

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. KNUTSON:

H. R. 6189. A bill to amend section 1601 (a) (1) of the Internal Revenue Code (relating to credits against the Federal unemployment tax); to the Committee on Ways and Means.

By Mr. SHERIDAN:

H. R. 6190. A bill to provide identification badges for Senators, Representatives, Delegates, and Resident Commissioners; to the Committee on Coinage, Weights, and Measures.

By Mr. VINSON of Georgia:

H. R. 6191. A bill to provide for the extension of enlistments in the Navy in time of war, and for other purposes; to the Committee on Naval Affairs.

PETITIONS, ETC.

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

2127. By Mr. COFFEE of Washington: Resolution of Washington State Chapter of the American Institute of Architects, William J. Bain, president, and John T. Jacobsen, secretary, Seattle, Wash., alleging that Supply, Priorities, and Allocations Board rulings prohibit use of critical material in nondefense areas for all construction not related to defense work or the health and safety of the public; averring that such ruling threatens and deprives millions of workers, skilled and unskilled, of employment in the building industry; asserting that such critical materials as are required for normal construction constitute but a small percentage of the total; declaring that Supply, Priorities, and Allocations Board rulings of October 10, 1941, have inspired hoarding, deception, and cheating; asserting that patriotism and national unity is receiving a telling blow through such rulings; and, therefore, concluding that all congressional Representatives from the Western States be urged to investigate and make a report through appropriate committees on the proper distribution of production of critical materials; that if the committee's investigation should justify it, the Supply Priorities and Allocations Board should be ordered to allocate a reasonable percentage of the critical materials for private construction; stating that the findings and conclusions of aforesaid resolution have been concurred in by chapters of the American Institute of Architects of Oregon, Spokane, Utah, Colorado, and Montana; to the Committee on Rules.

2128. By Mr. KEOGH: Petition of the United Irish-American Societies of New York, concerning the St. Lawrence waterway project; to the Committee on Foreign Affairs.

2129. By Mr. KRAMER: Petition of the State advisory committee of the National Youth Administration for California, objecting to the proposal that appropriations for the National Youth Administration and Civilian Conservation Corps in California be reduced; to the Committee on Appropriations.

2130. By the SPEAKER: Petition of the Propeller Club of the United States, fifteenth annual convention, San Francisco, Calif., petitioning consideration of their resolution with reference to adjustment of pay and allowances for Coast Guard service; to the Committee on the Merchant Marine and Fisheries.

2131. Also, petition of the American Association of Port Authorities, New Orleans, La., petitioning consideration of their resolution with reference to Senate bill 1539, relative to the Tennessee Valley Authority Act of 1933; to the Committee on Military Affairs.

2132. Also, petition of the Military Order of the Loyal Legion of the United States, Silver Springs, Md., petitioning consideration of

their resolution with reference to labor strikes in essential defense industries; to the Committee on Labor.

2133. Also, petition of the United Aircraft Welders of America, Los Angeles, Calif., petitioning consideration of their resolution with reference to strikes or labor disturbances; to the Committee on Labor.

2134. Also, petition of the Regular Veterans Association, Washington, D. C., petitioning consideration of their resolution with reference to House bill 6009; to the Committee on Invalid Pensions.

2135. Also, petition of the Patriotic Order of America, Camden, N. J., petitioning consideration of their resolution with reference to House bill 1410; to the Committee on Ways and Means.

2136. Also, petition of the Junior O. U. A. M., Hempstead, N. Y., petitioning consideration of their resolution with reference to House bill 1410; to the Committee on Ways and Means.

SENATE

TUESDAY, DECEMBER 9, 1941

The Very Reverend ZéBarney T. Phillips, D. D., Chaplain of the Senate, offered the following prayer:

Almighty God, Maker of all things, Judge of all men, who knowest our necessities before we ask and our ignorance in asking: Guide Thou our thoughts, we beseech Thee, and direct our way through the gathering shadows into the light of a clearer understanding of Thy purpose for each one of us, that we may, with prompt hand and cheerful heart, do only such things as shall please Thee, as we consecrate ourselves anew to the service of our country.

Help us that we miss not the divine end of life, but inherit more the blessings of Thy discipline; out of Thine eternity calm the dispositions of our souls, as we feel the weight of these troublous times, that we may live bravely, patiently, and with ever increasing faith in the ultimate triumph of righteousness in the world of men and of nations. And so unto Thy gracious keeping we commit ourselves this day, and do Thou use each one of us just as Thou wilt, and when and where. We ask it in our Saviour's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Monday, December 8, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF A JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, who also announced that on December 8, 1941, at 4:10 p. m., eastern standard time, the President approved and signed the joint resolution (S. J. Res. 116) declaring that a state of war exists between the Imperial Government of Japan and the Government and the people of the United States and making provisions to prosecute the same.

CALL OF THE ROLL

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

The PRESIDENT pro tempore. The clerk will call the roll.

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

Alken	George	O'Daniel
Andrews	Gerry	O'Mahoney
Austin	Gillette	Overton
Bailey	Glass	Pepper
Ball	Green	Radcliffe
Bankhead	Guffey	Reed
Barbour	Gurney	Reynolds
Barkley	Hatch	Rosier
Bilbo	Herring	Russell
Brewster	Hill	Schwartz
Bridges	Holman	Shipstead
Brooks	Hughes	Smathers
Brown	Johnson, Calif.	Smith
Bulow	Johnson, Colo.	Spencer
Bunker	Kilgore	Stewart
Burton	La Follette	Taft
Butler	Langer	Thomas, Okla.
Byrd	Lee	Thomas, Utah
Capper	Lodge	Tobey
Caraway	Lucas	Truman
Chandler	McFarland	Tunnell
Chavez	McKellar	Tydings
Clark, Idaho	McNary	Vandenberg
Clark, Mo.	Maloney	Van Nuys
Connally	Maybank	Wagner
Danaher	Mead	Wallgren
Davis	Murdock	Walsh
Downey	Murray	White
Doxey	Norris	Wiley
Ellender	Nye	Willis

Mr. HILL. I announce that the Senator from Washington [Mr. BONE] is absent from the Senate because of illness.

The Senator from Arizona [Mr. HAYDEN] and the Senator from Nevada [Mr. McCARRAN] are detained on official business.

The Senator from Montana [Mr. WHEELER] is necessarily absent.

Mr. McNARY. The Senator from Idaho [Mr. THOMAS] is absent because of a death in his family.

The PRESIDENT pro tempore. Ninety Senators have answered to their names. A quorum is present.

PERSONAL STATEMENT BY SENATOR CAPPER

Mr. CAPPER. Mr. President, when the news of Japan's attack was flashed to our people I was in Kansas. I started for Washington as quickly as possible, but regret I could not reach here in time to cast my vote for approval of the President's stand. I would have voted for Senate Joint Resolution 116, introduced by the Senator from Texas [Mr. CONNALLY], if it had been possible for me to reach the Senate in time.

I ask unanimous consent to have printed in the RECORD a letter I have addressed to the President informing him of my whole-hearted support of his program and also advising him that the people of Kansas are unitedly behind him.

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

WASHINGTON, D. C., December 9, 1941.
HON. FRANKLIN D. ROOSEVELT,
President of the United States,
Washington, D. C.

MY DEAR MR. PRESIDENT: I have just returned from Kansas, and am glad to assure you that the people of the State are united in support of your stand in the war with Japan. They believe this attack was inspired by Hitler. They feel that you were fully justified in asking Congress to declare a state of war between Japan and the United States. It is a matter of great regret to me that I was unable to reach Washington in time to

register my vote in support of the resolution declaring a state of war to exist between Japan and this Nation. However, I want to assure you of my fullest support and cooperation in steps which may be required to bring the war to a successful conclusion.

This war was promoted by the military regime in Japan, which has been spooling for a fight for a long time. Now we will see that they get it. The aggressive action of Japan against us was the most unjustifiable attack upon this Nation in all its history. As a nation we have desired only a just peace. But we must now accept the challenge. From now on a united people will stand together against a common enemy. It is the duty of every American citizen, regardless of political differences, to aid the President in every possible manner and to uphold your hands as the Nation's Chief Executive and Commander in Chief of its armed forces until the war is won. Be assured that the people of Kansas will do their part.

It is encouraging and typical of our Nation when challenged that this war is entered with complete unity and with full confidence of ultimate victory. We must and will stay on the job until the justice and right of our cause triumph.

The traditional American spirit is aroused and will carry us forward to complete victory.

Cordially yours,

ARTHUR CAPPER.

ENROLLED JOINT RESOLUTION SIGNED DURING ADJOURNMENT

Under authority of the order of the 8th instant,

On December 8, 1941, the Vice President signed the enrolled joint resolution (S. J. Res. 116) declaring that a state of war exists between the Imperial Government of Japan and the Government and the people of the United States and making provisions to prosecute the same, which had been signed previously by the Speaker of the House of Representatives.

EXECUTIVE COMMUNICATIONS, ETC.

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

SUPPLEMENTAL ESTIMATES, DEPARTMENT OF COMMERCE (S. Doc. No. 135)

A communication from the President of the United States, transmitting four supplemental estimates of appropriations, totaling \$9,591,292, for the Department of Commerce, fiscal year 1942, of which \$9,265,992 is to remain available until June 30, 1943 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATE, EMERGENCY FUND FOR THE PRESIDENT (S. Doc. No. 136)

A communication from the President of the United States, transmitting an emergency supplemental estimate of appropriation, fiscal year 1942, to remain available until June 30, 1943, for "Emergency fund for the President," amounting to \$100,000,000 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

AWARDS OF CONTRACTS FOR THE ARMY

A letter from the Secretary of War, reporting, pursuant to law, relative to division of awards of certain quantity contracts for aircraft, aircraft parts, and accessories therefor entered into with more than one bidder under authority of law; to the Committee on Military Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were presented and referred as indicated:

By Mr. AUSTIN:

A petition of sundry citizens of Morrisville, Vt., 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, which was ordered to lie on the table.

By Mr. TYDINGS:

Petitions of sundry citizens of the State of Maryland, 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, which was ordered to lie on the table.

By Mr. WILEY:

A resolution of Green County (Wis.) Board of Supervisors, favoring the enactment of House bill 5700, prohibiting the manufacture and sale of oleomargarine so as to imitate and resemble butter; to the Committee on Agriculture and Forestry.

A resolution of the Dane County (Wis.) Board of Supervisors, protesting against adoption of new oleomargarine standards authorized by the Federal Security Administrator; to the Committee on Agriculture and Forestry.

Resolutions of the Lafayette County Taxpayers Association, Jackson County Taxpayers Association, Manitowoc Economic Council, Iowa County Taxpayers Association, Sauk County Taxpayers Association, Juneau County Taxpayers Association, Calumet County Economy Council, Oshkosh County Economy Council, Fond du Lac Economy Council, and Pierce County Taxpayers Association, all in the State of Wisconsin, favoring the reduction of nondefense expenditures; to the Committee on Appropriations.

A resolution of The Polonia Townsend Club, No. 48, favoring the prompt enactment of legislation granting old-age assistance; to the Committee on Finance.

A letter in the nature of a petition from the beet-sugar growers of Calumet County, Wis., praying for the enactment of legislation to renew the existing beet-sugar program; to the Committee on Finance.

A resolution adopted by the Assessors' Section of the League of Wisconsin Municipalities, Madison, Wis., protesting against ratification of the pending treaty with Great Britain exempting certain property from taxation that is used in the prosecution of defense programs; to the Committee on Foreign Relations.

A resolution of the annual conference of the Association of Lithuanian Workers, District No. 7, Kenosha, Wis., favoring the prompt enactment of legislation to end discrimination against naturalized and noncitizens and to encourage and facilitate the naturalization of noncitizens in the interest of national defense and unity; to the Committee on Immigration.

REPORT OF A COMMITTEE

The following report of the Committee on Commerce was submitted:

By Mr. RADCLIFFE:

H. R. 5111. An act authorizing the waiver of the navigation and inspection laws during the national emergency; with amendments (Rept. No. 883).

RESEARCH ASSISTANTS FOR MAJORITY AND MINORITY LEADERS

Mr. LUCAS. From the Committee to Audit and Control the Contingent Expenses of the Senate I report favorably, without amendment, Senate Resolution 158, and ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the resolution (S. Res. 158), submitted by Mr. GUFFEY (for himself and Mr. WHITE) on August 25, 1941, was considered and agreed to as follows:

Resolved, That in addition to any other clerical assistance to which each may be entitled, the majority leader and the minority leader of the Senate shall each be entitled to have a research assistant, to be paid at the rate of \$6,000 per annum out of the contingent fund of the Senate until otherwise provided by law.

ENROLLED JOINT RESOLUTION PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on December 8, 1941, that committee presented to the President of the United States the enrolled joint resolution (S. J. Res. 116) declaring that a state of war exists between the Imperial Government of Japan and the Government and the people of the United States and making provisions to prosecute the same.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. HILL:

S. 2104. A bill to authorize travel on ships at the next higher available first-class rate when accommodations at the lowest first-class rate are not available; to the Committee on Expenditures in the Executive Departments.

By Mr. CLARK of Missouri:

S. 2105. A bill to amend the Canal Zone Code in relation to the control of marihuana; to the Committee on Inter-oceanic Canals.

By Mr. BROWN:

S. 2106. A bill to provide for a preliminary examination and survey of the St. Mary's River at Sault Ste. Marie, Mich., with a view to providing facilities for light-draft navigation; to the Committee on Commerce.

S. 2107. A bill for the relief of Harriett Goodman; and

S. 2108. A bill for the relief of certain clerks employed in the post office at Detroit, Mich.; to the Committee on Claims.

By Mr. KILGORE:

S. 2109. A bill authorizing the Secretary of War to sell and convey to the town of Marmet, W. Va., two tracts of land to be used for municipal purposes; to the Committee on Military Affairs.

(Mr. REYNOLDS introduced Senate Joint Resolution 117, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

FUNERAL EXPENSES OF THE LATE SENATOR ADAMS

Mr. JOHNSON of Colorado submitted the following resolution (S. Res. 202), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of Hon. Alva B. Adams, late a Senator from the State of Colorado, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

INVESTIGATION OF SERVICE AND FACILITIES OF CHESAPEAKE & POTOMAC TELEPHONE CO.

Mr. CONNALLY submitted the following resolution (S. Res. 203), which was referred to the Committee on the District of Columbia:

Whereas the Chesapeake & Potomac Telephone Co. has a monopoly of the telephone business in the District of Columbia;

Whereas the telephone service in the District of Columbia made available by such company is of a poor and unsatisfactory character;

Whereas it appears that such company in order to obtain high profits has failed or refused to expend the sums required to employ a sufficient number of efficient operators and other personnel and to provide adequate equipment and facilities; and

Whereas it is of utmost importance that adequate and efficient telephone service be available in the Nation's Capital: Therefore, be it

Resolved, That the Committee on the District of Columbia or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete investigation of the Chesapeake & Potomac Telephone Co., and of the telephone service in the District of Columbia, including among other things the corporate structure and financial connections of such company, its earnings, employment policies, the compensation paid its employees, and the facilities furnished and services made available by it. The committee shall report to the Senate, at the earliest practicable date, the results of its investigation with such recommendations as it deems advisable for legislation which will result in better telephone service being made available in the District of Columbia, or will result in the rates charged for telephone service being so reduced that they will be commensurate with the poor quality of the service furnished.

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 during the sessions, recesses, and adjourned periods of the Seventy-seventh and succeeding Congresses, to employ such clerical and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, 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 ----- shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

COMMITTEE SERVICE

On motion of Mr. McNARY, and by unanimous consent, it was

Ordered, That the Senator from Nebraska [Mr. BUTLER] be assigned to service on the Committee on Banking and Currency.

AGREEMENT FOR CONSIDERATION OF UNOBTAINED-TO MEASURES ON THE CALENDAR

Mr. BARKLEY. Mr. President, I ask unanimous consent that at the conclusion of the routine morning business the Senate proceed to a call of the calendar for the consideration of measures to which there is no objection.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

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TRIBUTE TO THE LATE SENATOR ADAMS BY RAYMOND LONERGAN

Mr. MALONEY. Mr. President, I ask unanimous consent that there may be printed at this point in the RECORD an article appearing in the most recent issue of Labor, and referring to our departed colleague and dear friend the late able senior Senator from Colorado, Mr. Adams.

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

[From the Labor National Weekly of December 9, 1941]

LONERGAN'S COMMENT—SENATOR ADAMS' DEATH RECALLS UNUSUAL STORY OF REMARKABLE FAMILY IN PIONEER WEST

(By Raymond Lonergan)

This is the kind of story it would be hard to duplicate in any country outside the United States and some of the self-governing nations of the British Commonwealth, like Canada and Australia.

Seventy years ago three lads, bearing the historic name of Adams, drove a wagon all the way from Wisconsin to the San Luis Valley in southern Colorado.

Alva, not yet 21, held the reins, and beside him sat little Billy, only 9 years old. In the wagon lay the third brother, battling with tuberculosis and surrounded by practically all the worldly possessions of the trio.

When they reached the San Luis Valley, Alva got a job hauling ties for the first railroad in that section. Then he went into business in a tiny hardware store. Everyone liked him and he prospered.

Eventually, he became one of Colorado's leading citizens and served three terms as Governor.

He passed away almost 20 years ago, and soon after his only child, Alva B. Adams, was appointed to the Senate. After serving a short time, he was defeated in the Coolidge landslide. He came back in 1932 for a full term and was reelected in 1938.

Last Monday morning Senator Adams succumbed to a heart attack at his home in Washington.

"Uncle Billy" is still living in Colorado. He'll be 80 next year. He, too, has served three terms in the Governor's chair, and prior to that was in the State legislature for 40 years—a record for State legislative work which has never been equalled, so far as this writer knows.

FAITHFUL TO WORKERS

In all his campaigns Senator Adams was strongly supported by the standard railroad labor organizations and practically all other groups in the Colorado labor movement. He was essentially conservative, but he never failed the workers in a real crisis.

As chairman of a subcommittee of the Senate Committee on Appropriations he became a genuine "watchdog of the Treasury." It is probable he saved Uncle Sam tens of millions of dollars, and yet he never refused money for a worthy cause.

Quiet and unassuming, but with a keen sense of humor, there was nothing spectacular about him. But his ability, sincerity, and tireless industry won him a commanding position in the upper Chamber.

"He was slow to make a promise," said one of his colleagues, "but when he made it he never broke it."

JUST AN EVEN CHANCE

On one occasion during his last campaign he revealed his philosophy of life.

"I have grandchildren. My own time is necessarily getting shorter.

"If the recording angel checks up my books tomorrow and closes them, the balance will

show that I have probably had more out of the world than I was entitled to.

"But these boys and girls, in whose welfare I am more interested than I am in my own—what do I want for them?"

"I want them to have a world and a government where even though they are stripped of money, or friends, or position, they will have a fair and even chance in the race of life. I only want them to win on their own merits and character; I ask nothing beyond that."

Just another word about the Senator's father, Gov. Alva Adams. He, too, was always fair to the workingman. As Governor of Colorado he signed the first bill making Labor Day a State holiday.

BLOODY STRIKES RECALLED

And in 1904 he led the progressive forces of Colorado in a great battle for the workers' rights. During the previous 2 years a series of strikes swept the mining camps of the State.

Governor Peabody called out the militia, headed by Gen. Sherman Bell. With the aid of an army of thugs recruited by the mine owners, Bell ruthlessly broke the strikes. Miners were beaten and killed. Hundreds were forced on freight trains and dumped outside the borders of the State, without money or food.

RAPE OF THE GOVERNORSHIP

Adams protested and became the Democratic candidate for Governor against Peabody in 1904. He was elected by a fine majority, but the mine owners and the public utilities raised an immense "slush fund" and succeeded in rounding up enough legislators to unseat Adams.

Just as they were about to consummate the nefarious plot, a curious thing happened.

Some of the purchased legislators said they would not vote to seat Peabody unless he agreed to resign at once and thus permit the Republican Lieutenant Governor, Jesse McDonald, to take over the Governor's office.

That curious deal was put over, Adams was unseated; Peabody took the oath of office and immediately resigned and McDonald was sworn in.

Thus Colorado established a record of which it is not particularly proud—it had three Governors in 24 hours.

The conspirators not only desired to have a Governor who would obey their orders, but they were anxious "to pack" the State supreme court. There were two vacancies on the bench and it is a matter of record that Governor McDonald appointed two men selected by the representatives of the railroads and other public utilities "at a midnight conference in a smoke-filled room."

Senator Adams never forgave the crime committed against his father.

"Yet there are those who challenge the sincerity of my fight against corrupt corporation control of the politics and public affairs of this State," he exclaimed a few years ago. "There are some things people don't forget."

ADDRESS PREPARED BY SENATOR THOMAS OF UTAH FOR DELIVERY BEFORE INSTITUTE OF WORLD AFFAIRS

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an address, entitled "The New American Unity," prepared by him for delivery at the Institute of World Affairs, Riverside, Calif., on December 8, 1941, which appears in the Appendix.]

ADDRESS BY WAYNE COY AT INDIANA UNIVERSITY

[Mr. HILL asked and obtained leave to have printed in the RECORD an address delivered by Wayne Coy, of the Office for Emergency Management at the Student Convocation, Indiana University on October 30, 1941, which appears in the Appendix.]

STATEMENT BY HUGH GRANT ON WAR WITH JAPAN

[Mr. HILL asked and obtained leave to have printed in the RECORD a statement by Hugh Grant, former American Minister to Thailand, relative to war with Japan, published in the New York Herald Tribune of December 2, 1941, which appears in the Appendix.]

ADDRESS BY THEODORE W. NOYES BEFORE ASSOCIATION OF OLDEST INHABITANTS OF THE DISTRICT

[Mr. O'MAHOONEY asked and obtained leave to have printed in the RECORD an address delivered by Theodore W. Noyes at the seventy-sixth anniversary dinner of the Association of the Oldest Inhabitants of the District of Columbia on December 8, 1941, which appears in the Appendix.]

HISTORICAL ROOTS OF AMERICAN WAY OF LIFE—ADDRESS BY HOMER C. HOCKETT

[Mr. TAFT asked and obtained leave to have printed in the RECORD an address entitled "Historical Roots of the American Way of Life," delivered by Homer C. Hockett, professor of history, Ohio State University, at Indianapolis, on November 20, 1941, which appears in the Appendix.]

LETTER FROM ERNEST M. BLANCHARD ON BOY SCOUT ACTIVITIES IN NEW JERSEY

[Mr. BARBOUR asked and obtained leave to have printed in the RECORD a letter written by Ernest M. Blanchard, Scout executive of Monmouth Council, Boy Scouts of America, which appears in the Appendix.]

ARTICLE BY GERALD W. JOHNSON IN BALTIMORE EVENING SUN

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an article written by Gerald W. Johnson and published in the Baltimore Evening Sun of November 28, 1941, which appears in the Appendix.]

WAR WITH JAPAN

Mr. WALSH. Mr. President, I should like to make a brief statement to the Senate.

Many Members of the Senate, including members of the Committee on Naval Affairs, yesterday asked me for information in reference to the extent and scope of the naval operations that took place last Sunday in and about Hawaii. In view of those inquiries, I conferred with Representative VINSON, chairman of the Committee on Naval Affairs of the House of Representatives, and both of us visited the Navy Department yesterday. As a result of the visit we made to the Department, we learned that if it could be done, and if it seemed wise to do it, a communication would be sent to the chairmen of these respective committees for the purpose of giving to the House and Senate such information as was not incompatible with our national interest. The press, which urgently sought information, was told that information would be forthcoming today.

Admiral Stark later informed us that the Navy was not in a position to give us any information other than that which the President gave to Congress yesterday, and suggested that we defer requesting any further information until after the President on the radio tonight presents such information as he thinks it wise and proper to give to the American people. Therefore, I am not in posi-

tion to give any official information to the Senate; and I think all Senators ought to wait until the Commander in Chief of the Navy and the Army addresses the American people by radio tonight.

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

Mr. WALSH. I yield.

Mr. TOBEY. Is it the Senator's understanding that the President, as Commander in Chief of the Navy, will give the American people tonight a full and frank and detailed account of the damage done to our naval and military resources in the Pacific?

Mr. WALSH. I cannot anticipate what the President will say in his speech tonight; but I think it would be proper for us all to wait and learn just what the President thinks it proper to say under the circumstances and to follow his leadership.

Mr. TOBEY. I quite agree with the Senator, and I rather anticipate that the President will do just that; but let me say to the Senator that, as one Member of this body and a humble citizen of this country of ours, it seems to me it is imperative that the American people and their representatives in Congress be fully informed of what has occurred. I can well understand the need of secrecy as to the movement of ships. That is patent to any person, it seems to me; but when a thing is fait accompli, and when, as reported on the floor of the Senate in conversation today, a large part of the Pacific fleet is wiped out and that is fait accompli, the enemy certainly knows it, and the American people and their representatives in Congress ought to know it.

Mr. WALSH. It is extremely important that we should show a united front at this time, at the very beginning of a war that is of momentous consequence to the future of our country; and, in my opinion, we should not show any disposition to direct the Commander in Chief, or to criticize what has been done, or to say what ought to have been done, up to this hour. I still suggest that we wait until we hear from the Commander in Chief, who, I assume, will give us such information as he thinks the American people ought to have and as he thinks will not tend to encourage or give to the enemy any information that they ought not to have. I personally hope that whatever the President says will arouse the American people to a realization that we are now in a real fighting war, and that we must stand unitedly; all Americans must cooperate as one man, and proceed to wage a war that can have but one result—a sweeping and complete victory.

Mr. TOBEY. Again I agree with the Senator; but I point out that only 24 hours before this debacle in the Pacific—for I believe that is what it should be called—the Secretary of the Navy, Mr. Frank Knox, sent to the President of the United States a terse, epigrammatic statement, the gist of which was, "The Navy is ready"; and the pride of the American people in their Navy and their confidence in some officials has been terribly hurt in the past 24 hours.

Mr. WALSH. All I can say at this time is that talk and rumors ought to cease now. Work, ceaseless energy, and whole-hearted enthusiasm, and the spirit of sacrifice must immediately be manifested by all the officials of our Government, by the Congress, and by the American people.

Mr. CONNALLY. Mr. President—The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Texas?

Mr. WALSH. I yield to the Senator from Texas.

Mr. CONNALLY. The Senator from Massachusetts has already largely anticipated what I wanted to suggest in reply to the Senator from New Hampshire. I hope the Senator from New Hampshire will lay down his arms until tonight, at least, when the President will have an opportunity to speak. It is perfectly possible, however, that there may be some military information that it would not be well to broadcast to the Nation, because of its reaching the enemy.

I am sure the Senator from New Hampshire appreciates the fact that the President has been frank, and has taken the country into his confidence so far, and he must await authentic and confirmed information. I am willing to trust him to tell us what he thinks we ought to know, and to withhold what for the moment it would not be wise to divulge.

If the Senator from New Hampshire will show the same assiduity in the Departments that he shows on the floor, I am sure he will even be able to get information which the President does not transmit to us, because he has contacts with the Navy and with the Army. If the Senator will show half the industry that he reveals here in contact with the Secretary of the Navy and the Secretary of War, I am confident he will get full and complete information, probably not for the purposes of the press, but for his own information as a Senator. I am sure he will be cordially treated, as will every other Senator who may desire to visit the Departments.

Mr. TOBEY. Mr. President, may I ask the Senator from Texas a question?

Mr. CONNALLY. I have not the floor. I am very glad I have not.

Mr. TOBEY. I very largely concur in what the Senator has said; but I desire to ask him a question. Does he not share with me and with many of our colleagues on the floor the feeling that our pride in our Navy and our glory in our Navy and our confidence in the Navy Department and in the Secretary of the Navy by his own utterances have been seriously hurt and impaired?

Mr. CONNALLY. I do not care to criticize the Secretary of the Navy. I assume he is doing the best he can. His background probably has not been what it ought to be. He is not a naval man. His military service was all in the Army, as I understand; but I assume he is doing the best he can.

I have pride in the Navy. I have always been a "big Navy" Member of Congress. I have voted in the Senate every dollar the Navy has asked. Of course, if the Navy has lost one ship or if it has lost one man, the Senator from Texas regrets

it; but that does not restore the ship and that does not restore the man. That does not put them back in the battle front.

Why should we now spend our time worrying about what might have happened? As suggested by the Senator from Massachusetts, we have a job before us. It is not a question of searching the records historically. Our task now is to see that whatever Navy we have and whatever Army we have are trained and equipped and put on their toes, and that the American people become aroused to the fact that this war is going to cost something besides money.

I read in the press statements about the O. P. M., and how much the war is going to cost. In this war victory cannot be bought with money. It is going to take blood; it is going to take sacrifice; it is going to take high courage; it is going to take the united support of the American people; and I want them to realize it.

Mr. WALSH. Mr. President, it is natural that the feeling of apprehension displayed by the Senator from New Hampshire and other Senators should exist at this time. We all share it. But we must remember that the President yesterday indicated very plainly that the situation prior to the declaration by the Congress yesterday was a serious one, and he gave us information of a serious character in the address which he delivered before the joint session. But the important thing now, today, is for us to wait until our Commander in Chief speaks; to accept, for the present at least, whatever he may choose to say to the American people as the proper and appropriate thing to say at this time; to show the world that we are united; that there are no party differences; that there are no differences of opinion now such as those which have existed in the past; that we are in war and are ready to fight; that whatever injury may have been done to our Navy, the job ahead of us is to rehabilitate it and to go forward with greater militancy and a more fervent spirit of victory than ever. So I hope that we may end this discussion by simply closing our lips until we hear from the Commander in Chief, who tonight will address the people of the United States of America, and who, I am sure, will present to us the picture of the situation, what is before us in the way of sacrifice, in the way of necessity for a united front, in the way of unrestricted service to our country.

Mr. BARKLEY. Mr. President, will the Senator yield to me to say just a word in line with what has already been said?

Mr. WALSH. I yield.

Mr. BARKLEY. At a time like this, and after events such as have occurred in recent days, it is perfectly natural that all sorts of rumors should be floating around through the country and finding their way into the press. Up to this time many of these rumors have been unconfirmed. It seems to me, therefore, that here in the Senate, and in the country at large, we should not be hastily induced to express views or to allege facts until we can base our statements upon authentic information; and such information can come only from the various departments of the Govern-

ment of the United States which have to deal with the situation, or from the President, of course, as the Commander in Chief of the Army and the Navy. It seems to me that is a rule we should all observe, because any of us may on some day assail someone, based upon some rumor or some headline in a newspaper, or make statements which we think represent facts, and the statements may find their way to places where the impression might be created that we do state facts, when in reality there may not be any facts at all to justify such statements.

Mr. WALSH. The Senator has stated exactly the sentiments I entertain.

Mr. VANDENBERG. Mr. President, will the Senator from Massachusetts yield for merely one suggestion?

Mr. WALSH. I yield.

Mr. VANDENBERG. I wish to ask the Senator if what has transpired today, the first day after our declaration of war, does not emphasize the possible and probable advantage of creating some sort of a liaison committee representing the united Congress, for contacts with the President, in some general fashion, an organization somewhat like the Committee on the Conduct of the War during the days of the Civil War. It could very well be a meeting place for satisfying the sense of responsibility which Members of Congress inevitably feel, which may not otherwise be too easily satisfied unless there is some such official instrumentality by way of link between these two branches of our Government.

Mr. WALSH. I personally think that may be desirable; but I still adhere to my previous statement, that no suggestion and no comment should be made until the President speaks tonight.

Mr. STEWART. Mr. President, I am sure that every one in this Chamber is in thorough accord with the statements expressed by the Senator from Massachusetts [Mr. WALSH], and by our leader, the Senator from Kentucky [Mr. BARKLEY], that is, that in times such as those we now confront there should be full accord, and we should not be unnecessarily critical, at least we should not be unfairly critical, but we should look forward and not backward. However, I think that in view of some of the events which have occurred in the last few days a little constructive criticism would not hurt.

America is now at war. American blood has been shed. Of course, that is an additional reason why we should be temperate in our statements and not unfairly critical of any department of our Government. At the same time, I think that constructive criticism certainly has its place.

In connection with this statement and this preface, I wish to read an editorial which appeared in this morning's issue of the Washington Post, entitled "Let Us Start Right." The editorial reads:

[From the Washington Post of December 9, 1941]

LET US START RIGHT

The first flush of bewilderment over the Japanese attack on Hawaii has now passed. In its place there is a consuming rage that the Japanese were able to press home their attack so successfully. For there is no mini-

mizing the devastation wrought. In the space of a few hours Oahu, commonly called the Gibraltar of the Pacific, suffered at least 3,300 casualties. Per capita of population attacked this compares with and in many cases actually exceeds losses from single mass air attacks by the Luftwaffe. Military damage has been only partially revealed. Yet the Navy has apparently lost a battleship, a destroyer, and, for the time required to repair them, many other vessels. Moreover, a considerable number of Army planes have been destroyed or damaged, and Army ground facilities have been wrecked. The toll is appalling, and the question in everybody's mind is: Was there an administrative slip-up, a lack of matériel, or a combination of both, which contributed to the success of the raid?

Supposedly Pearl Harbor ranked with if not ahead of Singapore as the best protected naval base in the world. Navy planes and ships were on 24-hour duty, patrolling incessantly the waters around Oahu. The American public had been led to believe that no invader could come anywhere near the island without being apprehended or without his approach being radioed to the Army air force on Oahu. Assuming an enemy approach by air, the Army was supposed to be able, day or night, to get enough planes into the air fast enough to beat off a mass assault without serious loss. For the Army has been preparing for years for just such an occasion. In joint maneuvers with the Navy the Army has practiced repulsing an invader approaching Oahu by sea and by air from half a dozen directions simultaneously. Such defensive measures emphasize the major reason for the Army's presence on Oahu; that is, to defend Pearl Harbor and the other naval establishments on the island.

To this end the Army, among other things, has ringed Pearl Harbor with fortifications, constructed adjacent Hickam Field, one of our finest and most heavily manned air fields, and, like the Navy in Hawaii, has operated for several years on a war basis. Assuming inadequate or delayed opposition by the Army air force, an enemy air assault on ships at anchor in Pearl Harbor must naturally be devastating, in spite of anti-aircraft fire. But, in view of what has happened not only at Pearl Harbor but in the city of Honolulu, the effectiveness of all defensive preparations is now open to question. Among those preparations, as detailed by Joseph Barber, Jr., in his book *Hawaii: Restless Rampart*, have been blackouts, simulated enemy air raids, dispersal of planes on the ground to minimize damage from bombs, and elaborate precautions by the services and the civilian community to reduce the effectiveness of attack.

Thus Oahu's baptism of fire apparently occurred under conditions long anticipated by the Navy and Army commands. Realization of this fact is spreading. It is destructive of confidence in the efficiency of the armed forces. This may be undeserved, but there is no help for it. In the circumstances, then, it is only fair that the Navy and War Departments take the country into their confidence, so far as is militarily possible. High officials of both services have repeatedly stated that no enemy could achieve such damage as was done by the Japanese. Right now the country is fighting mad. It can take the bad news along with the good that must inevitably come.

Mr. President, that editorial is a bit sharp, a bit harsh, and critical; yet it is a fair editorial, and the criticism is just. The whole country is asking, "How did this happen?" since we had all understood that it simply could not happen to quite such an extent as it seems to have happened.

The few words I want to speak are not to be construed by anyone as an effort to sound a discordant note. I am stronger

today for our Navy and our Army than I was a week ago, because we need them, because they are under fire. But, Mr. President, a mistake was made, apparently—many seem to think so—which has resulted in tremendous damage to a great fortification on which our country has spent millions upon top of multiplied millions of dollars. Our enemies have not destroyed the Gibraltar of the Pacific, but they apparently for the time being have rendered it useless so far as we are concerned. It might as well be, and perhaps is, completely in the possession of the Japanese forces. Such reports have been current; whether they are true I do not know. But, Mr. President, I think it may be, as has been suggested, that the Navy and the Army in Hawaii were simply caught asleep. I do not know whether that be so, but I think, as this editorial states, that the Army and the Navy should take the people into their confidence and state just what did occur so far as it is militarily possible to do so.

I also think, Mr. President, that we ought to profit by this mistake. Things have happened within the past 2 or 3 years which have electrified the imagination of mankind. We know that we are not merely being attacked and assaulted by a bunch of yellow devils; we know that it is not merely the Japanese nation that has attacked us; we know—indeed, everyone knows—that behind it all is, of course, the not unseen hand of the Hitler government of Germany, and we may look, of course, for other things to happen. The same thing that happened in Honolulu could happen, Mr. President, upon the sacred soil of our own continent, the soil of this America, upon which we stand today.

Within striking distance of the eastern seaboard is the island of Martinique, and there is other territory belonging to France, for instance, on the northern coast of South America. Of course, everyone knows that the Vichy government is completely controlled by the Hitler government. Only in this morning's paper was the story carried of the embarrassment, almost the disgrace, of the old Premier of France, when he was forced to apologize to Hitler because a few courageous Frenchmen perhaps had shot and killed some worthless German soldiers. The Premier of France was caused embarrassment and humiliation. As the Vichy government is controlled completely by the Hitler government, therefore we must realize that the forces of that government will operate as near our shores as possible, and it is not beyond the ability of any man to imagine that bombs might be dropped upon our eastern seaboard anywhere from Miami to Maine.

We also know that the Panama Canal might be attacked at any time. We know that such things are likely to happen at any time. It is not a condition for which we have a long period of time to get ready; it is not a situation about which we can think and talk at our leisure.

The time has come for determined, concerted action, and I think prompt and serious consideration should be given by the American Government to the seizure of every piece of soil, not only in the Western Hemisphere but within striking

distance of our shores, upon which the German Government might land its airplanes or which its forces might occupy and use as bases for operations.

Mr. President, I think we ought to seize Martinique. I think French Guiana, in South America, should be taken over, as well as every other piece of soil which might afford a landing for an enemy airplane which could do damage to our shores.

We are in war. It is no time to parley. It is no time for dissension. It is time, however, for just criticism, because by just criticism we profit from the mistakes we have made. A mistake has been made. I am willing to wipe it out and forget it and to look forward and make sure that it shall not occur again; and I am anxious that we do the things which are necessary for the protection of the American people, to the end that American blood shall not needlessly be shed.

We are in this war, and must fight it, and we cannot fight it simply by appropriating money to be spent in building great and beautiful bases on islands in the midst of the ocean. We have to take courageous and forward action. Therefore, I read the editorial which was the basis for the few remarks which I made, not in a spirit of unfair criticism, for, I repeat, I am quite willing to forget it all, but because a ghastly mistake has been made, and I hope that we can actually profit by it.

I wish to repeat that I should like to see serious and immediate consideration given to the matter of our country taking absolute charge—and when I say "charge" that is an expression in common parlance which is understood by everybody—of every island of every foot of land which the German Government, the Italian Government, or the Japanese Government might by any manner of means seize upon and use as a base of operations against America.

Mr. DOWNEY. Mr. President, the people of the United States look out this morning upon a world divided against itself, a world plunged into bloody conflict amid a welter of broken pacts, torn-up treaties, treachery, and brutal deceit. For this we may sorrow. But for our own part, happily, we need not reproach ourselves. As a searchlight stands out against the night, so stands the record of our decent diplomacy, outlined the more sharply by the infamy of our enemies. We have sought peace wherever it was possible. We have sought friendship even where rebuffed; and, above all, under the leadership of our President, Mr. Hull, and Mr. Wallace, we have strengthened the bonds of neighborhood within our own continental community. Now we can enjoy the fruits of that wise and Christian policy. We have lost the friendship only of those nations which were determined to be our enemies; and we have won and kept the friendship of those nations which were open to good will, nations which will now stand as friends in our hour of need.

Let the position of Mexico today give us heartening proof of the righteousness of our diplomatic course. As an enemy, or even as a lukewarm, dubious neutral,

Mexico, situated upon our southern flank, could have seriously endangered our strategic position in the conduct of this war. Yet today, Mr. President, Mexico is not hostile. She is not neutral, though without the efforts of this administration in past years she might easily and justifiably have been either. Today at this fateful juncture of history Mexico, thank God, is on our side. Its leaders have already broken diplomatic relations with Japan. I personally believe that a declaration of war will soon follow. Happily I can say that our Government and the Government of Mexico and the military staffs of both nations are now vigilantly and energetically working in the closest possible collaboration in assuring the defense of the west coast, on the shore, on the sea, and in the air. Such cooperation is of incalculable value to the people of my own State of California and other States on the west coast.

Let us then give thanks for this; but let us not be so foolish as to give all the thanks to ourselves. Let us give thanks also, as we rightly should, to the Mexican people and to their farsighted, patient, and patriotic leaders; to their Senate and to their Chamber of Deputies; to President Manuel Avila Camacho; to Ambassador Francisco Castillo Nájera; to Ezequiel Padilla, Secretary for Foreign Affairs; to Eduardo Suarez, Secretary of the Treasury; and to former President Lazaro Cardenas.

It takes two or more to make good neighbors. Let us then express herewith our full and humble gratitude that the good will manifested on the part of our Nation by our President and his aides has been so generously and wisely reciprocated by the statesmen of the Republic of Mexico.

Mr. President, a past and a present American solidarity augur well for a future American victory and an ennobled and enlightened destiny for the whole of the New World. The brutal and infamous blitzkrieg of Japan against our possessions in the Pacific Ocean has not weakened my faith in our Navy and its leaders. It has strengthened my determination to do everything in my power to help mobilize all the resources and men of this Nation behind our President and our military forces.

REMOVAL OF RESTRICTIONS ON SERVICE OF ARMED FORCES

Mr. REYNOLDS. Mr. President, the War Department has requested that we give immediate consideration—that is, this afternoon—to its request that the Government be permitted to send our armed forces outside the Western Hemisphere, which up to the present time has been prohibited, and that the members of our armed forces and those who are to be inducted into the armed forces of the United States be retained for a period of 6 months after the termination of the present emergency or emergencies to follow. Therefore, I ask that the joint resolution prepared by the War Department, which I now introduce, be read at the desk.

The PRESIDENT pro tempore. Without objection, the joint resolution will be read.

The joint resolution (S. J. Res. 117) removing restrictions on the use, and terms of service, of units and members of the Army of the United States, was read the first time by its title, and the second time at length, as follows:

Resolved, etc., That the provisions of Public Resolution No. 96, Seventy-sixth Congress, approved August 27, 1940, and of the Selective Training and Service Act of 1940, as amended, insofar as they restrict the territorial use of units and personnel of the Army of the United States, including selective trainees, are suspended during the existence of the present or any future war in which the United States is engaged, and for 6 months thereafter.

SEC. 2. The periods of appointment, enlistment, induction, and service of all members of the Army of the United States, including selective trainees, now or hereafter in or subject to active military service of the United States, are extended for the period stated in the preceding section.

Mr. REYNOLDS. Mr. President, in explanation let me invite the attention of Members of the Senate to Public Resolution 96, of the Seventy-sixth Congress, a portion of section 1 of which reads as follows:

Provided, That the members and units of the reserve components of the Army of the United States ordered into active Federal service under this authority shall not be employed beyond the limits of the Western Hemisphere except in the territories and possessions of the United States, including the Philippine Islands.

The Selective Training and Service Act of 1940, section 3 (e), reads as follows:

Persons inducted into the land forces of the United States under this act shall not be employed beyond the limits of the Western Hemisphere except in the territories and possessions of the United States including the Philippine Islands.

The two paragraphs I have just read from Public Resolution No. 96 and the Selective Training and Service Act of 1940, section 3, are to be suspended by the provision in the joint resolution which would permit the Government to send members of the armed forces outside the Western Hemisphere, to which, as I mentioned a moment ago, they have heretofore been restricted.

As to the Service Extension Act of 1941, section 2 applies to section 2 of the joint resolution which has just been read by the clerk. I now read section 2 of the Service Extension Act of 1941:

Provided, That extension of the periods of active military service or training and service in the case of any person subject to the provisions of this section, shall not, without his consent, exceed 18 months in the aggregate; except that whenever the Congress declares that it is in the interests of national defense to further extend such periods of active military service and training and service, such periods may be further extended by the President, in the case of any such persons for such time as may be necessary in the interests of national defense.

The 6-month period of duration mentioned in the joint resolution for the service of persons in the armed forces is asked in order that the military authorities in charge may have ample opportunity to disband or disorganize the units which may then be in the service.

Therefore, I ask that the Senate dispense with the usual procedure of having the joint resolution referred to the Committee on Military Affairs, and that, in accordance with the request of the War Department, it be given immediate consideration.

Mr. McNARY and Mr. OVERTON addressed the Chair.

Mr. REYNOLDS. I yield first to the distinguished minority leader. Then I shall be glad to yield to the senior Senator from Louisiana.

Mr. McNARY. Mr. President, I am very glad to defer to the able Senator from Louisiana.

Mr. OVERTON. I thank the Senator from Oregon.

Am I to understand the purpose of the joint resolution to be, among other things, to authorize the President, as Commander in Chief of the Army and Navy, to send expeditionary forces to other countries—countries in Europe, Asia, Africa, or anywhere—without further action by the Congress of the United States?

Mr. REYNOLDS. The joint resolution lifts the ban upon the use of American armed forces. Under the present law our armed forces may not be sent outside the United States, except to our Territories and possessions.

Mr. OVERTON. I understand what the present law provides; but the inquiry I was directing to the able Senator is, What will be the effect of the joint resolution?

Mr. REYNOLDS. It empowers the President of the United States, as Commander in Chief of the armed forces of the Government, to utilize the armed forces of the Government in any section of the world to which he may deem it proper that they be sent. Of course, such authority is requested in view of the present emergency.

Mr. OVERTON. I thank the Senator. I simply wanted the information; that is all.

Mr. McNARY. Mr. President, will the Senator now yield to me?

Mr. REYNOLDS. I am glad to yield to the able Senator from Oregon.

Mr. McNARY. Am I to understand the able Senator's request to be that he desires to have the joint resolution referred to the Senate Committee on Military Affairs?

Mr. REYNOLDS. If there is objection, I shall be very glad to ask that the joint resolution be referred to the Committee on Military Affairs. In that connection, I may advise the Senate that a special meeting of the Committee on Military Affairs has been called for tomorrow afternoon at 2:30 o'clock for the consideration of such matters as may be placed before it.

Mr. McNARY. Then the Senator is in no wise asking for immediate consideration?

Mr. REYNOLDS. No; in view of the fact that the Senator from Oregon objects.

Mr. McNARY. I certainly should object. I do not know of any post-haste in connection with this matter. The committee having jurisdiction should con-

sider these very vital issues, which have been before the Congress for a good many weeks. Indeed it is my opinion that the declaration of war passed by the Congress yesterday would probably modify, if not repeal, the inhibitions about which the Senator speaks.

Without expressing my views on the matter—though I do not think I should have any objection—let me say that a matter so important should go to the Committee on Military Affairs for consideration and study. On that account I should object to any action being taken at this time on the floor of the Senate. Such action would not conduce to good legislation.

Let me make an inquiry of the able Senator. He mentions the fact that at the present time we may send our troops to the Philippines and to Hawaii. Where does the Senator now contemplate that they should go, in addition to those two countries?

Mr. REYNOLDS. If the Senator makes inquiry in regard to my contemplation, I say that I am impressed and imbued with the fact that this country cannot bring about an absolutely complete victory in the impending struggle between the United States and the Japanese merely by the utilization of our naval and air forces, but that ultimately, if we are to bring about the victory which we deserve as a result of the unwarranted, the dastardly, the treacherous and the murderous assault made upon citizens of the United States, the naval and air forces, and the Army in general, as well as matériel, we can expect such victory only by actually sending men of the armed forces of the United States upon the soil of the lands where we may then find those who actually made this dastardly assault.

I say to the Senator preliminarily—and, I may add, extemporaneously—that in order to bring about the victory which we, the American people, in all unity now are determined to accomplish, we may be called upon in an emergency to endeavor to land our soldiers upon the island of Hong Kong, in Indochina, perhaps in Thailand, the Malay States, or Samoa, as well as the islands of Japan; and in all probability we shall be called upon to send troops in the interest of America to the Dutch East Indies, if there the Japanese should succeed in their attempt to become masters of the Netherlands territories.

Mr. McNARY. Mr. President, I am not expressing any opposition to the objectives contemplated by the joint resolution, but when we have constituted committees to study propositions which should be carefully and deliberately considered, I do not want legislation to be introduced and acted upon on the floor of the Senate without reference to a committee.

Mr. REYNOLDS. I am sure the War Department will not object to the brief delay which will be necessary as the result of a committee meeting, because we have called a meeting for tomorrow afternoon at 2:30 o'clock.

Mr. McNARY. I am not interested in the attitude of the War Department

concerning matters which come before the Senate. I am interested in deliberately making decisions after complete study and exploration of the subjects; and we should maintain that procedure without regard to the wishes of any of the departments of the Government.

Mr. REYNOLDS. In view of the Senator's objection, I shall withdraw my request for immediate consideration.

The PRESIDENT pro tempore. Objection being had to the request for immediate consideration, the joint resolution will be referred to the Committee on Military Affairs.

NOTICE OF HEARING BEFORE COMMITTEE ON MILITARY AFFAIRS

Mr. REYNOLDS. Mr. President, I desire to announce that there will be a meeting of the Committee on Military Affairs at 2 o'clock this afternoon.

CONSIDERATION OF UNOBJECTED-TO BILLS

The PRESIDENT pro tempore. Routine morning business is closed. Under the order entered earlier today, the Senate will proceed to the consideration of bills on the calendar to which there is no objection.

Mr. DANAHER. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	George	O'Daniel
Andrews	Gerry	O'Mahoney
Austin	Gillette	Overton
Bailey	Glass	Pepper
Ball	Green	Radcliffe
Bankhead	Guffey	Reed
Barbour	Gurney	Reynolds
Barkley	Hatch	Rosier
Bilbo	Herring	Russell
Brewster	Hill	Schwartz
Bridges	Holman	Shipstead
Brooks	Hughes	Smathers
Brown	Johnson, Calif.	Smith
Bulow	Johnson, Colo.	Spencer
Bunker	Kilgore	Stewart
Burton	La Follette	Taft
Butler	Langer	Thomas, Okla.
Byrd	Lee	Thomas, Utah
Capper	Lodge	Tobey
Caraway	Lucas	Truman
Chandler	McFarland	Tunnell
Chavez	McKellar	Tydings
Clark, Idaho	McNary	Vandenberg
Clark, Mo.	Maloney	Van Nuys
Connally	Maybank	Wagner
Danaher	Mead	Wallgren
Davis	Murdock	Walsh
Downey	Murray	White
Doxey	Norris	Wiley
Ellender	Nye	Willis

The PRESIDENT pro tempore. Ninety Senators have answered to their names. A quorum is present. The clerk will proceed to call the bills on the calendar.

RESOLUTIONS AND BILLS PASSED OVER

The resolution (S. Res. 30) proposing to amend 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. BARKLEY and Mr. LA FOLLETTE asked that the resolution go over.

The PRESIDENT pro tempore. The resolution will be passed over.

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

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

The PRESIDENT pro tempore. 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 that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

REHABILITATION OF ANTHRACITE INDUSTRY

The bill (S. 357) to provide for the rehabilitation of the anthracite-coal industry was announced as next in order.

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

The PRESIDENT pro tempore. The bill will be passed over.

Mr. DAVIS. Mr. President, I wish to give notice that at the first available opportunity I shall ask to have Senate bill 357, to provide for the rehabilitation of the anthracite-coal industry, considered by the Senate. The bill was reported from the Committee on Mines and Mining, with amendments, on June 5, 1941. The report was unanimous. I give formal notice at this time that I shall ask to have the bill taken up at the first available opportunity.

BILLS PASSED OVER

The bill (H. R. 4837) to safeguard the confidential nature of Board of Public Welfare of the District of Columbia case records in all types of relief cases, and for other purposes, was announced as next in order.

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

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1355) to authorize improvement of navigation facilities on the Santee, Congaree, and Cooper Rivers in the counties of Berkeley, Clarendon, Calhoun, Richland, and Orangeburg, S. C., and for other purposes, was announced as next in order.

Mr. TAFT. Let the bill go over.

The PRESIDENT pro tempore. The bill will be 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 rehabilitation, and for other purposes," approved February 11, 1936, was announced as next in order.

Mr. TAFT. I ask that that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

PREVENTION OF PHOTOGRAPHING AND SKETCHING OF MILITARY RESERVATIONS, ETC.

The bill (S. 1707) to prevent the making of photographs and sketches of military or naval reservations, naval vessels and other naval and military properties, and for other purposes, was announced as next in order.

Mr. McNARY. Mr. President, I should like an explanation. I think this bill came up on a previous occasion during the session, and, as I recall, objection was made to its consideration. I myself have no objection, but some other Senator objected, and I should like to have a statement from the able Senator from North Carolina or some other Senator regarding the bill.

The PRESIDENT pro tempore. The Senator from North Carolina is not present at the moment.

Mr. BARKLEY. I suggest that the bill be passed over temporarily until the Senator from North Carolina returns.

The PRESIDENT pro tempore. The bill will be passed over temporarily.

LONGEVITY PAY FOR POSTAL EMPLOYEES

The bill (H. R. 1057) to establish a system of longevity pay for postal employees was announced as next in order.

Mr. BARKLEY. Mr. President, I inquire if the amendments to the bill which have been reported are the amendments which we have discussed heretofore, including third- and fourth-class postmasters.

Mr. MEAD. Yes. I have an amendment to cover the subject of third- and fourth-class postmasters, which I should like to offer in connection with the bill, and which I believe will meet with the approval of both the minority and the majority leaders.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Post Offices and Post Roads, with amendments.

The PRESIDENT pro tempore. The clerk will state the amendments reported by the committee.

The CHIEF CLERK. On page 1, line 3, after the word "That", it is proposed to strike out "postmasters of the third and fourth classes."

The amendment was agreed to.

The CHIEF CLERK. On page 2, line 2, after the word "Agency", it is proposed to strike out "as a reward for continuous service heretofore rendered or to be rendered hereafter, shall be granted \$100 per annum in addition to their base pay as now or hereafter fixed by law upon the completion of 10 years' service; and an additional \$100 per annum upon the completion of an additional 5-year period of service thereafter: *Provided*, That no credit shall be given for service after the fifteenth year of employment: *Provided further*, That in computing an employee's length of service, credit shall be given for substitute service" and to insert, "who, on January 1, 1942, shall have rendered 10 years or more of continuous service, shall have their base pay as fixed by law increased by \$60 per annum; and upon the completion of an additional 5-year period of continuous service after January 1, 1942, shall have their base pay as fixed by law increased by an additional \$60 per annum. Any such post-office employee who, on January 1, 1942, shall have rendered less than 10 years' continuous service shall, upon his completion of 10 years' continuous service, have

his base pay as fixed by law increased by \$60 per annum; and, upon his completion of an additional 5-year period of continuous service thereafter, shall have his base pay as fixed by law increased by an additional \$60 per annum. No increase in base pay in excess of \$120 shall be given under this act. In computing an employee's length of service for the purposes of this act, credit shall be given for substitute service."

Mr. MEAD. Mr. President, I offer two amendments to this committee amendment. I send them to the desk and ask to have them stated.

The PRESIDENT pro tempore. The amendments offered by the Senator from New York to the amendment reported by the committee will be stated.

The CHIEF CLERK. On page 2, line 24, after the period, it is proposed to insert the following:

Any postmaster of the third or fourth class who, on January 1, 1942, shall have rendered 10 years or more of continuous service shall be paid each year, in addition to his basic compensation for such year, an amount equal to 5 percent of such basic compensation in the case of postmasters of the third class, and equal to 10 percent of such basic compensation in the case of postmasters of the fourth class; and, upon the completion of an additional 5-year period of continuous service after January 1, 1942, shall be paid each year, in addition to his basic compensation for such year, an additional amount equal to 5 percent of such basic compensation in the case of postmasters of the third class, and equal to 10 percent of such basic compensation in the case of postmasters of the fourth class. Any postmaster of the third or fourth class who, on January 1, 1942, shall have rendered less than 10 years' continuous service shall, upon his completion of 10 years' continuous service, be paid each year, in addition to his basic compensation for such year, an amount equal to 5 percent of such basic compensation in the case of postmasters of the third class, and equal to 10 percent of such basic compensation in the case of postmasters of the fourth class; and, upon his completion of an additional 5-year period of continuous service thereafter, shall be paid each year, in addition to his basic compensation for such year, an amount equal to 5 percent of such basic compensation in the case of postmasters of the third class, and equal to 10 percent of such basic compensation in the case of the postmasters of the fourth class.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from New York to the amendment reported by the committee.

The amendment to the amendment was agreed to.

The CHIEF CLERK. On page 2, lines 24 and 25, it is proposed to strike out:

No increase in base pay in excess of \$120 shall be given under this act.

And in lieu thereof to insert:

The amounts paid under this act in addition to base pay or basic compensation shall not exceed \$120 per annum in any case.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from New York to the amendment reported by the committee.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The CHIEF CLERK. On page 3, line 3, after the word "effect", it is proposed to strike out "July" and insert "January."

The amendment was agreed to.

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

The bill was read the third time, and passed.

Mr. MEAD. Mr. President, I ask unanimous consent that a copy of the bill, as amended and passed, be inserted in the RECORD at this point.

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

The bill (H. R. 1057) to establish a system of longevity pay for postal employees, as amended and passed by the Senate, is as follows:

Be it enacted, etc., That assistant postmasters, supervisory employees, special clerks, clerks, watchmen, messengers, laborers in first- and second-class post offices, employees in the custodial service of the Post Office Department rendering not less than 5 hours' service per day, employees of the Motor Vehicle Service, letter carriers in the City Delivery Service and Village Delivery Service, rural letter carriers, employees of the Railway Mail Service, employees of the Sea Post Service, clerks at division headquarters of post-office inspectors, and postal employees at the United States Stamped Envelope Agency, who, on January 1, 1942, shall have rendered 10 years or more of continuous service, shall have their base pay as fixed by law increased by \$60 per annum; and upon the completion of an additional 5-year period of continuous service after January 1, 1942, shall have their base pay as fixed by law increased by an additional \$60 per annum. Any such Post Office employee who, on January 1, 1942, shall have rendered less than 10 years' continuous service shall, upon his completion of 10 years' continuous service, have his base pay as fixed by law increased by \$60 per annum; and, upon his completion of an additional 5-year period of continuous service thereafter, shall have his base pay as fixed by law increased by an additional \$60 per annum. Any postmaster of the third or fourth class who, on January 1, 1942, shall have rendered 10 years or more of continuous service shall be paid each year, in addition to his basic compensation for such year, an amount equal to 5 percent of such basic compensation in the case of postmasters of the third class, and equal to 10 percent of such basic compensation in the case of postmasters of the fourth class; and, upon the completion of an additional 5-year period of continuous service after January 1, 1942, shall be paid each year, in addition to his basic compensation for such year, an amount equal to 5 percent of such basic compensation in the case of postmasters of the third class, and equal to 10 percent of such basic compensation in the case of postmasters of the fourth class. Any postmaster of the third or fourth class who, on January 1, 1942, shall have rendered less than 10 years' continuous service shall, upon his completion of 10 years' continuous service, be paid each year, in addition to his basic compensation for such year, an amount equal to 5 percent of such basic compensation in the case of postmasters of the third class, and equal to 10 percent of such basic compensation in the case of postmasters of the fourth class; and, upon his completion of an additional 5-year period of continuous service thereafter, shall be paid each year, in addition to his basic compensation for such year, an amount equal to 5 percent of such basic compensation in the case of postmasters of the third class, and equal to 10 percent of such basic compensation in the case of postmasters of the fourth class. The amounts paid under this act in addition to base pay or

basic compensation shall not exceed \$120 per annum in any case. In computing an employee's length of service for the purposes of this act, credit shall be given for substitute service.

Sec. 2. This act shall take effect January 1, 1942.

PREVENTION OF PHOTOGRAPHING AND SKETCHING OF MILITARY RESERVATIONS, ETC.

Mr. HILL. Mr. President, a moment ago Senate bill 1707, Calendar No. 629, was passed over. I understand there is now no objection to the bill, and I ask for its present consideration.

Mr. McNARY. Mr. President, when the bill was reached on the call of the calendar, I objected to its consideration because I remembered that on a former occasion some Senator who was absent at the time the bill was reached today objected to it. That Senator was the able Senator from Massachusetts [Mr. WALSH]. He is here now. I, myself, have no objection.

Mr. WALSH. Mr. President, this bill has been passed over on several calls of the calendar because a similar bill forbidding the photographing of naval establishments has been passed by the Senate and has been sent over to the House. It is made a crime to take photographs under certain conditions and with certain intents and purposes.

The language of this bill is different from the language of the naval bill that forbids the taking of photographs of naval establishments and naval vessels. There is a difference in the definition of the crime. I have been hopeful that the naval bill would be amended in the House so as to insert the word "Army," and have the same general principle of law apply to both services. I have not been able to secure such action. I do not think we ought to delay this matter any longer. Therefore I am content to have the Senate pass this bill and let the House straighten out the matter, and try to have a uniform bill that will cover both the Army and the Navy.

Mr. TAFT. Mr. President, I shall not object to the consideration of the bill; but it seems to me it will have an extraordinary effect, because apparently it provides for the imprisonment of any person who takes a photograph anywhere near any reservation, even, or in the waters adjacent thereto, apparently with no specific intent. I cannot find in the bill any intent clause. Apparently, any person who wanders out with a kodak and takes a picture somewhere near a defense establishment may be put in jail. I hope the bill will be modified in the House when it gets there, and perhaps made to accord with the bill to which the able Senator from Massachusetts referred.

I shall not object to the consideration of the bill because of the fact that I think what I have described may be done; but certainly in its present form the bill is extraordinarily all-inclusive.

Mr. WALSH. Mr. President, the Senator has stated the objection of the Naval Committee—that the bill goes too far, and is all-inclusive, and ought to be modified and a better definition inserted. However, I think we ought not longer to

delay legislation on the subject, and that we ought to put the responsibility on the House to cooperate with the Senate and pass a suitable bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 1707) to prevent the making of photographs and sketches of military or naval reservations, naval vessels, and other naval and military properties, 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 whoever, except in performance of duty or employment in connection with the national defense, shall knowingly and willfully make any sketch, photograph, photographic negative, blueprint, plan, map, model, copy, or other representation of any navy yard, naval station, or of any military post, fort, camp, station, arsenal, airfield, or other military or naval reservation, or place used for national-defense purposes by the War or Navy Departments, or of any vessel, aircraft, installation, equipment, or other property whatsoever, located within any such post, fort, camp, arsenal, airfield, yard, station, reservation, or place, or in the waters adjacent thereto, or in any defensive sea area established in accordance with law; or whoever, except in performance of duty or employment in connection with the national defense, shall knowingly and willfully make any sketch, photograph, photographic negative, blueprint, plan, map, model, copy, or other representation of any vessel, aircraft, installation, equipment, or other property relating to the national defense being manufactured or under construction or repair for or awaiting delivery to the War or Navy Departments or the government of any country whose defense the President deems vital to the defense of the United States under any contract or agreement with the United States or such country or otherwise on behalf of the United States or such country, located at the factory, plant, yard, storehouse, or other place of business of any contractor, subcontractor, or other person, or in the waters adjacent to any such place, shall be punished as provided herein.

SEC. 2. Notwithstanding the provisions of section 1, the Secretary of War or the Secretary of the Navy is authorized, under such regulations as he may prescribe, to permit photographs, sketches, or other representations to be made when, in his opinion, the interests of national defense will not be adversely affected thereby.

SEC. 3. Any person found guilty of a violation of this act shall, upon conviction, be punished by a fine of not more than \$1,000 or by imprisonment for not more than 1 year, or by both such fine and imprisonment.

SEC. 4. The provisions of this act shall apply in the Philippine Islands as well as in all other places within the territory or jurisdiction of the United States.

JOINT RESOLUTION AND BILLS PASSED OVER

The joint resolution (S. J. Res. 35) proposing an amendment to the Constitution of the United States providing for national representation for the people of the District of Columbia was announced as next in order.

Mr. McNARY. Mr. President, at the request of the distinguished Senator from Kansas [Mr. CAPPER], I object to the consideration of the joint resolution.

The PRESIDENT pro tempore. The joint resolution will be passed over.

The bill (S. 1365) to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes,"

approved June 28, 1937, as amended, for the purpose of providing vocational training in Civilian Conservation Corps camps in the interest of national defense, was announced as next in order.

Mr. TAFT. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1831) to prohibit the purchase of foreign-grown cotton with public funds was announced as next in order.

Mr. BARKLEY. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

PENSIONS AND INCREASE OF PENSIONS

The bill (H. R. 1095) to amend the act of March 3, 1927, entitled "An act granting pensions to certain soldiers who served in the Indian Wars from 1817 to 1898 and for other purposes," was announced as next in order.

Mr. BYRD. Mr. President, this is the first of 16 pension bills which are on the calendar. I think this is no time to consider increase of pensions, and I shall have to object to all 16 bills.

The PRESIDENT pro tempore. The bills will be passed over.

Mr. McNARY. Mr. President, the 16 bills referred to by the able Senator from Virginia should be identified. Does he mean to include the private pension bills in his request?

Mr. BYRD. Yes; they are all in a row.

Mr. McNARY. Will not the Senator from Virginia read into the RECORD the numbers of the bills?

Mr. BYRD. I expected that the clerk would read the numbers.

Mr. BARKLEY. Mr. President, as I understand, the request applies to all the bills on the calendar from No. 707, House bill 1095, to No. 733, House bill 3312, inclusive.

The PRESIDENT pro tempore. The Chair understood that all of them were to be passed over. The clerk will state the next bill on the calendar following those passed over.

ACCEPTANCE OF MEDALS AND DECORATIONS BY NAVY PERSONNEL

The bill (S. 1850) to authorize officers and enlisted men of the United States Navy and the United States Marine Corps to accept such medals, orders, decorations, and presents as have been tendered them by governments of the Western Hemisphere, other than Canada, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That those officers and enlisted men of the United States Navy and United States Marine Corps who have on the date of the approval of this act been tendered medals, orders, decorations, and presents by governments of the Western Hemisphere, other than Canada, in appreciation of services rendered, are hereby authorized to accept them.

WHEAT MARKETING QUOTAS

The Senate proceeded to consider the bill (H. R. 5726) to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Act of 1938, as amended, which was read, as follows:

Be it enacted, etc., That, effective as of May 26, 1941, Public Law No. 74, Seventy-seventh Congress, is amended by adding at the end thereof the following new paragraph:

"(12) Notwithstanding any of the foregoing provisions, the farm marketing excess for any crop of wheat for any farm shall not be larger than the amount by which the actual production of such crop of wheat on the farm exceeds the normal production of the farm wheat-acreage allotment, if the producer establishes such actual production to the satisfaction of the Secretary. Where a downward adjustment in the amount of the farm marketing excess is made pursuant to the provisions of this paragraph, the difference between the amount of the penalty or storage as computed upon the farm marketing excess before such adjustment and as computed upon the adjusted farm marketing excess shall be returned to or allowed the producer."

Mr. TAFT. Mr. President, when this bill was called on November 10, I offered an amendment, and I desire to have it considered at this time.

The PRESIDENT pro tempore. The clerk will state the amendment.

The CHIEF CLERK. On page 2, after line 8, it is proposed to insert the following new paragraph:

"(13) Notwithstanding any of the foregoing provisions, the penalty upon wheat shall not apply to that portion of the farm-marketing excess of the 1941 crop for any farm, which was or will be used on the farm where grown as feed for livestock or poultry or as seed. The amount of any penalty paid on that portion of the farm-marketing excess of wheat which was or will be used on the farm where grown as feed for livestock or poultry or as seed shall be returned or allowed the producer."

The amendment was agreed to.

The PRESIDENT pro tempore. The amendment just agreed to makes necessary further amendment of the bill, and the clerk will state the two amendments which must be made.

The CHIEF CLERK. On page 1, line 5, after the word "new", strike out "paragraph" and insert "paragraphs", and on page 2, line 8, strike out the quotation marks at the end of the line.

The amendments were agreed to.

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

The bill was read the third time, and passed.

ACQUISITION OF LAND IN MICHIGAN FOR COAST GUARD PURPOSES

The joint resolution (H. J. Res. 221) to declare abandoned the title of the city of Marquette, Mich., to certain land in the county of Marquette, and to vest control of such land in the Secretary of the Treasury for Coast Guard purposes was considered, ordered to a third reading, read the third time, and passed.

ACCEPTANCE OF CRAFT FOR COAST GUARD USE

The bill (H. R. 5509) to authorize the Secretary of the Treasury to purchase or accept as gifts motorboats, yachts, and similar vessels for Coast Guard use was considered, ordered to a third reading, read the third time, and passed.

SEPULVEDA DAM AND HANSEN DAM

The bill (H. R. 547) authorizing the Secretary of War to execute an easement

deed to the city of Los Angeles, Calif., for the use and occupation of lands and water areas in connection with the Sepulveda Dam and Reservoir project and the Hansen Dam and Reservoir project on the Los Angeles River was considered, ordered to a third reading, read the third time, and passed.

The title was amended so as to read: "An act authorizing the Secretary of War to execute easement deeds to the city of Los Angeles, Calif., for the use and occupation of lands and water areas in connection with the Sepulveda Dam and Reservoir project and the Hansen Dam and Reservoir project on the Los Angeles River."

DISTRICT JUDGE, DISTRICT OF NEW JERSEY

The Senate proceeded to consider the bill (S. 1961) to eliminate the prohibition against the filling of the first vacancy occurring in the office of district judge for the district of New Jersey, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That section 2 of the act entitled "An act to provide for the appointment of additional district and circuit judges," approved May 24, 1940, is amended by adding a new subsection "(d)," as follows:

"(d) One for the district of New Jersey."

The amendment was agreed to.

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

CONVEYANCE OF LAND TO KEMMERER, WYO.

The Senate proceeded to consider the bill (H. R. 4932) authorizing the conveyance of certain lands to the town of Kemmerer, Wyo., which had been reported from the Committee on Public Lands and Surveys with an amendment, on page 3, line 5, after the word "under," to strike out "such rules and regulations as the Secretary of the Interior may prescribe" and insert "the applicable mineral land laws."

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.

LEASE OF LAND BY JUPITER, FLA.

The bill (S. 217) to authorize the town of Jupiter, Fla., to lease certain land patented to such town pursuant to the provisions of section 3 of the act of July 8, 1926, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That certain land in the town of Jupiter, Fla., designated as blocks Nos. 1 and 23 thereof, patented to such town pursuant to the provisions of section 3 of the act of July 8, 1926 (44 Stat. 903), may be leased by such town to any person, partnership, or corporation for use for such purposes and upon such terms and conditions as the town council of such town, with the concurrence of the Secretary of the Interior, may deem advisable.

LEASE OF LANDS TO IDAHO FOR EDUCATIONAL PURPOSES

The bill (S. 828) to increase the period for which leases may be made of public

lands granted to the State of Idaho for educational purposes by the act of July 3, 1890, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That so much of section 5 of the act entitled "An act to provide for the admission of the State of Idaho into the Union," approved July 3, 1890, as reads "be leased for periods of not more than 5 years" is amended to read as follows: "be leased for periods of not more than 10 years."

DORA THOMPSON

The bill (S. 950) for the relief of Dora Thompson, 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 the Interior be, and he is hereby, authorized and directed to (1) rescind the cancellation of homestead entry Great Falls 073861 of Dora Thompson, (2) restore such entry to a pending status, and (3) extend for 3 years from the date of enactment of this act the period during which said Dora Thompson may submit final proof with respect to compliance with residence requirements applicable to such entry.

CONVEYANCE OF LAND TO SANDOVAL COUNTY, N. MEX.

The Senate proceeded to consider the bill (S. 673) authorizing the conveyance to Sandoval County, N. Mex., of the public land comprising part of the site of the county courthouse, which had been reported from the Committee on Public Lands and Surveys with amendments, on page 1, line 5, after the words "to the," to insert "tract of public"; and on line 6, after the word "thereon" and the parenthesis, to strike out "in" and insert "containing approximately one and two-tenths acres, located in lot 17"; so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to convey to the county of Sandoval, N. Mex., all right, title, and interest of the United States in and to the tract of public land (including any improvements thereon) containing approximately one and two-tenths acres, located in lot 17, section 31, township 13 north, range 4 east, New Mexico principal meridian, used as part of the site of the courthouse and courthouse grounds at Bernalillo, N. Mex. The conveyance of such land shall be made upon payment therefor by the county of the appraised value thereof, exclusive of improvements, but not less than \$1.25 per acre.

The amendments were agreed to.

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

CENTRAL PACIFIC RAILWAY CO RIGHT-OF-WAY

The Senate proceeded to consider the bill (H. R. 2611) to release all the interest of the United States in certain land constituting a portion of the right-of-way granted to the Central Pacific Railway Co. under the act of July 1, 1862, as amended and supplemented, which had been reported from the Committee on Public Lands and Surveys with an amendment, on page 4, line 19, after the word "under," to strike out "such rules and regulations as the Secretary of the Interior may prescribe," and to insert "the applicable mineral laws."

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.

VALIDATION OF CERTAIN CENTRAL PACIFIC RAILWAY CO. CONVEYANCES

The Senate proceeded to consider the bill (H. R. 3193) validating certain conveyances heretofore made by Central Pacific Railway Co., which had been reported from the Committee on Public Lands and Surveys with an amendment, on page 4, line 6, after the word "under," to strike out "such rules and regulations as the Secretary of the Interior may prescribe," and insert "the applicable mineral land laws."

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.

POSTHUMOUS APPOINTMENTS AND PROMOTIONS IN THE ARMY

The Senate proceeded to consider the bill (S. 2026) to provide for the posthumous appointment to commissioned grade of certain enlisted men and the posthumous promotions of certain commissioned officers, which had been reported from the Committee on Military Affairs with amendments on page 2, line 4, after the word "posthumously" to strike out "promoted" and insert "appointed," and, on page 3, line 4, after the word "War," to insert "or the Secretary of the Navy," so as to make the bill read:

Be it enacted, etc., That the President be, and he is hereby, authorized to issue, or cause to be issued, an appropriate commission in the name of any person who, while in the military or naval service of the United States at any time after September 8, 1939, shall have been duly appointed to a commissioned grade and shall have been unable to accept the appointment to such grade by reason of his death in line of duty; and any such commission shall issue as of the date of such appointment and any such person's name shall be carried upon the records of the War or Navy Department as having served in the grade and branch of the service to which he shall have been thus posthumously appointed, from the date of such appointment to the date of his death.

Sec. 2. That the President be, and he is hereby, authorized to issue, or cause to be issued, an appropriate appointment and commission in the name of any person who, while in the military or naval service of the United States at any time after September 8, 1939, shall have successfully completed the course at a training school for officers and shall have been recommended for appointment to a commissioned grade by the officer commanding or in charge of such school, and who shall have been unable to receive or accept such appointment by reason of his death in line of duty; and any such posthumous appointment and commission shall issue as of the date of such recommendation, and any such person's name shall be carried upon the records of the appropriate department as having served in the grade and branch of the service to which he shall thus have been appointed from the date of such recommendation to the date of his death.

Sec. 3. That the President be, and he is hereby, authorized to issue, or cause to be issued, an appropriate commission in the name of any person who, while in the military or naval service of the United States at

any time after September 8, 1939, shall have been officially recommended for appointment or promotion to a commissioned grade, which recommendation shall have been duly approved by the Secretary of War or the Secretary of the Navy, and who shall have been unable to receive or accept such appointment or promotion by reason of his death in line of duty; and any such posthumous appointment or promotion and commission shall issue as of the date of such approval and such person's name shall be carried upon the records of the War or Navy Department as having served in the grade and branch of the service to which he would have been appointed or promoted by such commission from the date of such approval to the date of his death.

Sec. 4. That no person shall be entitled to receive any bonus, gratuity, pay, or allowance by virtue of any provision of this act.

The amendments were agreed to.

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

INTERDEPARTMENTAL PROCUREMENT BY CONTRACT

The bill (S. 2032) to amend section 7 (a) of the act of May 21, 1920 (41 Stat. 613), as amended by section 601 of the act of June 30, 1932 (47 Stat. 417), to authorize interdepartmental procurement by contract was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 7 (a) of the act entitled "An act making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1921, and for other purposes", approved May 21, 1920 (41 Stat. 613), as amended by section 601 of the act of June 30, 1932 (47 Stat. 417; 31 U. S. C. 686), entitled "An act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1933, and for other purposes", is hereby amended to read as follows:

"Sec. 7 (a) Any executive department or independent establishment of the Government, or any bureau or office thereof, if funds are available therefor and if it is determined by the head of such executive department, establishment, bureau, or office to be in the interest of the Government so to do, may place orders with any other such department, establishment, bureau, or office for materials, supplies, equipment, work, or services, of any kind that such requisitioned Federal agency may be in a position to supply, equipped to render, or obtain by contract, and shall pay promptly by check to such Federal agency as may be requisitioned, upon its written request, either in advance or upon the furnishing or performance thereof, all or part of the estimated or actual cost thereof as determined by such department, establishment, bureau, or office as may be requisitioned; but proper adjustments on the basis of the actual cost of the materials, supplies, or equipment furnished, or work or services performed, paid for in advance, shall be made as may be agreed upon by the departments, establishments, bureaus, or offices concerned: *Provided, however,* That if such work or services can be as conveniently or more cheaply performed by private agencies such work shall be let by competitive bids to such private agencies. Bills rendered, or requests for advance payments made, pursuant to any such order, shall not be subject to audit or certification in advance of payment."

WATERS OF REPUBLICAN RIVER— INTERSTATE COMPACT

The bill (S. 1361) granting the consent of Congress to a compact to be entered

into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River Basin, was announced as next in order.

Mr. NORRIS. Mr. President, Calendar No. 898, House bill 5945, is identical with the bill just reached on the calendar. I ask that the House bill be substituted for the Senate bill and be now considered.

The PRESIDING OFFICER (Mr. CLARK of Missouri in the chair). Is there objection?

There being no objection, the bill (H. R. 5945) granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River Basin, was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 1361 will be indefinitely postponed.

Mr. JOHNSON of Colorado subsequently said: Mr. President, I have been waiting for Senate bill 1361, Calendar No. 874, to be reached on the calendar. I was called to the telephone a moment ago, and when I returned I was given to understand that that bill had been reached on the calendar, and that a House bill, similar to the Senate bill, was substituted for the Senate bill, and passed.

The PRESIDING OFFICER. The Senator's understanding is correct. The House bill was passed and the Senate bill was indefinitely postponed.

Mr. JOHNSON of Colorado. That action is not in accordance with the wishes of the Senator from Colorado. I desire to ask unanimous consent that the Senate reconsider the vote by which House bill 5945, Calendar No. 898, was passed.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Colorado?

Mr. McNARY. Mr. President, personally I should be willing to grant the request, but the senior Senator from Nebraska [Mr. NORRIS] and the junior Senator from Nebraska [Mr. BUTLER], who are interested in the measure, do not appear to be present. I am mistaken. I note that the junior Senator from Nebraska is present.

Mr. JOHNSON of Colorado. I realize that the senior Senator from Nebraska [Mr. NORRIS] is out of the Chamber, and that he wants the House bill passed, but I was out of the Chamber when the Senate acted on the bill. We are now on the unanimous-consent calendar, and whether the senior Senator from Nebraska is out of the Chamber or not, I wish to object to the disposition which was made of the measure.

Mr. McNARY. Since the able junior Senator from Nebraska [Mr. BUTLER] is present, I shall not object to the unanimous-consent request made by the Senator from Colorado.

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent that the vote by which the House bill was adopted be reconsidered.

The PRESIDING OFFICER. Did the Chair correctly understand that the Senator from Oregon [Mr. McNARY] objected

to the unanimous-consent request made by the Senator from Colorado?

Mr. McNARY. No, Mr. President. When I rose to speak I observed the temporary absence of the two eminent Senators from Nebraska. I later observed the presence of the junior Senator from Nebraska. He is qualified to take care of the matter. My position is purely negative. I do not object to the request in any way.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from Colorado?

Mr. BUTLER. Mr. President, would it impair the rights of the Senator from Colorado in any way if his unanimous-consent request were deferred for a few minutes?

Mr. JOHNSON of Colorado. No. I am perfectly willing to let the matter go over for a while.

The PRESIDING OFFICER. Any Senator, if he so desires, has a right to object to the unanimous-consent request made by the Senator from Colorado, and if objection is heard, the Senator from Colorado has a right to move that the Senate reconsider the vote by which the measure was passed, without asking for unanimous consent.

Mr. JOHNSON of Colorado. Mr. President, unless I am granted this courtesy with respect to a matter which is very important to my State—a courtesy which on numerous occasions, to my knowledge, has been extended, without controversy and without delay, to other Senators who have made similar requests, I shall have to enter objection to every bill which may be called hereafter today.

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

Mr. JOHNSON of Colorado. I yield.

Mr. BARKLEY. There is no difficulty about this matter. The Senator from Nebraska [Mr. NORRIS], thinking that the measure had been disposed of, has temporarily left the Chamber, and I suppose, merely as a matter of courtesy to him, his colleague [Mr. BUTLER] asked that the request be deferred until the senior Senator from Nebraska returned. That, as I understand, is all the junior Senator from Nebraska desires.

Mr. BUTLER. Yes, Mr. President, that is all.

Mr. JOHNSON of Colorado. I wish the request to be acted on, however, before the call of the calendar is completed.

Mr. BARKLEY. That may be done.

Mr. McKELLAR. Mr. President, the Senator may move that the Senate reconsider its action.

Mr. JOHNSON of Colorado. I do not wish to make that motion. I wish to have the bill remain on the Consent Calendar, and when it is reconsidered I wish to object to the substitution of the House bill for the Senate bill.

The PRESIDING OFFICER. The Senator from Colorado can ask for unanimous consent for the reconsideration of the vote by which the bill was passed. Of course, he can also object to every bill on the calendar that is called hereafter if he desires to do so.

Mr. JOHNSON of Colorado. I withhold any objection until the senior Senator from Nebraska returns.

The PRESIDING OFFICER. The clerk will state the next business on the calendar.

ADMINISTRATION OF THE FEDERAL RECLAMATION LAWS

The Senate proceeded to consider the bill (H. R. 4854) to facilitate and simplify the administration of the Federal reclamation laws and the act of August 11, 1939, as amended, which had been reported from the Committee on Irrigation and Reclamation with an amendment, on page 2, line 1, after the word "Reclamation", to strike out "or other officers of the Bureau of Reclamation" and insert "an assistant commissioner, or the officer in charge of any office, division, district, or project of the Bureau of Reclamation."

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.

DESIGNATION OF THANKSGIVING DAY

The Senate proceeded to consider the joint resolution (H. J. Res. 41) making the last Thursday in November a legal holiday, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 3, before the name "Thursday", to strike out "last" and insert "fourth."

The amendment was agreed to.

Mr. BARKLEY. Mr. President, does the House joint resolution merely make the last or the fourth Thursday in November a legal holiday, or does it designate it as Thanksgiving Day?

Mr. DANAHER. It designates it as Thanksgiving Day, and, of course, it has no higher status as that day than similar days so named.

Mr. BARKLEY. I understand, but it did not appear from the calendar that it had any reference to Thanksgiving. I wanted it identified.

Mr. DANAHER. It does provide for designating the day as Thanksgiving Day.

Mr. TAFT. I have wondered whether there was any Pilgrim authority for making it the fourth Thursday instead of the last. What is the historical basis for Thanksgiving?

Mr. DANAHER. Mr. President, if we are proceeding under the 5-minute rule, I do not wish to enter into an ample discussion of the historical background at this time; but if I may tersely and succinctly inform the Senator on that point, it dates back to 1620, when the Pilgrims, having landed on a rock up in Massachusetts—

Mr. TAFT. My question was directed to the point whether the precedents justified the amendment which has been offered—to make Thanksgiving the fourth instead of the last Thursday. There might be a difference in some years.

Mr. DANAHER. The Senator from Ohio has put his question on a very different basis. He asks whether there is any justification for the proposed amendment. The answer is "yes."

The Senator will recall that in 1940 the President of the United States, at the request, it is said, of certain commercial interests, advanced Thanksgiving Day from its traditional date in the calendar to the third Thursday of November. It was said in some circles that the proximity of Thanksgiving to Christmas was such that people did not have ample opportunity to gear their pocketbooks to their purchasing power. So we found ourselves in 1940, and again in 1941, with some derangement in our holiday system on that account.

In the House of Representatives a great many thought the Congress should fix definitely the last Thursday in November in each year as Thanksgiving Day, and remove it beyond the power of Executive interference. We in the Senate Judiciary Committee thought that, taking into account those 2 years in 7 when the last Thursday might be the last day of the very month of November, we would do better if we fixed the fourth Thursday, which would make it, in 5 out of 7 years, the last Thursday in November, and in the other 2 years would at least remove Thanksgiving Day from so close a proximity to the 1st of December as to make it possible for businessmen to know they were out of the red before they gave thanks. [Laughter.]

Mr. TAFT. Mr. President, I wondered whether there was any historical basis for the fourth Thursday of the month; whether now we are compromising between the Executive and history?

Mr. DANAHER. Let me say to the Senator from Ohio that it is a proper subject for serious inquiry. The fourth Thursday is the historical date, and the fourth Thursday is fixed upon in 5 out of 7 years. We make it the fourth rather than the last Thursday simply to have a fixed date, so that everybody will know from now on what day is to be Thanksgiving Day. I think that answers the question.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the joint resolution.

The amendment was ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

The title was amended so as to read: "Joint resolution making the fourth Thursday in November a legal holiday."

NOTES ACQUIRED BY THE FARM CREDIT ADMINISTRATION—BILL PASSED OVER

The bill (S. 298) to provide for the cancellation of certain notes acquired by the Farm Credit Administration as a result of the activities of the Federal Farm Board was announced as next in order.

Mr. HUGHES. Mr. President, I should like to have an explanation of the bill, and unless there is a satisfactory explanation made of it I shall have to object to its consideration at this time. The Committee on Claims has for some time been considering a request for a very large appropriation to be made to citrus-fruit organizations of Florida. If the bill now reached on the calendar should pass, it would create a precedent according to which it would be only fair to grant to the citrus-fruit organizations the same

relief that is granted by this bill, for I think the facts in both cases are practically identical.

The PRESIDING OFFICER. Does the Senator from Delaware object to the present consideration of the measure?

Mr. HUGHES. Let me say that the old Farm Board made loans and took notes for the loans in both instances to which I referred, and later on—

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

Mr. HUGHES. Yes; I yield.

Mr. MCKELLAR. I simply wish to say that the matter seems to be a controversial one, and I think it ought to go over, and if the Senator will permit me I myself shall object to the present consideration of the bill.

Mr. HUGHES. Very well.

The PRESIDING OFFICER. On objection the bill will be passed over.

OPERATION OF PLANTS FOR THE NATIONAL DEFENSE—BILL PASSED OVER

The bill (S. 2054) relating to the use and operation by the United States of certain plants in the interest of the national defense was announced as next in order.

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

Mr. BYRD. Mr. President—

Mr. CONNALLY. Mr. President, did I hear an objection?

Mr. BARKLEY. In view of the colloquy which occurred yesterday in connection with this matter, Mr. President, the bill should be passed over.

Mr. CONNALLY. I understood the Senator from Virginia to object. I simply wanted to know.

Mr. BYRD. Mr. President, this is a very important measure. It cannot be considered under the 5-minute-debate rule, and I understood it was not to be considered. It certainly is not a proper bill to be considered on the unanimous-consent calendar, even though Senators may favor the bill. There ought to be full consideration of it.

The PRESIDING OFFICER. The Chair understands that objection is made to the present consideration of the bill, and it will be passed over.

LABOR DISPUTES IN DEFENSE INDUSTRIES—BILL PASSED OVER

The bill (S. 683) to expedite the national-defense program by providing a method for the settlement of labor disputes in defense industries without resort to hasty strikes and lock-outs, was announced as next in order.

Mr. BALL. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

USE OF CAMERAS IN PANAMA CANAL ZONE

The bill (S. 1986) to amend the Canal Zone Code so as to provide for control of photographing, possession of cameras, and so forth, in areas of the Canal Zone, was announced as next in order.

The PRESIDING OFFICER. The Chair will state that House bill 5876, Calendar No. 897, is an identical measure. Is there objection to substituting the House bill for the Senate bill, and its present consideration?

There being no objection, the bill (H. R. 5876) to amend the Canal Zone Code so as to provide for control of photographing, possession of cameras, and so forth, in areas of the Canal Zone, was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 1986 will be indefinitely postponed.

AMENDMENT OF PANAMA CANAL GENERAL RETIREMENT LAW

The bill (S. 2014) to amend section 96, title 2, of the Canal Zone Code, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. The Chair is advised that House bill 4871, Calendar No. 896, is similar to Senate bill 2014. Is there objection to substituting the House bill for the Senate bill and its present consideration?

There being no objection, the bill (H. R. 4871) to amend section 96, title 2, of the Canal Zone Code, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF CANAL ZONE CODE WITH RESPECT TO TRIAL OF JOINT DEFENDANTS, ETC.

The bill (H. R. 527) to amend the Canal Zone Code with respect to the trial of joint defendants, the removal of fugitives from justice, and the regulation of criminal procedure in the Canal Zone was considered, ordered to a third reading, read the third time, and passed.

INCORPORATION OF THE UNION CHURCH OF THE CANAL ZONE

The bill (H. R. 528) to incorporate the Union Church of the Canal Zone was announced as next in order.

Mr. DANAHER. Mr. President, I have had scant time to examine the bill. Is there present any member of the Committee on Inter-oceanic Canals other than the present occupant of the chair who can explain the bill?

The PRESIDING OFFICER. So far as the Chair knows, there is not.

Mr. DANAHER. I know that the present occupant of the chair could give the bill full explanation were he on the Senate floor, and there are a few questions that I think ought to be asked about the measure.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF THE CANAL ZONE CODE WITH RESPECT TO MORTGAGES

The bill (H. R. 529) to amend the Canal Zone Code with respect to mortgages was considered, ordered to a third reading, read the third time, and passed.

PUNISHMENT OF PERSONS UNLAWFULLY RETURNING TO CANAL ZONE AFTER DEPORTATION—ENFORCEMENT OF RULES OF PANAMA RAILROAD CO.

The bill (H. R. 4495) to amend the Canal Zone Code was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF AGRICULTURAL PRODUCERS IN STRICKEN AREAS

The bill (S. 2076) granting relief to certain agricultural producers in stricken

areas who suffered crop failures in 1941 because of adverse weather conditions, insect pests, or other uncontrollable natural causes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That (a) the Congress hereby determines that due to unfavorable weather conditions and insect damage a serious crop failure of cotton, tobacco, and hay and other forage crops has occurred in many States; that it is essential to the national defense and public welfare that every means be taken to keep farmers on the land and to maintain maximum production of farm commodities; and that the provisions of this act are necessary for such purposes and for the relief of distress among the farm population in such stricken areas.

(b) The Congress further determines that substantial amounts of the sums which have heretofore been appropriated for making parity payments will not be needed for making such payments; and it hereby directs that so much of the money appropriated in the Department of Agriculture Appropriation Act, 1942, for the purpose of making parity payments as is not used for such purpose shall be covered into the Treasury to offset the appropriations made pursuant to the authority of this act.

Sec. 2. (a) In the case of any producer of cotton or tobacco on whose farm the acreage planted to such commodity in 1941 did not exceed the farm-acreage allotment for 1941 under the agricultural conservation program and who establishes to the satisfaction of the Secretary of Agriculture that, because of drought, excessive rainfall, boll-weevil infestation, or other uncontrollable natural cause, his actual production of such commodity in 1941 was less than 50 percent of the normal production of such planted acreage, the Secretary is authorized and directed, out of funds appropriated pursuant to section 5, to make a payment to such producer in an amount equal to (1) the difference between the actual production of such planted acreage and one-half of the normal production of such planted acreage times (2) the parity price of such commodity as of the beginning of the marketing year beginning in 1941.

(b) Payments under this section shall be divided between owners, operators, tenants, and other persons interested in the crop in the same proportion that they were entitled to share in the crop or its proceeds.

(c) When used in this section, terms which are defined in section 301 of the Agricultural Adjustment Act of 1938, as amended, shall have the same meaning as when used in such act, as amended.

Sec. 3. In the case of any area with respect to which the Secretary of Agriculture determines (a) that by reason of drought in 1941 the condition of pastures or the production of hay and other forage crops used in such area to sustain dairy cows is such as to threaten to result in a substantial reduction in the production of milk in such area or to result in the reduction by dairy farmers in such area of their foundation herds, and (b) that milk and other dairy products produced in such area are required for the purposes of "An act to promote the defense of the United States," or needed for other defense purposes, he is authorized, out of funds appropriated pursuant to section 5, to pay, or to make grants to dairy farmers in such area to enable them to pay, the cost of baling and charges for the transportation into such area of needed hay, grain, cottonseed meal, beet pulp, or other feeds used to sustain dairy cows.

Sec. 4. The Secretary of Agriculture is authorized to utilize the facilities and personnel of the Agricultural Adjustment Administration to carry out the provisions of this act, and to prescribe such regulations as may be necessary for its purposes.

Sec. 5. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

Mr. McNARY. Mr. President, my attention was diverted for a moment. What happened to Calendar No. 886, Senate bill 2076?

The PRESIDING OFFICER. The bill was passed.

Mr. McNARY. It was passed while my attention was distracted. I ask unanimous consent that it be restored to the Calendar.

Mr. SMITH. I object. Under the 5-minute rule—

The PRESIDING OFFICER. Let the Chair state that unless the bill is restored to the Calendar the 5-minute rule is not applicable to it. It has already been passed, without objection. The Chair heard no objection.

Mr. McNARY. Mr. President, the clerk was proceeding with great haste. My attention was directed to another matter by a Senator. I wish to offer an amendment to the bill which should be discussed. I do not believe that a bill of such importance, setting up an entirely new system of relief, should be passed under a unanimous-consent agreement.

The PRESIDING OFFICER. Let the Chair assure the Senator from Oregon that it was not the intention of the Chair to proceed with such haste that any Senator would not have the fullest opportunity to object to any bill to which he desired to object.

Mr. BARKLEY. Mr. President, in view of the fact that when the bill was called and the Chair announced that, without objection it was passed, the attention of the Senator from Oregon was temporarily diverted to another matter, it seems to me the bill ought to be restored to the Calendar. I doubt whether a bill of this type should be passed without some discussion.

Mr. SMITH. Mr. President, I hope I may have unanimous consent to make a brief statement.

This bill was drafted by the agricultural interests of the entire country. A meeting was called, for which I was not responsible, and when the question involved had been thoroughly discussed it was found that certain States in the Union had suffered greatly from climatic disasters and insect pests. My State suffered. Louisiana suffered. Various other States suffered beyond the conception of those who do not know anything about the situation. In New York there was a complete failure of the crop of feed for the cattle. There was the threat that the great section of the milk and dairy products industry would have to go out of business and allow its milk cows to be sold or slaughtered.

The matter was brought before our committee, and after full discussion we called in the drafting clerk, and a bill was drafted which it was thought would provide relief. Two hundred and twelve million dollars had been appropriated for parity payments, but, because of the rise in prices the 1941 parity payments will be negligible. Those who were interested said, "Inasmuch as that money has already been appropriated, why can we

not utilize it as a direct appropriation to liquidate this relief for us, and have the amount left over covered into the Treasury?"

I know how severe has been the suffering. My section of the country was terribly stricken. I know what the Congress has done for storm sufferers and sufferers from insect pests in the West and in other places. This bill was drafted in good faith, and I was asked to present it and try to secure its passage by the Senate. A reading of the bill will disclose that it is very simple. It gives relief to those whom we need in our defense, now that the war is on us.

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

Mr. SMITH. I yield.

Mr. BARKLEY. We appropriated \$212,000,000 to be used for parity payments to producers of various agricultural products, under the basic provisions of the Agricultural Act.

Mr. SMITH. Yes.

Mr. BARKLEY. Do I correctly understand that the bill would divert whatever is necessary of the \$212,000,000?

Mr. SMITH. Apparently the Senator has not read the bill.

Mr. BARKLEY. It is impossible to read a bill on the call of the calendar when a question is raised about it.

Mr. SMITH. The bill provides that whatever portion of the parity payments to any given industry is not used for parity payments may be used to liquidate the proposed relief.

Mr. BARKLEY. When is it to be determined whether there would be anything left of the \$212,000,000 appropriated for parity payments? Who is to determine it, and when is it to be determined?

Mr. SMITH. As the Senator knows, the parity payments for 1941 are made in January, February, and March of 1942, after the crop has been ascertained.

Mr. BARKLEY. As a rule we have made special appropriations to aid certain groups of our people who have been damaged or injured by disaster of one kind or another. I do not recall that we have ever before used a general appropriation in order to pay special compensation for the benefit of all classes which come within the purview of the law.

Mr. SMITH. That is not contemplated. The amount available to the producers of each of the several articles who receive parity payments would depend upon the amount which was not used for such payments. For example, if there were \$60,000,000 for parity payments to the producers of wheat, and the price of wheat were such that only \$1,000,000 were used, \$59,000,000 would be available for the relief of wheat producers.

I know that the impression has been current that I am pleading for the South and for cotton. According to the testimony given, the people of New York are suffering just as much as we are.

Mr. President, in response to what the Senator from Kentucky has said, let me say that this group of farmers is trying to save an appropriation by saying, "The money has already been appropriated.

It will not be used. Let us use it to liquidate the relief you give us." That is all.

Mr. McNARY. Mr. President, I do not care to go into a discussion of the merits or demerits of the bill. It offends the rule. I try to follow the rules of procedure of the Senate. The Senator from South Carolina has referred to cotton. No one has helped the cotton farmers more than has the Senator from Oregon.

This bill applies to a particular section of the country. If it were a bill of general application, the situation might be different. I think I could apply the objectives of the bill to very many sections of the country—indeed, to the whole Nation.

I want to deal kindly with the farmers, but not in the way proposed by the bill. If we should follow the suggested course, I am sure that we would never reach the point where the money would be available. For many years we have applied a program to fit such cases. I do not want to see a departure from it. I feel sure that the bill would never reach its destination.

I wish to help the Senator. I do not wish to advise him, because he probably would not accept my advice. However, I am sincere when I say that my interest in agriculture is very deep and certain.

I am sure that the bill does not look in the right direction. I am sure that it would establish a precedent which could not be followed. It would embarrass future legislation. To pass it at this time by unanimous consent is certainly not in accord with the consideration which should be given to such an important proposal. It was only because of the fact that my attention was distracted for a moment that the bill was passed. I know what the rule is. I ask unanimous consent that the bill be restored to the calendar. Otherwise I shall move to reconsider the vote by which the bill was passed, which would be just as effective as the other method.

Mr. SMITH. Mr. President, I prefer to have the Senator move to reconsider.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon?

Mr. McNARY. Mr. President, I am not making a unanimous-consent request. I move that the vote by which the bill was passed be reconsidered, and that the bill be restored to the calendar.

The PRESIDING OFFICER. The question is on the motion of the Senator from Oregon.

The motion was agreed to.

The PRESIDING OFFICER. Is there objection to the present consideration of Calendar No. 886, Senate bill 2076?

Mr. McNARY. I object to its consideration.

The PRESIDING OFFICER. The Senator from Oregon objects.

WATERS OF REPUBLICAN RIVER—INTER-STATE COMPACT

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent to revert to Calendar No. 874, which is Senate bill 1361.

The PRESIDING OFFICER. The Chair will inform the Senator from Colo-

rado that Calendar No. 898, House bill 5945, was the measure which was passed, having been substituted for Calendar No. 874, Senate bill 1361. It was House bill 5945 on which the Senate took action.

Mr. JOHNSON of Colorado. Calendar No. 898 is the bill to which I desire to refer, but we have not yet reached that bill on the calendar.

The PRESIDING OFFICER. By unanimous consent it was substituted for Calendar No. 874, Senate bill 1361, which was indefinitely postponed.

Mr. JOHNSON of Colorado. I ask unanimous consent that we revert to Calendar No. 874 and to the substitution which was made for the bill bearing that calendar number.

The PRESIDING OFFICER. The Chair understands the Senator from Colorado to ask unanimous consent to revert to Calendar Nos. 874 and 898.

Mr. JOHNSON of Colorado. That is correct.

The PRESIDING OFFICER. Calendar No. 874, Senate bill 1361, the Chair will state to the Senator from Colorado, has been indefinitely postponed by unanimous consent of the Senate.

Mr. JOHNSON of Colorado. That is why I want to revert to the bill bearing that calendar number, so that I can object to the action taken by the Senate. I desire to object to the action which was taken on Calendar No. 874 and the action taken on Calendar No. 898.

The PRESIDING OFFICER. The Senator from Colorado asks unanimous consent that the action of the Senate in indefinitely postponing Calendar No. 874, Senate bill 1361, be vacated, and at the same time asks unanimous consent that the action by which the Senate passed Calendar No. 898, House bill 5945, be vacated. Has the Chair correctly stated the request of the Senator from Colorado?

Mr. JOHNSON of Colorado. Yes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Colorado? The Chair hears none. Without objection, the clerk will read Calendar No. 874, Senate bill 1361, by its title.

The CHIEF CLERK. A bill granting the consent of Congress to a compact to be entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River Basin.

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

Mr. NORRIS. Mr. President, of course it is quite evident that there will not be any objection to the request of the Senator from Colorado. I assumed he was here when action was taken upon the House bill, but I readily consent to having it restored to the calendar.

I should like to call the attention of the Chair and the Senate to Calendar No. 874, which is Senate bill 1361, and to the other bill, House bill 5945, which has passed the House of Representatives, both of which would have the same effect. It would be perfectly idle to pass the Senate bill and send it to the House, when the House has passed a similar bill which is now on the Senate Calendar.

We shall never get anywhere by following such parliamentary procedure. The Senate should take up the House bill, as I think the Senator from Colorado will concede. I will not try to have the bill passed by unanimous consent; I concede that controversy would ensue which would take more time than we could well devote to the matter now. However, I do insist that what we should take up is the House bill, because that is the only way by which to reach a conclusion of the matter.

Mr. JOHNSON of Colorado. Mr. President, the Senator from Colorado and those who are in favor of the Senate bill will have no objection to taking up the House bill if it is agreed to strike from the House bill section 2, on page 11.

Mr. NORRIS. I would not consent to that.

Mr. JOHNSON of Colorado. Of course, that is the difference between us.

Mr. NORRIS. But when we take up the House bill the Senator will have a perfect right to make a motion to accomplish the change he suggests.

Mr. JOHNSON of Colorado. The Senator from Colorado will object to the provision referred to; and when the bill comes up in the regular way we can act upon it in accordance with the wishes of the Senate.

Mr. NORRIS. But the House bill is the only one the Senate should consider, because, out of courtesy to the House, and in view of the parliamentary situation, in order to reach a conclusion the two Houses must be brought together. We cannot do so if we pass separate bills in each case.

Mr. JOHNSON of Colorado. Yes; and this body cannot get the two Houses of Congress together. We had better pass the bill we want and let the matter be settled in conference between the two Houses.

Mr. BARKLEY. Will the Senator from Nebraska yield?

Mr. NORRIS. I yield.

Mr. BARKLEY. The bill may be taken up, subject to having any amendment offered.

Mr. NORRIS. Certainly.

Mr. BARKLEY. Of course, if the Senate bill were substituted for the House bill, it would have to go to conference.

Mr. NORRIS. Exactly.

Mr. JOHNSON of Colorado. Mr. President, I desire to object to the substitution of the House bill for the Senate bill; and if the Senator from Nebraska insists upon that action being taken now, I object to consideration of Calendar No. 874, Senate bill 1361, and that will dispose of the whole matter, I understand.

Mr. NORRIS. Very well.

The PRESIDING OFFICER. Objection is heard. The clerk will state the next order of business on the calendar.

PAYMENTS FOR CROPS ACQUIRED UNDER NATIONAL-DEFENSE PROGRAM

The Senate proceeded to consider the bill (S. 2077) amending the Department of Agriculture Appropriation Act, 1942, so as to provide for agricultural conservation-program payments to farmers whose crops have been acquired under the national-defense program, which

had been reported from the Committee on Agriculture and Forestry, with an amendment, on page 1, line 9, after the word "as", at the end of the line, to insert the word "landlords," so as to make the bill read:

Be it enacted, etc., That the last proviso under the head "Conservation and Use of Agricultural Land Resources, Department of Agriculture" in the Department of Agriculture Appropriation Act, 1942 (Public Law 144, 77th Cong., approved July 1, 1941), is amended to read as follows: "Provided further, That notwithstanding any other provision of law, persons who in 1940 and 1941 carried out farming operations as landlords, tenants, or sharecroppers on cropland owned by the United States Government and who complied with the terms and conditions of the 1940 and 1941 agricultural conservation programs, formulated pursuant to sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, shall be entitled to apply for and receive payments, or to retain payments heretofore made, for their participation in said program to the same extent as other producers, and wherever in either of such years the acquisition of title to, or lease of, any farm for use in the national-defense program caused the producers to lose their interest in the crops planted thereon, or the proceeds thereof, prior to the time of harvest, the landlord, tenants, and sharecroppers on such farm in such year shall be entitled to apply for and receive the payments which they would have received under the agricultural conservation program for such year if they had been permitted to retain their interest in such crops, or the proceeds thereof, to the extent that it does not clearly appear that in connection with such acquisition full compensation was made for the failure to receive such payments."

The amendment was agreed to.

Mr. McNARY. Let the bill go over for the day.

The PRESIDING OFFICER. The bill will be passed over.

LANDS IN OKLAHOMA FOR CHEYENNE-ARAPAHO INDIANS

The Senate proceeded to consider the bill (H. R. 5095) to set aside certain lands in Oklahoma for the Cheyenne-Arapaho Tribes of Indians, which had been reported from the Committee on Indian Affairs, with an amendment, on page 3, after line 5, to insert a new section, as follows:

Sec. 2. That any person duly enrolled as a member of an Indian tribe who received in pursuance of a tribal treaty or agreement with the United States an allotment of land which, by the terms of said treaty or agreement was exempted from taxation, restricted against alienation, or which by the terms of any act of Congress was continued under the supervision of the United States during the minority of such allottee, and from which land the restrictions have or have not been removed, and any such enrolled member of an Indian tribe having restricted money in the custody and control of the United States, prior to April 26, 1931, and who was required or permitted to pay any Federal income tax on such lands or on the rents, royalties, or other gains arising from such lands during such restricted or tax-exempt period or on income from such restricted funds while in the custody or control of the United States, or on income from any allotment during the minority of the allottee, or any such person who has been erroneously or illegally taxed by reason of not having claimed or received the benefit of any deductions or exemptions permitted by law, and who would be entitled under this or previous acts or rulings of the

Treasury Department in similar Indian cases to a refund of the taxes so illegally or erroneously collected, but for the fact that he failed to file a claim for such refund within the time prescribed by law, shall be allowed 2 years after the approval of this act within which to file such claim, and if otherwise entitled thereto he may recover such taxes in the same manner and to the same extent as if such claims for refund had been theretofore duly filed as required by law, it not being the policy of the Government to invoke or plead a statute of limitations to escape the obligations of agreement solemnly entered into with its Indian wards, or prior to April 26, 1931, to exact for its own use and benefit an income tax from them while their property continued under the supervision of the United States and/or during the minority of any such allottee: *Provided, however,* That in the case of the death of a member of an Indian tribe his heirs who succeeded to his allotment of lands be permitted to file claims and recover refunds in the same manner as duly enrolled member of an Indian tribe: *Provided further,* That in the case of the death of any enrolled member of an Indian tribe any such illegal taxes paid by him or on his account may in like manner be claimed and recovered by the person or persons who would have received such money had it constituted a part of his estate at the time of his death.

That all acts and parts of acts in conflict herewith are modified for the purpose, and only for the purpose, of carrying into effect the provisions hereof.

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.

The title was amended so as to read: "An act to set aside certain lands in Oklahoma for the Cheyenne-Arapaho Tribes of Indians; and to carry out certain obligations to certain enrolled Indians, under tribal agreement."

DISTRICT OF COLUMBIA BOARD OF PUBLIC WELFARE

The bill (S. 2047) to amend section 5 of the act entitled "An act to establish a Board of Public Welfare in and for the District of Columbia, to determine its functions, and for other purposes," approved March 16, 1926, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 5 of the act entitled "An act to establish a Board of Public Welfare in and for the District of Columbia, to determine its functions, and for other purposes," approved March 16, 1926, be, and the same is hereby, amended to read as follows:

"Sec. 5. That the Commissioners of the District of Columbia, upon the nomination of the Board, are hereby authorized to appoint a director of public welfare, which position is hereby authorized and created, who shall be the chief executive officer of the Board and shall be charged, subject to its general supervision, with the executive and administrative duties provided for in this act. The director shall be a person of such training, experience, and capacity as will especially qualify him or her to discharge the duties of the office. The director of public welfare may be discharged by the Commissioners of the District of Columbia upon recommendation of the Board. The Commissioners of the District of Columbia are authorized, upon the nomination of the Board, to appoint such personnel as may be

necessary for the efficient performance of the duties of the Board: *Provided, however*, That all employees of the Board, except the director, shall be appointed in accordance with and be subject to the provisions of an act entitled 'An act to regulate and improve the civil service of the United States,' approved January 16, 1883, as amended (U. S. C. T. 5, secs. 638, et seq.), and the rules and regulations made in pursuance thereof in the same manner as members in the classified civil service of the United States, the Commissioners of the District of Columbia, however, being authorized in their discretion to give preference to residents of the District of Columbia. The Civil Service Commission is hereby authorized and directed to confer a competitive civil-service status upon those employees performing services for the Board on the effective date of this act who are citizens of the United States and who, within 6 months after the effective date of this act, are certified by the Commissioners, upon recommendation of the Board, (a) as having been appointed from among the highest available eligibles from an appropriate register of the Civil Service Commission or (b) as having rendered active service for the Board prior to the effective date of this act, and who qualify in such appropriate non-competitive examinations as the Civil Service Commission may prescribe, except that as to employees engaged in work in which the Federal Government shares the expense, the Board of Public Welfare shall prescribe such conditions for eligibility to enter appropriate noncompetitive examinations prescribed by the Civil Service Commission as shall conform to the Federal acts providing for Federal financial participation and to rules and regulations of the Federal agencies administering such acts. Any employee of the Board who fails to meet these requirements or who fails to take or pass the non-competitive examination prescribed by the Commission, or who is not certified by the Commissioners, may continue to serve for a period of not more than 30 days after the establishment of appropriate registers.

PREVENTION OF SALE OF UNWHOLESOME FOOD IN THE DISTRICT

The bill (H. R. 5694) to prevent the sale of unwholesome food in the District of Columbia was considered, ordered to a third reading, read the third time, and passed.

AVIATION EDUCATION IN HIGH SCHOOLS

The bill (H. R. 5476) to provide aviation education in the senior high schools of the District of Columbia, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

INTRODUCTION OF CONTRABAND INTO PENAL INSTITUTIONS

The bill (H. R. 2297) to prohibit the introduction of contraband into the District of Columbia penal institutions was considered, ordered to a third reading, read the third time, and passed.

DEPUTY CLERKS OF UNITED STATES DISTRICT COURT

The bill (H. R. 5377) to amend section 111, title 18, of the Code of the District of Columbia, with respect to designation of deputy clerks by the clerk of the District Court of the United States for the District of Columbia, was considered, ordered to a third reading, read the third time, and passed.

DEFENSE WORKS IN THE DISTRICT OF COLUMBIA

The bill (S. 1963) authorizing advancements from the Federal Works Adminis-

trator for the provision of certain defense public works and equipment in the District of Columbia, and for other purposes, was announced as next in order.

Mr. TAFT. Mr. President, I should like to have an explanation of the bill.

The PRESIDING OFFICER. The bill was reported by the Senator from Maryland [Mr. TYDINGS].

Mr. TAFT. I may say that the bill purports to deal with the loan to the District of Columbia of \$6,000,000 out of the Lanham Act money. In the first place, there is no Lanham Act money left, as I understand. Another bill on this subject is being considered now, or will be considered shortly, by the Committee on Public Buildings and Grounds. I believe this bill should go over until the questions involved can be determined, so that the various pieces of legislation coming to different committees can be linked together.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED OVER

The bill (H. R. 4365) to give additional powers to the Board of Public Welfare of the District of Columbia, and for other purposes, was announced as next in order.

Mr. GERRY. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

AMERICAN INDIAN DAY

The bill (S. 1240) designating the fourth Saturday in September of each year as American Indian Day was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the fourth Saturday in September of each year is hereby designated and shall hereafter be known as American Indian Day.

Sec. 2. The President is requested to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on such day and inviting the people of the United States to observe such day with appropriate ceremonies, as a memorial to the aborigines of this Nation and their contributions to the establishment and maintenance of this Nation.

Sec. 3. The President is also requested to communicate this declaration, by proclamation or otherwise, to the governors of the several States, and request them to take such action as they may deem advisable in order to bring about observance of such day.

REIMBURSEMENT OF INDIANS FOR TAXES PAID

The bill (S. 1412) to amend the act of June 11, 1940 (Public, No. 590, 76th Cong., 3d sess.), providing for the relief of Indians who have paid taxes on allotted land, 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 of June 11, 1940 (Public, No. 590, 76th Cong., ch. 315, 3d sess.), be, and the same is hereby, amended to read:

"The Secretary of the Interior is hereby authorized, under such rules and regulations as he may prescribe, to reimburse Indian allottees, or Indian heirs or Indian devisees of allottees, for all taxes paid, including penalties and interest, on so much of their allotted lands as have been patented in fee prior to the expiration of the period of trust

without application by or consent of the patentee: *Provided*, That if the Indian allottee, or his or her Indian heirs or Indian devisees, have by their own act accepted such patent, no reimbursement shall be made for taxes paid, including penalties and interest, subsequent to acceptance of the patent: *Provided further*, That the fact of such acceptance shall be determined by the Secretary of the Interior.

"In any case in which a claim against a State, county, or political subdivision thereof, for taxes collected upon such lands during the trust period has been reduced to judgment and such judgment remains unsatisfied in whole or in part, the Secretary of the Interior is authorized, upon reimbursement by him to the Indian of the amount of taxes including penalties and interest paid thereon, and upon payment by the judgment debtor of the costs of the suit, to cause such judgment to be released: *Provided further*, That in any case, upon submission of adequate proof, the claims for taxes paid by or on behalf of the patentee or his Indian heirs or Indian devisees have been satisfied, in whole or in part, by the State, county, or political subdivision thereof, the Secretary of the Interior is authorized to reimburse the State, county, or political subdivision for such amounts as may have been paid by them."

Sec. 2. There is hereby authorized to be appropriated the sum of \$95,000, or so much thereof as may be necessary, out of any money in the Treasury not otherwise appropriated, for the purpose of carrying out the provisions of this act.

Any appropriations made pursuant to this section shall remain available until expended.

MANCHESTER BAND OF POMO INDIANS

The bill (S. 1927) to reserve certain public lands in California for the benefit of the Manchester Band of Pomo Indians of the Manchester Rancheria was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subject to all valid existing rights and claims, lot 15, section 1, township 12 north, range 17 west, Mount Diablo meridian, California, being part of the public lands of the United States, be, and the same is hereby, withdrawn from entry, sale, or other disposition and set aside as an addition to the Manchester Rancheria in California, for the exclusive use and benefit of the Manchester Band of Pomo Indians residing thereon.

WILLARD R. CENTERWALL

The bill (S. 2011) for the relief of Willard R. Centerwall, formerly superintendent and special disbursing agent at the Tongue River Indian Agency, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Comptroller General be, and he is hereby, authorized and directed to allow credit in the official accounts of Willard R. Centerwall, formerly superintendent and special disbursing agent at the Tongue River Indian Agency, for disallowances in the amounts of \$26.82 and \$11.53 under certificates of settlement of accounts by the General Accounting Office Nos. G-108840-Ind and H-5451-Ind dated December 1, 1938, and June 5, 1940, respectively.

Sec. 2. The Secretary of the Treasury is hereby authorized and directed to refund out of any moneys in the Treasury not otherwise appropriated any payments made by the said Willard R. Centerwall on account of the disallowances in question.

APPEALS BY THE UNITED STATES TO CIRCUIT COURTS OF APPEALS

The Senate proceeded to consider the bill (H. R. 139) to permit appeals by the

United States to the circuit courts of appeals in certain cases, which had been reported from the Committee on the Judiciary, with an amendment, on page 3, after line 23, to insert:

The Supreme Court of the United States shall have the power to prescribe, from time to time, rules of practice and procedure with respect to appeals authorized by this act.

The amendment was agreed to.

Mr. McNARY. Mr. President, the pending bill appears to relate to an important subject, having to do with appeals by the United States to the circuit courts of appeals. Unless it is explained thoroughly and clearly, I shall object to its consideration at this time.

The PRESIDING OFFICER. In the absence of explanation, on objection of the Senator from Oregon, the bill will be passed over.

PRESENTATION OF DISTINGUISHED SERVICE CROSS TO THOMAS ORGO

The bill (S. 1943) to authorize the presentation of a Distinguished Service Cross to Thomas Orgo was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President is authorized to present a Distinguished Service Cross, together with the appropriate rosette to be worn in lieu thereof, to Thomas Orgo, formerly a second lieutenant, Ninety-sixth Company, Sixth Regiment, United States Marines, who distinguished himself by his extraordinary heroism in repeatedly performing acts of bravery and leadership above and beyond the call of duty, under heavy enemy fire, during his service with the American Expeditionary Force in France in the year 1918.

NAVAL PROCUREMENT FUND

The bill (S. 1957) to establish the naval procurement fund, 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 there is hereby established under the Bureau of Supplies and Accounts the naval procurement fund, and there is authorized to be appropriated from time to time such sums as may be necessary to accomplish the purposes of this fund: *Provided,* That thereafter expenditures may be made from the naval procurement fund for material (other than material for stock) and for personal and contractual services under such regulations as the Secretary of the Navy may prescribe: *Provided further,* That no expenditure shall be incurred under the naval procurement fund, which is not properly chargeable to available funds under a naval appropriation, and the naval procurement fund shall be promptly reimbursed from the appropriate naval appropriations for all expenditures properly chargeable thereto on the basis of transfer and counterwarrants prepared in the Navy Department and certified to the Secretary of the Treasury by a duly authorized representative of the Navy: *Provided further,* That such warrants when signed by the Secretary of the Treasury shall be entered in the appropriation accounts as of the fiscal year in which the expenditures were made and without revision by any officer of the Government; any adjustments between accounts subsequently found necessary in the audit and settlement of the accounts by the General Accounting Office shall be made as of current dates on the basis of new transfer and counterwarrants: *Provided further,* That the naval supply account fund shall be hereafter designated as the naval stock fund:

Provided further, That the Paymaster General of the Navy is authorized to transfer to the naval procurement fund for payment any existing obligations under the naval stock fund which do not represent the acquisition of materials for stock: *And provided further,* That hereafter the naval stock fund shall be charged with the cost of transporting material purchased free on board cars or on wharf or free alongside vessels at points specified in contract to activities to which initial delivery is to be made only when the contract on which the material is being procured is drawn under that fund so that the issue price of the material may include the transportation charged to the appropriation under which each contract is drawn or to the corresponding current appropriation as may be available.

FRANCIS HOWARD ROBINSON

The bill (S. 1974) for the relief of Francis Howard Robinson 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 the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$246.20 to reimburse Francis Howard Robinson, radioman first class, United States Navy, for the value of personal property lost or damaged in the fire in Government quarters occupied by him at United States naval radio station, Astoria, Oreg., on September 22, 1940: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

CLAIMS FOR DAMAGES CAUSED BY NAVAL FORCES IN FOREIGN COUNTRIES

The Senate proceeded to consider the bill (S. 1994) to provide for the prompt settlement of claims for damages occasioned by naval forces in foreign countries, which had been reported from the Committee on Naval Affairs with amendments.

The first amendments were, in section 1, page 1, line 6, after the words "Secretary of", to insert "War and the Secretary of"; in line 7, after the word "Navy", to strike out "is" and insert "are"; in line 9, before the word "Navy", to insert "Army"; in the same line after the words "Marine Corps", to insert "as the case may be"; and on page 2, line 3, after the word "by", to strike out "naval", and insert "Army, Navy,"; so as to make the section read:

That during the national emergency declared by the President on May 27, 1941, to exist, and for the purpose of promoting and maintaining friendly relations by the prompt settlement of meritorious claims, the Secretary of War and the Secretary of the Navy are hereby authorized to appoint a Claims Commission or Commissions, composed of officers of the Army, Navy, or Marine Corps, as the case may be, to consider, adjust, determine, and make payments in final settlement of bona fide claims on account of damages caused by Army, Navy, and Marine Corps forces, or individual members thereof, in a foreign country or possession thereof, including places located therein which are under the temporary or permanent jurisdiction of the United States, to

the property, public or private, or the persons of inhabitants of such foreign countries, where the amount of such claim does not exceed \$1,000: *Provided,* That no claim shall be considered by such Commissions unless presented within 1 year from the date of the accrual of said claim: *Provided further,* That any such settlements made by such Commissions under the authority of this act shall be final and conclusive for all purposes, notwithstanding any other provision of law to the contrary.

The amendments were agreed to.

The next amendment was, in section 2, page 2, at the beginning of line 19, to insert "as to Navy and Marine Corps claims, and out of such appropriation for the Military Establishment as may be determined by the Secretary of War as to the Army claims", so as to make the section read:

Sec. 2. All payments in settlement of claims under section 1 of this act shall be made out of the appropriation "Pay, subsistence, and transportation of naval personnel", as to Navy and Marine Corps claims, and out of such appropriation for the Military Establishment as may be determined by the Secretary of War as to Army claims.

The amendment was agreed to.

The next amendment was, in section 3, page 3, in line 2, after the words "Secretary of", to insert "War and the Secretary of"; and in the same line, after the word "Navy", to insert "respectively", so as to make the section read:

Sec. 3. This act shall be supplementary to, and not in lieu of, all other provisions of law authorizing consideration, adjustment, determination, and payment of claims by the Secretary of War and the Secretary of the Navy, respectively.

The amendment was agreed to.

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

The title was amended so as to read: "A bill to provide for the prompt settlement of claims for damages occasioned by Army, Navy, and Marine Corps forces in foreign countries."

DISTRIBUTION, PROMOTION, AND RETIREMENT OF LINE OFFICERS OF NAVY

The bill (S. 1995) to amend the act approved June 23, 1938, entitled "An act to regulate the distribution, promotion, and retirement of officers of the line of the Navy, 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 section 15 of the act entitled "An act to regulate the distribution, promotion, and retirement of officers of the line of the Navy, and for other purposes," approved June 23, 1938 (52 Stat. 953), is hereby amended by inserting at the end thereof of the following new subsection:

"(h) Selection boards to recommend brigadier generals of the line for promotion to major general shall be composed of officers of the permanent grade of major general on the active list of the Marine Corps to the extent that such officers are deemed available for this duty by the Secretary of the Navy, and the remainder of the board shall be composed of rear admirals on the active list of the line of the Navy, not restricted by law to the performance of shore duty only."

NAVAL SUPPLY DEPOT, CALIFORNIA

The bill (S. 2028) to amend section 3 (a) of the act entitled "An act to au-

thorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes," approved June 2, 1939 (53 Stat. 800), so as to transfer the administration of the Naval Supply Depot, Oakland, to the Commandant, Twelfth Naval District, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 3 (a) of the act entitled "An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes," approved June 2, 1939 (53 Stat. 800), is hereby amended by striking out the first proviso and inserting in lieu thereof the following: "Provided, That such land shall be used only as a naval supply depot and for no other purpose, and such depot shall be a part of the Naval Operating Base, San Francisco, and shall be so administered by the Commandant, Twelfth Naval District:".

EMPLOYMENT ON PUBLIC WORKS IN HAWAII

The Senate proceeded to consider the bill (S. 2086) to authorize the employment of nationals of the United States on any public work of United States in the Territory of Hawaii, which was read as follows:

Be it enacted, etc., That during the national emergency declared by the President on May 27, 1941, to exist, and notwithstanding the provisions of any other law, authority is hereby granted for the employment of nationals of the United States upon any public work carried on in the Territory of Hawaii by the Government of the United States, whether the work is done by contract or otherwise.

Mr. WALSH. Mr. President, I merely desire to observe that is a very important bill in view of recent happenings in Hawaii. I hope the Senate will take favorable action, as I know it will, on the bill, and that the House will also act on it very promptly.

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.

ACCOUNTS OF MARINE CORPS DISBURSING OFFICERS

The bill (S. 2087) to extend the time for examination of monthly accounts covering expenditures by disbursing officers of the United States Marine Corps, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the time for examination of monthly accounts covering expenditures by disbursing officers of the United States Marine Corps after the date of actual receipt at headquarters, United States Marine Corps, and before transmitting the same to the General Accounting Office, as limited by section 12 of the Act of July 31, 1894 (28 Stat. 209), as amended, is hereby extended from 20 to 60 days. In time of war or national emergency and for a period of 18 months after such war or emergency shall have ceased to exist, the time for examination of such monthly accounts is hereby extended from 60 to 90 days.

AIRCRAFT FLIGHT RATIONS

The bill (S. 2088) to authorize aircraft flight rations for officers, enlisted men,

and civilian employees of the Navy and Marine Corps while engaged in flight operations, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That hereafter there may be furnished to officers, enlisted men, and civilian employees of the Navy and Marine Corps, while actually engaged in flight operations, an aircraft flight ration in kind, chargeable to the proper Navy or Marine Corps appropriation, which flight ration shall be supplementary to any ration or subsistence allowance now granted to such personnel: *Provided,* That no part of an aircraft flight ration shall be furnished without cost to any person in a travel status or to any person to whom a per diem allowance is granted in lieu of actual subsistence.

EXTENSION OF NAVAL COMMISSARY STORE PRIVILEGES

The Senate proceeded to consider the bill (S. 2090) to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1910, and for other purposes," approved March 3, 1909, as amended, so as to extend commissary privileges to such other persons as may be specifically authorized by the Secretary of the Navy, which had been reported from the Committee on Naval Affairs without amendment.

Mr. McNARY. Mr. President, the title of the bill seems to indicate that the measure has some reference to fiscal policy or an appropriation bill. The able chairman of the Committee on Naval Affairs is present. I do not know what is the purpose of the bill, and I make inquiry of him.

Mr. WALSH. This bill relates to the commissary stores of the Navy. Should the bill be enacted into law, the Secretary of the Navy would be authorized to extend the privileges of the commissary stores at naval stations and post exchanges outside continental limits of the United States or in Alaska to such other persons as he may designate. Under the present law the Secretary of the Navy is authorized to establish commissary stores outside the continental limits of the United States and the law prescribes who may purchase supplies at such commissary stores. At no time has there been authority to sell to the contractors or employees of contractors. In the expansion program of the Navy this bill would permit, under regulations to be prescribed by the Secretary of the Navy, contractors and employees of contractors to enjoy the benefit of commissary stores where there are no other facilities.

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

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That such part of the Act of March 3, 1909 (35 Stat. 768; U. S. C., title 34, sec. 533), as amended, which provides "That hereafter such stores as the Secretary of the Navy may designate may be procured and sold to officers and enlisted men of the Navy, Marine Corps, and Coast Guard; to the widows of such officers and enlisted men; and to civilian officers and employees of the United States at naval stations and post exchanges beyond the continental

limits of the United States or in Alaska, under such regulations as the Secretary of the Navy may prescribe," is hereby further amended to read "That hereafter such stores as the Secretary of the Navy may designate may be procured and sold to officers and enlisted men of the Navy, Marine Corps, and Coast Guard; to the widows of such officers and enlisted men; to civilian officers and employees of the United States, and to such other persons as may be specifically authorized by the Secretary of the Navy, at naval stations and post exchanges beyond the continental limits of the United States or in Alaska, under such regulations as the Secretary of the Navy may prescribe."

NAVAL MINE DEPOT RESERVATION, YORKTOWN, VA.

The bill (H. R. 2799) authorizing the conveyance to the State of Virginia, for highway purposes only, a portion of the naval mine depot reservation at Yorktown, Va., was considered, ordered to a third reading, read the third time and passed.

PAY AND ALLOWANCES, RETIRED OFFICERS OF NAVY AND MARINE CORPS ON ACTIVE DUTY

The bill (H. R. 3149) providing for the pay and allowances of retired officers of the Navy and Marine Corps on active duty, was considered, ordered to a third reading, read the third time and passed.

ADVANCEMENT ON RETIRED LIST OF CERTAIN NAVY AND MARINE CORPS OFFICERS

The Senate proceeded to consider the bill (S. 1630) to provide for the advancement on the retired list of certain officers of the line of the United States Navy and Marine Corps, which had been reported from the Committee on Naval Affairs with amendments on page 1, line 3, after the word "all," to strike out "line"; on line 4, after the numerals "1938," to insert "and all staff officers of the Navy who have been or shall be retired on or subsequent to that date; and in line 6, after the word "who," to strike out "had" and insert "have", so as to make the bill read:

Be it enacted, etc., That all officers of the Navy and Marine Corps, retired prior to June 23, 1938, and all staff officers of the Navy who have been or shall be retired on or subsequent to that date, who have been specially commended for their performance of duty in actual combat by the head of the executive department under whose jurisdiction such duty was performed, and who have not been advanced on the retired list under any other provision of law, shall be advanced on the retired list to the rank of the next higher grade with three-fourths of the active-duty pay of the grade in which serving at the time of retirement: *Provided,* That no increased retired pay shall be held to accrue to any such officer prior to the date of approval of this act.

The amendments were agreed to.

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

The title was amended so as to read: "A bill to provide for the advancement on the retired list of certain officers of the United States Navy and Marine Corps."

INVESTIGATION OF GASOLINE AND FUEL OIL SHORTAGES

The resolution (S. Res. 189) submitted by Mr. MALONEY November 10, 1941, and

reported from the Committee on Commerce December 8, 1941, was considered, and agreed to, as follows:

Resolved, That the special committee established pursuant to S. Res. 156, agreed to August 28, 1941, is authorized, in connection with its investigation under such resolution with respect to gasoline, fuel oil, and other petroleum products, to include solid fuels, and to obtain such information as the committee deems desirable with respect to the development, production, distribution, utilization, transportation, and handling of such solid fuels with a view to determining the most effective means that may be employed for insuring an adequate supply of solid fuels for national-defense purposes without undue hardship to business enterprises and consumers generally.

The PRESIDING OFFICER. That completes the calendar.

WATERS OF THE REPUBLICAN RIVER—INTERSTATE COMPACT

Mr. NORRIS. Mr. President, I desire to make a motion that the Senate consider Calendar No. 898, House bill 5945, granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River.

The PRESIDING OFFICER. Does the Senator move to proceed to the consideration of the bill?

Mr. NORRIS. I do not see the Senator from Colorado [Mr. JOHNSON] in the Chamber at the moment, but before he left I talked with him and he told me that it would be agreeable to him to take up the bill today.

Mr. ELLENDER. I understand the Senator from Colorado has been endeavoring to get in touch with the Senator from Wyoming [Mr. O'MAHONEY].

Mr. JOHNSON of Colorado entered the Chamber.

Mr. NORRIS. The Senator from Colorado is now in the Chamber, and I inquire if it would be agreeable if I make the motion now?

Mr. JOHNSON of Colorado. I have been unable to find the Senator from Wyoming, and I know he is very much interested in the bill.

Mr. NORRIS. I understand he is.

Mr. JOHNSON of Colorado. I cannot locate him at the moment.

Mr. NORRIS. Suppose I make a motion now to take up the bill with the understanding that it will not be considered today?

Mr. JOHNSON of Colorado. That will be agreeable.

Mr. NORRIS. I move that the Senate proceed to the consideration of House bill 5945.

The PRESIDING OFFICER. The question is on the motion of the Senator from Nebraska that the Senate proceed to the consideration of a bill, the title of which will be stated.

The CHIEF CLERK. A bill (H. R. 5945) granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River.

Mr. McNARY. Mr. President, the motion, if agreed to, would make the bill the unfinished business.

The PRESIDING OFFICER. That would be the effect if the motion of the Senator from Nebraska were agreed to.

Mr. McNARY. I understand it is agreeable not to consider the bill today but it will be the first thing to come before the Senate tomorrow after the morning hour.

The PRESIDING OFFICER. That is the understanding of the Chair. The question is on the motion of the Senator from Nebraska to proceed to the consideration of the bill.

The motion was agreed to; and the Senate proceeded to the consideration of the bill (H. R. 5945) granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River.

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 PRESIDING OFFICER (Mr. CLARK of Missouri in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations and a convention, 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. McKELLAR, 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.

UNITED STATES MARITIME COMMISSION

The legislative clerk read the nomination of John M. Carmody, of New York, to be a member of the United States Maritime Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES MARSHAL

The legislative clerk read the nomination of Robert Grant to be United States marshal for the southern district of Illinois.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read several nominations of postmasters.

Mr. BARKLEY. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the postmaster nominations are confirmed en bloc. That completes the calendar.

ADJOURNMENT

Mr. BARKLEY. As in legislative session, I move that the Senate adjourn.

The motion was agreed to; and (at 2 o'clock and 10 minutes p. m.) the Senate adjourned until tomorrow, Wednesday, December 10, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate December 9, 1941:

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO CHEMICAL WARFARE SERVICE

First Lt. Kenneth Alonzo Cunin, Field Artillery (temporary captain, Army of the United States), with rank from June 12, 1937.

PROMOTIONS IN THE REGULAR ARMY

(Those officers whose names are preceded by the symbol (X) are subject to examination required by law. All others have been examined and found qualified for promotion.)

To be colonels with rank from December 1, 1941

Lt. Col. Frederic Granville Munson, Judge Advocate General's Department (temporary colonel, Army of the United States).

X Lt. Col. Carl Herndon Seals, Adjutant General's Department (temporary colonel, Army of the United States).

X Lt. Col. Gordon Handy McCoy, Field Artillery (temporary colonel, Army of the United States).

X Lt. Col. Robert Boyd Cole, Infantry (temporary colonel, Army of the United States).

Lt. Col. Milton Hager Taulbee, Field Artillery.

Lt. Col. Sidney Glenn Brown, Infantry (temporary colonel, Army of the United States).

Lt. Col. George Clinton Donaldson, Infantry (temporary colonel, Army of the United States).

Lt. Col. Joseph Hamilton Davidson, Infantry (temporary colonel, Army of the United States).

Lt. Col. Russell Henry Brennan, Judge Advocate General's Department (temporary colonel, Army of the United States).

To be captain

Chaplain (First Lt.) Edwin Lankford Kirtley, United States Army, with rank from October 25, 1941.

POSTMASTERS

ALABAMA

Lewis A. McLean to be postmaster at Livingston, Ala., in place of L. A. McLean. Incumbent's commission expired August 14, 1941.

Henry Leland Cummins to be postmaster at Opp, Ala., in place of H. L. Cummins. Incumbent's commission expired August 14, 1941.

ARKANSAS

Hal P. Johnson to be postmaster at Hatfield, Ark., in place of H. P. Johnson. Incumbent's commission expired August 23, 1941.

CALIFORNIA

Ellen Clark Martin to be postmaster at Beaumont, Calif., in place of E. C. Martin. Incumbent's commission expired August 2, 1941.

Richard G. Power to be postmaster at Colusa, Calif., in place of R. G. Power. Incumbent's commission expired July 28, 1941.

Harry Ross King to be postmaster at Corona Del Mar, Calif. Office became Presidential July 1, 1941.

Patrick D. Lucey, Jr., to be postmaster at Crockett, Calif., in place of P. D. Lucey, Jr. Incumbent's commission expired August 19, 1941.

Ward Robertson to be postmaster at Delano, Calif., in place of Ward Robertson. Incumbent's commission expired August 2, 1941.

Clarence R. Pierce to be postmaster at Gridley, Calif., in place of C. R. Pierce. Incumbent's commission expired August 2, 1941.

Emilio C. Ortega to be postmaster at Ventura, Calif., in place of E. C. Ortega. Incumbent's commission expired August 23, 1941.

COLORADO

Mary A. Morrison to be postmaster at Climax, Colo., in place of M. A. Morrison. Incumbent's commission expired July 30, 1941.

Clarence Patterson to be postmaster at Steamboat Springs, Colo., in place of Clarence Patterson. Incumbent's commission expired August 23, 1941.

CONNECTICUT

Paul Louis Hebert to be postmaster at Somersville, Conn., in place of P. L. Hebert. Incumbent's commission expired July 28, 1941.

FLORIDA

James A. Williams to be postmaster at Alachua, Fla., in place of J. A. Williams. Incumbent's commission expired February 18, 1941.

Alonzo W. Sias to be postmaster at Clewiston, Fla., in place of A. W. Sias. Incumbent's commission expired July 30, 1941.

Mae B. Wells to be postmaster at Lawtey, Fla. Office became Presidential July 1, 1941.

Thomas J. West to be postmaster at Riviera, Fla., in place of T. J. West. Incumbent's commission expired August 23, 1941.

GEORGIA

Judson Leland Cooper to be postmaster at Pelham, Ga., in place of H. L. Wingate, resigned.

IDAHO

Walter W. Volkmer to be postmaster at Marsing, Idaho. Office became Presidential July 1, 1941.

Lillian H. Witherspoon to be postmaster at New Meadows, Idaho, in place of Lee Highley, deceased.

ILLINOIS

Jerome J. A. Borkovec to be postmaster at Berwyn, Ill., in place of J. A. Borkovec. Incumbent's commission expired August 11, 1941.

Gladys V. Rosson to be postmaster at Makanda, Ill., in place of W. R. Presley, transferred.

INDIANA

Ralph W. Wright to be postmaster at North Manchester, Ind., in place of John Isenbarger. Incumbent's commission expired July 10, 1939.

Herbert Craig to be postmaster at Rising Sun, Ind., in place of A. H. Henschen, deceased.

IOWA

Kenneth F. Baldrige to be postmaster at Bloomfield, Iowa, in place of K. F. Baldrige. Incumbent's commission expired August 5, 1941.

Charles M. Robertson to be postmaster at Hubbard, Iowa, in place of O. T. Newgaard, removed.

Clyde B. Richardson to be postmaster at Keosauqua, Iowa, in place of C. B. Richardson. Incumbent's commission expired July 27, 1941.

Jeannette L. Eggert to be postmaster at Miles, Iowa, in place of J. F. Muhl, transferred.

KANSAS

Blanche Jacobs to be postmaster at Gorham, Kans., in place of Blanche Jacobs. Incumbent's commission expired August 6, 1941.

Orren P. Young to be postmaster at Westphalia, Kans., in place of W. J. Schulte, transferred.

KENTUCKY

Jacob Rene Harris to be postmaster at Taylorsville, Ky., in place of W. T. Smith, transferred.

Willie A. Roberts to be postmaster at Versailles, Ky., in place of A. W. Howard, deceased.

LOUISIANA

Edward J. LeBlanc to be postmaster at Abbeville, La., in place of E. J. LeBlanc. Incumbent's commission expired July 30, 1941.

Emily D. Straughan to be postmaster at Colfax, La., in place of E. D. Straughan. Incumbent's commission expired August 23, 1941.

Surry Dupree Hunter to be postmaster at Coushatta, La., in place of S. D. Hunter. Incumbent's commission expired February 18, 1941.

John Allen to be postmaster at Denham Springs, La., in place of John Allen. Incumbent's commission expired July 27, 1941.

Wesley K. Ferguson to be postmaster at Leesville, La., in place of W. K. Ferguson. Incumbent's commission expired August 23, 1941.

MAINE

Everett F. Larrabee to be postmaster at Bridgton, Maine, in place of M. D. Woolley, deceased.

Lester E. Goud to be postmaster at Topsham, Maine, in place of L. E. Goud. Incumbent's commission expired March 17, 1940.

MARYLAND

Agnes C. Rafferty to be postmaster at Cockeyville, Md., in place of A. C. Rafferty. Incumbent's commission expired August 23, 1941.

James H. Dunty to be postmaster at Fullerton, Md. Office became Presidential July 1, 1941.

MASSACHUSETTS

Marjorie N. Bowman to be postmaster at Cataumet, Mass., in place of M. N. Bowman. Incumbent's commission expired July 27, 1941.

Harold A. Daley to be postmaster at Hamilton, Mass. Office became Presidential July 1, 1941.

Alice M. Lincoln to be postmaster at Raynham, Mass. Office became Presidential July 1, 1941.

MICHIGAN

Charles E. Kinney to be postmaster at Fruitport, Mich. Office became Presidential July 1, 1941.

Bessie Lois O'Brien to be postmaster at Manton, Mich., in place of P. F. Nieuwkoop, resigned.

Hilda Webber to be postmaster at Trenary, Mich. Office became Presidential July 1, 1941.

Bernice M. Young to be postmaster at Twining, Mich., in place of B. M. Young. Incumbent's commission expired July 30, 1941.

John W. Corrigan to be postmaster at Union Pier, Mich., in place of J. W. Corrigan. Incumbent's commission expired July 28, 1941.

Leon B. Akins to be postmaster at Vassar, Mich., in place of A. E. Streeter, resigned.

Iva Conrad to be postmaster at Vernon, Mich. Office became Presidential July 1, 1941.

Rex J. Tuttle to be postmaster at Walled Lake, Mich., in place of R. J. Tuttle. Incumbent's commission expired July 28, 1941.

Ernest A. Dickson to be postmaster at Watersmeet, Mich., in place of E. A. Dickson. Incumbent's commission expired August 19, 1941.

MINNESOTA

Leonard N. Riley to be postmaster at Ellsworth, Minn., in place of L. N. Riley. Incumbent's commission expired July 28, 1941.

Della C. Underdahl to be postmaster at Frost, Minn., in place of D. C. Underdahl. Incumbent's commission expired August 23, 1941.

Eva A. Weed to be postmaster at Garvin, Minn. Office became Presidential July 1, 1941.

John C. Myers to be postmaster at Green Isle, Minn., in place of J. C. Myers. Incumbent's commission expired August 23, 1941.

Mary A. Culhane to be postmaster at Rushford, Minn., in place of M. A. Culhane. Incumbent's commission expired July 29, 1941.

John M. Lambert to be postmaster at Two Harbors, Minn., in place of J. M. Lambert. Incumbent's commission expired August 23, 1941.

Alphonse J. Koelzer to be postmaster at Waterville, Minn., in place of A. J. Koelzer. Incumbent's commission expired July 30, 1941.

MISSISSIPPI

William C. Bourland to be postmaster at Fulton, Miss., in place of W. C. Bourland. Incumbent's commission expired August 21, 1941.

William J. Pettyjohn to be postmaster at Marks, Miss., in place of W. J. Pettyjohn. Incumbent's commission expired August 4, 1941.

MISSOURI

William T. Scott to be postmaster at Centerville, Mo., in place of W. T. Scott. Incumbent's commission expired August 23, 1941.

William H. Fleahman to be postmaster at Jonesburg, Mo., in place of W. H. Fleahman. Incumbent's commission expired August 5, 1941.

Joseph F. Suellentrop to be postmaster at Linn, Mo., in place of J. F. Suellentrop. Incumbent's commission expired July 30, 1941.

Edna B. Wood to be postmaster at Nixa, Mo. Office became Presidential July 1, 1941.

John T. Stouffer to be postmaster at Triplett, Mo., in place of T. G. White, resigned.

Christian E. Kleck to be postmaster at Wheatland, Mo., in place of C. E. Kleck. Incumbent's commission expired July 28, 1941.

MONTANA

Bertha V. Powers to be postmaster at Nelhart, Mont. Office became Presidential July 1, 1941.

NEBRASKA

Fred Hlavac to be postmaster at Brainard, Nebr., in place of Fred Hlavac. Incumbent's commission expired July 30, 1941.

Nels L. Nelson to be postmaster at Lynch, Nebr., in place of N. L. Nelson. Incumbent's commission expired July 30, 1941.

Donald W. Flory to be postmaster at St. Edward, Nebr., in place of D. W. Flory. Incumbent's commission expired June 19, 1941.

NEVADA

Walter B. Collins to be postmaster at Austin, Nev., in place of W. B. Collins. Incumbent's commission expired February 16, 1941.

Pete Petersen to be postmaster at Reno, Nev., in place of Pete Petersen. Incumbent's commission expires December 18, 1941.

NEW HAMPSHIRE

Charles B. Weeks to be postmaster at Chocorua, N. H. Office became Presidential July 1, 1941.

NEW JERSEY

Sarah V. Dickerson to be postmaster at Denville, N. J., in place of S. V. Dickerson. Incumbent's commission expired March 10, 1941.

John P. Leonard to be postmaster at Elizabeth, N. J., in place of J. P. Leonard. Incumbent's commission expired March 10, 1941.

Vincent J. Tuite to be postmaster at Harrison, N. J., in place of V. J. Tuite. Incumbent's commission expired August 2, 1941.

Verna A. Cox to be postmaster at Magnolia, N. J., in place of J. F. Bigley, removed.

Murray Elman to be postmaster at Millburn, N. J., in place of W. D. Hayes, removed. Ethel Light to be postmaster at South Vineland, N. J. Office became Presidential July 1, 1941.

Kemp C. Wetmore to be postmaster at Tuckerton, N. J., in place of K. C. Wetmore. Incumbent's commission expired August 10, 1941.

NEW YORK

John H. Otten to be postmaster at Blauvelt, N. Y., in place of J. H. Otten. Incumbent's commission expired June 24, 1941.

William L. Bergner to be postmaster at Callicoon, N. Y., in place of W. L. Bergner. Incumbent's commission expired June 2, 1941.

Gus Di Savino to be postmaster at Chadwicks, N. Y., in place of G. Di Savino. Incumbent's commission expired August 23, 1941.

Cornelius J. O'Connell to be postmaster at Chestertown, N. Y., in place of C. J. O'Connell. Incumbent's commission expired August 2, 1941.

Walter A. Soule to be postmaster at Minoa, N. Y., in place of W. A. Soule. Incumbent's commission expired August 2, 1941.

Bernard E. Ryan to be postmaster at Mohawk, N. Y., in place of C. L. Prince, deceased.

NORTH CAROLINA

Galusha Pullium to be postmaster at Andrews, N. C., in place of Galusha Pullium. Incumbent's commission expired August 23, 1941.

Matt A. Elmore to be postmaster at Dover, N. C. Office became Presidential July 1, 1941.

Rudolph A. Guyton to be postmaster at Glen Raven, N. C. Office became Presidential July 1, 1941.

Mary Jane Bell to be postmaster at Pomona, N. C., in place of M. J. Bell. Incumbent's commission expired July 30, 1941.

Nelson R. Hunsucker to be postmaster at Winterville, N. C., in place of N. R. Hunsucker. Incumbent's commission expired August 23, 1941.

NORTH DAKOTA

Margaret F. Scouton to be postmaster at Inkster, N. Dak., in place of M. F. Scouton. Incumbent's commission expired August 21, 1941.

Ruth Cooper to be postmaster at Parshall, N. Dak., in place of Ruth Cooper. Incumbent's commission expired May 13, 1939.

Arlene D. Sand to be postmaster at San Haven, N. Dak., in place of A. D. Sand. Incumbent's commission expired July 28, 1941.

OHIO

John H. Glick to be postmaster at Bascom, Ohio. Office became Presidential July 1, 1941.

Lillian M. Weber to be postmaster at Blue Ash, Ohio. Office became Presidential July 1, 1941.

Mayme E. Puterbaugh to be postmaster at Centerville, Ohio. Office became Presidential July 1, 1941.

Reuel H. Johns to be postmaster at Diamond, Ohio. Office became Presidential July 1, 1941.

Leon R. Noble to be postmaster at East Liberty, Ohio. Office became Presidential July 1, 1941.

Roy K. Myers to be postmaster at Greentown, Ohio. Office became Presidential July 1, 1941.

William H. Hesselbart to be postmaster at Lindsey, Ohio. Office became Presidential July 1, 1941.

James B. Hagerty to be postmaster at Mingo Junction, Ohio, in place of R. L. Hagerty, deceased.

Albert Daman to be postmaster at Napoleon, Ohio, in place of Albert Daman. Incumbent's commission expired August 19, 1941.

Mabel F. Robinson to be postmaster at South Park, Ohio. Office became Presidential July 1, 1941.

OKLAHOMA

Logan E. Lentz to be postmaster at Ames, Okla. Office became Presidential July 1, 1941.

PENNSYLVANIA

Walter P. Dunwoody to be postmaster at Bareville, Pa. Office became Presidential July 1, 1941.

Emilie D. Hunt to be postmaster at Dingmans Ferry, Pa., in place of I. B. Middaugh, removed.

Violet M. Burrell to be postmaster at Indianola, Pa. Office became Presidential July 1, 1941.

Jewett Shirm to be postmaster at Montoursville, Pa., in place of A. O. Shafer, deceased.

Margaret M. Ryan to be postmaster at Oread, Pa. Office became Presidential July 1, 1941.

Samuel F. Snyder to be postmaster at Paxinos, Pa. Office became Presidential July 1, 1941.

Park C. Shank, Jr., to be postmaster at Peach Bottom, Pa. Office became Presidential July 1, 1941.

William A. Donovan to be postmaster at Sutersville, Pa. Office became Presidential July 1, 1941.

Lewis E. Hatch to be postmaster at White-marsh, Pa. Office became Presidential July 1, 1941.

PUERTO RICO

Angel Ramirez to be postmaster at Adjuntas, P. R., in place of J. A. Rivera, retired.

RHODE ISLAND

John J. O'Connor to be postmaster at Ashton, R. I. Office became Presidential July 1, 1941.

SOUTH CAROLINA

Carrie May Mitchum to be postmaster at Bonneau, S. C. Office became Presidential July 1, 1941.

Manning S. Bennett to be postmaster at Folly Beach, S. C. Office became Presidential July 1, 1941.

TENNESSEE

Lizzie Norman to be postmaster at Adams, Tenn., in place of R. D. Murphey, transferred.

Thomas Henry Rutledge to be postmaster at Collierville, Tenn., in place of D. B. Hill, resigned.

William Walter Eledge, Sr., to be postmaster at Englewood, Tenn., in place of W. W. Eledge, Sr. Incumbent's commission expired July 27, 1941.

Bessie T. Queener to be postmaster at Jacksboro, Tenn., in place of B. T. Queener. Incumbent's commission expired August 11, 1941.

Martha S. Williams to be postmaster at Lucy, Tenn. Office became Presidential July 1, 1941.

Amy G. Sylar to be postmaster at Ooltewah, Tenn., in place of A. G. Sylar. Incumbent's commission expired August 21, 1941.

William F. English to be postmaster at Pulaski, Tenn., in place of W. F. English. Incumbent's commission expired August 23, 1941.

Alexander J. Kennedy to be postmaster at Vonore, Tenn., in place of N. I. Williams, resigned.

TEXAS

Samuel M. Compton to be postmaster at Celeste, Tex., in place of S. M. Compton. Incumbent's commission expired August 19, 1941.

Ernest J. Banta to be postmaster at Medina, Tex. Office became Presidential July 1, 1941.

William McGonagle Irby to be postmaster at Texon, Tex., in place of J. E. Kimsey, resigned.

VIRGINIA

William A. Coates to be postmaster at Arlington, Va., in place of W. A. Coates. Incumbent's commission expired July 8, 1941.

Gouverneur W. Marchant to be postmaster at Woodberry Forest, Va., in place of M. A. Walker, resigned.

WASHINGTON

Inez G. Spencer to be postmaster at Creston, Wash. Office became Presidential July 1, 1941.

Chester R. Knight to be postmaster at Orchards, Wash. Office became Presidential July 1, 1941.

Harry A. Mykrantz to be postmaster at Twisp, Wash., in place of H. A. Mykrantz. Incumbent's commission expired August 2, 1941.

WEST VIRGINIA

Elmer G. Rose to be postmaster at Caretta, W. Va., in place of E. G. Rose. Incumbent's commission expired August 21, 1941.

Nona G. Marcum to be postmaster at Ceredo, W. Va., in place of N. G. Marcum.

Incumbent's commission expired August 21, 1941.

Maymie C. Ballard to be postmaster at Danville, W. Va. Office became Presidential July 1, 1941.

Donald Crum to be postmaster at Delbarton, W. Va. Office became Presidential July 1, 1941.

Mary Kathalene McIntyre to be postmaster at Marmet, W. Va. Office became Presidential July 1, 1941.

Earl E. Bennett to be postmaster at New Cumberland, W. Va., in place of E. E. Bennett. Incumbent's commission expired August 21, 1941.

Hattie L. Dillon to be postmaster at Smithers, W. Va. Office became Presidential July 1, 1941.

Oliver L. Green to be postmaster at Sophia, W. Va. Office became Presidential July 1, 1941.

Lamar L. Spangler to be postmaster at Union, W. Va., in place of H. S. Ellison, resigned.

WISCONSIN

Lila Robie Baker to be postmaster at Danbury, Wis., in place of L. R. Baker. Incumbent's commission expired August 14, 1941.

Roberta B. Kessler to be postmaster at South Wayne, Wis., in place of R. B. Kessler. Incumbent's commission expired July 29, 1941.

Arthur B. Roemer to be postmaster at Tigerton, Wis., in place of A. B. Roemer. Incumbent's commission expired August 11, 1941.

WYOMING

Ella M. Sullivan to be postmaster at Evansville, Wyo. Office became Presidential July 1, 1941.

Robert W. Macy to be postmaster at Moorcroft, Wyo., in place of R. W. Macy. Incumbent's commission expired August 4, 1941.

Alfred J. Johnson to be postmaster at Ranchester, Wyo. Office became Presidential July 1, 1941.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 9, 1941:

UNITED STATES MARITIME COMMISSION

John M. Carmody to be a member, United States Maritime Commission for unexpired term of 6 years from September 26, 1940.

THE JUDICIARY

UNITED STATES MARSHAL

Robert Grant to be United States marshal for the southern district of Illinois.

POSTMASTERS

OHIO

John I. Miller, Van Wert.

TENNESSEE

Hugh E. Davenport, Crossville.

HOUSE OF REPRESENTATIVES

TUESDAY, DECEMBER 9, 1941

The House met at 12 o'clock noon. The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, we thank Thee for the Holy Bible. What history, what grandeur, and what a symphony of hope. It is humanity's sob over sin and failure; upon its immortal pages the Master has written His moving compassion:

The new was in the old concealed
And the old was by the new revealed.
O, Thou Lawgiver, Prophet, and Teacher, who has come down the high-