mr. Jennings.  
Mr. Keogh with Mr. Ploeser.  
Mr. Kelly of Illinois with Mr. Osmer.  
Mr. Bloom with Mr. Keefe.  
Mr. Lesinski with Mr. Cluett.  
Mr. Celler with Mr. Halleck.  
Mr. Maciejewski with Mr. Culkin.  
Mr. Michael J. Kennedy with Mr. Mason.  
Mr. Sabath with Mr. Brown of Ohio.  
Mr. Mansfield with Mr. Wadsworth.  
Mr. Tolan with Mr. Shafer of Michigan.  
Mr. Ramspeck with Mr. Martin of Massachusetts.

Mr. Pearson with Mr. Baldwin.  
Mr. Tarver with Mr. Gale.  
Mr. Collins with Mr. H. Carl Andersen.  
Mr. Green with Mr. Scott.  
Mr. Costello with Mr. Fellows.  
Mr. Tenerowicz with Mr. August H. Andresen.

Mr. Schuetz with Miss Sumner of Illinois.  
Mr. Ramsey with Mr. Hinshaw.  
Mr. Hobbs with Mr. Thomas of New Jersey.  
Mr. Lyndon B. Johnson with Mr. Jenks of New Hampshire.

Mr. Hébert with Mr. Chenoweth.  
Mr. Dies with Mr. Youngdahl.  
Mr. Somers of New York with Mr. Gerlach.  
Mrs. O'Day with Mr. Howell.  
Mr. Geyer of California with Mr. Leonard W. Hall.

Mr. McIntyre with Mr. Gifford.  
Mr. Mitchell with Mr. Fellows.  
Mr. Taylor with Mr. Stearns of New Hampshire.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### ANNOUNCEMENT

Mr. ZIMMERMAN. Mr. Speaker, the name of the gentleman from Missouri [Mr. ROMJUE] was called, but he did not answer. I wish to state that on yesterday he and his wife, while returning to Washington, had a severe accident, which prevented his being here today.

#### EXTENSION OF REMARKS

Mrs. NORTON and Mr. MURDOCK asked and were given permission to extend their own remarks in the RECORD.

Mr. DOXEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short editorial.

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

There was no objection.

Mr. MERRITT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter that appeared in the New York Times.

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

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement which I filed with the Committee on Ways and Means during its consideration of the tax bill.

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

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in the Com-

mittee of the Whole this afternoon and include therein a letter I received from Assistant Secretary of War Robert P. Patterson.

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

There was no objection.

Mr. TABER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. TINKHAM] be permitted to extend his own remarks in the Appendix of the RECORD and include therein an article by Alsop and Kintner appearing in this morning's paper.

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

There was no objection.

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a joint resolution of the Assembly and the Senate of the State of Wisconsin memorializing Congress to clear the name of Brig. Gen. William L. Mitchell.

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

There was no objection.

The SPEAKER. Under a previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 15 minutes.

#### "REDS" SEEK CONTROL OF OFFICE WORKERS

Mr. HOFFMAN. Mr. Speaker, inspired and directed by Moscow, the Communists lose no opportunity to further their efforts to overthrow this Government by force, though in many instances violence does not appear in their initial efforts. No one ever has accused the Communists of lacking intelligence, persistence, or loyalty to their objective. If patriotic Americans, in behalf of their country, would show but a fraction of the diligence and the determination exhibited by the Communists in their efforts to undermine and destroy our Government, there would be no danger to us, either from within or from abroad.

#### OVERTHROW OF OUR GOVERNMENT

It long has been the purpose of the Communists, in this country as in others, to worm their way into every possible organization, whether it be a civic, labor, religious, or fraternal organization. With their objective at first in the background, they can assume and wear coats of as many colors as that of Joseph. But their purpose always is the same—the overthrow of this Government. First by boring from within, tearing at and ruining the foundations, and if that does not serve the purpose, then by force and open defiance of the Government.

#### COMMUNIST SUCCESS

Their success is being amply demonstrated in this country. From the time when they conceived and brought about the sit-down strikes in Michigan in 1937, which cost the workers in General Motors alone more than \$40,000,000 in loss of wages, they have won victory after victory, until today the very existence of our Government is threatened. Often

have I been branded as a labor baiter because I called attention to and condemned as best I could the violence, the unlawfulness of the labor agitator, the strikes which were inspired and carried on by Communists using typical Communist methods.

#### FALSE SLOGANS

Under the slogans of "bettering the condition of the American worker," of "maintaining the American way of life," these would-be traitors, these wreckers, have infiltrated their members into labor unions throughout the country. They preached class hatred, they characterized as a wage slave the workingman, who, here in America, in many instances owns not only his radio, his electric refrigerator and washing machine, his automobile, and his own home, but many of the things which a few short years ago were unattainable by even wealthy individuals. These Communists know of no place in the wide, wide world where the lot of the worker's is as good as here in America. They know of no other country where he can live in as great comfort, enjoy as many of not only the necessities but the luxuries of life; the opportunity to educate his children and advance his own welfare, as here. Yet, strange as it may seem, they would destroy the land which harbors them, overthrow the Government which protects them, which grants them free speech, liberty, and freedom, and at time provides food and clothing.

#### LABOR LEADERS SEE THE LIGHT

The things which I have denounced, that is, the unjustifiable strikes where, through violence, force, threat, and intimidation, men were deprived of their God-given and constitutional right to work, are now denounced in terms equally as bitter by William Green, president of the A. F. of L., by Philip Murray, of the C. I. O., by the Office of Production Management charged with production for national defense, and by every patriotic American. This change in sentiment is, from their viewpoint, a startling one, though nonetheless welcome. To hear and to read of Philip Murray and William Green denouncing strikers and strikes as unpatriotic is something new. These men have been forced by the march of events to condemn the activities of some of their followers and affiliated organizations. The strikes on the west coast have reached such a point, have so threatened our national life, and the forces behind them have been so exposed to the people that public indignation has grown to such a point that Murray and Green realize at a belated last that unless they take action the whole legitimate labor movement must pay a part of the penalty for the actions of these Communists who have been taken into, sheltered, and protected by their respective organizations. The malignant cancer of communism has grown to such an extent that it is eating at the very vitals of patriotic unionism. And so we find that recognized labor leaders, men who have been leaders in union organizations for many years if they have not joined hands with those who heretofore have been termed labor-

baiters, nevertheless are advocating a course of action long ago pointed out by the real friends of labor.

#### STILL ATTEMPTING TO DECEIVE

But do not be deceived. Not all of the activities of the Communists have been exposed. Not all of their destructive work, their treasonable program, has been exposed to the public. Throughout this country, in many a city and town, in industry after industry, the Communists, I repeat, inspired, financed, and directed by the "reds" of Moscow, are working behind the scenes, underground, strengthening their position in labor organizations, not only among the industrial workers, but among the office workers, preparing for the time when they can strike, not only in the factory, paralyzing the making of munitions, planes, ships, and ordnance, but preparing for the day when they can, through the office workers by strikes and by sabotage, the more effectively paralyze the industries of the country upon which our salvation depends.

#### COMMUNISTS MAKE DRIVE IN NEW YORK

A current example of this is found in the present attempt of the Communists to organize the office forces of a concern which for many years has been engaged in the fabrication of cotton goods. In the downtown cotton fabric manufacturing district of New York City is the firm of M. Lowenstein & Sons, which for many years has been one of the leaders in the cotton-converting industry and which today is one of the chief sources of supply for cotton fabrics. If the United States Government wants cotton cloth, it must go to M. Lowenstein & Sons and like concerns.

Until 4 years ago M. Lowenstein & Sons had little, if any, labor trouble, though in 1937 the Bookkeepers, Stenographers, and Accountants Union, affiliated with the C. I. O., made an attempt to organize the office staff of that concern, then consisting of some 300 employees. The then employees, recognizing the movement for what it was; that is, an attempt sponsored by the Communists and directed from Moscow, refused to be either deceived, misled, or inveigled into joining the C. I. O.

The employees formed an organization of their own, and through the efforts of their officers they were able to adjust practically all of their grievances in a manner satisfactory not only to the employer but to the individual employees. They also secured wage increases which satisfied their membership as a whole. The C. I. O., finding itself unable to force itself upon the employees, followed the customary procedure of instigating charges before the National Labor Relations Board against the company. Because some members of the Labor Board, its investigators, trial and reviewing attorneys and regional directors had a decidedly "red" tinge, such charges usually were sustained, and in this particular instance, because a few department heads were members of the employees group, the National Labor Relations Board and the court ordered the disbanding of the employees' organization, and directed that the company should no longer recognize it as a bargaining unit.

## EMPLOYEE ELECTION

By September of 1940 the office workers of M. Lowenstein & Sons had increased in number until there were some 450 employees. A general wage increase, effective as of January 1, 1941, has gone into effect. By employing their usual tactics of promising everything for the worker and charging the employer with all sorts of discrimination and unfair tactics and preaching class hatred, envy, and jealousy, the C. I. O. secured sufficient members so that its leaders felt safe in calling for an election. That election has been ordered, and it remains to be seen whether the office workers of this company will be fooled by the Communists who direct the activities of United Office and Professional Workers of America, Local 16, C. I. O.

No one is so foolish or so ignorant as to believe for one moment that all C. I. O. organizations are controlled by the Communists, or that their objectives all are improper or unworthy. Each case must rest upon its own foundation. Almost invariably, though not always, the character and the objective of an organization can be determined by its leadership.

The question which will shortly come before the employees of M. Lowenstein & Sons is whether they wish to have represented them as their bargaining agent with the company a union which has as its officials individuals who are Communists, remembering, of course, that a Communist is one who is always loyal to the "red" government of Russia, who believes in and endeavors to bring about by force the overthrow of this Government which protects him, which enables him to earn a livelihood, obtain an education, and live in comfort and peace.

At the coming election the office employees of this concern will determine for themselves whether they desire to be represented by loyal, patriotic Americans, willing to fight for and die for their country, or whether they wish to be represented by local 16, some of whose officers belong to that organization which would destroy not only the foundations of the Government under which we live but the very jobs from which those employees obtain their livelihood.

## PATRIOTISM OR COMMUNISM

The issue is a simple one, and no office worker should be deceived by tirades against the employers, by extravagant promises of what can and will be done by local 16. Every employee should remember that local 16 does not create jobs, it does not give employment, it does not meet a pay roll; and if its purpose of creating dissatisfaction and discord in M. Lowenstein & Sons is accepted, it and affiliated organizations will go on throughout the industry in an effort to obtain control in that industry so that when, in the judgment of its officers, the proper time arrives it can strike successfully at national production, national preparedness, and security of the worker.

## WHAT KIND OF ORGANIZATION IS LOCAL 16?

Let us take a look at the history of the organization which is attempting to gain control of the office workers in this industry.

## WHAT COLOR IS LOCAL 16?

Local 16 had as its origin the office workers' union which was affiliated with the Trade Union Unity League of the Communist Party. The office workers' union went out of existence when Moscow changed the policy of the Communists from dual unionism to infiltration, and its members went into the A. F. of L. union known as B. S. A. U., Local 12646. Shortly, however, their "red" activities attracted the attention of the A. F. of L. organization, which seized their books and withdrew their charter, and Moscow adherents then voted to join the C. I. O. Shortly thereafter, the A. F. of L. formed a new local, which today is known as the American Federation of Office Employees.

The Communists and the non-Communists in the new C. I. O. union got along fairly well until 1938, when Peter K. Hawley refused to permit the non-Communists to make speeches, present motions, or hold office. In 1939 the non-Communists voted to abandon the union, which by this time had changed its name to the United Office and Professional Workers of America, Local 16, C. I. O.

In March 1939, 500 members of this union, however, outraged by its course of conduct, bolted local 16 and rejoined the A. F. of L. union. This was accomplished by resolution presented by Anna Gould. Hawley attempted to prevent the adoption of the resolution, but was unsuccessful. The resolution condemned local 16 as a "sorry failure as a trade-union," and asserted that it had been captured by an organized machine which violated its oath to serve the membership by placing the interests of the Communist Party above those of the union.

The resolution further charged that the officers of local 16 had made that organization subservient to a "party line." The officers of local 16 were further charged with "attempts to force its political views down the throats of the membership" and with inflicting "punitive reprisals" on "non-Communists."

It is this local 16, so condemned by the membership of the organization in 1939, which now seeks to rule the office employees of M. Lowenstein & Sons. Approximately 700 of the employees who were actively working in this union at the time proclaimed it to be Communist-dominated. It remains to be seen whether the present office employees wish to be represented by that sort of an organization.

Note what John P. Frey, president of the metal trades department of the American Federation of Labor, testified before the Dies committee, stated:

The United Office and Professional Workers of America, another C. I. O. affiliate. This organization has as its basic background the office workers' union, which was started and kept going by the Trade Union Unity League of the Communist Party. Its president is Lewis Merrill, a member of the Communist Party in New York City. He has attended numerous conventions of the A. F. of L. as a delegate from the B. S. A. U. local of the A. F. of L. At the Federation of Labor conventions he associated with and voted with known Communists. Ever since then he has been giving aid and comfort to Communist comrades whenever he possibly could. The

headquarters of this union, which is a C. I. O. affiliate, is in New York City.

Here is a little more information about Lewis Merrill, who is international president of United Office and Professional Workers of America:

Merrill joined other radicals and "reds" in defending the Soviet purges in 1938. He was a member of the labor committee of the American League for Peace and Democracy. This movement discontinued its activities in 1940 as a result of the Dies committee exposures in connection with its Communist leadership and party-line activities.

Merrill was on the advisory council of the Society for Cultural Relations with Soviet Russia. He was associated with the John Reed clubs (communistic).

Merrill was a member of the committee demanding recognition of Russia in 1932.

Merrill was a member of the committee that formulated the "red" front organization, the American League for Peace and Democracy.

Merrill opposed anti-Communist legislation in 1938 in New York.

Merrill was chairman of the American Committee for Democracy and Intellectual Freedom, which has opposed the Dies committee and the Rapp-Coudert committee.

Merrill has objected to the dropping of the Communist Party from State ballots.

Merrill opposed the dismissal of Communist students from the University of Michigan on November 19, 1940.

Merrill is a sponsor of the Greater New York Emergency Conference on Inalienable Rights, which appears to be the New York branch of the National Federation for Constitutional Liberties, and which is beyond question of a doubt a "red" front organization, and all of whose officers are extreme left-wingers and Communists. He was a member of the sponsoring committee of the testimonial dinner to Frank Boaz in 1941. Boaz is definitely pro-Russian and pro-Communist.

Merrill appealed for the freedom of Luis Prestes, head of the Brazilian Communist Party. He was also signer of the call for a meeting of the "red" front American Peace Mobilization, April 5 and 6, 1941. This movement has been definitely labeled as communistic by every responsible authority in America, and only recently the Dies committee produced conclusive proof that the American Peace Mobilization is another of the Moscow-controlled organizations aimed at disrupting our national unity and defense. It is interesting to note that this Communist document is also signed by Peter K. Hawley, and among the names of the organizations sponsoring the American Peace Mobilization there appears the United Office and Professional Workers of America, Local 16.

Merrill has recently attacked the President's proclamation that an indefinite national emergency exists.

A witness before the Dies committee—Mr. Zack—testified that Merrill was a member of the Communist Party. Merrill is one of the men whose advice and counsel are influential in guiding local 16.

Sam Baron, a witness before the Dies committee, testified in substance that he was acquainted with Lewis Merrill, and said that on two different occasions Merrill told him that he—Merrill—was a member of the Communist Party. The witness further stated that Merrill attended a political conference at the headquarters of the Communist Party in New York, at which he—Baron—was present.

#### PRESIDENT OF LOCAL 16 CHARGED AS A COMMUNIST

Testifying before the Dies committee, Sam Baron stated that Peter K. Hawley, president of the Local 16, was expelled from the progressive group of the U. O. P. W. A. because he was a Communist "plant" in that organization.

Still another witness, Benjamin Gitlow, testifying before the Dies committee, stated that he knew Lewis Merrill personally, though that was not Merrill's real name. He testified under oath that Merrill was a member of the Communist Party and so conducted the affairs of the union of which he was president, that all those office workers who were not Communists were compelled to break away from the organization and rejoin the A. F. of L.

#### LOCAL 16'S ORGANIZER

To show the general "red" tinge in Local 16, it might be said that Norma Aronson, general organizer, was formerly leader of the dual Communist Office Workers' Union of New York and that she is known as a Communist. Those who care to investigate can easily learn the character of the leadership of Local 16.

Never should it be forgotten that always, everywhere in this country of ours, whenever opportunity offers—and even if the opportunity does not offer, it is, if possible, created by the Communist Party organization—members of that organization, by one means or another, sometimes get themselves into other organizations for the sole purpose of aiding the Communist Party.

#### LOCAL 16 ATTACKS DIES COMMITTEE, DEFENDS COMMUNISTS

The charges made on December 29, 1939, by the U. O. P. W. A. over the signatures of Merrill and Turner, general secretary and treasurer, against the Dies committee were multigraphed by Local 16 of the U. O. P. W. A., and as late as 1941, Local 16 issued a statement in defense of the Communist Party and Communist leaders under the name, "Initiating Committee."

Local 9 of the U. O. P. W. A., Los Angeles, circulates the (Communist) International Labor Defense material, as do Local 24, Chicago, and Local 16, Local 27, Washington, D. C., gets out the propaganda for the (Communist) Workers Alliance. Local 5 issues the material for the Cleveland section of the Workers Alliance. Workers (Communist) School propaganda issues from Locals 7 and 16 in New York City, and Local 24 handles the material of the school in Cleveland. Local 18 in New York published a circular for the Workers Library Publishers, Inc., 39 East Twelfth Street, New York City, on November 11, 1939. This Workers Library is registered in the State

Department as an agent of a foreign government. The circular included a catalog and price list of many Communist works by such writers as Karl Marx, Frederick Engels, V. I. Lenin, Joseph Stalin, and so forth.

With this record of Merrill, Hawley, Aronson, and Local 16 itself in mind, remembering, as we must, that the members of the Communist Party, and that organization itself, is always active, always driving toward its goal, the destruction of our Government, that its procedure is to place party members in key positions in labor unions and other organizations, is it not vital that patriotic Americans should ever be on the alert to detect and suppress Communist activities wherever they may appear?

Only by the wide-awake, observant attention, followed by the vigorous action of not only industrial workers but office workers, not only in our larger cities but throughout the Nation, can the purpose of the Communist Party be defeated. Every loyal American, wherever he may live, however he may be employed, whether on farm, in mine, mill, factory, or office, should be alert to detect and to oppose the influence of the Communists.

It remains to be seen whether at the election to be held for the office workers of M. Lowenstein & Sons the office employees of that firm will make proper investigation to ascertain the character and the objective of those individuals and of that organization which seeks to represent them. Those employees are intelligent, they are patriotic; and if they be not misled by false propaganda, they can do much to destroy the foundation upon which the Communists, if here successful, will later base their drive to interfere with national defense and the orderly processes of our Government.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. MCINTYRE, indefinitely, on account of important business.

To Mr. ROMJUE, indefinitely, on account of illness.

To Mr. PEARSON (at the request of Mr. COOPER), for 1 week, on account of important business.

#### ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 3368. An act authorizing expenditures for the Office of Government Reports in the Executive Office of the President.

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S. J. Res. 74. Joint resolution to authorize the postponement of payment of amounts payable to the United States by the Republic of Finland on its indebtedness under agreements between that republic and the United States dated May 1, 1923, May 23, 1932, and May 1, 1941.

#### BILL PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that com-

mittee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 3368. An act authorizing expenditures for the Office of Government Reports in the Executive Office of the President.

#### ADJOURNMENT

Mr. SNYDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 28 minutes p. m.) the House adjourned until tomorrow, Tuesday, June 10, 1941, at 12 o'clock noon.

#### COMMITTEE HEARINGS

##### COMMITTEE ON PATENTS

The Committee on Patents of the House of Representatives will hold a further public hearing on the subject of royalty payments, covered in House Joint Resolutions 32, 73, and 123, on Tuesday, June 10, 1941, at 10 a. m. in the committee room, 1015 House Office Building.

##### COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization on Wednesday, June 11, 1941, at 10:30 a. m., for the consideration of H. R. 4873 (Mr. ALLEN of Louisiana), a bill to limit the entry of certain aliens into the United States.

##### COMMITTEE ON THE PUBLIC LANDS

There will be a meeting of the Committee on the Public Lands on Thursday, June 12, 1941, at 10 a. m., in room 328, House Office Building, to resume consideration of United States against Northern Pacific Railroad compromise settlement offer. Mr. Littell will appear.

##### COMMITTEE ON RIVERS AND HARBORS

The Committee on Rivers and Harbors will start hearings in room 1304, new House Office Building, on Tuesday, June 17, 1941, at 10:30 a. m., on Great Lakes-St. Lawrence waterway and power project. Proponents will be heard during the first week of hearings.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

599. A letter from the acting executive officer, National Capital Park and Planning Commission, transmitting a list of land acquisitions for parks, parkways, and playgrounds, cost of each tract, and method of acquisition for the fiscal year ending June 30, 1940; to the Committee on Public Buildings and Grounds.

600. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to amend section 333 of the Revised Statutes, as amended, to place the annual report of the Comptroller of the Currency on a calendar-year basis; to the Committee on Banking and Currency.

601. A communication from the President of the United States, transmitting an amendment to the estimates of appropriations included in the Budget for the fiscal year 1942 for the Office of Government Reports in the Executive Office of the President (H. Doc. No. 247); to the Committee on Appropriations and ordered to be printed.

602. A letter from the Secretary of Commerce, transmitting the draft of a proposed

bill to provide for a quinquennial census of industry and business and for the collection of current statistics by the Bureau of the Census; to the Committee on the Census.

603. A letter from the Acting Secretary of the Interior, transmitting one copy of legislation passed by the Municipal Council of St. Thomas and St. John; to the Committee on Insular Affairs.

604. A letter from the Acting Secretary of the Interior, transmitting one copy of legislation passed by the Municipal Council of St. Croix; to the Committee on Insular Affairs.

605. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to provide for fire escapes in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

606. A letter from the Secretary of the Navy, transmitting reports that contracts have been awarded under the authority of this act as follows: Schedule 5997—Aviators' helmets, bid opening April 11, 1941; to the Committee on Military Affairs.

607. A letter from the Secretary of War, transmitting a draft of a proposed bill to permit the importation of defense articles by, or on behalf of, the United States free of import duty or import tax; to the Committee on Ways and Means.

608. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Work Projects Administration, Federal Works Agency; to the Committee on the Disposition of Executive Papers.

609. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Social Security Board, Federal Security Agency; to the Committee on the Disposition of Executive Papers.

610. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Department of Labor; to the Committee on the Disposition of Executive Papers.

611. A letter from the Archivist of the United States, transmitting recommendation for the disposition of lists of papers by the Department of Agriculture; to the Committee on the Disposition of Executive Papers.

612. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Department of the Navy; to the Committee on the Disposition of Executive Papers.

613. A letter from the Archivist of the United States, transmitting recommendation for disposition of lists of papers by the Post Office Department; to the Committee on the Disposition of Executive Papers.

614. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of photographic negatives by the Department of War; to the Committee on the Disposition of Executive Papers.

615. A letter from the Archivist of the United States, transmitting recommendation for the disposition of a list of papers by the Department of the Treasury; to the Committee on the Disposition of Executive Papers.

616. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Department of the Treasury; to the Committee on the Disposition of Executive Papers.

617. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Department of the Treasury; to the Committee on the Disposition of Executive Papers.

618. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 21, 1941, submitting a report, together with accompanying papers, reexamination of Bayou du Large, La., requested by resolution of the Committee on Rivers and Harbors, House of

Representatives, adopted April 4, 1938; to the Committee on Rivers and Harbors.

619. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to amend section 5158 of the Revised Statutes, as amended (U. S. C., title 12, sec. 90), to authorize national banks to pledge assets to secure deposits of funds in official custody of public officers of a state or political subdivision thereof; to the Committee on Banking and Currency.

620. A letter from the Chairman, Securities and Exchange Commission, transmitting chapter I of part 4 of the Commission's overall report on the study of investment trusts and investment companies made pursuant to section 30 of the Public Utility Holding Company Act of 1935 (H. Doc. No. 246); to the Committee on Interstate and Foreign Commerce and ordered to be printed, with illustrations.

621. A communication from the President of the United States, transmitting deficiency estimates of appropriations for the Treasury Department for the fiscal years 1935, 1937, 1938, and 1939 amounting to \$3,084.71, and supplemental estimates of appropriations for the fiscal years 1941 and 1942 amounting to \$10,092,400, in all \$10,095,484.71, together with drafts of proposed provisions pertaining to existing appropriations (H. Doc. No. 248); to the Committee on Appropriations and ordered to be printed.

622. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to appropriations for the executive branch of the Government for the fiscal year 1942 (H. Doc. No. 249); to the Committee on Appropriations and ordered to be printed.

623. A communication from the President of the United States, transmitting a proposed provision pertaining to existing appropriations for the American Battle Monuments Commission (H. Doc. No. 250); to the Committee on Appropriations and ordered to be printed.

624. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Bureau of the Budget, Executive Office of the President, for the fiscal years 1941 and 1942, in the amount of \$87,000 (H. Doc. No. 251); to the Committee on Appropriations and ordered to be printed.

625. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1942 in the amount of \$2,750,000, together with a draft of a proposed provision pertaining to an existing appropriation for the fiscal year 1941 for the Federal Works Agency (H. Doc. No. 252); to the Committee on Appropriations and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TAYLOR: Committee on Appropriations. House Joint Resolution 193. Joint resolution making appropriations for work relief and relief for the fiscal year ending June 30, 1942; without amendment (Rept. No. 756). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 214. Resolution for the consideration of H. R. 4473, a bill authorizing the temporary appointment or advancement of certain personnel of the Navy and Marine Corps, and for other purposes; without amendment (Rept. No. 757). Referred to the House Calendar.

Mr. MEYER of Maryland: Committee on Public Buildings and Grounds. H. R. 1409.

A bill designating building guards employed in buildings under the jurisdiction of the Federal Works Agency as United States Building Police, and for other purposes; without amendment (Rept. No. 758). Referred to the Committee of the Whole House on the state of the Union.

Mr. WHITTINGTON: Committee on Flood Control. H. R. 4911. A bill authorizing the construction of certain works on rivers and harbors for flood control, and for other purposes; without amendment (Rept. No. 759). Referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. RANDOLPH:

H. R. 5002. A bill to exempt from national and municipal taxation the property, both real and personal, of the George Washington University Hospital, title being in the name of the George Washington University; the Eastern Dispensary and Casualty Hospital; the Episcopal Eye, Ear, and Throat Hospital; the National Homeopathic Hospital, title being in the name of the National Homeopathic Hospital Association; the Children's Hospital of the District of Columbia; the Providence Hospital, title being in the name of the Directors of Providence Hospital of Washington City, District of Columbia; the Garfield Memorial Hospital; the Sibley Hospital, title being in the name of the Woman's Home Missionary Society of the Methodist Episcopal Church; the Central Dispensary and Emergency Hospital; and the Georgetown Hospital, title being in the name of the president and directors of Georgetown College; to the Committee on the District of Columbia.

By Mr. SCHULTE:

H. R. 5003. A bill to create a board to be known as the Accident Prevention Board, composed of three members whose duties shall be to foster, promote, and develop the safety of the wage earners of the District of Columbia in relation to their working conditions; enforce such safety laws as exist and others that may be from time to time enacted; making such inspections and investigations as are necessary; collect and compile statistical information; to require employers to keep their places of employment safe; to require employers to keep records and to furnish Accident Prevention Board with complete, detailed reports relative to all accidents; to bring necessary suits and institute such prosecutions as may be necessary to enforce the safety laws of the District of Columbia; to the Committee on the District of Columbia.

H. R. 5004. A bill providing for an examination and survey of the Little Calumet River, Ind.; to the Committee on Flood Control.

By Mr. RANDOLPH:

H. R. 5005. A bill to authorize the enrollment in the Civilian Conservation Corps of men honorably discharged from the military and naval forces, and for other purposes; to the Committee on Labor.

By Mr. GUYER of Kansas:

H. R. 5006. A bill to authorize the Secretary of War to retain Brig. Gen. Benjamin O. Davis, United States Army, on active duty with combat troops; to the Committee on Military Affairs.

By Mr. KING:

H. R. 5007. A bill to permit 15-round championship boxing bouts in the Territories of Alaska and Hawaii; to the Committee on the Territories.

By Mr. VINSON of Georgia:

H. R. 5008. A bill to authorize a naval ordnance laboratory at the Navy Yard, Washington, D. C.; to the Committee on Naval Affairs.

H. R. 5009. A bill authorizing the employment of additional personnel in the Navy Department; to the Committee on Naval Affairs.

By Mr. GUYER of Kansas:

H. Con. Res. 39. Concurrent resolution authorizing reproduction in colors of the Howard Chandler Christy painting The Signing of the Constitution, and the printing of 300,000 copies thereof; to the Committee on Printing.

#### MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Florida, memorializing the President and the Congress of the United States to consider legislation providing for the prohibition of vice in, and in the vicinity of, Army camps, Government-owned plants, etc.; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Florida, memorializing the President and the Congress of the United States to pass the general welfare bill (H. R. 1036); to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Florida, memorializing the President and the Congress of the United States with reference to immediate aid to Britain; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States to consider their house simple resolution No. 315, with reference to the establishment of shipyards; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to clear the name of Brig. Gen. William L. Mitchell; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Michigan, memorializing the President and the Congress of the United States to consider their senate concurrent resolution No. 20, with reference to a proposed amendment to the Constitution of the United States relative to taxes on incomes, inheritances, and gifts; to the Committee on the Judiciary.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATES of Kentucky:

H. R. 5010. A bill for the relief of James Reed; to the Committee on Claims.

By Mr. JOHNSON of Indiana:

H. R. 5011. A bill granting a pension to Edward Morgan; to the Committee on Invalid Pensions.

H. R. 5012. A bill for the relief of Raymond Crosby; to the Committee on War Claims.

By Mr. SMITH of Virginia:

H. R. 5013. A bill for the relief of James P. Crawford; to the Committee on Claims.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1323. By the SPEAKER: Petition of the Board of Supervisors of the County of Westchester, N. Y., petitioning consideration of their resolution with reference to the importation of sugar; to the Committee on Agriculture.

1324. Also, petition of the Society of the Cincinnati, Vineyard Haven, Mass., petition-

ing consideration of their resolution with reference to printing of the writings of George Washington; to the Committee on Printing.

1325. Also, petition of the Texas Ports Association, Galveston, Tex., petitioning consideration of their resolution with reference to the Building of the St. Lawrence waterway; to the Committee on Rivers and Harbors.

1326. Also, petition of the town of Harrison, N. Y., petitioning consideration of their resolution with reference to sugar legislation; to the Committee on Agriculture.

1327. Also, petition of the Forward Trinity Valley Association, petitioning consideration of their resolution with reference to congressional approval of the Trinity Valley project; to the Committee on Rivers and Harbors.

1328. Also, petition of I. O. O. F., Grand Lodge of Georgia, petitioning consideration of their resolution with reference to aid to Britain; to the Committee on Foreign Affairs.

1329. Also, petition of the Brotherhood of Locomotive Engineers, St. Louis Southwestern Railway, Cleveland, Ohio, petitioning consideration of their resolution with reference to the St. Lawrence River navigation and power project; to the Committee on Rivers and Harbors.

1330. Also, petition of the Fight for Freedom Committee, signed by 316 citizens of New York City, petitioning consideration of their resolution with reference to aid to Britain; to the Committee on Foreign Affairs.

1331. By Mr. ANDERSON of California: Petition of various citizens of Santa Clara County, Calif., favoring Senate bill 860; to the Committee on Military Affairs.

1332. By Mr. BOLLES: Petition of sundry citizens of Elkhorn, Wis., supporting Senate bill 860, to provide for the common defense in relation to the sale of alcoholic liquors and the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

1333. By Mr. CONNERY: Petition of 699 residents of Lawrence, Mass., opposing the passage of any compulsory Sunday-observance bill; to the Committee on the Judiciary.

1334. Also, resolutions adopted by the Senate of the Commonwealth of Massachusetts, favoring legislation for the preservation of the cane-sugar industry and opposing any change in existing Federal law that would create unemployment in the Commonwealth of Massachusetts and detract from existing good will between the United States and the Latin-American countries; to the Committee on Agriculture.

1335. Also, resolutions adopted by the Massachusetts State convention of the Knights of Columbus, affirming belief in the policy of nonintervention by our armed forces in foreign wars which do not concern the United States; favoring an early negotiated peace; approving the Hoover plan for relief of famished European people; and opposing induction of girls of draft age into compulsory service; to the Committee on Foreign Affairs.

1336. By Mr. CROWTHER: Petition of sundry residents of Schenectady, N. Y., opposing passage of House bills 6 and 1019; to the Committee on Ways and Means.

1337. By Mr. FORAND: Petition of Emily McCulloch, of Pawtucket, R. I., and 35 others, opposing Senate bill 983 and House bill 3852; to the Committee on the District of Columbia.

1338. Also, petition of Mary W. Whitford and others, of Rhode Island, to defend the United States of America by defending the health and morale of the selectees by prohibiting prostitution and the trade in alcoholic beverages by passing House bill 2475; to the Committee on Military Affairs.

1339. By Mr. THOMAS F. FORD: Resolution of the Board of Supervisors of the County of Los Angeles, endorsing the provisions of House bill 4545 and requesting that flood-control improvements not within the plans

of the United States engineers be included as a part of the projects to be financed by money appropriated by House bill 4545; to the Committee on Public Buildings and Grounds.

1340. By Mr. HOUSTON: Petition signed by numerous residents of Wichita, Kans., protesting against the enactment of Senate bill 983 and House bill 3852; to the Committee on the District of Columbia.

1341. By Mr. IZAC: Petition of the Laconian Toastmasters Club, of El Centro, Calif., Robert C. Rayburn, president, Alan Gillespie, secretary-treasurer, relative to the group's stand against unnecessary strikes and lock-outs in the defense industry; to the Committee on the Judiciary.

1342. By Mr. JENSEN: Petition of 147 citizens of Atlantic, Iowa, urging the Congress of the United States to bring about the passage of House bill 4000, a bill to stop the sale of all alcoholic beverages, including beer, ale, or wine, inside the Army and naval camps, and to authorize the Secretaries of the Army and Navy to get zones sufficiently wide around all Army and Navy training camps to prevent taverns and vice districts in close proximity thereto; enactment of this legislation is urged in the interest of efficiency, health, and safety of our soldiers and general morale of the people throughout the country; to the Committee on Military Affairs.

1343. Also, petition of 39 citizens of Council Bluffs, Glenwood, and Silver City, Iowa, protesting against the enactment of Senate bill 983 or House bill 3852, identical bills now pending in the Congress, these bills propose that a majority vote of the barbers of the District of Columbia shall determine upon what day all barber shops shall be closed, and that those who observe another day than Sunday as holy time must also observe Sunday or forfeit their licenses and have their businesses confiscated; the signers of the petition are opposed to the compulsory observance of any religious day, and also the injustice demanding that those who observe another day forfeit 2 days of income from each week; the petitioners, in asserting their opposition to the bill, state that equal rights for all barbers should be provided without designating the specific day upon which all barbers must close their shops; to the Committee on the District of Columbia.

1344. By Mr. LUTHER A. JOHNSON: Petition of R. E. Bryant, of Frost, Tex., opposing proposed legislation to defer men above 27 years of age for Army service; to the Committee on Military Service.

1345. Also, petition of E. F. Wright, of Mexia, Tex., favoring House bill 3383; to the Committee on Ways and Means.

1346. By Mr. JOHNSON of Indiana: Petition of Ralph L. Bennett, of Terre Haute, Ind., and 124 others, opposing Senate bill 860 and House bill 4000; to the Committee on Military Affairs.

1347. Also, petition of J. R. Parrish, of Danville, Ind., and 27 others, opposing Senate bill 860 and House bill 4000; to the Committee on Military Affairs.

1348. By Mr. KRAMER: Petition of the Board of Supervisors of the County of Los Angeles, Los Angeles, Calif., endorsing the provisions of House bill 4545 and requesting its Congressmen to make every effort to see that improvements suggested by the county board be included with the improvements suggested by the United States Army engineers and be made a part of the project to be financed by money appropriated by House bill 4545; to the Committee on Public Buildings and Grounds.

1349. Also, petition of the Assembly and the Senate of the State of California, respectfully memorializing the President, the Secretary of Agriculture, and the Congress of the United States to make a survey and to study the possibilities of the development of Highway 20 in the State of California, and to take such steps in the development of the

highway as such survey and study shall justify; to the Committee on Roads.

1350. By Mr. MICHENER: Petition signed by Violet Rader and 17 other citizens of Monroe County, Mich., urging the enactment of House bill 2475, which proposes protection to the service men of the United States in connection with the sale of alcoholic liquors and the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

1351. By Mr. MCGREGOR: Petition of C. W. Whitman and other railroad employees of Newark, Ohio, protesting against the completion of the proposed St. Lawrence seaway project; to the Committee on Rivers and Harbors.

1352. By Mr. RUTHERFORD: Petition of the members of the Methodist Church, Meshoppen, Pa., supporting Senate bill 860; to the Committee on Military Affairs.

1353. By Mr. TALLE: Petition of Mrs. Martin Stoutenberg and 11 other citizens, of Osage, Iowa, protesting against the enactment of Senate bill 983 and House bill 3852; to the Committee on the District of Columbia.

1354. By the SPEAKER: Petition of the Syrian and Lebanese American Federation of the Eastern States, Boston, Mass., petitioning consideration of their resolution with reference to national defense and patriotism; to the Committee on Military Affairs.

1355. Also, petition of the city of Youngstown, Ohio, petitioning consideration of their resolution with reference to the construction of the Berlin and Mosquito Creek Reservoirs; to the Committee on Flood Control.

## SENATE

TUESDAY, JUNE 10, 1941

The Chaplain, Rev. ZēBarney T. Phillips, D. D., offered the following prayer:

Almighty and everlasting God, who holdest in Thy hand the destinies of all mankind: We beseech Thee to look upon our Nation with Thy special care and fatherliness, quickening in us thoughts that beget true emotions, which, passing into action, shall make our lives serviceable, if not sublime, as, in imitation of Thy blessed Son, we strive to work the work of God while it is day.

Dispel all gloom and fear that may oppress the hearts of any, and, while we ask for the grace of humility for all upon whose shoulders have been placed the responsibilities of Government, we beseech Thee, especially to endue our leaders with strength and the courage that is born of justice, that right may prevail, manifesting itself on the part of everyone in rectitude of personal conduct, and a wholehearted loyalty to our country and the ideals for which it stands.

And now we pray for all who shall foregather here today, and as they strive to advance in singleness of heart Thy purposes for America, be Thou near them to defend them, within them to refresh them, about them to preserve them, before them to lead them, behind them to justify them, and above them to bless them. All of which we ask in our dear Redeemer's Name. Amen.

### THE JOURNAL

On request of Mr. BYRNES, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Monday, June 9, 1941, was dis-

pensed with, and the Journal was approved.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House had passed without amendment the bill (S. 774) to authorize the Pennsylvania Railroad Co., by means of an underpass, to cross New York Avenue NE., to extend, construct, maintain, and operate certain industrial sidetracks, and for other purposes.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 3019. An act to amend the act entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes," approved October 6, 1917 (40 Stat. 385);

H. R. 4660. An act to amend the act entitled "An act to provide aid for needy blind persons of the District of Columbia and authorizing appropriations therefor," approved August 24, 1935; and

H. R. 4965. An act making appropriations for the Military Establishment for the fiscal year ending June 30, 1942, and for other purposes.

### EXECUTIVE COMMUNICATION

The Vice President laid before the Senate the following communication, which was referred as indicated:

PROPOSED AMENDMENT RELATING TO THE PUBLIC HEALTH SERVICE (S. Doc. No. 65)

A communication from the President of the United States submitting a proposed amendment to the Budget for 1942 for the Public Health Service, Federal Security Agency, amounting to \$50,000 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

### PETITIONS AND MEMORIALS

Petitions, etc., were presented by Senators and referred as indicated:

By Mr. LODGE:

A memorial of sundry citizens of the State of Massachusetts, remonstrating against the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States, and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. CAPPER:

A memorial of sundry citizens of Wichita, Kans., remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A petition of sundry citizens of South Haven, Ashton, Winfield, and Arkansas City, all in the State of Kansas, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States, and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. ANDREWS:

A resolution of the Legislature of the State of Florida, memorializing Congress to enact promptly House bill 1036, known as the general-welfare bill, providing for a national old-age retirement system, etc.; to the Committee on Finance. (See resolution printed in full

when laid before the Senate on the 5th instant by the Acting President pro tempore, p. 4732, CONGRESSIONAL RECORD.)

A memorial of the Legislature of the State of Florida, urging that all possible aid be promptly rendered to Great Britain, including patrols and the conveying of ships by the United States Navy; to the Committee on Foreign Relations. (See memorial printed in full when laid before the Senate on the 5th instant by the Acting President pro tempore, p. 4732, CONGRESSIONAL RECORD.)

A concurrent resolution of the Legislature of the State of Florida; to the table:

### "Senate Concurrent Resolution 10

"Resolution relating to the preservation of moral conditions in the vicinity of Army and naval camps and plants erected and maintained by the Federal Government in providing for the national defense

*"Be it resolved by the Senate of the State of Florida (the House of Representatives concurring):*

"SECTION 1. That the Senate of the State of Florida (the House of Representatives concurring) respectfully petition the Congress of the United States of America to give early consideration to legislation suppressing and prohibiting all forms of vice, including the sale of intoxicating beverages, on, in, and in the vicinity of all plants owned, leased, or maintained by the United States of America for national defense, including all reservations, camps, bases, training schools, barracks, and other areas used for the quartering, training, or encampment of the armed forces of the Army and Navy of the United States.

"Sec. 2. *Be it further resolved*, That the secretary of state forthwith prepare suitable copies of this resolution and cause the same to be transmitted to the Vice President of the United States, the Speaker of the House of Representatives of the United States, the chairmen of the several committees on Army and naval affairs of the Senate and House of Representatives of the United States, and to each of the Members of the Senate and House of Representatives of the United States, from the State of Florida.

"Approved by the Governor May 31, 1941."

By Mr. CONNALLY:

A resolution of the Senate of the State of Texas; to the Committee on Commerce:

### "Senate Resolution 143

"Whereas it appears from present reports that a serious effort is now being made to induce the Congress of the United States to take the necessary steps toward completion of the Great Lakes-St. Lawrence seaway and power treaty; and

"Whereas the Senate of the State of Texas, although actuated by every desire to cooperate with the Government in its plans for our national defense, firmly believes that such a development would not be in the public interest in any manner, but would be hostile to the best interests of the State of Texas and of the United States, as it would disrupt and demoralize the transportation systems of the United States, land and water, and would disastrously affect the economic welfare of the country, and would particularly work a hardship on the Texas ports, and would cause irreparable injury to a large percentage of the public interests and labor of this State and Nation: Now, therefore, be it

*"Resolved by the Senate of the State of Texas*, That it go on record as being strongly opposed to this project; and be it further

*"Resolved*, That the Congress of the United States, and particularly the Senators and Representatives elected from the State of Texas, be memorialized and requested to use their utmost influence in opposition to said project; and be it further

*"Resolved*, That a copy of this resolution be immediately transmitted to the secretary of