

the Committee on Appropriations and ordered to be printed.

893. A communication from the President of the United States, transmitting a report of the expenditure of \$8,716.26 from the First Supplemental National Defense Appropriation Act, 1941, Public, 667, Seventy-sixth Congress, approved June 26, 1940; to the Committee on Expenditures in the Executive Departments.

894. A letter from the Acting Secretary of the Interior, transmitting the draft of a proposed bill to amend section 2334 of the Revised Statutes relating to the execution of mineral surveys on public lands by privately employed surveyors; to the Committee on Mines and Mining.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MAY:

H. R. 5630. A bill to make provision for the construction activities of the Army; to the Committee on Military Affairs.

By Mr. RANDOLPH:

H. R. 5631. A bill to amend an act entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia," approved February 27, 1929; to the Committee on the District of Columbia.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANGELL:

H. R. 5632. A bill for the relief of Edith M. Powell; to the Committee on Claims.

By Mr. CRAVENS:

H. R. 5633. A bill for the relief of J. R. Arnold; to the Committee on Claims.

## SENATE

THURSDAY, SEPTEMBER 11, 1941

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

O God, who hast so wonderfully made all things, and hast breathed into us the breath of life, making us spiritual beings capable of discerning right and wrong: Though we have chosen the evil and eschewed the good until our souls faint would forget their heaven-born destiny, by the divine alchemy of Thy grace transmute our dross into purest gold, that we may be filled anew with Thy life. Teach us to look with Thine eyes upon Thy creation, to know it is good because Thou hast created it, and to realize that it can be the vehicle of our sublimest glory or deepest shame. Help us to consecrate it to Thy use, rather than to bend it to our base desires, that in all things we may share in Thy creation, working with Thee toward heavenly ends through means both material and spiritual. We ask it in the name of Him, who didst teach that there is nothing so lowly but that it may be used in Thy service and made luminous with Thy presence, even Jesus Christ our Lord. Amen.

#### THE JOURNAL

On motion of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of Monday, September 8, 1941, was dispensed with, and the Journal was approved.

#### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

#### PETITIONS

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

By the VICE PRESIDENT:

Resolutions adopted by the North American Life Assurance Union, of Chicago, Ill.; General Welfare Centre No. 295, District No. 1, of Portland, Maine, and the Ocean County Association, Junior Order United American Mechanics, of Ocean County, N. J., favoring the enactment of legislation providing a pension of \$30 per month for every citizen over 60 years of age; to the Committee on Finance.

By Mr. CAPPER:

Petitions, numerously signed, of sundry citizens of Fort Scott and Harper, 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.

#### REPORTS OF A COMMITTEE

The following reports of the Committee on the District of Columbia were submitted:

By Mr. McCARRAN:

H. R. 5202. A bill to create an Industrial Accident Prevention Board, to foster, promote, and develop the safety of wage earners of the District of Columbia; to define its powers and duties, and for other purposes; with amendments (Rept. No. 675).

By Mr. BURTON:

S. 1008. A bill to amend an act entitled "An act to provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of passengers, and for other purposes," approved June 29, 1938; with amendments (Rept. No. 674).

#### BILLS INTRODUCED

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

By Mr. McNARY:

S. 1893. A bill for the relief of Lawrence Brizendine; to the Committee on Claims.

By Mr. DOWNEY:

S. 1900. A bill to amend section 5 of the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Civil Service.

By Mr. BULOW:

S. 1901. A bill granting a pension to Josephine Todd Moore; to the Committee on Pensions.

S. 1902 (by request). A bill to liquidate the liability of the United States for the massacre of Sioux Indian men, women, and children at Wounded Knee on December 29, 1890; to the Committee on Indian Affairs.

#### INVESTIGATION OF INCIDENT INVOLVING THE U. S. S. "GREER"

Mr. NYE submitted the following resolution (S. Res. 164), which was referred to the Committee on Naval Affairs:

Whereas the President of the United States and the high authorities of the Navy have reported that the U. S. S. Greer was fired upon by torpedoes from an unidentified submarine while on the Atlantic between this country and Iceland, and, in turn, the Greer dropped depth charges in an attempt to sink the submarine; and

Whereas the President has issued orders that this submarine shall be hunted down by our naval forces and "eliminated"; and

Whereas numerous groups in America, many of them high public officials, have been calling on the Navy to shoot first on the Atlantic, all of which has resulted in grave uneasiness in the public mind affecting the conduct of our own Government; and

Whereas this or other similar incidents might well bring about a situation resulting in actual warfare, either declared or undeclared, against the Axis Powers with consequent great loss of life and staggering debt to the Nation; and

Whereas it is important to the morale and unity of the Nation that there should be no question in the public mind respecting the propriety of the conduct of the American Government and the Navy; and

Whereas the Congress is entitled to the fullest information concerning an incident so vitaly endangering the peace of the Nation; and

Whereas actual facts of the incident can be wholly segregated from the subject of national policy: Therefore, be it

Resolved, That the Committee on Naval Affairs is hereby requested to ascertain all the facts attendant upon the conflict between the U. S. S. Greer and the unidentified submarine through direct questioning of the officers and crew of the Greer and an examination of its orders and its log; and be it further

Resolved, That the committee is requested to ascertain and report to the Senate the orders which have been issued by the naval authorities, under which the U. S. S. Greer and/or other United States naval vessels are operating between this Nation and Iceland.

#### LOG OF THE U. S. S. "GREER"

Mr. CLARK of Missouri. Mr. President, I send forward a very short resolution and ask unanimous consent that it may be read at the desk for the information of the Senate.

The VICE PRESIDENT. The clerk will read as requested.

The legislative clerk read the resolution (S. Res. 165), as follows:

Resolved, That the Secretary of the Navy is requested, if not incompatible with the public interest, to submit to the Senate a copy of the log of the U. S. S. Greer for the days September 2, 1941, to September 5, 1941, both inclusive.

Mr. CLARK of Missouri. Mr. President, I should like to state in very brief explanation of the resolution which I have just sent forward, and which I assume will be referred to the Committee on Naval Affairs in the due course, that I have no information and no intimation as to what the log of the U. S. destroyer Greer may show. I do know that certain statements have been made, given out from the Navy Department, and certain statements have been made by the

President of the United States as to what happened in North Atlantic waters in regard to that naval vessel. I know that some of these statements have been disputed.

I take it, to use a familiar principle of law, that the log of the *Greer* itself, the entries in the log, memoranda made concurrently with the happening of the event, would be admissible in any court of the world, at least, any court following the common law, as part of the *res gestae*. Such memoranda constitute part of the circumstance itself. Moreover, I know, to use another very familiar rule of law, that a memorandum made at the time, on the responsibility of a naval commander, is the very best evidence that can possibly be obtained as to what occurred in that connection.

Now, Mr. President, since the matter has been made public—I mean since reference to the incident has been made a matter of world-wide discussion—it seems to me that the American people are entitled to know all the truth, not half the truth, not half the facts, not part of the facts, but that the American people are entitled to know all the truth about that incident which took place in the North Atlantic.

I may say in further explanation, Mr. President, that the reason I included 5 days instead of 1 day in the resolution was that I called the Navy Department this morning and asked them for the exact date when this incident took place. They said it was generally given out that it was the 4th, but that the surrounding circumstances of the other days were a military secret. Therefore, I included 2 days before September 4, and 2 days after September 4.

Mr. President, I would be the last to desire to violate any military secret either of the Army or the Navy of the United States; I would be the last to ask for any information or for the publication of any information that might possibly be fairly considered to be a military secret; but, as I said a moment ago, it does seem to me that, the incident having been given out by the Navy Department itself in the first instance and repeated by the President, the American people are entitled to know all the facts, no matter what they may be. I repeat that I have no intimation or information whatever as to what the log of the U. S. S. *Greer* may show.

I offer the resolution, Mr. President, because a great many of us are not willing to accept statements of a propaganda bureau of the Navy Department. We all recall an incident just a little while ago when Secretary Knox, himself, publicly and solemnly assured the American people that no such incident had taken place as an American ship dropping depth bombs on a submarine in the North Atlantic, then told an entirely different story to the Naval Affairs Committee, and just a few weeks later, in an article, published in a magazine for hire he repudiated the original statement which he had publicly and solemnly made to the people of the United States.

I insist that the log of the *Greer* is the very best evidence on the subject, and the memoranda contemporaneously made with the happening of the incident every

American would be willing to accept as the correct version of the affair, because every American knows that no naval officer, on his responsibility as a naval officer, subject to court martial, is going contemporaneously to write down a lie in the official log of his ship as to what happened. It seems to me that the American people are entitled to know the facts. I do not know what they are.

The VICE PRESIDENT. Without objection, the resolution will be received out of order and will be appropriately referred.

Mr. BARKLEY. Mr. President, may I ask whether that means that the resolution will go to the Committee on Naval Affairs?

The VICE PRESIDENT. The resolution will be referred to the Committee on Naval Affairs.

#### ESTABLISHMENT OF ADDITIONAL NAVAL ACADEMY ON LAKE MICHIGAN, ILL.

Mr. BROOKS submitted the following resolution (S. Res. 166), which was referred to the Committee on Naval Affairs:

Whereas the two-ocean Navy will require a large number of thoroughly trained officers; and

Whereas an additional naval academy may be necessary to provide for the education and training of these additional officers; and

Whereas it is vitally important to our national defense that a naval academy be situated in a location away from the seaboard and consequently less open to destruction in time of war; and

Whereas the unequalled and outstanding advantages which impelled Congress to locate the Great Lakes Naval Training Station in Lake County, Ill., are of equal force in choosing a location for an additional naval academy: Therefore be it

*Resolved*, That the Secretary of the Navy is requested to investigate the necessity for the establishment of an additional naval academy and the desirability of locating such academy on the shore of Lake Michigan in Lake County, Ill., and report his conclusions to the Senate.

#### ADDRESS BY SENATOR BARKLEY BEFORE IOWA STATE BANKERS ASSOCIATION

[Mr. HERRING asked and obtained leave to have printed in the RECORD the address on the subject *What the United States Faces Today*, delivered by Senator BARKLEY before the Iowa State Bankers Association at Des Moines, Iowa, on September 9, 1941, which appears in the Appendix.]

#### ADDRESS BY SECRETARY MORGENTHAU BEFORE ADVERTISING CLUB OF BOSTON

[Mr. BARKLEY (for Mr. GLASS) asked and obtained leave to have printed in the RECORD a radio address delivered by Hon. Henry Morgenthau, Secretary of the Treasury, before the Advertising Club of Boston on September 9, 1941.]

#### WHAT FARM POWER MEANS TO FOOD AND DEFENSE—ADDRESS BY HON. PAUL V. McNUTT

[Mr. SPENCER asked and obtained leave to have printed in the RECORD an address delivered by Hon. Paul V. McNutt, Federal Security Administrator, before a banquet meeting of the Rural Electrification Administration and Food for Defense Conference, at the Washington Hotel, Washington, D. C., on September 5, 1941, which appears in the Appendix.]

#### ADDRESSES ON CURB OF INSTALLMENT BUYING

[Mr. CAPPER asked and obtained leave to have printed in the RECORD the addresses delivered on the American Forum of the Air at the Hotel Willard, Washington, D. C., on August 31, on the subject *How Far Should We Curb Installment Buying?* which appears in the Appendix.]

#### ADDRESS BY LT. GEN. BEN LEAR TO SOLDIERS OF SECOND ARMY IN THE FIELD

[Mr. BARKLEY (for Mr. LUCAS) asked and obtained leave to have printed in the RECORD an address delivered by Lt. Gen. Ben Lear, commanding general of the Second Army, to the soldiers of the Second Army in the field, on August 28, 1941, which appears in the Appendix.]

#### FORMER SENATOR BURKE OF NEBRASKA

[Mr. NYE asked and obtained leave to have printed in the RECORD an article from the Omaha (Nebr.) World Herald of September 4, 1941, relative to Hon. Edward R. Burke, former Senator from Nebraska, which appears in the Appendix.]

#### SIX YEARS OF THE NATIONAL LABOR RELATIONS ACT—ARTICLE BY H. A. MILLIS

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an article by H. A. Millis, Chairman of the National Labor Relations Board, entitled *"Six Years of the National Labor Relations Act,"* which appears in the Appendix.]

#### POST OFFICE CANCELLATIONS

[Mr. DOWNEY asked and obtained leave to have printed in the RECORD an article by Leo F. Rahill, entitled *"Post Office Cancellations,"* published in *The Dispatch*, Camp Roberts, Calif., August 15, 1941, which appears in the Appendix.]

#### TOWNSEND PENSION PLAN—ARTICLE BY GEORGE MURRAY

[Mr. DOWNEY asked and obtained leave to have printed in the RECORD an article entitled *"Townsend Pension Plan,"* written by George Murray, and published in *The Federation News* of July 5, 1941, which appears in the Appendix.]

#### RACIAL DISCRIMINATION—LETTER FROM REV. A. WENDELL ROSS

[Mr. DOWNEY asked and obtained leave to have printed in the RECORD a letter from Rev. A. Wendell Ross, pastor of the Pleasant Hill Baptist Church, of Los Angeles, Calif., relative to national and State segregation laws, which appears in the Appendix.]

#### RESOLUTIONS OF REPRESENTATIVES OF IOWA A. A. A. FARMERS, COMMITTEEMEN, AND CORN GROWERS

[Mr. GILLETTE asked and obtained leave to have printed in the RECORD resolutions adopted by representatives of A. A. A. farmers, committeemen, and corn growers of Iowa, and embodied in a letter addressed by them to the Secretary of Agriculture and the Vice President of the United States, which appear in the Appendix.]

#### LEGISLATURE AND EXECUTIVE IN WARTIME—ARTICLE BY LINDSAY ROGERS

[Mr. AIKEN asked and obtained leave to have printed in the RECORD an article by Lindsay Rogers entitled *"Legislature and Executive in Wartime."*]

#### HITLER AND PROPAGANDA

[Mr. SMATHERS asked and obtained leave to have printed in the RECORD two editorials from the *Washington Post*, and an editorial

from the Atlantic City Press, which appears in the Appendix.]

**STATEMENT BY RUSSELL E. SINGER ON PETROLEUM SITUATION**

[Mr. ANDREWS asked and obtained leave to have printed in the Record a statement by Russell E. Singer, general manager of the American Automobile Association, before the subcommittee of the Senate Committee on Commerce investigating the petroleum situation, on Monday, September 8, 1941, which appears in the Appendix.]

**IMPORTATION OF CUBAN TOMATOES AND OTHER VEGETABLES**

[Mr. ANDREWS asked and obtained leave to have printed in the Record a letter from S. J. Sligh, of Orlando, Fla., dated September 9, 1941, together with an accompanying table, relative to importation of Cuban tomatoes and other vegetables, which appear in the Appendix.]

**NONDISCRIMINATION IN NATIONAL-DEFENSE APPOINTMENTS**

Mr. GUFFEY. Mr. President, it has been my personal and political policy to treat all citizens, regardless of race, creed, color, or national origin with the same consideration. I am very happy to note that when the President's attention was called to a possible violation of the policy, he immediately issued an Executive order prohibiting any practices of partiality, and has since followed it with a letter definitely insisting upon a fair racial and creed policy in employment in the Government service. I ask that the President's letter and Executive order be incorporated in the CONGRESSIONAL RECORD as part of my remarks, together with a memorandum from the President addressed to William S. Knudsen and Sidney Hillman, and an article from the New York Times of September 7, relative to the subject.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

Under date of September 3 the President addressed the following letter to Mark Ethridge, chairman, Fair Employment Practice Committee, Office of Production Management:

"Please accept my thanks for your letter of August 29, to which I have given careful consideration. This will inform you that I have approved the committee's recommendation. I am, therefore, today forwarding to the heads of all departments and independent establishments a letter emphasizing the necessity of impartial administration of the Federal civil service, entirely without prejudice based on creed, race, or national origin. I enclose a copy.

"May I, in advising you of my approval, ask you to convey to the members of the committee an assurance of my heartfelt appreciation of their conscientious work, which I trust will contribute vitally to the solution of a grave problem."

The text of the letter which the President sent to the heads of all departments and independent establishments follows:

*"To heads of all departments and independent establishments:*

"It has come to my attention that there is in the Federal establishment a lack of uniformity and possibly some lack of sympathetic attitude toward the problems of minority groups, particularly those relating to the employment and assignment of Negroes in the Federal civil service.

"With a view to improving the situation, it is my desire that all departments and independent establishments in the Federal

Government make a thorough examination of their personnel policies and practices to the end that they may be able to assure me that in the Federal service the doors of employment are open to all loyal and qualified workers regardless of creed, race, or national origin.

"It is imperative that we deal with this problem speedily and effectively. I shall look for immediate steps to be taken by all departments and independent establishments of the Government to facilitate and put into effect this policy of nondiscrimination in Federal employment."

**EXECUTIVE ORDER NO. 8802**

**REAFFIRMING POLICY OF FULL PARTICIPATION IN THE DEFENSE PROGRAM BY ALL PERSONS, REGARDLESS OF RACE, CREED, COLOR, OR NATIONAL ORIGIN, AND DIRECTING CERTAIN ACTION IN FURTHERANCE OF SAID POLICY**

Whereas it is the policy of the United States to encourage full participation in the national-defense program by all citizens of the United States, regardless of race, creed, color, or national origin, in the firm belief that the democratic way of life within the Nation can be defended successfully only with the help and support of all groups within its borders; and

Whereas there is evidence that available and needed workers have been barred from employment in industries engaged in defense production solely because of considerations of race, creed, color, or national origin, to the detriment of workers' morale and of national unity: Now, therefore,

By virtue of the authority vested in me by the Constitution and the statutes, and as a prerequisite to the successful conduct of our national-defense production effort, I do hereby reaffirm the policy of the United States that there shall be no discrimination in the employment of workers in defense industries or Government because of race, creed, color, or national origin; and I do hereby declare that it is the duty of employers and of labor organizations, in furtherance of said policy and of this order, to provide for the full and equitable participation of all workers in defense industries, without discrimination because of race, creed, color, or national origin;

And it is hereby ordered as follows:

1. All departments and agencies of the Government of the United States concerned with vocational and training programs for defense production shall take special measures appropriate to assure that such programs are administered without discrimination because of race, creed, color, or national origin;

2. All contracting agencies of the Government of the United States shall include in all defense contracts hereafter negotiated by them a provision obligating the contractor not to discriminate against any worker because of race, creed, color, or national origin;

3. There is established in the Office of Production Management a Committee on Fair Employment Practice, which shall consist of a chairman and four other members to be appointed by the President. The chairman and members of the Committee shall serve as such without compensation, but shall be entitled to actual and necessary transportation, subsistence, and other expenses incidental to performance of their duties. The Committee shall receive and investigate complaints of discrimination in violation of the provisions of this order and shall take appropriate steps to redress grievances which it finds to be valid. The Committee shall also recommend to the several departments and agencies of the Government of the United States and to the President all measures which may be deemed by it necessary or proper to effectuate the provisions of this order.

FRANKLIN D. ROOSEVELT.  
THE WHITE HOUSE, June 25, 1941.

JUNE 12, 1941.

Memorandum for:  
Hon. WILLIAM S. KNUDSEN.  
Hon. SIDNEY HILLMAN.

Complaints have repeatedly been brought to my attention that available and much-needed workers are being barred from defense production solely because of race, religion, or national origin. It is said that at a time when labor stringencies are appearing in many areas fully qualified workers are being turned from the gates of industry on specifications entirely unrelated to efficiency and productivity; also, that discrimination against Negro workers has been Nation-wide, and other minority racial, national, and religious groups have felt its effects in many localities. This situation is a matter of grave national importance, and immediate steps must be taken to deal with it effectively.

I note with satisfaction that the Office of Production Management has recognized the seriousness of this situation, and that on April 11, 1941, it addressed a letter on the subject to all holders of defense contracts. As Chief Executive of the Nation, I place the full support of my office behind your statement to the effect that "all holders of defense contracts are urged to examine their employment and training policies at once to determine whether or not these policies make ample provision for the full utilization of available and competent Negro workers. Every available source of labor capable of producing defense materials must be tapped in the present emergency."

No nation combatting the increasing threat of totalitarianism can afford arbitrarily to exclude large segments of its population from its defense industries. Even more important is it for us to strengthen our unity and morale by refuting at home the very theories which we are fighting abroad.

Our Government cannot countenance continued discrimination against American citizens in defense production. Industry must take the initiative in opening the doors of employment to all loyal and qualified workers, regardless of race, national origin, religion, or color. American workers, both organized and unorganized, must be prepared to welcome the general and much-needed employment of fellow workers of all racial and nationality origins in defense industries.

In the present emergency it is imperative that we deal effectively and speedily with this problem. I shall expect the Office of Production Management to take immediate steps to facilitate the full utilization of our productive manpower.

FRANKLIN D. ROOSEVELT.

[From the New York Times of September 7, 1941]

**PRESIDENT ORDERS RACE BARS LIFTED—HE AGAIN INSTRUCTS HEADS OF ALL AGENCIES TO END DISCRIMINATION IN EMPLOYMENT—PRAISES ETRIDGE REPORT—O. P. M. FAIR PRACTICES COMMITTEE STRESSES PREJUDICE AGAINST NEGROES IN FEDERAL JOBS**

HYDE PARK, N. Y., September 6—President Roosevelt has again instructed the heads of all Government departments and agencies to hire employees without regard to "creed, race, or religion" and, particularly, to give the Negroes an opportunity to get their fair share of Federal jobs, including those related to defense.

The Executive acted upon a report from Mark Ethridge, Chairman of the new Fair Employment Practices Committee of the Office of Production Management, which said that discrimination against Negroes was continuing in the Federal establishment.

The Ethridge committee was established by an executive order June 25 which asserted that needed workers were being barred from defense industries because of race and other

prejudices. Government agencies were instructed not to discriminate in any respect.

Mr. Roosevelt's new letter "to heads of all departments and independent establishments" read:

"It has come to my attention that there is in the Federal establishment a lack of uniformity and possibly some lack of sympathetic attitude toward the problems of minority groups, particularly those relating to the employment and assignment of Negroes in the Federal civil service.

"With a view to improving the situation, it is my desire that all departments and independent establishments in the Federal Government make a thorough examination of their personnel policies and practices to the end that they may be able to assure me that in the Federal service the doors of employment are open to all loyal and qualified workers regardless of creed, race, or national origin.

"It is imperative that we deal with this problem speedily and effectively. I shall look for immediate steps to be taken by all departments and independent establishments of the Government to facilitate and put into effect this policy of nondiscrimination in Federal employment."

In his letter to Mr. Ethridge the President said:

"Please accept my thanks for your letter of August 29, to which I have given careful consideration. This will inform you that I have approved the committee's recommendation. I am, therefore, today forwarding to the heads of all departments and independent establishments a letter emphasizing the necessity of impartial administration of the Federal civil service, entirely without prejudice based on creed, race, or national origin. I enclose a copy.

"May I, in advising you of my approval, ask you to convey to the members of the committee an assurance of my heartfelt appreciation of their conscientious work, which I trust will contribute vitally to the solution of a grave problem."

#### POSTMASTER NOMINATIONS REPORTED AND CONFIRMED

Mr. HAYDEN. From the Committee on Post Offices and Post Roads, I report favorably two nominations of postmasters in the State of Kentucky. I ask unanimous consent for their immediate consideration as in executive session, and that the President be notified.

The VICE PRESIDENT. The nominations will be read for the information of the Senate.

The Chief Clerk read the nomination of Thomas Albert Lewin Miller to be postmaster at Paducah, Ky., in place of Fred Acker, deceased.

The VICE PRESIDENT. Is there objection to the immediate consideration of the nomination as in executive session?

Mr. MCNARY. Mr. President, are these nominations of postmasters?

Mr. HAYDEN. They are two nominations of postmasters in Kentucky; one in Paducah, where the postmaster died.

Mr. BARKLEY. There is a vacancy there. As the Senator from Arizona has stated, the postmaster died.

Mr. MCNARY. Under the circumstances, I have no objection.

The VICE PRESIDENT. Is there objection to the consideration of the nomination as in executive session? The Chair hears none. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Leonard M. Proffit to be post-

master at Loyall, Ky., in place of E. E. Hopkins.

The VICE PRESIDENT. Is there objection to the consideration of the nomination as in executive session? The Chair hears none. Without objection, the nomination is confirmed.

Without objection, the President will be notified of the confirmation of both nominations.

#### PRINTING OF PROCEEDINGS OF NATIONAL ENCAMPMENTS OF VARIOUS VETERANS' ORGANIZATIONS

Mr. HAYDEN. Mr. President, from the Committee on Printing, I report favorably, without amendment, House Joint Resolution 196, and ask unanimous consent for its present consideration. The effect of the joint resolution is to authorize the printing of the annual report of the Military Order of the Purple Heart.

The VICE PRESIDENT. The clerk will state the title of the joint resolution for the information of the Senate.

The LEGISLATIVE CLERK. Joint resolution (H. J. Res. 196) authorizing the printing, with illustrations, of the proceedings of the national encampments of various veterans' organizations in the United States as separate House documents.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. MALONEY. Mr. President, let me ask the Senator from Arizona what are the other organizations which are included.

Mr. HAYDEN. The other organizations are the Grand Army of the Republic, the United Spanish War Veterans, the Veterans of Foreign Wars of the United States, the American Legion, and the Disabled American Veterans of the World War.

Mr. MALONEY. Would the Senator object to the inclusion of the other national veterans' organizations, such as the Jewish-American War Veterans, the Italian-American War Veterans, and the Irish-American War Veterans?

Mr. HAYDEN. I should have to object to that, because the committee has had no hearing upon the subject. This matter was heard in the House; and inasmuch as the Military Order of the Purple Heart is an order created by George Washington, it is in a little different status than the others. It is limited to men who were wounded.

Mr. MALONEY. I am in hearty accord with the joint resolution.

Mr. HAYDEN. I should not want to load down the joint resolution with all the other organizations without a hearing, because I do not know what the expense would be. I think we had better take them up on their merits.

Mr. MALONEY. May I ask the assurance of the distinguished chairman of the Committee on Printing that he will give consideration to the desires of the other organizations as soon as possible?

Mr. HAYDEN. I shall be very glad to do that; but I think we ought to take them up one at a time and on their merits.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution, which was ordered to a third reading, read the third time, and passed, as follows:

*Resolved, etc.*, That Public Resolution No. 126 (46 Stat. 1481), approved March 2, 1931 (U. S. C., title 44, sec. 275B), authorizing the printing of the proceedings of the national encampments of certain veterans' organizations in the United States be, and is hereby, amended to read as follows:

"That hereafter the proceedings of the national encampments of the Grand Army of the Republic, the United Spanish War Veterans, the Veterans of Foreign Wars of the United States, the American Legion, the Military Order of the Purple Heart, and the Disabled American Veterans of the World War, respectively, shall be printed annually, with accompanying illustrations, as separate House documents of the session of the Congress to which they may be submitted."

#### LEGISLATIVE PROGRAM

Mr. BARKLEY. Mr. President, I desire to make a statement to the membership of the Senate.

The conferees on the revenue bill have met and are working and expect to have the conference report ready for the consideration of both Houses by next Tuesday. It is possible that it may be ready by Monday, but that is hardly likely, because the House is operating under a sort of recess agreement and the House conferees have not yet been legally appointed. They are acting informally; but they will be appointed on Monday, and we hope to have the conference report ready by that time, and certainly in time to be taken up in the two Houses on Tuesday. It must be acted on first in the House. Therefore I am making this statement merely in the hope that Senators who are here will remain here until the conference report is disposed of.

The Members of the House have been called back from their homes, and from the recess they have been taking, for the purpose of acting upon the conference report and being assured that a quorum will be in the city. I desire the same assurance in the Senate, that a quorum will be present. Therefore, I hope Senators may find it convenient to remain here, and that we may bring back such others as may be necessary to assure that a quorum will be present when the conference report on the revenue bill is considered and disposed of.

#### PRELIMINARY REPORT OF SPECIAL COMMITTEE TO INVESTIGATE SHORTAGE OF GASOLINE, FUEL OIL, ETC. (REPT. NO. 676)

Mr. MALONEY. Mr. President, on behalf of the special committee which you appointed on August 28, 1941, under Senate Resolution 156, to make a full and complete investigation with respect to the shortages of gasoline, fuel oil, and other petroleum products in the various States, and the methods that are being employed for the purpose of providing deliveries of such products, we now offer a brief report. This is not the committee's final report, but the members are of the opinion that the national interests

are best served by a preliminary report to the Senate at this time.

Prior to the appointment of this committee there was great fear on the part of the consuming public of the Atlantic seaboard area concerning a shortage of gasoline, home-burning fuel oil, industrial oil, and other petroleum products. The Petroleum Coordinator not only had urged oil conservation, but had imposed restrictions on its use, and, seemingly, from his organization came an indication of cold days ahead. There was fear that in the approaching winter months there would be an insufficient amount of fuel oil for home use, and probably an insufficient amount of oil for industrial purposes. A mild form of hysteria spread among small retailers, and anger and confusion and uncertainty were in evidence.

People questioned the accuracy of the observations of the Coordinator's Office, and, to a very great extent, the kind of harmony that is so important to the national-defense effort of the country was lacking. This unfortunate situation was widespread in the States along the Atlantic seaboard, was felt to a lesser degree in the northwestern part of the country, and to some degree elsewhere. It seemed to have either a depressing or an exciting effect upon a great part of our population.

The special Senate committee members, like most of the rest of the people of the country, were completely satisfied, from the beginning, that there was no shortage of petroleum products. The committee quickly concluded that the issue boiled down to the question of locating enough transportation facilities for the carrying of oil to what is known in the Coordinator's Office as region No. 1, and what might more easily be recognized as the Atlantic States area.

We have been holding hearings, as a special committee of the Senate, since August 28. There was an interruption of a few days as the result of the Labor Day holiday and week end, and the hearings were only concluded yesterday afternoon. They have not yet been printed.

The committee believes that in the handling of the petroleum problem unnecessary alarm was created. We are of the opinion that this was caused by an overenthusiasm on the part of those charged with the direction of the petroleum situation. The committee has no desire to assume credit for its small effort, nor to criticize those charged with the coordinating effort, but feels duty bound to make the observation that had an adequate analysis been made by those to whom the responsibility of coordination was delegated, the confusion of the past few months might have been avoided.

The committee furthermore has now concluded that there is no shortage of transportation facilities. This conclusion is based upon the studied opinion and serious promises of Mr. John J. Pelley, president of the Association of American Railroads, and Mr. Ralph Budd, Transportation Commissioner of the Advisory Commission to the Council of National Defense. These men reached

their decision on the availability of tank-car facilities as a result of their own study, information obtained from the study of a fact-finding committee of the American Petroleum Institute, and through the cooperation of tank-car companies. Their testimony favorably impressed and satisfied the committee, although it should be reported that the Acting Petroleum Coordinator, and at least one or two others who testified, were reluctant to accept the accuracy of the statements of Mr. Budd and Mr. Pelley.

There is a probability that this special committee may later find it necessary to resume hearings. For the time being it will undertake a further committee study without hearings.

The committee members have not attempted to explore charges of unworthy purposes behind the announced oil "shortage." We have not felt that it was a part of our immediate responsibility to attempt to find out whether or not the "shortage" question arose as the result of a desire to construct a large pipeline, or other pipe lines, or whether behind the scene there was some connection with pending antitrust suits, or whether the price of petroleum products was involved. Members have heard these and other charges—and, while we do not dismiss them entirely, and while they might possibly be considered later, the committee has felt that its purpose was to ascertain whether or not there was a petroleum shortage; and if there was, how it might be corrected.

Our conclusions may best be summed up by stating that there is no shortage of petroleum products—not a shortage, as of this date, of transportation facilities—but that the whole frightening picture, from the standpoint of the Coordinator's Office, seems to lie in the fact that the shortage, which has excited the activity of the Coordinator, is really a "shortage" in a large surplus which is desired. Paradoxical as it sounds, the shortage, as we see it, is a shortage of surplus and not a shortage of products or a lack of facilities to transport them.

It should be hastily stated, however, that this committee can look no more deeply into the future than the testimony which we received makes possible. We are, because of the world situation, living in compartments of days—and there is a national peril—and none can clearly foresee what the future may hold in store. Insofar as we have been able to determine from our hearings, our present facilities will be maintained. On the other hand, there should be an immediate increase in the use of tank cars, a constant increase in facilities through the continuing construction of tankers, much help through the improved use of pipe lines now in operation and under construction, the more extensive use of highway oil-carrying motortrucks, and the probable construction of barges; and at the same time an increased efficiency in the use of all forms of transportation in this industry.

The committee is unanimously of the opinion that charges made that the "shortage" situation was magnified by a desire to create a "war scare" are without foundation. The committee does not

set aside the other charges, but, as heretofore stated, it does not seem a part of the immediate duty of this committee, or of extreme importance in connection with the issue which created the committee, that a study of those other matters be made at this time. If it develops that there should later be a need for such a study and it appears that it is within the authority and duty of this committee, there will be no reluctance on our part to pursue the matter further.

The situation as we found it in the hearings has led us to believe that it was perhaps created by a misapprehension of actual conditions, and that it can immediately be overcome by the Office of the Petroleum Coordinator. He now has the assurance of complete cooperation from the railroads and the tank-car companies. He has the pledge of the oil companies that they will utilize to the fullest extent possible the tank cars which are available. He has given the committee members assurance of an immediate and careful study of the price situation, which we feel has a fundamental bearing upon the situation. The Coordinator, in the opinion of the committee, should find it possible to overcome the present problem in a matter of days. If there is a shortage, it is quite apart from the admitted 10-day surplus always in existence, and it is not in excess of 175,000 barrels of oil a day. The Coordinator admits that if the railroad and tank-car officials are able to fulfill their conservative promise of transporting 200,000 additional barrels of oil a day no shortage will occur.

In some instances, during the course of the study of the committee, there was opportunity to observe mistakes in many places. It does not appear to us, however, that the public welfare or the national interest is improved by dwelling upon errors and mistakes which it now appears have been or quickly will be overcome. Our main purpose has been to establish the facts—quiet the fears of the American people—and to make certain that every proper effort is being made to maintain our petroleum needs, while at the same time giving every assistance reasonably and properly possible to the distressed nations beyond the seas, to whose assistance, short of war, we are committed.

Since the date of the creation of this committee, the activities of the Coordinator's office, through coincidence or otherwise, have been accelerated to an amazing degree. Among other happenings new committees have been formed, the railroad and oil and tank-car people have been brought together in meeting, substantial rate reductions have been established, railroad tank-car efficiency has been discovered, and at least one expert in the transportation field has been added to the Coordinator's staff. The Coordinator has voluntarily expressed the opinion that this special committee has made a substantial contribution to the problem of the existing oil situation.

It is felt that a part of the responsibility of this committee is to advise the American people that there should be a sane and sensible and constant conservation of all petroleum products. This is

true of other fuel products, and in no small degree true of many other products. The days ahead cannot be otherwise than seriously regarded. By our accepted policy we are, short of military or naval involvement, committed to aid certain nations under attack. The conservation of fuel, and particularly petroleum products, is wisely a part of our program. So we urge upon the American people a complete cooperation with the office of the Petroleum Coordinator, and we urge upon the Coordinator a complete cooperation with the people of the country. We do not believe that the situation has been really understood up to now, or at least up until very recently. We do think that the advances made in recent days are gratifying and that insofar as this important product and industry is concerned, we can quickly reach absolute understanding and complete national unity.

Mr. President, we shall not this afternoon, or in this report, dwell at length upon all of the transportation facilities which might become available. Some promise is found in the acquisition of tankers south of the Equator. Relief is anticipated by a reversal of the flow of oil in certain pipe lines. A careful study is being made of short cuts for railroad and automobile truck and tanker transportation. There seems to be a better understanding. The industry seems to better understand the aims of the Office of the Coordinator, and the Coordinator probably has an increased knowledge of the problem confronting the industry in all of its branches, and should have a better understanding of the position of the railroads and the tank-car companies.

There should be a saving of oil through the cooperation of public officials everywhere, and particularly through the defense agencies of the States and municipalities. Nation-wide attention has been focused upon the petroleum problem, and it appears that almost all of these who should be giving it attention are anxious to cooperate.

We have not deemed it a part of our duty to make a study of petroleum prices or the question of what hours gasoline stations should operate, nor have we delved into or dwelt upon the many other matters having a relationship to the need for building up as large a petroleum stock pile as is properly possible.

The Petroleum Coordinator seems to have given his assurance that there will be no shortage of oil for the heating of homes or in connection with the needs of industry. With proper conservation motorists should find it possible to acquire the gasoline and oil products which they need. We believe that present restrictions should be lifted and that the public, with a clearer understanding of conditions, would cooperate in carrying out an effective program of conservation. This observation is, of course, based upon the situation as of this day and date, and we do not attempt to see far enough ahead to make the prediction that at no time in the future will we be confronted with a petroleum problem. Ever so many factors enter into that possibility. They

are almost as obvious to anyone concerned as they are to this committee.

During the course of the hearings we listened to everyone asking to be heard. We complied with every request insofar as material submitted for the record of our hearings was concerned. We are indebted to those who cooperated with us under the pressure of quickly called hearings. We have asked the Petroleum Coordinator and the Director of Civilian Allocations, and the railroad officials, and oil-company representatives, and the others who in any way have a responsibility in connection with the petroleum questions to keep our committee completely informed as to what progress is being made and to keep us up to date on the oil situation. We have assurances of that cooperation.

We particularly urge upon Members of Congress an examination of the hearings, which, it seems to us, are revealing and important in connection with any further studies of the petroleum situation.

We think that with careful handling—and a calm procedure—this problem, for the time being, has been met. Whatever pessimism has been attached to the situation did not extend far beyond the end of this year, and all of those officially connected with the matter have anticipated that by spring, barring completely unforeseen events, the worry would be over. Much information not possible to include in this report will be found in the hearings, which will be available by the time the Senate meets again. Questions unanswered here—to the extent that the committee can answer them—are in the printed record of committee hearings. Interesting in this connection are observations in relation to pipe lines, which, in connection with the national-defense needs, may be extremely important. Construction of these pipe lines on a large scale involves conflicting opinions in several instances; but most important, in the opinion of the committee, is the question of steel allocation for the largest of the proposed projects.

Mr. President, we should like to lay emphasis upon the fact that this is a hurriedly prepared and not a complete or final report. It is not to be assumed that the committee has concluded its work. Its purpose is to present the committee's conclusions as of this date, and to point out that there is no shortage excepting in the large surplus visualized by those who properly aspire to create and maintain a large surplus as protection against an uncertain future.

Our committee is in recess only insofar as hearings are concerned, and it is our intention to follow the oil situation closely; to make such study as is possible; to meet again if, as, and when the need appears; and to report to the Senate in more appropriate detail at a later date.

FRANCIS MALONEY,  
Chairman.  
GEORGE L. RADCLIFFE.  
W. LEE O'DANIEL.  
W. WARREN BARBOUR.  
HAROLD H. BURTON.

The VICE PRESIDENT. The report will be printed.

#### A PROPAGANDA PROGRAM FOR THE UNITED STATES

Mr. WILEY. Mr. President, tonight we shall hear a message from the Chief Executive of the Nation. None of us knows what that message will be.

During the past few days it has been my privilege to attend, not as a member of the committee, but as a spectator, the hearings before the committee which is investigating the motion-picture industry. That investigation will result in at least one great benefit to the American people. It will make the American motion-picture public more discriminative in its evaluation of propaganda.

Undoubtedly thousands upon thousands of our people will, for the first time when they stop and read what is said here, be brought to a realization of the fact that they really are mental creatures, subject to the influence and impact of ideas. As a result the people themselves will be put on guard against half truths, and against that which contributes to hysteria, unbalance, and so forth.

Previous to the last World War both Germany and Great Britain spent considerable money for propaganda purposes. Propaganda which states the facts is an educational process. It is carried out through the press, through books, the radio, magazines, preachers, teachers, statesmen, and by word of mouth of every one of us. We are constantly indulging in disseminating ideas. We are constantly receiving the impact of somebody else's mind.

I should like to see a great propaganda or educational program started by all the various agencies I have mentioned, to educate our people up to the meaning of the word "republic," with emphasis on the word "republic." Perhaps if this were done we might get rid of much irrelevant discussion now being indulged in.

Our forefathers who were the instruments that created this Government under the Constitution did something unique. They provided that this Government should be divided into three parts—executive, judicial, and legislative. They took away from the Executive the power to declare war or to make war, and they conferred that power upon the legislative body of the Government. All down through history the power to make war was lodged in the Executive until our forefathers provided differently. They conferred upon the Executive the command of the Army and the Navy in peacetime and wartime, but the power to raise taxes to sustain the Army and Navy was left to the legislative branch of the Government. They gave to the Executive the plenary power to handle the foreign affairs of the Nation, subject only to the constitutional limitation that he should make no treaty without the approval of the Senate.

Previous to the formation of this Government, practically everywhere on earth arbitrary power rested in the Executive; but our forefathers developed

something new, a system of checks and balances in government. This system of checks and balances has operated admirably up to the present, and I believe it is operating now. In our appraisal of the acts of the various branches of government the pertinent question is whether the branch is operating within the scope of its constitutional power.

Parenthetically, Mr. President, I digress here to say that I believe it would be of great aid to all our people if they better understood the operation of the Government. I receive thousands of letters from persons in my State and from persons throughout the Nation condemning some act of one branch of the Government—sometimes the legislative branch, sometimes the executive branch—when there is no reason for their condemnation except that certain action does not agree with their concepts. But let us remember that we, the people, delegated to the Executive certain powers, and if he performs those powers within the scope of his authority, he is acting in a legal manner. The question is not whether he is acting as you or I might act if we were the Executive of the Nation, but the real question is whether he is acting within the scope of his power.

That question will be very important in the days that lie ahead. That is why I am suggesting that I wish we had underway a great propaganda program giving the people light on the subject of the Republic—not a democracy, but the Republic of the United States of America.

Putting the matter concretely, the power being in the Congress to declare war, the President has not the constitutional power to invade that sphere of Congress. He should particularly be careful not to commit an overt act which might result in an aggressive act on the part of some other nation. On the other hand, under his plenary power of dealing with and handling foreign affairs, he having, as the Supreme Court has said, particular and confidential information and facts not available to the average citizen, the President operates as the Executive of the Nation.

Everyone recognizes the fact that we are living in a changing world. That means a world in which conditions have changed, and are changing momentarily. It is the imponderables of the future which make it so impossible to decide what shall be done. Many of the old ideas are not applicable. In the field of defense our concepts of 1918 are outmoded. A few short years ago the world outlawed war by the Kellogg-Briand Pact. Today we know that we cannot outlaw war by mere international pacts.

Consequently, in approaching the problem of maintaining America safe, sound, and at peace the best brains we have in the land must be devoted to the accomplishment of that purpose. As someone has said, the time for thinkers is now—sane thinkers, level-headed thinkers, men and women who will not go on emotional jags, men and women who read their daily newspapers, men and women who, as they go down on their knees for guidance and direction, will rise strengthened and not in an unbalanced state of mind.

Consequently, in approaching the problem of maintaining America safe, sound, and at peace, you and I, Mr. President, cannot "pass the buck" to Washington. You and I have our part to play. I believe the fact that we are a republic, a government of checks and balances, will provide, if we operate sanely and calmly within the provisions of the Constitution, a safeguard for all American values. Therefore let each branch of our Government operate within its sphere, and not outside of it, and I think this Government will come safely through the storm.

#### EXECUTIVE SESSION

Mr. BARKLEY. 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 VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

#### EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. HAYDEN, from the Committee on Post Offices and Post Roads:  
Sundry postmasters.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will proceed to state the nominations on the executive calendar.

#### DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of George R. Merrell, of Missouri, to be consul general of the United States of America.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

#### POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc, and, without objection, the President will be notified.

#### ADJOURNMENT

Mr. BARKLEY. As in legislative session, I move that the Senate adjourn until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 12 o'clock and 48 minutes p. m.) the Senate adjourned until Monday, September 15, 1941, at 12 o'clock meridian.

#### NOMINATIONS

Executive nominations received by the Senate September 11, 1941:

#### DIPLOMATIC SERVICE

Anthony J. Drexel Biddle, Jr., of Pennsylvania, now Ambassador Extraordinary and Plenipotentiary to Poland, serving concurrently as Ambassador Extraordinary and Plenipotentiary near the Government of Belgium; and as Envoy Extraordinary and Minister Plenipotentiary near the Governments of Norway, the Netherlands, and Yugo-

slavia, now established in London, to serve concurrently and without additional compensation also as Envoy Extraordinary and Minister Plenipotentiary of the United States of America near the Provisional Government of Czechoslovakia, also now established in London.

#### UNITED STATES DISTRICT JUDGE

Emerich B. Freed, of Ohio, to be judge of the United States District Court for the Northern District of Ohio, to fill a new position.

#### COMPTROLLER OF CUSTOMS

Arthur A. Quinn, of Sewaren, N. J., to be comptroller of customs in customs collection district No. 10, with headquarters at New York, N. Y. (Reappointment.)

#### CONFIRMATIONS

Executive nominations confirmed by the Senate Thursday, September 11, 1941:

#### DIPLOMATIC AND FOREIGN SERVICE

George R. Merrell to be a consul general of the United States of America.

#### POSTMASTERS

##### ILLINOIS

Andrew Mikel, Westville.

##### KENTUCKY

Leonard M. Proffit, Loyal.  
Thomas Albert Lewin Miller, Paducah.

##### MISSOURI

Mary C. Cook, Lathrop.  
Basil V. Jones, Pleasant Hill.

## HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 11, 1941

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. WOODRUM of Virginia.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty and most merciful God, maker of heaven and earth, we beseech Thee to hear us as we pray our Saviour's prayer: *Our Father who art in heaven, hallowed be Thy name; Thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us; and lead us not into temptation, but deliver us from evil, for Thine is the kingdom and the power and the glory forever. Amen.*

The Journal of the proceedings of Monday, September 8, 1941, was read and approved.

#### EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article from the Pittsburgh Press of June 1, commanding the services of our colleague the gentleman from Pennsylvania, Hon. J. BUELL SNYDER.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the gentleman