

First Lt. Charles Hoffman Pottenger, Air Corps.
 First Lt. John Burroughs Cary, Air Corps.
 First Lt. Paul Carter Ashworth, Air Corps.
 First Lt. Edward Walter Moore, Air Corps.
 First Lt. Curtis Delano Sluman, Air Corps.
 First Lt. Byron Elias Brugge, Air Corps.
 First Lt. William Sebastian Stone, Air Corps.
 First Lt. George Bernard Dany, Air Corps.
 First Lt. Lawson S. Moseley, Jr., Air Corps.
 First Lt. Jean Paul Craig, Air Corps.
 First Lt. William Jack Holzapfel, Jr., Air Corps.
 First Lt. Gene Huggins Tibbets, Air Corps.
 First Lt. Paul Tompkins Hanley, Air Corps.
 First Lt. Jack Edward Shuck, Air Corps.
 First Lt. John dePeyster Townsend Hills, Air Corps.
 First Lt. William Monte Canterbury, Air Corps.
 First Lt. Jerome Edward Blair 2d, Air Corps.
 First Lt. Edward Flanick, Air Corps.
 First Lt. Charles John Bondley, Jr., Air Corps.
 First Lt. William Milton Gross, Air Corps.
 First Lt. Dale Orville Smith, Air Corps.
 First Lt. Hudson Hutton Upham, Air Corps.
 First Lt. Perry Bruce Griffith, Air Corps.
 First Lt. Wilson Hawkes Neal, Air Corps.
 First Lt. Elvin Seth Ligon, Jr., Air Corps.
 First Lt. Charles Burton Winkle, Air Corps.
 First Lt. John Monroe Hutchison, Air Corps.
 First Lt. Arno Herman Luchman, Air Corps.
 First Lt. Paul Lawrence Barton, Air Corps.
 First Lt. Raymond Judson Reeves, Air Corps.
 First Lt. William Harvey Wize, Air Corps.
 First Lt. Richard Andrew Legg, Air Corps.
 First Lt. Harvey Thompson Alness, Air Corps.
 First Lt. Albert Theodore Wilson, Jr., Air Corps.
 First Lt. John William White, Air Corps.
 First Lt. Stanley Joseph Donovan, Air Corps.
 First Lt. Joseph Edward Barzynski, Jr., Air Corps.

First Lt. Albert Joseph Shower, Air Corps.
 First Lt. Jack Wallis Hickman, Air Corps.
 First Lt. Leighton Ira Davis, Air Corps.
 First Lt. George Rosse Smith, Air Corps.
 NOTE: The dates of rank are omitted as the death or other unforeseen change in status of a senior officer might require a change in the dates of rank and necessitate the renomination of these officers.

WITHDRAWAL

Executive nomination withdrawn from the Senate January 16, 1942:

DIPLOMATIC AND FOREIGN SERVICE

David J. Winton to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to New Zealand.

CONFIRMATION

Executive nomination confirmed by the Senate January 16, 1942:

POSTMASTER

Alfred J. Gipson, Decherd, Tenn.

SENATE

MONDAY, JANUARY 19, 1942

The Chaplain, the Very Reverend ZeBarney T. Phillips, D. D., offered the following prayer:

Eternal God and Heavenly Father, who knoweth our private cares and crosses and the inmost life of every soul: Let us not fail of our noble aspirations, and enable us to order our steps aright, that we may live more nearly as we pray. Give to these Thy servants the clear, firm logic of the statesman, the fiery enthusiasm

of the prophet, and grant that, somehow, through the commanding utterance which appeals to the intellect, sharpens the conscience, and drives men to duty, their gifts may be consecrated to the creation in their fellow men of a life, a discipline, the end of which is personal and social righteousness, so absolutely essential to the maintenance of our freedom as a Nation.

Help us thus to realize that our world is in darkness and conflict insofar as it has spurned the light that never fails and the voice of the Son of God. But, in spite of all this, the morning cometh, for that Divine Lover and His stupendous act of love must yet dispel all darkness and draw the world to heavenly victory, to everlasting peace. In our dear Redeemer's Name, we ask it. Amen.

THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of Friday, January 16, 1942, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

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

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

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

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] and the Senator from Louisiana [Mr. OVERTON] are absent from the Senate because of illness.

The Senator from North Carolina [Mr. BAILEY], the Senator from Kentucky [Mr. BARKLEY], the Senator from Wyoming [Mr. SCHWARTZ], the Senator from Arkansas [Mr. SPENCER], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

Mr. AUSTIN. The Senator from New Jersey [Mr. BARBOUR] and the Senator from Illinois [Mr. BROOKS] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES] is absent in a hospital because of a recent hip injury.

The Senator from Minnesota [Mr. BALL] is absent because of illness.

The VICE PRESIDENT. Eighty-three Senators having answered to their names, a quorum is present.

CAROLE LOMBARD

Mr. WILLIS. Mr. President, war communiques which follow successes at the front are always tempered with sadness and with grief. The week-end brought such a communique to the people of my State and to the people of all our Nation. Carole Lombard, a great actress and a loyal citizen, and 15 American Army pilots, were among 22 Americans killed in an airplane crash in the mountains of Nevada.

Private Lombard, who, like National Selective Service Director Brig. Gen. Lewis B. Hershey, is a soldier-native of my own Indiana district, was sent into action on the Indianapolis front by her husband-captain, Mr. Clark Gable, chairman of Hollywood's Victory Committee.

Her objective had been explained to her: The sale of half a million dollars' worth of Defense Savings bonds.

Miss Lombard stood in front of the Indiana State House, unfurled the flag which had flown over the House of Representatives when the Members of that body declared a state of war to exist with Japan, and she went over the top to attain an objective nearly five times as great as that assigned to her. The Treasury Department reports that her sale of more than \$2,000,000 in Defense bonds is the greatest single total credited to any individual in our country.

Mr. President, a story in an Indianapolis newspaper last Friday states that "Carole and Mrs. Peters, her mother, were to board a plane at the somewhat dismal hour of 4:23 a. m. and head back for Hollywood, where Miss Lombard will keep on doing Defense bond work for the coming year."

That report is wholly correct. Miss Lombard will be doing Defense bond work during the coming year. She had done more than anyone else to assure increased sales from now on.

Last week, during the reception, at which Miss Lombard appeared clad entirely in black, an Indianapolis bond-sales chairman said:

The Indiana rally is a big success. Bring her back again.

She will be back. Her unseen hand will continue to hand out defense bonds throughout the year.

Another distinguished fellow Hoosier now living in Hollywood and New York, Mr. Will Hays, who was with her in Indianapolis last week, has commented:

She was gay and radiant, but tears came to her eyes as she voiced her appreciation of the reception she had received from the people of her home State. Miss Lombard wanted to serve and help our Nation in this hour of its greatest crisis. She gave her life for the cause. I am shocked and grieved and saddened. * * * Carole Lombard has given her life in the service of America. She is a first-line casualty of the war.

The Secretary of the Treasury has spoken similarly:

She died in the service of our country. Her brilliant work for the Treasury this week in selling defense bonds in Indianapolis will be long remembered and honored by us all.

I feel it highly appropriate that the Senate of the United States should include in its RECORD this statement expressing the entire Nation's debt of gratitude to Carole Lombard for her great service to her Nation.

Miss Lombard left her native Indiana in 1916 in the midst of the first modern World War. She came back home to play a great role in the midst of another, more horrible and ghastly than the first. Her part was played, more than fourfold. Let us pray that her sacrifice, which came on her journey back to headquarters to report, will not once more have been in vain.

And let us pray that the 15 young American Army pilots, en route with her to their own sacrificial posts of duty, will receive the deep-felt thanks and honor which they have so rightly earned.

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON SPECIAL ASSISTANTS AND THEIR COMPENSATION, DEPARTMENT OF JUSTICE

A letter from the Attorney General, transmitting, pursuant to law, a report showing the names of persons employed under the appropriation "Compensation of special attorneys, etc." with rates of compensation or fees paid during the period from July 1, 1941, to January 1, 1942 (with an accompanying statement); to the Committee on the Judiciary.

REPORT ON CANAL ZONE BIOLOGICAL AREA

A letter from the Board of Directors of the Canal Zone Biological Area, transmitting, pursuant to law, the report of that Board for the period from February 1, 1940, to June 30, 1941 (with an accompanying report); to the Committee on Interocceanic Canals.

PRICES OF GAS TO RESIDENTIAL CUSTOMERS IN NEW ENGLAND (PT. 2 OF S. DOC NO. 122)

A letter from the chairman of the Federal Power Commission, transmitting, pursuant to Senate Resolution 177 (agreed to October 9, 1941), a statement showing the prices charged to residential customers for gas service in all communities in the New England States, and stating that a similar statement for other geographic areas, as required by the resolution, is now being completed and will be forthcoming at an early date (with accompanying papers); to the Committee on Commerce and ordered to be printed.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

The petition of C. Elliott, of Pittsburgh, Pa., praying that employees of the War Department compelled to work over 40 hours per week be granted increased compensation; to the Committee on Civil Service.

A resolution of the Former C. W. A. and Unemployed Workers Association of Atlantic City, N. J., favoring the enactment of the bill (S. 643) conferring jurisdiction upon the United States District Court for the District of New Jersey to hear, determine, and render judgment upon the claims of Charles J. Culligan; to the Committee on Claims.

A resolution of the Oakland (Calif.) Chamber of Commerce, protesting against the enactment of legislation providing for improvement of the St. Lawrence River, the completion of the Florida Ship Canal, and other projects which may not be essential to the national defense; to the Committee on Commerce.

Resolutions adopted by the National Social Science Honor Society Pi Gamma Mu in con-

vention assembled at New York City, reaffirming the loyalty of the society to the Nation and to the Constitution, and pledging support to the Government in the prosecution of the war; to the Committee on Military Affairs.

A resolution of the board of directors of the Louisiana Sugar & Rice Exchange, New Orleans, La., stating that the organization has invested a large percent of its assets in defense savings bonds and offering the services of the exchange and its members in the existing war emergency; to the Committee on Military Affairs.

By Mr. TYDINGS:

A resolution of the Women's Club of Takoma Park, Md., favoring the enactment of such price-control legislation as will limit the war profits of any particular group in the Nation; ordered to lie on the table.

A petition 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; ordered to lie on the table.

RESOLUTION OF THE SANTEE SIOUX TRIBAL COUNCIL, NEBRASKA

Mr. BUTLER presented a resolution adopted by the Santee Tribal Council of the Santee Sioux Tribe of Indians of Nebraska, which was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows.

Whereas the President of the United States has told the American people that a state of war does exist between our Nation and the Empire of Japan;

Whereas the Congress of the United States have declared war on the Empire of Japan; and

Whereas our Commander in Chief of the United States has asked all Americans to unite in this conflict: Be it

Resolved, That the Santee Tribal Council of the Santee Sioux Tribe of Nebraska, here assembled in their regular called meeting on December 11, 1941, at Parker Hall, Santee, Nebr., reaffirm their faith in the ideals and principles of this Nation, to pledge their allegiance to the liberties enjoyed under its Government, and to consecrate our all to the fight to maintain these principles and ideals. We have confidence that our victory will bring lasting peace based on the Christian way of life, with its abundant life, wholesome progress, and prosperity.

RESOLUTIONS OF NATIONAL FARM LOAN ASSOCIATIONS OF BARRON COUNTY, WIS.

Mr. WILEY. I present resolutions adopted by the National Farm Loan Associations of Barron County, Wis., which I ask may be printed in the RECORD and appropriately referred.

There being no objection, the resolutions were referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Whereas the Congress of the United States as a measure of economy in the defense program have considered discontinuing the present appropriation to defray the difference in interest between the contract rates and the present 3½ percent interest rate, which would further increase the cost of production and add more burden to the farmers' plight where there are large debts and heavy taxes, which will be increased greatly to meet this present defense program;

We, the National Farm Loan Associations of Barron County, Wis., representing 1,200 farmers of this vicinity, hereby petition our Con-

gress to continue this present interest rate of 3½ percent.

Whereas Secretary of Agriculture Wickard has made an appeal to the farmers of the Nation to make an all-out effort for the production of farm commodities which are so essential for national defense; and

Whereas the ability of the farmers to produce the commodities necessary for national defense depends primarily on the experienced farm help which rural conditions of recent years have developed; and

Whereas such experienced help is now being called into military service, leaving an inadequate supply of experienced farm help which is vitally necessary to meet the food supply necessary for national defense: Now, therefore, be it

Resolved, That we, the National Farm Loan Associations of Barron County, Wis., representing 1,200 farmers, go on record requesting the Selective Service Board to consider the plight of the Nation in case too many of such experienced farm boys are called to the service. Because of the demand for increased production, we are of the opinion that these experienced farm boys render a better service to their country in their present positions than by induction into the armed forces of the Nation; be it further

Resolved, That copies of this resolution be sent to the State and Federal Selective Boards, LEGISLATIVE PROGRAM OF AMERICAN FARM BUREAU FEDERATION

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred resolutions adopted by the American Farm Bureau at its national convention in Chicago, December 11, 1941, setting forth the legislative program of that organization.

There being no objection, the resolutions were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

RESOLUTIONS ADOPTED AT TWENTY-THIRD AMERICAN FARM BUREAU FEDERATION CONVENTION

MOBILIZATION FOR ABSOLUTE VICTORY

With all efforts toward peaceful negotiation exhausted, and seeking no selfish gain, America finds herself at war. Overnight our program of all-out defense has been displaced by actual warfare. The treachery of a nation whose doors were first opened to western civilization by America has led to war. America's destiny of Christian leadership in world affairs is defied by an imperialistic rising sun and a contorted cross. By reason of an unprovoked attack upon our peace and security the one-time expedition of god will to a receptive people is now to be followed by an expedition to avenge the high crimes of a militaristic clique.

The realities of our position can no longer be a matter of debate. Our democracy must wage unceasing war upon the arrogant tyrannies that seek to crush and dominate. We must continue all aid and support in the fight against the common foe. We must unrelentingly gird ourselves in this struggle to achieve a peace that will outlaw treachery and rampant force as instruments of national policy throughout the world.

An America at war demands the untiring labor and sacrifice of all. The blood, sweat, and tears of America now commingle with the blood, sweat, and tears of Britain. We must devote renewed energies to the battle of production. Any lagging by industry, by labor, or agriculture will not be tolerated. We must recognize that modern warfare is waged by civilians as well as by men under arms.

The farmers of the American Farm Bureau Federation, here and now, throw themselves into the struggle that will be waged upon the battle front by our Army and our Navy. We dedicate ourselves, our fortunes, and our sacred honor to the cause. We commit our-

selves to the stern labor and unselfish sacrifice required if our hallowed Christian heritage is to endure. We pledge ourselves wholly and unreservedly to the victory that must be won, so help us God.

PRICE CONTROL, INFLATION, TAXATION

Inflationary forces are being set in motion which, unless Congress acts, will prove disastrous to all economic groups. Uncontrolled inflation must be avoided at all costs. Agriculture knows from bitter experience the disastrous consequences of inflation of prices, wages, and profits, and the inevitable deflation that follows.

In order to prevent disastrous inflation, we urge prompt action by Congress to establish, for the period of the national emergency and for an adequate time thereafter, a Federal authority to establish maximum prices for commodities on a selective basis to the extent necessary to prevent inflationary price increases. We insist that such legislation recognize the parity principle as between labor, industry, and agriculture. In order to prevent the average price received by farmers for any agricultural commodity being depressed below parity through the operation of price controls, no price ceiling should be established on any agricultural commodity, or the products thereof, at a price less than 110 percent of parity.

To be effective, such legislation must include authority to control inflationary wages as well as inflationary prices. We cannot give our support to any legislation to control prices which does not provide for control of inflationary wages comparable to the control of industrial and farm prices.

Tax powers should be used to a greater extent to control inflation and to meet the current fiscal needs of the Nation by recapturing excess earnings and excess profits due to defense expenditures, and by lowering exemptions and levying increased taxes based upon ability to pay. Safeguards should be provided to assure that all such powers granted be terminated at the close of the emergency.

In view of the inevitable effects of war upon monetary and exchange relationships and price levels—both nationally and internationally—we renew our insistence at this time for the establishment of a monetary authority which shall be charged with maintaining a stable price level. In the meantime every legitimate means available to the administrators of fiscal and monetary policy should be used so as to maintain a stable price level and avoid inflation.

NONDEFENSE SPENDING AND ECONOMY

In view of the great expansion of all Government bureaus, and since the emergencies for which many were set up have largely decreased or ceased to exist, we recommend that the activity of such agencies and bureaus as have served their major function be curtailed in proportion to the reduction in necessity for the work they have been performing.

The mounting public debt and the necessities of war require that every administrator of Government be unusually zealous in his efforts to eliminate waste, extravagance, duplication, and unnecessary expenditure.

Agriculture is setting the example by reducing substantially its request for appropriations in line with the improvement in agricultural conditions. It calls upon all economic groups and all administrators responsible for the expenditure of public funds to seek, through every legitimate means, the highest degree of efficiency and economy.

AGRICULTURAL ADJUSTMENT ACT, PARITY GOALS, LOANS, AND APPROPRIATIONS

We reassert our unqualified endorsement of the basic principles and purposes of the Agricultural Adjustment Act and reemphasize the soundness and justice of its parity-price goals for agricultural commodities, together with the factors upon which parity prices for basic soil crops are determined. We also recognize that the factors which determine parity prices

for basic soil crops do not, in some cases, give equitable treatment to some of the other important farm commodities; therefore, we hereby commit the federation to give its support of the acceptance of other factors for the determination of parity prices for such commodities, to the end that they may have the same relative purchasing power as basic soil crops.

We deplore efforts that are being made to raise the parity prices of farm commodities through a revision of the formula upon which parity prices are determined. If these efforts are successful, the sound and defensible basis of present parity, which is intended to give farm commodities a price structure representing a fair exchange value with the products of industry, would be destroyed, and agriculture would be breaking faith with the masses of the people. The federation has never asked for more than a square deal. We reassert that the best interests of agriculture and of the Nation will be served by establishing and maintaining a true balance between industry, labor, and agriculture. Such a balanced price and wage structure should be on a level that will encourage and permit of the largest production and consumption of the products of both industry and agriculture.

We renew the federation's support of the continuance of 85 percent of parity loans on basic soil crops and of such appropriations as are necessary to bridge the gap between loan levels and price levels of basic farm commodities, whichever are the higher, and parity prices. We commend the federation for its successful effort in obtaining from the Congress legislation that assures producers of at least 85 percent of parity price for any nonbasic farm commodity for which the Government publicly requests an increase in production, such protection to continue after the present emergency for such a time as is necessary, after due notice, for farmers to readjust their production plans. This legislation also was intended to give comparable protection to other nonbasic crops. We urge that the federation take whatever steps are necessary to make the intent of this legislation effective and ask only for such appropriations as are necessary to make effective the mandate of Congress in carrying out these programs.

COORDINATION OF AGRICULTURAL PROGRAMS

We view with deep concern the growing tendency of Government agencies to set up special field personnel to contact farmers every time a new program is to be developed or a new job is to be done. Farmers want coordination of these agencies and efforts, consistency in administration without duplication and overlapping, and, above all, efficiency with the least possible expenditure of Government funds.

The Secretary of Agriculture will continue to have the aggressive support of the federation in all efforts to bring about such coordination. The extension service of our land-grant colleges has definitely proved itself the best qualified agency to carry out and conduct the educational work in connection with Federal farm programs affecting rural people. We recommend and urge that greater use be made of the extension service in coordinating the educational and informational work of the various programs designed for farmers, and that adequate funds be provided or transferred to the extension service for the proper performance of these functions.

The federation has consistently supported appropriations for the extension service, experiment stations, land-grant colleges, 4-H Clubs, and vocational agricultural training. The increased responsibility now resting on these service agencies resulting from present conditions necessitates some increase in appropriations. In order that the federation may be consistent in urging the strictest economy, we request the federation to seek a conference with recognized leaders of these

agencies to determine the amount of appropriations necessary for the discharge of the responsibilities and duties vested in these agencies and to seek only such appropriations as are then believed necessary for these purposes.

NATIONAL IMPORTANCE OF EXPERIENCED FARM LABOR

The importance of agriculture in meeting the national emergency is recognized by Government and by all thoughtful citizens. Farmers always have responded and will again respond to the call of their Government. It must be recognized, however, that in large measure present-day farming requires experienced and skilled workers. If adequate and efficient production is to be maintained and the large increase in the volume of production obtained, it is essential that all authorities charged with the administration of the Selective Service Act give the same consideration to essential farm labor as is being given to skilled industrial workers—particularly in the case of farm workers who by initiative, training, experience, and application are peculiarly fitted for efficient farm production.

FARM EQUIPMENT PRIORITIES

It is imperatively necessary that the importance of agriculture in our national-defense effort be properly recognized. Agriculture has been asked to make very substantial readjustments in its production plans so as to provide a large increase in the supply of many farm products. If this is to be accomplished, it is essential that the proper Government authorities take immediate steps to assure agriculture necessary supplies of repair parts, replacements, and new equipment. Recognition must be given to supplying the equipment that is essential in the preparation and processing of needed farm commodities for market. The Nation cannot safely ignore the fact that the greatly reduced supply of experienced farm labor will require a larger quantity of labor-saving machinery; and that as a result of the long period of low farm income, much machinery and equipment has become obsolete and must be substantially repaired or replaced.

LABOR AND INDUSTRIAL POLICIES

The Nation is at war. In this emergency all true Americans will unite to attain one supreme objective, the preservation of our liberties and our institutions. All-out production in all lines is an immediate necessity.

American farmers have pledged the Nation an adequate supply of farm products to meet every need. There are not now and there will not be any bottlenecks in agriculture.

In the name of our country, its institutions, and its ideals, farmers challenge American industry and American industrial workers to announce an immediate and continuing moratorium on all work stoppages, strikes, or other industrial strife for the duration of this emergency.

Number of hours worked daily should be determined solely by the necessities of the situation. Excessive over-time rates have no justification and should be immediately discontinued.

If American industry and American labor will immediately step up industrial production to the full extent of American resources and the ability of labor—as farmers have already stepped up farm production—a wholly adequate national defense can be speedily assured, and the Nation can look forward to an honorable and effective settlement of the present world conflict.

We are unalterably opposed to the policy of administrative agencies which assume to include agriculture in the enforcement of wage-and-hour and labor-relations legislation.

We resent all efforts of any industrial labor group which attempts to organize farmers or farm labor, or which in any way interferes with production or the orderly flow to market and to the consumer of any farm commodity.

FARM CREDIT

We recognize the need for further improvement and strengthening of our cooperative farm credit system. Such improvements should be designed to provide the lowest possible interest rate consistent with the cost of money and the maintenance of a sound and efficient farm credit system; to preserve, rehabilitate, and strengthen the cooperative features of this system to the end that the system shall be independent and self-sustaining; and to preserve local initiative and responsibility.

We are unalterably opposed to the centralization of control of our cooperative farm credit system and insist that adequate safeguards be provided to prevent such centralization.

We renew our insistence that the farm credit system belongs to agriculture and its farmer borrowers.

ANTITRUST LAWS

We endorse the policy governing enforcement of the antitrust laws and believe these laws should be expanded to include any organized group which exercises monopolistic practices of any character.

We favor appropriations necessary for the full enforcement of these laws.

LEADERSHIP RESPONSIBILITY

We urge farm-bureau leaders in the respective States, in the counties, and in the communities soberly to consider the solemn responsibility which every leader must carry in these crucial days. To get truthful information to the people, to aid them in distinguishing fact from propaganda, to do everything possible toward building and maintaining morale and confidence, is both a privilege and a sacred duty. As a Nation, we face a grim task. The moral fiber of the people will undergo the supreme test in the months ahead. We must do everything in our power to encourage and to help farm people to meet their great responsibilities with courage, with determination, with understanding, and with faith in the final outcome of a righteous cause.

WAR—AND PEACE

We have pledged everything we possess to aid the national all-out drive against the forces of evil. We deeply appreciate the fact that President Roosevelt recognized, in his message to our convention, the vital importance of agriculture in meeting this challenge to our national security. We appreciate also the assurances the President has given us that agriculture will be recognized and will be given fair treatment and the protection necessary to prevent a repetition of the collapse that followed the first World War.

Since the importance of agriculture has been adequately recognized, and since we have pledged our all toward the success of the national effort, we urge the federation to use every rightful influence to see that when the ultimate peace is finally written agriculture be represented around the peace table in proportion to its contribution in winning the war and in proportion to its vast interest in a fair and permanent peace.

REPORTS OF A COMMITTEE

The following reports of the Committee on Military Affairs were submitted:

By Mr. THOMAS of Utah:

S. 2151. A bill to suspend the operation of the act of May 12, 1917 (40 Stat. 74), as to the requirement of submitting detailed estimates, for the approval of the Secretary of War, of expenditures exceeding \$5,000 upon any building or military post or grounds about the same; with amendments (Rept. No. 969).

By Mr. AUSTIN:

S. 2202. A bill to reinstate Paul A. Larned, a major, United States Army, retired, to the active list of Regular Army; without amendment (Rept. No. 970).

BILL INTRODUCED

Mr. TYDINGS introduced a bill (S. 2210) to amend section 4 of the act of March 2, 1934 (48 Stat. 361), relating to the Model Housing Board for Puerto Rico, and for other purposes, which was read twice by its title and referred to the Committee on Territories and Insular Affairs.

COMPENSATION OF CIVILIAN OFFICERS AND EMPLOYEES FOR TIME ON MILITARY DUTY—INDEFINITE POSTPONEMENT OF BILL

Mr. DAVIS. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a letter I have received from Hon. Robert G. Woodside, controller of Allegheny County, Pittsburgh, Pa., together with an attached letter from R. M. Vail.

I also ask, for the reasons set forth in Mr. Woodside's letter, that the Committee on Military Affairs be discharged from the further consideration of Senate bill 2164, relating to the payment of compensation of officers and employees of the United States Government for time spent on duty as members of the military forces (other than the National Guard) of a State, Territory, possession, or the District of Columbia, and that the bill be indefinitely postponed.

The VICE PRESIDENT. Without objection, it is so ordered.

The letters presented by Mr. DAVIS are as follows:

HEADQUARTERS, THIRD REGIMENT,
PENNSYLVANIA RESERVE DEFENSE CORPS,
Pittsburgh, Pa., January 13, 1942.
Subject: Federal employees enlisted in State guards.

TO HON. JAMES J. DAVIS,
United States Senate,
Washington, D. C.

DEAR JIM: I find the attached communication from Acting Adjt. Gen. R. M. Vail upon my arrival at the armory today.

You will note that for the reasons set forth in the directive from the Secretary of War the general has ordered immediate requests from company commanders of the Third Infantry for the discharge of such employees under the category set forth in the communication.

This being the case, we would no longer be interested in the bill you have recently sponsored providing for the adjustment of pay of Federal employees enlisted in this or similar units.

I want to thank you personally for your interest and prompt attention to our request.

Sincerely yours,

ROBERT G. WOODSIDE,
Colonel, Third Infantry, Commanding.

THE ADJUTANT GENERAL'S OFFICE,
COMMONWEALTH OF PENNSYLVANIA,
Harrisburg, Pa., January 12, 1942.
Subject: Duty with State guards.
To all Regimental, Battalion, and Company Commanders:

1. The following directive from the Secretary of War is remimeographed and is published for your information:

"1. It has been brought to the attention of the War Department that employees of the different departments of the Federal Government have enlisted in the various State guards. These employees are subject to being called to active duty by State executive order, thereby retarding the administrative function of these departments.

"2. Moreover, under existing law, such Federal employees are not entitled to the reemployment benefits provided for those Federal employees who enter active military service under the Federal Government.

"3. Commanding generals, western defense command, eastern theater of operations, all corps areas and departments, will bring this matter to the attention of the various State Governors and ask that they cooperate by having such personnel discharged from the State guards."

2. Company commanders will immediately initiate requests for discharge of such members of their command who are Federal employees and come under the category quoted in this communication.

R. M. VAIL,
Acting Adjutant General.

INTERIM REPORT OF SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL DEFENSE PROGRAM—SUPPLEMENTARY REMARKS

Mr. TRUMAN. Mr. President, last Thursday the Special Senate Defense Committee reported to the Senate on the progress of the defense program. Since that time two encouraging changes have taken place: First, the centralization of authority for war production, and, second, the reorganization of the Air Corps.

The committee reported that it might be necessary to make one man responsible for the entire war production program. The committee found that our defense effort thus far has been unsatisfactory. Those who have been charged with responsibility for bringing about an all-out effort have failed either through lack of authority, lack of vision, or incompetency.

On Friday last the President, by Executive order, placed Donald M. Nelson in supreme command of our entire war production and procurement effort. The members of our committee are greatly encouraged by the concentration of this authority under a single head.

It is hoped that with the authority he has been given Mr. Nelson will take swift and decisive action to eliminate every factor—and there are many—that has retarded the defense program in the past.

The committee has found that the quantity of aircraft produced in this country has been inadequate, and that, according to production schedules, only about 25 percent of our total production has been of combat types considered by military experts to be equal or superior to the best types produced in other nations.

In view of this fact, it is encouraging that the War Department has announced the complete reorganization of the Air Corps. This branch of the air forces is responsible for the procurement of aircraft, the training of personnel, and other administrative functions. It was announced that the reorganization is primarily intended to speed up the production and delivery of combat planes. This change came about shortly after Maj. Gen. Walter R. Weaver was appointed Acting Chief of the Air Corps. The committee believes that the appointment of General Weaver, and the subsequent reorganization under his command, will contribute greatly to both the quality and quantity of planes necessary to achieve control of the air on all war fronts.

ADDRESS BY SENATOR WILEY BEFORE PHILADELPHIA REAL ESTATE BOARD

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address delivered by him on January 17, 1942, before

the Real Estate Board of Philadelphia, Pa., which appears in the Appendix.]

WAR GARDENS AND STATE COUNCILS OF DEFENSE—ADDRESS BY THE GOVERNOR OF TENNESSEE

[Mr. McKELLAR asked and obtained leave to have printed in the Record an address delivered by Hon. Prentice Cooper, Governor of Tennessee, on December 19, 1941, at the National Defense Gardening Conference in Washington on the subject War Gardens and State Councils of Defense, which appears in the Appendix.]

ADDRESS BY CHINESE AMBASSADOR

[Mr. DAVIS asked and obtained leave to have printed in the Record an address delivered by the Chinese Ambassador to the United States before the Philadelphia Real Estate Board at the Bellevue-Stratford Hotel, Philadelphia, Pa., January 17, 1942, which appears in the Appendix.]

HEROES—EDITORIAL FROM PM

[Mr. O'MAHONEY asked and obtained leave to have printed in the Record an editorial from PM of January 16, 1942, entitled "Heroes," which appears in the Appendix.]

FARMERS ARE FAIR—EDITORIAL FROM HASTINGS TRIBUNE

[Mr. BUTLER asked and obtained leave to have printed in the Record an editorial from Hastings (Nebr.) Tribune of January 12, 1942, entitled "Farmers Are Fair," which appears in the Appendix.]

ORDER DISPENSING WITH CALL OF CALENDAR

The VICE PRESIDENT. The routine morning business is concluded. The calendar, under rule VIII, is in order.

Mr. HILL. Mr. President, I ask unanimous consent that the call of the calendar be dispensed with.

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

AMENDMENT OF COMMUNICATIONS ACT OF 1934

Mr. WHEELER. Mr. President, I move that the Senate proceed to the consideration of House bill 6263, to amend section 606 of the Communications Act of 1934 for the purpose of granting to the President, in time of war or threatened war, certain powers with respect to communications by wire.

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

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interstate Commerce, without amendment.

Mr. WHEELER. Mr. President, I wish to make a brief explanation of the bill. At the request of the Communications Commission I introduced Senate bill 2123, giving the President the same right to take over telegraph and telephone companies which he now possesses with reference to the radio. At the same time Representative LEA, chairman of the House Committee on Interstate and Foreign Commerce, introduced House bill 6263. His bill passed the House of Representatives, but the House practically rewrote the bill as it was originally introduced. House bill 6263 came to the Senate and was referred to the Committee on Interstate Commerce. The committee immediately took it up for

consideration, and reported it to the Senate unanimously.

When the bill was pending before the committee, both the telegraph and telephone companies were given an opportunity to be heard, but they suggested no amendments which were not already provided for in the bill as it passed the House. The only additional matter in which they were interested was that certain statements which were made by Mr. Fly, the Chairman of the Communications Commission, should be included in the report, and we inserted those statements in the report.

If enacted, the legislation would give the President the same power over wire and cable facilities which he now has—and has had for years—over radio facilities. The measure specifically provides that the President, if he deems it necessary for national security, during a state or threat of war, and for not more than 6 months after the termination of the war or threat of war, may, in the language of the bill:

(1) Suspend or amend the rules and regulations applicable to any or all facilities or stations for wire communication within the jurisdiction of the United States as prescribed by the commission; (2) cause the closing of any facility or station for wire communication and the removal therefrom of its apparatus and equipment; or (3) authorize the use or control of any such facility or station and its apparatus and equipment by any department of the Government under such regulations as he may prescribe, upon just compensation to the owners.

From statements made before the committee, my understanding is that there is no intention that the Government shall take over the properties of the telephone and telegraph companies, except in case of emergency, when it may be absolutely necessary, as in the event the country should be invaded, or when it may become imperative that the companies be taken over for defense purposes.

Mr. VANDENBERG. Mr. President, will the Senator yield for a question?

Mr. WHEELER. I yield.

Mr. VANDENBERG. In spite of the Senator's statement regarding the intent, does the language of the bill authorize the President to take over completely the control of these wire facilities and operate them under Government control?

Mr. WHEELER. Oh, yes; during the period of the emergency and for 6 months thereafter; but it was the understanding of the committee, which is borne out, I think, by the statement of Mr. Fly, that the intent is to take over only the use and control of the facilities.

The question was asked before the committee whether it was the intention to leave in control those who were in charge of the companies. My understanding is that they are to be left in control, unless for some reason it might become necessary to dispense with the services of some particular individual.

In all fairness to the telephone and telegraph companies, I wish to say that they have shown every indication of intention to cooperate with the Government in every way in our national defense. There has not been any question at all about their cooperating with the Government. They have shown and

have stated that they were perfectly willing to do anything the Government requested, and that they had no objection to what was proposed, because they realized that it might be necessary for the Government, under emergency conditions, to take over the control of the companies during the period of emergency.

Mr. VANDENBERG. I can understand the exigent necessity for control under certain circumstances, but, having a rather profound respect for the efficiency with which the telephone systems of the country are operated, I should not like to see happen anything which indicated that the physical management of the properties was to be subordinated to Government management and control, because I think it would be a step backward.

Mr. WHEELER. As the Senator may recall, I introduced a resolution providing for an investigation of the telegraph companies. I am frank to say to the Senator that we have in the United States probably the most efficient telephone system to be found anywhere in the world, not saying anything about the cost of the service. Any Senator who has visited any other country and has had to use a telephone will recognize that statement to be correct.

In my talks with Mr. Fly, and also in the testimony before the committee, it did not appear there was any present intention of taking over the companies. The thought was that in the event it became absolutely necessary to take over control of the companies, we should have some such legislation on the statute books as is here proposed.

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

Mr. WHEELER. I yield.

Mr. DAVIS. Is there anything in the present law or in the bill we are now discussing granting any power to the Government to consolidate, let us say, the Western Union and the Postal Telegraph Cos. without having hearings and additional legislation?

Mr. WHEELER. My own view is that that could not be done without further legislation on the subject. In connection with that matter, as the Senator perhaps knows, the Senate Committee on Interstate Commerce has conducted an investigation of the entire communications situation, the investigation extending over a period of some time, and having reference to consolidation of the two telegraph companies. I am of the impression that one of the Members of the Senate intends to introduce a measure along that line.

Mr. TAFT. Mr. President, is it not evident that under the proposed act the two telegraph companies could be consolidated? It seems clear to me that the Government could take over both telegraph companies, and take the course of closing any station it did not want, and that it could therefore set up a single system, which could never under any circumstances be unscrambled. I do not say whether it should or should not be done, but it seems to be perfectly clear that under the proposed act it could be done.

Mr. WHEELER. I do not agree with the Senator that the Government could take them and consolidate them. In the

event of emergency it could take them over, but my understanding is there is not any such proposal in the mind of the Communications Commission or of the administration, and I must say that I should be completely shocked if anything of that kind were attempted, because there is no intention in the proposed legislation to do anything of the kind. In my judgment, there is nothing in the bill which would permit the consolidation of the two companies. If it were found necessary, the Government might take over the use of the companies, and might temporarily abandon the use of a station here or a station there; but nothing of the kind suggested by the Senator was even intimated or suggested to the committee, and I do not believe there is any intention on the part of anyone to do anything of the kind.

Mr. TAFT. Mr. President, I am not speaking of intentions. Of course, intentions may be changed.

Mr. WHEELER. I do not think the Government could take such action.

Mr. TAFT. Under the provisions of the bill it seems clear to me that the Government may take over both telegraph companies, and may take over the telephone company at any time while the war lasts.

Mr. WHEELER. But there is no provision in the bill that the Government may consolidate the telegraph companies or, for instance, take away from the telephone company something which belongs to it, and turn it over to some other company. The measure simply provides for taking over the use of the companies, not the properties themselves. The only intention is to take over the use of the telephone and telegraph companies during the period of the emergency.

Mr. TAFT. Is it not clear that if the Government, for instance, were to take over the telegraph companies it would take them both? The Government would want a unified system, so the Government would unify all facilities, and would dispose, as it is authorized to do, of all duplicate stations, and when the time came to hand back the properties to the telegraph companies it would be practically impossible to separate them? I do not say that would be a bad thing. I am interested only to know whether the Senator thinks that would be the effect of the powers conferred by the bill?

Mr. WHEELER. If the Government wanted to go to the length of taking over the use of the Western Union and Postal Telegraph Cos., and if it wanted to stretch the law, it could say, "We will close the Postal Telegraph station here, and the Western Union station there, during this particular period of time." But it seems to me it would be a stretching of the law if the authorities should attempt to do anything of the kind, because there is nothing in the proposed legislation which contemplates such action.

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

Mr. WHEELER. I yield.

Mr. TAFT. Would the Senator object to an amendment making perfectly clear that without further action by the Congress neither the telephone company nor

any telegraph company may be taken over? I have had printed an amendment, which I shall offer when I have the opportunity to do so.

Mr. WHEELER. I have read the Senator's amendment.

Mr. TAFT. In view of the fact that it is not intended to give the power indicated, I thought perhaps the Senator might be willing to accept some such amendment.

Mr. WHEELER. I have read the Senator's amendment, and I must confess that I think the amendment would very greatly hamper the Government under certain conditions, upon which I shall be glad to touch. When I find myself in disagreement with the distinguished Senator from Ohio, I sometimes feel that I may be wrong, but in reading the Senator's amendment I find this provision:

That except in case of invasion or in connection with the movement of military or naval forces no such authorization shall be given for the use and control of property costing more than \$10,000,000 without prior appropriation by the Congress.

When we come to dealing with the telephone company or the telegraph companies, \$10,000,000 is a very small amount. I do not expect, and I think no one else expects, that the enemy will take over California or that there will be an invasion of New England.

Mr. TAFT. My amendment provides that in case of invasion there shall be no such restriction.

Mr. WHEELER. If the Senator will read the testimony of Mr. Fly, he will find that Mr. Fly stated repeatedly that there is no intention to take over the companies.

Mr. TAFT. If the Senator will further yield to me, I will say that Mr. Fly, in his testimony, said:

The Board's approval of this bill does not mean that it has a general plan to take over wire and cable communications broadly.

The mere fact that the Board does not have a general plan to take over the companies does not imply that a month from now it will not have such a plan, or that it will not change its intention once the bill is passed. When the bill is passed the power then will be gone from Congress. The only purpose I had in mind was that, at least in order to obtain the money it would cost the Government to take over these systems, the authorities should come back to Congress before any general expropriation of telephone or telegraph companies was undertaken. During the World War it cost the Government hundreds of millions of dollars to take over the railroads, and it seems to me Congress ought to be willing to appropriate the money before involving the Government in any such tremendous obligation.

Mr. WHEELER. Mr. President, I am one of those who have never believed that the Congress ought to abdicate its powers and turn them over to someone else, but, as a matter of fact, we are now in the war, and in order properly to conduct the war I think we must give the broadest possible powers to the President of the United States, and I, as one who opposed our entrance into the war and who felt that it was a mistake to get into it in any way, shape, or form until we were at-

tacked, am now prepared to say that we must give to the President of the United States all power that is necessary to carry on the war. I do not think the Congress of the United States desires to be placed in such a position as that it can be said we did not give the President the power he wanted, and by reason thereof the administration was hampered in conducting the war. That is the way I feel about the matter.

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

Mr. WHEELER. I yield.

Mr. BREWSTER. I invite the Senator's attention to the language of the bill on page 3, line 3, as follows:

Nothing in subsection (d) shall be construed to authorize the President to take any action the force and effect of which shall continue beyond the date after which taking of such action would not have been authorized.

If the merger of the Postal Telegraph and Western Union Cos. were accomplished, certainly the force and effect of that provision would continue after the expiration of the emergency.

Mr. WHEELER. But there will not be any merger.

Mr. BREWSTER. I was trying to suggest that there was a small limitation to the broad language of the bill. Would not the provision cited constitute at least some implication of a limitation upon the Presidential power?

Mr. WHEELER. I think so. I think the Senator is clearly correct. As I said a moment ago, the Government is not going to take over the properties permanently or seize them. The bill simply provides for the use of the properties. There is now such a law upon the statute books with respect to radio companies. I think the Senator from Maine [Mr. WHITE] probably had more to do with that legislation, which was passed some years ago, than any other person. The pending bill would simply give to the President, with respect to telephone and telegraph companies, the same power the President has over radio. There has never been any complaint with respect to the legislation dealing with radio.

When this measure was in contemplation I wrote to the officials of the telephone company and gave them an opportunity to be heard. There was no objection on their part to the provisions in the bill, except that they wanted the report to contain the statements which were made by Mr. Fly before the committee showing the Government's intentions with respect to the proposed legislation. Those statements were placed in the report, and the report was submitted to the Senator from Maine [Mr. WHITE] and the Senator from Vermont [Mr. AUSTIN], and both Senators were satisfied with the statements as set forth in the report. Those affected by the proposed legislation were satisfied with the measure as it was passed by the House and as it was reported by the Senate committee.

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

Mr. WHEELER. I yield.

Mr. DANAHER. Inviting the Senator's attention to the language in line 14 on page 2, particularly the words "upon just compensation to the owners," does the

Senator understand that phrase to apply to all three subsections which precede line 14?

Mr. WHEELER. Yes.

Mr. DANAHER. I wanted to know, as the statement of the Senator's opinion, that that is so.

Mr. WHEELER. Yes; exactly.

Mr. DANAHER. Now, inviting the Senator's attention to line 9, on page 1, the words "or threat of war." I wish to ask the Senator why it is necessary to include the words "threat of war." We are perfectly satisfied that we are in war, and we are all perfectly satisfied to give the President the powers sought under this bill for the purpose of attaining all the objectives of the war. This would be permanent legislation, would it not?

Mr. WHEELER. The law would operate only during the period of the war.

Mr. DANAHER. Once it goes on the books it stands as permanent law, does it not?

Mr. WHEELER. Yes.

Mr. DANAHER. So henceforth, if and when the present war shall be concluded, the phrase "threat of war" would carry forward in perpetuity unless we should repeal the act. Consequently it would be a matter of construction at any time when a threat of war might be said to exist, to bring the powers granted by the act into operation again. Is not that so?

Mr. WHEELER. That is correct.

Mr. DANAHER. Why should we put in the words "threat of war"?

Mr. WHEELER. I do not know why they are in. I do not think they are particularly important. They were put in in the other House. It is the same language which is in the radio law. I assume that is the reason why it was put in. The radio law says "in case of war or threat of war." The language in the present radio law was followed.

Mr. DANAHER. I am not one to cavil over something the House has done; but I see no reason why we should perpetuate error simply because it comes highly recommended.

Mr. WHEELER. I agree with the Senator; but we have had such a provision in the law with reference to radio as long as that law has been on the statute books. In case of war or threat of war certain facilities may be taken over. I presume there may be circumstances, after this war is over, in which a threat of war may be said to exist, and that some future administration may feel that it is important, in case of a threat of war, to take over cables or some portion of the wire services of the United States.

Mr. President, the amendment proposed by the Senator from Ohio [Mr. TAFT] would seriously weaken this important bill. The Defense Communications Board, the Army, and the Navy have all strongly urged that the President be given the same power to use or control wire facilities that he now has with respect to radio. It was pointed out that communications are the nerve center of the fighting forces and that it is necessary in time of war that the President act swiftly and effectively to insure the best possible communication. The House of Representatives has recognized this need and has unanimously approved the pro-

posed bill. At the hearing before the Senate Committee on Interstate Commerce testimony by Chairman Fly and by Army and Navy officials likewise unanimously urged the speedy enactment of the bill.

The amendment offered by the Senator from Ohio might well make it impossible for the President to meet vital wartime needs in communications. Under the proposed amendment Presidential action to use or control wire facilities would be limited to property costing less than \$10,000,000 except in cases of invasion or in connection with a movement of military forces. Of course, it would be absurd to introduce a \$10,000,000 limitation on this power. Ten million dollars is but a drop in the bucket in the communications field. The figures on file with the F. C. C. clearly demonstrate that to be so. The Commercial Pacific Cable Co., which has strategic lines across the Pacific Ocean and is controlled largely by foreign interests, could not be taken over under the proposed \$10,000,000 limitation, since its investment in plant and equipment is well over \$22,000,000.

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

Mr. WHEELER. I yield.

Mr. TAFT. What company is that?

Mr. WHEELER. The Commercial Pacific Cable Co.

Mr. TAFT. Does the Senator know by whom the Commercial Pacific Cable Co. is owned?

Mr. WHEELER. I do not.

Mr. TAFT. Is there any intention on the part of the Government to take over the Commercial Pacific Cable Co.?

Mr. WHEELER. Frankly, I think there may be. At the present time the Commercial Pacific Cable Co. is cut off, as the Senator may know. My understanding is that it has been practically cut to pieces beyond Honolulu. We cannot go much farther than Honolulu with the Commercial Pacific Cable Co. I think that is one of the things which it is felt imperative to take over.

Mr. TAFT. I have no objection to taking over any cable line or any line of communications running from this country to another country. I do not understand that the bill includes any such power.

Mr. WHEELER. Oh, yes.

Mr. TAFT. My impression is that the Government may do so with or without further legislation.

Mr. WHEELER. The Commercial Cable Co. has an investment of over \$26,000,000 and All-American Cables & Radio an investment of over \$30,000,000. In the case of telephone companies, the \$10,000,000 limitation would make it almost utterly impossible to act even in a limited area. For example, the valuation of the New England Telephone & Telegraph Co. is approximately \$325,000,000; and that of the New York Telephone Co. almost \$800,000,000. On the Pacific coast, which has already been declared a theater of operations, we find that the Pacific Telephone & Telegraph Co. has an investment of more than \$286,000,000 and the Southern California Telephone Co. an investment of \$192,000,000. These huge figures show how insignificant a cost of \$10,000,000 is in this field.

It cannot be overemphasized that the proposed bill is a wartime measure, that the President must be given power to act immediately, and that the essential purpose of the bill is to remove the delay necessarily involved in negotiation and the execution of contracts. If the President's power is shackled by any monetary limitation, delay is inevitable. No doubt Senators are well aware of the complexities and delays involved in determining the valuation of telephone property. Protracted litigation in the field has almost become legendary. We need only refer to the Chicago telephone rate case, which began in 1921 and continued for at least 13 years, or the New York telephone rate case, which lasted for about 16 years, or the Wisconsin telephone rate case, which continued for about 10 years. Those cases are perhaps the bad examples, but they demonstrate the impossibility of easily arriving at a decision regarding valuation in the wire communication field.

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

Mr. WHEELER. I yield.

Mr. TAFT. My amendment does not in any way limit his authority to act. It merely provides that he must obtain an appropriation from Congress to pay for what he is taking before he takes it, except in case of invasion, which, of course, may be an emergency. Frankly, I think that if the President desires to take over the Commercial Pacific Cable Co. he ought to come to Congress and obtain an appropriation to pay the cost of such action. I see no reason why he should not do so.

Mr. WHEELER. I assume, of course, that he would have to come to Congress sooner or later in order to get the money to pay for it.

Mr. TAFT. No. I do not so understand the bill. It seems to me that under the terms of the bill the President might proceed to take over such a facility, leaving for later determination the question of just compensation and the appropriation therefor.

Mr. WHEELER. That is correct.

Mr. TAFT. I see no reason why the President should not come to Congress for an appropriation if he intends to spend \$186,000,000 in taking over a telephone company in California.

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

Mr. WHEELER. I yield.

Mr. REED. I ask the Senator from Ohio if he is really in earnest in making the suggestion that if the President finds it necessary in wartime to take over a railroad, a telephone line, or a radio facility, he must wait until the value is determined by the courts and then wait until he can obtain an appropriation from Congress? Surely the Senator from Ohio does not mean that.

Mr. TAFT. I did not propose any such thing. However, I said that if the President wants to take over a company which is likely to cost so much he ought to have an appropriation for that amount. After all, Congress determines the policy of taking over such property. If subsequently it is determined that the cost is greater than was anticipated he can then obtain a supplemental appropriation. I

am certainly in earnest in making that proposal.

Mr. REED. Surely the Senator from Ohio cannot be in earnest. If there is an emergency requiring the Government to take over anything, surely the taking over ought not to be deferred until the damage has been determined and Congress has appropriated money.

Mr. TAFT. I say it should be.

Mr. WHEELER. I must disagree with the Senator from Ohio. If we are to take over a telephone company in an emergency, everybody who has had anything to do with rate and valuation cases, as the Senator from Kansas has had, knows the length of time the litigation would require. The parties would fight interminably over the value of the property. I say that we must give the President such authority whether we like it or not. When we are in war we must do many things which we do not like to do. We must give the President the power to take over such facilities, leaving for later determination the question of value. If the value of the property, or the use of the property during a given period of time, cannot be agreed upon, the question must go to the courts or to the Congress for determination. If we do it in any other way, it seems to me we shall very definitely hinder the President's powers in taking over such facilities in time of emergency.

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

Mr. WHEELER. I yield.

Mr. TAFT. Of course, when we appropriate for tanks and guns we do not know that the appropriation will be the exact amount required. We do not know what the tanks and guns will actually cost. Later we may have to appropriate more money for tanks and guns; but we can get a reasonable estimate of the cost, and we can appropriate a sum which is presumably sufficient to accomplish whatever property seizure the President wishes to undertake. I realize that in case of invasion we might have to do anything. My amendment excepts cases of invasion and military movement of troops.

Mr. WHEELER. Mr. President, I think the officials and employees of the telephone company are as patriotic as anyone else in the United States.

Mr. TAFT. Let me say that I have not heard a word from the telephone or telegraph companies. I have not heard any complaint from anybody. I merely say that I think it is vitally necessary that we maintain our system of private property as close to what it was as we possibly can.

We should not grant powers unless they are really to be used or are actually needed for carrying on the war.

My interest is not at all a private interest in any telephone company. It is a matter of principle. I do not think the United States Government should seize property unless it becomes absolutely essential to do so; and I do not think the President should be given power to seize any substantial amount of property unless Congress passes on the question whether the Government should take over the property, except in cases of real emergency.

Mr. WHEELER. I am sure the Senator has not heard from any of the telephone companies. If he thought I so implied, he is mistaken, for I know that no telephone company has objected to the proposed legislation in its present form. Representatives of the telephone companies have talked with me, as the chairman of the committee, and with other members of the committee, and they have expressly said that while they would prefer to have no legislation at all enacted upon the subject, yet they recognize the fact that in time of war it may be necessary to do so; and they are perfectly satisfied with the bill as it is, with the report which we made on the bill, embodying the statements made by Mr. Fly. So I know perfectly well that the Senator has not heard from any of the telephone companies.

Mr. TAFT. Mr. President, will the Senator yield for a moment?

Mr. WHEELER. Yes; I yield.

Mr. TAFT. Is it not probably true that the telephone companies would like to have the Government take over their plants and do for them what the Government did for the railroads during the World War?

Mr. WHEELER. I think the owners of the Postal Telegraph & Cable Co. undoubtedly would be delighted to have the Government take over their property and pay them what they think it is worth. All of us know that the owners of a company never want the Government to take over their property unless it is losing money. Some time ago, when I first came to the Senate, a measure was introduced for the purpose of taking over a canal across Cape Cod. The owners of the canal never wanted the Government to take it over until they were losing money, but when they were losing money they wanted the Government to take it over. The owners of any property are never in favor of Government ownership until the property does not pay. When it does not pay, and when it is losing money, they are in favor of Government ownership of the property.

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

Mr. WHEELER. I yield.

Mr. VANDENBERG. Let us see if we can approach from a somewhat different angle the matter about which I was talking. I understand the Senator to say that there is no intention—at least, none at present in sight—to use this legislation as authority for taking, for instance, the entire telephone system into Government operation as a Government unit, with Government employees, but that the intention is purely one of control and use, with reliance upon existing operating personnel.

Mr. WHEELER. That is correct.

Mr. VANDENBERG. So long as that is the intention, and so long as that intention is fulfilled, I completely agree with everything the Senator says about the necessity for the legislation, but I am wondering if it is necessary to rely upon a few words in a committee report in order clearly to demonstrate that that is also the congressional intent. On page 2, line 14, after the authorization for the use and control of the facilities, after the phrase "upon just compensation to the

owners," would the Senator object to the addition of the following words:

Provided, That the operation of these facilities shall continue under existing operating personnel unless the President finds it to be incompatible with the public interest.

Mr. WHEELER. As a matter of fact, I do not think it is necessary. Frankly, I think what would happen would be that we should simply be putting certain language in the bill after we have expressly said that is the intention. After all, I think the Government is bound by the intention expressed with reference to this particular matter by the committee and by the Congress of the United States.

Mr. VANDENBERG. Mr. President, I am perfectly willing to vote for an emergency reliance, which is all the Senator is addressing himself to; but I do not want to find out 6 months from today that, under that guise and in the form of this rather innocent legislation, I voted for Government ownership and operation of all the telephone systems of the United States.

Mr. WHEELER. The Senator certainly would not be doing that. Let me read to him a portion of the testimony before the committee.

Mr. Fly said:

There is no plan to take over the communications facilities permanently; for that matter, there is no current plan to take over the communications facilities at any time broadly and generally, so we are not concerned with the amendments.

The CHAIRMAN. As I understand it, then, Mr. Fly, there is no present intention of taking over either the radio, the telephone, or the telegraph companies?

Mr. FLY. In a broad sense, that is right, sir; there is not.

The CHAIRMAN. There is no intention of taking them over primarily under this bill?

Mr. FLY. That is right, sir.

In addressing the committee, Chairman Fly said:

By the way, you gentlemen will recall that the Government took over the whole telephone system in the last war. I do not think if we had to make that decision again under the same circumstances we would make it that way. I think under those circumstances it would be definitely better to have the private operation continue.

That is a quotation from the statement of the Chairman of the Communications Commission.

Mr. VANDENBERG. The intentions are fine; but the Senator is familiar with the fact that intentions sometimes are proclaimed, and subsequently default occurs; is he not?

Mr. WHEELER. Oh, yes; I am very familiar with it.

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

Mr. WHEELER. I yield.

Mr. DANAHER. I respectfully suggest to the Senator from Montana that almost all the fear which has been expressed here could be obviated if we were to strike out the two words "or threat" in the two places where they appear. There is not a Senator present who will not agree that the President, whenever war has actually been declared and has been found to exist, should have whatever powers are necessary in connection with the purposes expressed in the bill.

But if the emergency involved in the present war shall terminate—let us assume a date—on January 1, 1943—

Mr. WHEELER. The Senator is optimistic.

Mr. DANAHER. And the powers under the bill should thereupon expire, the law would continue on the books; and if, 6 months thereafter, the President should again say that a threat of war exists, and should thereupon step in and take over the systems involved, it seems to me the Senator from Montana should recognize that there is a threat; and we can obviate that difficulty by simply eliminating the two words "or threat."

Mr. WHEELER. Let me call the Senator's attention to the fact that the bill provides that it can be repealed by a concurrent resolution of both Houses of Congress, which does not have to have the President's signature. The radio law has been upon the statute books for a number of years with a provision identical with the one in this instance. We have had a threat of war for the past 3 or 4 years; everyone has recognized that there was a threat of war; but there has not been any attempt on the part of the Government to take advantage of that provision of law to say, "Because there is a threat of war we are going to take over the radio." So I do not think there is anything at all to worry about because of the use of the words "threat of war." On the other hand, I can readily understand that there might be conditions under which, if there were an immediate threat of war, it would be necessary for the administration perhaps not to take over the telephones, but to take over some of the communications which are connected with foreign governments, such as our cables and radios.

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

Mr. WHEELER. Yes; I yield.

Mr. DANAHER. Simply to correct a statement which I am sure the Senator did not really mean, let me say that he implied that we, by concurrent resolution, could repeal—those were his words—the effect of the bill, if and when it becomes law. There is no such thing, either implicit or expressed, in the bill. What it says is that the Congress, by a concurrent resolution, may designate a given date, which is the equivalent of a finding of fact that the emergency no longer exists.

Mr. WHEELER. Yes; that is correct.

Mr. DANAHER. And to that extent the operation of the law would be suspended. Is not that so?

Mr. WHEELER. That is correct. As I said, it seems to me it amounts to the same thing if we suspend the operation of the law, or if we fix a date on which the operation of the law is to be suspended. If we suspend the provision which says that the systems may be taken over if there is a threat of war, it is stating the matter in different language, but it amounts to the same thing.

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

Mr. WHEELER. I yield.

Mr. DANAHER. I should not want to have that construction stand unchallenged insofar as giving effect to a concurrent resolution which would operate legislatively. Under our rules and under

the construction of a concurrent resolution it could have no such effect. I should like the record to show that we can do no more by a concurrent resolution than to find the facts in a given state of affairs to exist, and, under no circumstances, can we actually legislate by means of a concurrent resolution.

Mr. WHEELER. Probably there are some who disagree with the Senator's view; but I must confess I am inclined to the opinion he has expressed.

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

Mr. WHEELER. I yield.

Mr. REED. I have to leave the Chamber in 2 or 3 minutes to see the doctor, and so I want to clear up the point I was making concerning the suggested amendment, as I understand, of the Senator from Ohio [Mr. TAFT].

In 1917 the President of the United States, under his war powers, took over all the railroads. In 1918 he turned back some of them, known as the short lines. As to the length of time necessary to determine what should be done with these railroads, the Transportation Act of 1920 contained a formula for a settlement. The cases first had to go to the Interstate Commerce Commission, from which there was an appeal to the courts. The Interstate Commerce Commission construed one section applying to the short lines in a certain way, and followed that construction for 3 or 4 or 5 years. Then the Commission changed its mind and said it had been wrong. As the chairman of the Interstate Commerce Committee will remember, for we have had the matter under consideration since I have been here, when the Interstate Commerce Commission said it was wrong, and then followed a different policy, the railroads went to the courts, and finally to the Supreme Court of the United States. That Court handed down a decision, and, of course, the Interstate Commerce Commission was bound by that decision.

The chairman of the committee will remember that in the Seventy-sixth Congress, 22 years after the short lines had been taken over, and 20 years after they had been turned back, and 20 years after the 1920 Transportation Act was passed, we in the Seventy-sixth Congress, in the Interstate Commerce Committee were dealing with a bill having to do with the amount of compensation due the short lines.

I mention that only to how the entire impracticability of trying on short notice to determine what to do in the case of any of the great railroads or power utilities or telephone companies or radio companies if the President finds it necessary to take them over.

I share the views of the Senator from Michigan and the Senator from Connecticut that it is about time it was done if it be necessary, but I am utterly out of sympathy with the attempt to limit the authority by stating the amount of money that would be involved or by trying to delay action until the President could come to Congress and secure an appropriation.

Mr. TAFT. Mr. President, will the Senator yield for a moment to enable me to ask a question?

Mr. WHEELER. I yield.

Mr. TAFT. Does the Senator feel that this bill gives the President the authority, for instance, to take over tomorrow the American Telephone & Telegraph Co.?

Mr. WHEELER. Yes, sir.

Mr. TAFT. Does the Senator from Montana feel that tomorrow the President could take over the American Telephone & Telegraph Co.?

Mr. WHEELER. To take over the use and control of it.

Mr. TAFT. As he took over the railroads in the World War?

Mr. WHEELER. That is correct; that is the intention of the bill.

Mr. REED. Mr. President, with the permission of the Senator, I tried merely to elucidate from practical experience the details of administration. I am not sure but that there is still pending some litigation growing out of the Government operation of the railroads during the first World War. I know, as I have said, that since I have come to the Senate, in the Seventy-sixth Congress we dealt with and had a long discussion about a bill to compensate the short lines, due to Government operation back in the first World War.

Mr. WHEELER. That is correct. The trouble with the amendment of the Senator from Ohio, it seems to me, is that he proposes that the Government come to Congress and ask Congress for a certain amount of money to compensate for taking the communications over, when the amount involved is in excess of \$10,000,000. Suppose the Government took them over for \$9,900,000; it would not have to come to Congress. But if the amount involved were in excess of \$10,000,000, it would have to come. Then the telephone company could come in and say, "You have got to appropriate \$10,000,000 or \$20,000,000 or \$30,000,000." Suppose we provided the \$30,000,000; they could come back in 2 years or 5 years, when the war was over, or, perhaps, 5 years later, and do exactly the same as the railroads did, and say, "You did not pay us enough." That is what happened with reference to the short-line railroads. As the Senator says, they came back in 2 or 3 years and said, "You did not pay us enough money."

Mr. REED. If the Senator will permit me, in 1940 the Senate passed the short-line railroad bill to which I have referred when it was sitting in the old Supreme Court room.

Mr. WHEELER. I must say that, at first, I opposed that bill. The interested roads said, "It is true that once you made a settlement with us, but now we are coming back and claiming that there was injustice done, and we want still more money." So Congress gave them more money than the amount for which the claims were first settled. If we should do that in this case, there would result an interminable controversy with the public utilities which might be taken over. We have got to say, it seems to me, that the President shall have the power to take them over, and then afterward, whatever the amount may be, we have got to figure it out and say, "Here is the amount that is owing to you," and have it fixed by the court or by some commission or by the Congress of the United States. When it is done, it ought

to be done once and for all; and after that settlement is made the communications systems ought not to be permitted to come back to Congress 10 or 12 years afterward and say, "You did not give us enough money, and now we want more money."

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

Mr. WHEELER. I yield to the Senator from Maine.

Mr. WHITE. I am quite sure the Senator has in mind that what he is just advocating is precisely what the law is with respect to compensation for taking over radio services. The law authorizes the taking of radio services; then it provides that the President may offer compensation therefor; and, if it is not satisfactory, the owners of the property may go into court and proceed to collect damages or compensation which may be fixed by judicial process.

Mr. WHEELER. That is correct. I thank the Senator.

Mr. WHITE. That, I take it, is precisely what the Senator is contending?

Mr. WHEELER. That is correct; it is exactly so.

Mr. REED. Mr. President, I want to be properly modest in the presence of lawyers such as the Senator from Maine and the Senator from Montana, but I do not think the Congress of the United States could deprive any of these companies or corporations of the privilege of going into court to determine whether it received reasonable compensation.

Mr. WHEELER. I do not think there is any doubt about that at all. They could go into court, because, under our Constitution, property cannot be taken by the Government without due process of law. They have a right to go into court, of course, and, if their property is taken, they are entitled to compensation, whether we write it into the bill or do not write it into the bill. We have written it into the bill; but that right would exist, anyway, of course, unless we changed our form of government.

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

Mr. WHEELER. I yield to the Senator from Alabama.

Mr. HILL. With reference to the question of a concurrent resolution, of course, we know that Congress cannot repeal a statute by a concurrent resolution; but under this bill what we attempt is to give the President power—to do what? To make a proclamation if there exists a state of war or a threat of war, and if he proclaims the fact to exist, then the bill gives him the power to take over the communications services. There is no provision with reference to a concurrent resolution, as I understand. What it provides is simply that the President may proclaim a certain fact to exist. We can come along afterward and proclaim another fact to exist or proclaim that the fact the President proclaimed as existing does not exist, and that, of course, would terminate his power. Is not that true?

Mr. WHEELER. Yes; I thank the Senator.

Mr. President, as I have said, I introduced the bill at the request of the Department; there was no serious objection

to the bill as I introduced it at that time from the telephone or telegraph companies. But when it went to the other House that body went further than the Senate did, rewrote the bill, and put in some amendments which they felt would further protect the telephone and telegraph companies. Everyone has been perfectly satisfied with the bill as it is written, particularly in view of the statements in the report; and I hope that the bill will pass, for the administration has been very anxious to have it passed promptly because of conditions which exist or which they are afraid might exist which would make necessary the use of some of the provisions of the bill in certain sections of the world.

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

Mr. WHEELER. I yield.

Mr. VANDENBERG. The Senator's last statement might carry the implication that some of the questions which have been asked have been asked in the interest of the companies. I have not any interest whatever in the companies, but I have a great deal of interest in the quality of telephone service this country has. I can get the wrong number often enough under private management; I should hate to have to tackle it under public management. I do not want to wake up and discover that the great telephone systems of this country have become Government monopolies as a result of a relatively inoffensive piece of legislation.

Mr. WHEELER. Let me say to the Senator that I should hate to see the radio taken over by the Government of the United States. I think it would be one of the worst things that could possibly happen to the United States if the radio in this country were owned by the Government, as it is in Germany and as it is in Russia, and as it is in Italy, or as it is in England, because everybody recognizes that while the radio in England is Government-owned, the English have a far poorer service than we have here in the United States. I have been a critic of the radio broadcasting companies on numerous occasions; but everything is relative, and, with all due respect to them, when we compare their service with the service that is given in other countries, the service is better over here. But if the radio were owned by the Government, of course we should have the Government saying who could speak over the radio, and the Government would absorb the time with nothing but propaganda, as is done in Germany and in Italy and in Russia.

For the same reason I believe that if the Government were to take over the telephone companies, and they were run by some bureau in Washington, we probably should have more inefficient telephone service than we have today. I do not think there is any doubt about it. I think it is one of the things that it would be difficult for the Government to handle and give good service all over the country. But we have the radio law on the statute books, and we have had the threat of war, and there has not been any attempt to take over the radio. If there had been any attempt to take it over because of the threat of war I am sure I would have been

one of the first to speak against it upon the floor of the Senate, because I am afraid that if the Government had taken it over prior to our getting into the war I might not have been permitted to speak.

Mr. TAFT. Mr. President, will the Senator yield for a moment?

Mr. WHEELER. I yield.

Mr. TAFT. The Senator recognizes, however, that if he had spoken on the floor after the radio had been taken over, it would have been too late; does he not?

Mr. WHEELER. I think the Congress of the United States would have very promptly passed a law on the subject.

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

Mr. WHEELER. I yield to the Senator from Alabama.

Mr. HILL. As the Senator has well said, so far as this bill is concerned, it does not change in any way whatever the situation in connection with radio.

Mr. WHEELER. That is true.

Mr. HILL. The provision authorizing the Government to take over the radio has been in the law for some years. So far as taking over the telephone lines is concerned, we took them over during the World War, and we gave them back to the private owners after the war; did we not?

Mr. WHEELER. That is correct.

Mr. HILL. And the Senator knows that if we have to take them over during this war, we will turn them back.

Mr. WHEELER. There is not any danger of the Government taking them over and keeping them unless the complexion of the Congress of the United States completely changes, any more than there was danger of the Government taking over the railroads and keeping them after the war was over.

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

Mr. WHEELER. I yield.

Mr. HILL. If the complexion of Congress should change so much that we would keep the telephone lines if we took them over, it would mean that even if we did not take them over now we would go ahead and take them over if Congress were to change to that extent.

Mr. WHEELER. That is true.

Mr. HILL. It is not necessary to have war power to take them over.

Mr. WHEELER. Not only that, but the bill provides that within 6 months' time after the end of the war they must be turned back to their owners.

Mr. HILL. The bill automatically returns them.

Mr. WHEELER. That is correct.

Mr. VANDENBERG. Mr. President, if the Senator is to rely on the complexion of the Congress I will concede that he has something, because if there is any change in the complexion of Congress I think the complexion will change in a totally different direction.

Mr. HILL. Is that a question of opinion or of prayerful hope?

Mr. WHEELER. Or a statement of fact?

Mr. TAFT. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER (Mr. ELLENDER in the chair). The amendment

offered by the Senator from Ohio will be stated.

The LEGISLATIVE CLERK. On page 2, line 14, it is proposed to insert the following:

Provided, however, That except in case of invasion, or in connection with the movement of military or naval forces, no such authorization shall be given for the use and control of facilities or stations for domestic wire communication costing more than \$10,000,000 without prior appropriation for such purpose by the Congress.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio.

Mr. TAFT. Mr. President, this amendment is printed and on the desks of Senators, with two changes which I made in view of the Senator's suggestion that it may be necessary to take over the cable companies of the Pacific. It reads as follows:

Provided, however, That except in case of invasion, or in connection with the movement of military or naval forces, no such authorization shall be given for the use and control of facilities or stations for domestic wire communication—

Instead of the word "property"—

costing more than \$10,000,000 without prior appropriation for such purpose by the Congress.

Mr. President, I am interested only in the general policy of whether the Government shall take over the telephone and telegraph companies. It is admitted by the Senator from Montana [Mr. WHEELER] and by the Senator from Kansas [Mr. REED] that the bill authorizes the Government tomorrow, if it wishes to do so, to take over all the telephone companies in the United States and all the telegraph companies in the United States. There is no doubt about the language, and I think they admit that that is its effect. I do not care how much emergency stuff is taken over. It makes no difference to me whether the Government takes over a station here or somewhere else where some military question is involved; but it seems to me that under the bill, merely because we want to give power for that purpose, we do not have to give the President power to take over the entire telephone and telegraph systems of the United States without further action by Congress. I do not care whether that action is by way of another authorization or by way of an appropriation. It seems to me easiest and quickest to say that the Government shall not be able to take over these systems without appropriation by Congress except in the case of small companies.

In the first place, the action authorized would involve the companies and the United States in tremendous cost. Taking over the railroads cost the taxpayers hundreds of millions of dollars in the World War. In the second place, I do not feel that the Government ought to take over the telegraph and telephone companies unless we debate the question as to whether they should be taken over when we are actually considering that question, and unless we decide that they should be taken over. It is a legislative question. So far as it is a military question, I have excepted it from my amend-

ment. In case of invasion, or in case of the movement of troops, the Government may take over the telegraph and telephone companies. I have not any doubt about the President's power as Commander in Chief, if you please, in the case of any military action, to take over these systems without any further authority from Congress; but it seems to me it ought to be possible to impose some limitation that will say that Congress shall decide whether we want to take over the telephone and telegraph companies.

It is said that the proposed taking over is only temporary; but I venture to question, Mr. President, if the telegraph companies are ever taken over by the Government, whether they ever will be returned to private ownership. True, the railroads were returned to private ownership after the World War, but there was considerable discussion of the matter at the time; and if they are once again taken over, with all the tremendous complications involved in that action today, and the tremendous number of railroads now in bankruptcy, I question whether they would be actually returned to private ownership. It seems to me we ought not to change, because of the war, the basic elements of the American system without express consideration of the change by Congress, and a debate as to whether or not it ought to be done.

There is not a Senator on the floor today who thinks that tomorrow the Government ought to take over the telephone and telegraph companies. There is not a Senator who envisions the circumstances under which those companies may be taken over; and yet, if this power is granted to the executive department, the President, because he cannot make a wire connection, or because somebody complains of something the companies have done, may sign a single order that will commit the United States to hundreds of millions of dollars and perhaps billions of dollars of obligation, and will commit the United States, perhaps permanently, to a Government-owned telegraph and telephone system. I would make the same opposition as to the railroad statute and as to the radio statute. Of course, the radio is far more under Government control, and perhaps necessarily has to be; but I see no reason why domestic wire communication should be seized by the Government under any circumstances that I can think of.

There is not the slightest difficulty in getting 100 percent cooperation from the companies. They have not, so far as I know, refused one request. They are even willing to have the pending bill enacted and have their properties taken over by the Government. I say that it is to our interest, and it is in the interest of the rights of congressional action, that we should determine whether or not the companies should be taken over.

So far as concerns the objection to the particular language of the amendment, which provides that the action shall not be taken without a prior appropriation by Congress, it does not mean that Congress would have to determine the exact amount. It merely means that if the President should say tomorrow that it was necessary to take over the California Telephone Co., for

instance, which is capitalized at \$280,000,000, perhaps we could get it for \$200,000,000. In that case I should want an appropriation made. The amendment does not provide that the appropriation shall be in any exact amount; it shall be an appropriation merely for the purpose of giving congressional authority to perform that particular act of taking over the California Telephone Co. We can pass an appropriation measure in a very short time, if it shall become necessary.

I cannot see any justification for authorizing the President to take over the telephone and telegraph companies of the United States at this time. Every legitimate purpose of the pending bill can be carried out with the limitation I propose included, requiring that Congress itself shall pass on any general taking over of telegraph and telephone companies before it is actually consummated.

Mr. WHEELER. Mr. President, I do not wish to add anything to what I have stated already, but if the pending amendment should be included in the bill, it would mean that the President would have to come to Congress and ask for an appropriation whenever he thought there was necessity for action, and we might have a dispute as to the amount of money that was to be paid, and probably become involved in interminable controversies and delays. I do not see any reason why the bill should not be passed in its present form, and I hope the amendment will be defeated.

Mr. HILL. Mr. President, I call to the attention of the Senate the fact that the bill provides that in the event the lines of the telegraph or telephone companies, or any part of them, should be taken over, the companies should be compensated in exactly the same manner we have provided for compensation in the event any other property should be taken over. We passed the so-called property-seizure bill, and went to the very communications act which has been referred to, and took out of that act the provision for compensation of owners. Subdivision (d) of section 606 of the act provides that, when the President has been forced to take over any of these lines:

The President shall ascertain the just compensation for such use or control and certify the amount ascertained to Congress for appropriation and payment to the person entitled thereto. If the amount so certified is unsatisfactory to the person entitled thereto, such person shall be paid only 75 percent of the amount and shall be entitled to sue the United States to recover such further sum as added to such payment of 75 percent will make such amount as will be just compensation for the use and control. Such suit shall be brought in the manner provided by paragraph 20 of section 24, or by section 145, of the Judicial Code, as amended.

Under this provision the owner of the plant, if a plant has to be taken over by the Government, is given his day in court. If he does not wish to accept what the President fixes as a fair and just price, the owner can go into court and have the court adjudicate, determine, and fix what is a fair and a just price. That is the provision we put into the property-seizure measure, and it is the provision which the Committee on Military Affairs has put

into all bills it has reported whenever any question of taking over property is involved.

There is no more reason why in time of war the Government should not take over a telephone line than that it should not take over an armament plant, or any other piece of property necessary to waging the war.

Mr. TAFT. If the Senator will yield, let me say that he misunderstands my position. I do not say there should not be adequate compensation. I say that, so far as the telegraph company owners are concerned, they would like to have their property taken over and paid for by the Government. My point is that, from the standpoint of governmental policy, I do not believe in taking over the telephone and telegraph companies at this time. Six months from now I might be in favor of it. I do not say that when the appropriation comes before us I may not be in favor of it, but I say that I am opposed to taking over the telephone or telegraph companies, or the railroads, or the radio stations, at this time; and if we are opposed to such action today, it seems to me we might well reserve the granting of any powers to enable the President to carry that action into effect until the time comes when it shall be necessary to do it. That is all my amendment provides. My amendment makes the bill an authorization measure, but it provides that there must be an appropriation before the taxpayer shall be subjected to the tremendous cost which would be involved, and that Congress shall determine the question. That would be the only effect of my amendment.

Mr. HILL. It is not a question at all whether we believe in taking over the telegraph companies, or in taking over American industry, or in taking over anything, in normal times of peace. We are at war. We are confronted with perhaps the greatest war, the most challenging and terrific war this country was ever called upon to face, and we have to be able to act, and to act at once, to meet any situation which may arise. The administration can take over an industry—it can take over an armament plant—without first coming to Congress for an appropriation. To my mind, it is ridiculous and absurd to stand on this floor and say that the Commander in Chief cannot take over the necessary lines of communication in a theater of operations in time of war without coming to Congress to get some kind of an appropriation for that purpose.

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

Mr. HILL. Let me finish my statement. If it had been necessary when the attack came on Pearl Harbor to take over the telephone lines, and to take them over immediately, the President could not have done so under the Senator's amendment without first coming to Congress and getting an appropriation. Who knows but that tomorrow on the west coast, in California or in some other State, or in some other theater of operations, it may be absolutely necessary, for the protection of that theater of operations, for the protection of the lives of

our men whom we have not hesitated to draft and to send into the front lines, for the protection of our Allies, to take over some line of communication? To stand on this floor and say that the Commander in Chief would have to wait and come to Congress before he could act seems to me to be absurd.

Mr. TAFT. In the first place, my amendment makes an exception in case of invasion. In such an instance the Commander in Chief could take over the telephone companies anyway, whether we gave him power to do so or not.

Mr. HILL. He certainly should have that power.

Mr. TAFT. I may say that I think it is ridiculous and absurd for the Senator to stand on this floor and say that we must grant to the President, in time of war, any power he asks.

Mr. HILL. The Senator from Alabama did not say that we should grant the President any power he asks, but the Senator from Alabama does say that we should grant him any power which may be necessary to the successful prosecution of the war.

Mr. TAFT. My contention is that, in order to prosecute the present war successfully, it is not necessary to take over the telephone and telegraph lines of the United States; and the bill authorizes exactly that to be done.

Mr. HILL. The Senator from Alabama does not say it is necessary, in order to wage this war, to take over all the telegraph and telephone lines. The Senator from Alabama hopes it will not become necessary to take over these lines, but the Senator from Alabama does say that if it should become necessary the President should have the power to take over the lines.

Mr. TAFT. Mr. President, I wholly agree that the President should have the power to do anything that is necessary. I cannot conceive of circumstances under which it is going to be necessary to take over these lines, and I say that if Congress is prepared to grant to the President the power to do anything without any further action by Congress, we might just as well adjourn and go home. It seems to me we should not grant the President power to do things which are not necessary—things which, it is admitted, are not necessary today. It seems to me perfectly clear that we should limit the bill, and provide that when it is necessary, when there is an invasion, for instance, then the power shall be granted, but we should not give the President discretion to take over the lines of the telephone and telegraph companies of the United States, at a cost of millions and perhaps billions of dollars to the taxpayers of the United States, without the slightest vestige of an appropriation by Congress.

Mr. WHITE. Mr. President, I wish very briefly to associate myself with the Senator from Montana [Mr. WHEELER] in support of the proposed legislation, and in opposition to the pending amendment.

Mr. President, I doubt if any Senator on the floor views with more reluctance the impact by government upon the industrial life of this Nation than do I, but

it seems to me we are here confronted not with a theory of government but with a necessity which requires action by the Congress of the United States.

Reference has been made to the radio legislation, and it has been said that the powers granted by the pending bill are substantially the same as the powers granted by the radio legislation. That is true, but there is a very much broader basis for authority in the radio law than there is in the bill now before the Senate. The radio law gives the President authority to take over the radio-communication facilities of the country in time of war, or in time of threat of war, as this bill does, and then it proceeds to say that the President may take over those facilities in the event of public peril or disaster—I think I am quoting that language correctly—or during any other national emergency. So there are with respect to radio, three bases for the exercise of authority by the President that do not exist in the proposed legislation. In that respect the proposed legislation goes a much shorter distance than the Congress went in the radio legislation. That language of the radio law has been on the statute books of the United States for approximately 30 years.

It is true, as has been pointed out by the Senator from Montana [Mr. WHEELER], that the authority proposed to be given in the pending bill is limited in time. It is an authority limited also to certain specific acts which may be performed.

Two or three Senators have disclaimed having had any contact with officials of the telephone company while the proposed legislation has been pending. As a matter of fact, Mr. President, I have talked with one of the most prominent officials of the telephone company, and I think I know the attitude of the telephone company toward the proposed legislation. I think the attitude of the telephone company is precisely my attitude—regret that there may be a necessity for doing what the proposed legislation authorizes to be done, but recognition that the necessity may come upon us in the twinkling of an eye, and that there must exist in the President power to do this thing. I think the telephone authorities, recognizing the possibility that it must come, are entirely satisfied with the proposed legislation in its letter, and are entirely satisfied with the assurances which have been given in the testimony of those urging the legislation and in the report of the committee with respect to it.

Mr. President, it is just as utterly inconceivable to me as it is to the Senator from Alabama [Mr. HILL] that, with the United States at war, it shall not be within the power of the President of the United States to take over these communication facilities and bend them to military necessities as such necessities may from time to time arise.

The Senator from Ohio [Mr. TAFT] in his amendment places a limitation of \$10,000,000 upon the value of the property which may be taken. Mr. President, that seems to me to be wholly illogical. It seems to me there is no justification in communication facts for any such limitation. I think we must all recognize

that the time may come when the entire communication facilities of the great communication center of this country, New York—facilities up and down the eastern seaboard—may have to be taken by the Government and utilized in behalf of the Government and of the people of the United States. The same thing is true with respect to the Pacific coast. I venture the assertion that the taking, perhaps, of a few thousand dollars or hundreds of thousands of dollars of value of some of the instruments in these communication centers would be more devastating to the communication company involved than would be the taking over of other property of a value of \$100,000,000. I can see no reason for fixing that sum of \$10,000,000.

Mr. REED. Mr. President—

The PRESIDING OFFICER (Mr. LEE in the chair). Does the Senator from Maine yield to the Senator from Kansas?

Mr. WHITE. I yield.

Mr. REED. The Senator from Maine, I am sure, would add—"or any other sum of money, or requiring delay until an appropriation has been made by the Congress."

Mr. WHITE. I completely agree with the Senator.

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

Mr. WHITE. I yield.

Mr. TAFT. Is it not true that after an authorization is made with respect to the building of battleships the Navy cannot proceed with their building until Congress shall appropriate the necessary money? Is it not the universal practice that all expenditures must be preceded by appropriations made by the Congress?

Mr. HILL. Mr. President, when the United States has a battleship it is not necessary for the authorities to go to Congress to obtain an appropriation before the battleship can be used. That is the analogy here.

Mr. WHITE. I think the analogy is sound. While I regret the necessity for the pending legislation, I think I recognize that the necessity confronts us, and I hope the bill will be passed by the Senate in the form in which it came from the committee, and that it will speedily become law.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. TAFT].

The amendment was rejected.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill was ordered to a third reading and read the third time.

The PRESIDING OFFICER. The bill having been read three times, the question is, Shall it pass?

Mr. TAFT. Mr. President, I should like to have it recorded that I am opposed to the passage of the bill in its present form. I suppose there will be no record vote.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill (H. R. 6263) was passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its read-

ing clerks, announced that the House had passed without amendment the following bill and joint resolutions of the Senate:

S. 2204. An act authorizing vessels of Canadian registry to transport iron ore on the Great Lakes during 1942;

S. J. Res. 96. Joint resolution to enable the United States to become an adhering member of the Inter-American Statistical Institute; and

S. J. Res. 124. Joint resolution to maintain the secrecy of military information.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 3193) validating certain conveyances heretofore made by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, involving certain portions of right-of-way, in the city of Tracy, in the county of San Joaquin, State of California, and in the town of Elk Grove, in the county of Sacramento, State of California, acquired by Central Pacific Railway Co. under the act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356).

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 6269) to amend the act entitled "An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes," approved June 8, 1938, as amended, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses, and that Mr. SUMNERS of Texas, Mr. McLAUGHLIN, and Mr. HANCOCK were appointed managers on the part of the House at the conference.

PLEDGE OF ALLEGIANCE AND SUPPORT TO THE PRESIDENT BY SOUTHERN BAPTIST CONVENTION

Mr. LEE. Mr. President, I hold in my hand a copy of a telegram addressed to the President of the United States from representative officials of the Southern Baptists.

I ask unanimous consent to have it included at this point in the RECORD as a part of my remarks.

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

JANUARY 3, 1942.

To the PRESIDENT,

The White House, Washington, D. C.:

For our country in this crisis, for you as our President and Commander in Chief, and for all associated with you at this critical moment of an age on ages telling, special prayers were offered at a New Year fellowship conference attended by 200 workers from the 25,000 churches in the 18 States of the Southern Baptist Convention. Prayer was also pledged day by day that you may have divine guidance and help in your manifold labors for the defense of the democracies and the ultimate release of all nations into the more abundant life of a Christian civilization. And may the day speedily come when the Prince of Peace shall sway his scepter over all peoples and be acknowledged as King of Kings and Lord of Lords.

T. L. HOLCOMB,

Executive Secretary, Sunday School Board.

J. O. WILLIAMS,

P. E. BURROUGHS,

JOHN L. HILL,

HIGHT C. MOORE.

Mr. LEE. Mr. President, I call attention to the fact that this pledge of prayerful allegiance to the President comes from the leaders of a group of Christian people who have not in any organized manner whatever addressed "peace at any price" resolutions to the President or Members of Congress.

The Christian men and women represented by this pledge of allegiance constitute a group who utterly abhor war and love peace but have never purchased it at the price of slavery.

WHAT SHOULD BE THE ATTITUDE OF THE CHRISTIAN TOWARD WAR

The world today is in the period referred to in the Scripture, "When there shall be wars and rumors of wars," but I am confident that if we keep the bright light of Christian faith burning in our hearts we shall eventually emerge from the storm into the sunlight of a new day, as Isaiah said:

When people shall beat their swords into plowshares and their spears into pruning hooks. Nation shall not lift up sword against nation, neither shall they learn war any more.

For that bright day Christians must watch and pray, but in the meantime, we must use all of the intelligence which God gives us as realists in a practical, every-day world in an effort to make that world as good a place in which to live as it is possible to make it.

God's people have always placed religious freedom above economic security. We have always held that liberty is more dear than life itself. The pages of history are colored with the blood of Christians who have been willing to die for principle. Christians have always loved peace but they have never advocated "peace at any price."

The church and the civil government are two separate and distinct institutions. Both are necessary.

If we are to have a government, we must be willing to fight for it. If we are to have a flag, we must be willing to defend it as soldiers.

Although the mission of Jesus in the world was to set up a church, yet he recognized the existence of civil government. He even went further than that and advocated its support by telling the people to pay tribute to the state.

The Pharisees asked Jesus the following question—Matthew 22: 17:

"Tell us, therefore, what thinkest thou? Is it lawful to give tribute to Caesar, or not?"

Jesus answered:

"Shew me the tribute money." And they brought unto him a penny.

And He saith unto them, "Whose is this image and superscription?"

They say unto Him, "Caesar's." Then saith He unto them, "Render, therefore, unto Caesar the things which are Caesar's; and unto God the things which are God's."

This makes it clear that a Christian is expected to pay his taxes and support his civil government. Not only is it scriptural for a Christian to support his government and pay taxes but it is also contemplated that the Christian shall himself take part in the civil government

by holding public office, for in Proverbs 29: 2 it says:

When the righteous are in authority, the people rejoice but when the wicked beareth rule, the people mourn.

Now, therefore, let us suppose the Christian is elected to the office of sheriff or holds the position of police officer or United States marshal. Is it not his duty to protect the people from indignities, to protect their property from destruction, and to protect their persons from violence and injury even if he must use force to do so?

What difference is there then in the principle involved if instead of being a policeman, he is a soldier and finds it necessary to exercise force in order to protect the lives of the citizens of this country?

There are those who argue that it is un-Christian for a person to use force to defend his country against its enemies, but it is significant that when Peter defended Jesus against the mob which had come to crucify Him and smote off the soldier's ear with his sword, Jesus did not rebuke Peter for the use of force but instead he only said:

Peter, put up thy sword. Let them live to witness my power.

It is even more significant that Jesus Christ, the Son of God, with his own hands used force to drive the money changers from the temple—John 2: 13:

And the Jews' passover was at hand and Jesus went up to Jerusalem and found in the temple those that sold oxen and sheep and doves, and the changers of money sitting:

And when he had made a scourge of small cords, he drove them all out of the temple, and the sheep and the oxen; and poured out the changers' money and overthrew the tables.

Here we see Jesus with his own godly hands exercising physical force against wrong and evil.

But the strongest argument that I have seen giving scriptural support why a Christian should serve his flag as a soldier is given by Dr. William L. Pettengill in the Sunday School Times of January 10.

Dr. Pettengill first shows where the church and the state occupy separate fields. He points out that the functions of the church deal with spiritual life. He also shows that many of the scriptural injunctions which are often quoted as proof that a Christian should not fight for his country apply as between one Christian and his brother, but not between the individual and his government.

Then Dr. Pettengill devotes his argument directly to the proposition that good citizens must support their government in peace and war. I quote a portion of his article:

[From the Sunday School Times of January 10, 1942]

THE BEGINNING OF CIVIL GOVERNMENT

Civil government had its beginning immediately after the flood. When Noah came forth out of the ark, he received at God's hand a new commission—including the institution, for the first time, of human government—the rule of man by man. "And surely your blood of your lives will I require; at the hand of every beast will I require it, and at the hand of man; at the hand of

every man's brother will I require the life of man. Whoso sheddeth man's blood, by man shall his blood be shed" (Genesis 9: 5, 6). Here is the magna charta of civil government. Capital punishment was here authorized and commanded by God Himself, and this authority and commandment have never been withdrawn or modified. They are in full force today. And as Dr. C. I. Scofield, in his reference Bible, points out, "The highest function of government is the judicial taking of life. All other governmental powers are implied in that."

We have seen that the principle of conduct for the church is grace. In civil government the ruling principle is not grace, but justice. Mercy is always to be exercised by the church—and also by the individual Christian so far as his personal interests are concerned; but righteousness is the basic principle of government. This is seen in the judicial system. Our courts are established, not to show mercy but to administer justice. If a judge on the bench should forget this and should freely forgive every prisoner arraigned before him for trial, he would be impeached and removed from office, and rightly so. To forgive a murderer is gracious, but to execute him is righteous. Forgiveness is a church function, justice is a state function. Forgiveness is Christian; righteousness is governmental.

"God forbid," said a Christian recently, "that I should ever stain my hands with the blood of my fellow man." Yet it might become that same Christian's duty, in simple obedience to God's Word, to act as sheriff in hanging a murderer. It surely is somebody's duty, and the man who performs that duty should not be stigmatized as a wrongdoer, but rather honored for faithfulness in office.

Another important contrast between church and state is that, while the church is forbidden to use force in the performance of its mission, the government is divinely authorized to compel obedience to its decrees. During the Middle Ages the church forgot or ignored this distinction, and the bloody scenes of the Inquisitions, as well as the unscriptural exploits of the crusades resulted. In modern days the state forgets or ignores this distinction whenever she moves to abolish capital punishment. Men need to have a care lest they seem to set themselves up as being more merciful, if not wiser, than God.

The New Testament Scriptures do not set aside these distinctions between the Christian church and civil government. It is still true that "the powers that be are ordained of God. Whosoever therefore resisteth the power, resisteth the ordinance of God: and they that resist shall receive to themselves damnation [judgment]. * * * For he is the minister of God to thee for good. * * * He beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil. * * * For this cause pay ye tribute also: for they are God's ministers, attending continually upon this very thing." (Romans 13: 1-6.)

Every government official, then, is an ordained minister of God. He himself may forget it, but that does not alter the fact. He may be an unfaithful and unworthy official, but for that he must in the last analysis answer to God. From the king, or president, or ruler of whatever name or title to the policeman on your beat—every public servant is a minister of state in the service of God. And in his hand God has placed not an olive branch but a sword. This word, "He beareth not the sword in vain," is God's warrant for the policeman's club or revolver, the soldier's bayonet or rifle, the army's big siege gun, the modern equipment of an efficient navy, and indeed anything and everything that is necessary for the full performance of the work assigned to the government by God Himself. The government is set in the world to main-

tain itself in righteousness. It is to be evil "a terror to good works, but to the evil * * * a revenger to execute wrath (that is, the wrath of God) upon him that doeth evil." (Romans 13: 3, 4.)

THE CHRISTIAN CITIZENSHIP

But now someone objects. "What you have said," he remarks, "is all true, but it has nothing to do with the Christian's relation to war. The Christian is a citizen of heaven, and he therefore ought to have nothing to do with civil government at all. Human government is a thing of the world, and Satan is the prince of the world. The Christian is a stranger and pilgrim here. He ought to detach himself from all governmental affairs. He ought not to hold office, and he ought not even to vote."

There are many who take this position, and it is an unscriptural position. True it is that Satan is the prince of this world, and that the Christian is called to a life of separation from everything under Satan's control. But it does not follow that the Christian is therefore to separate himself from all participation in civil government. Civil government is not a satanic institution. We have already seen that it is divine; it is from God, it is His gift. And a wonderful gift it is. Any government at all is better than no government, or anarchy. The thirteenth chapter of the Epistle to the Romans, from which we have quoted, was written when Paul, who wrote it, was under the government of Nero, yet he even then declared that the power was of God.

According to the reasoning of our objector, no Christian ought to accept public office of any kind, or even vote. And if it should happen—as, thank God! it often does—that a public official should become a Christian, he ought straightaway to resign. If a soldier in the trenches should turn to God, he ought immediately to desert. There were Christian soldiers in the apostolic churches, why were they not commanded to leave the army? Why did not the Apostle Peter tell Cornelius the centurion to resign his commission? It is true that John the Baptist told soldiers to "do violence to no man;" but that he was referring to their personal dealings with men rather than to their acts as soldiers is clearly shown by the words he immediately added, "and be content with your wages."

CHRISTIANS IN GOVERNMENT POSITIONS

According to our objector, no Christian ought to be a public school teacher, for the public school is a government institution, and the teacher therefore is a minister of the state. Following out this logic, no Christian should become President of the United States, and if while in office the President should become a Christian, he should immediately resign, giving way to an enemy of the cross of Christ. And, of course, this reasoning would apply to the Vice President, the Cabinet members, Senators, Congressmen, and public officials all down the line.

The objector would likely shrink from this conclusion, for he is himself probably thankful if he is able to send his children to a Christian teacher, and that this Nation, in the present time of crisis, is, at least nominally, a Christian nation.

"Do you believe in war?" asked one man of another.

"What do you mean?" asked the person addressed. "Are you asking me whether war is ever necessary or right?"

"Yes," said the first questioner; "that is what I mean."

"Well," said the other, "I will answer your question by asking you one. If you were walking down the street with your wife and children, and a gang of thugs were suddenly to rush out of an alley and begin beating your wife and children, would you do anything to stop it?"

"Why, certainly, I should."

"Would you employ force or would you confine yourself to moral suasion?"

"I shouldn't stop for 'moral suasion.' I should use a club if I had one."

"Would you use a gun?"

"Certainly, if I could get one."

"Well, then, you believe in war, for that would be war on a small scale. If a policeman were near, he would, as he should, help you in your effort to protect your dear ones from death or injury, and also in arresting the thugs and seeing that they were punished. You have only to multiply the number of thugs to make the affair a riot or an insurrection or civil war or international war."

Every prison or jail, every brass button on a policeman's uniform, every courthouse or judge or constable or balliff—all these are the insignia of war—the necessary and legitimate occupation of civil government in the protection of its people in their rights. That is the ruler's job.

Let it be remembered that it was not to an unbeliever that God first committed the authority to govern his fellow men. Noah was a man of faith. He was as much a citizen of heaven as is the New Testament Christian, but that did not prevent him from being also a citizen of earthly government, nor did it deliver him from the responsibilities connected therewith.

The United States is in the midst of war. Through no fault of our own, we have been thrust into conflict with a malicious and dangerous foe. The Government at Washington is obligated by the authority derived from God himself to protect its citizens from the dangers which threaten them.

And Christians ought to help. It is inconsistent and unscriptural to have enjoyed the blessings of peace under the Stars and Stripes, and then refuse to help in lifting the common burden pressing upon the Nation in time of war. To be perfectly consistent, the Christian who thus refuses to do his share ought to live on a desert island, where there would be no government to assist him should he need assistance or protection.

The Government is acting under the sanction of divine authority, and it must maintain itself in righteousness, or it will surely be repudiated and destroyed by divine power. It need not, and it ought not, to wait for its subjects to "volunteer" to come to its help. It would be just as reasonable to expect the Government to wait for its citizens to "volunteer" to pay their taxes. Universal service is the righteous method, for under it every man must "do his bit."

WILMINGTON, DEL.

AMENDMENT OF THE CIVIL-SERVICE RETIREMENT LAW

Mr. MEAD. Mr. President, I move that the Senate proceed to consider House bill 3487 to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 3487) to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended, which had been reported from the Committee on Civil Service with amendments.

PRICE CONTROL

Mr. O'MAHONEY. Mr. President, on Saturday morning Mr. Albert Goss, master of the National Grange, and formerly an important official in the Farm Credit Administration, delivered a radio address upon the price-control bill. In his address he discussed many of the current misapprehensions with respect to the purposes and objectives of the organized

and unorganized farmers of the country. He discussed in particular certain amendments which were added to the price-control bill in the Senate. The matter is of such immediate moment, in that the conferees on the part of the Senate and of the House are now concerned with the bill, that I ask unanimous consent that Mr. Goss' address be printed in full in the RECORD.

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

There has been a lot of loose talk about the issue of price control, and it is about time for a few plain facts.

The price-control bill has been under consideration for months, and many efforts have been made to draft it or amend it so that it would do equity to all. It is now in conference and the strongest efforts are being made to kill the provisions for protecting agriculture. Four points stand out in its troubled course through two committees and through each House.

VAST DELEGATION OF POWER

First. The demand that vast powers of life or death over business and agriculture should be placed in one man; and it is assumed by all that that man would be Leon Henderson. Every attempt to provide checks against the possible abuse of those vast powers has been most vigorously fought by Mr. Henderson himself.

Second. Labor, which is one of the chief factors in all costs, is left out, and every attempt to include it has been vigorously opposed by Mr. Henderson.

Third. Every effort to protect agricultural production against the possibility of ruinous control has been vigorously opposed by Mr. Henderson.

Right here it should be noted that prices of farm products have increased but 35 percent in the past 30 years, while wages generally have increased 185 percent and wages in factories nearly 300 percent. The ruinous price received by farmers has reduced farm wealth nearly \$4,000,000,000 below where it was 30 years ago, although we have as many people on the farms as we had then. Prices have been so low for 10 years that the Government has had to subsidize farmers to avoid complete collapse. Until the past few days farm prices have not once touched parity in the past 20 years, while labor has been far above parity. We are not deploring high wages, but we call attention to the fact that controls are sought on the industry whose prices are lowest and whose followers have produced most willingly and in the greatest abundance, and controls are opposed where prices are highest and where strikes and slow-downs, boycotts, and hot-cargo practices have done the most damage in retarding production. Why all the abuse of agriculture, unless it is to hide the fact that labor is left out, and left out at the demand of the very people who are refusing protection for farmers?

Fourth. At no time have farmers asked for guaranteed prices under the bill. All they have sought is a rule or definition which would prevent clapping a ceiling on prices which might make it impossible to produce the food expected of them. Statements that the bill would increase food costs 25 percent are without foundation, for there is nothing whatever in the bill to increase prices or food costs. Such statements are misleading. They create prejudice and divert the attention of the public from the fact that those who make them will not permit the drafting of a measure which includes labor or which would treat all alike.

BRIEF OUTLINE OF GRANGE POLICY

Let me tell you what the farmers have asked for and see if you do not believe it is

in the public interest. At its seventy-fifth annual session last November the National Grange asked that a number of economic remedies be applied before arbitrary price fixing be employed. If it became necessary to resort to arbitrary price fixing, they asked five measures of protection against possible abuse.

First. That control should extend to all groups, including labor, for if one group were permitted to advance its price without control, the other groups would have to bear the additional burden. This request for equity for all has been denied.

Second. That the administration of the act should be under a board, so that all groups could be represented by men who understood their problems. This has also been denied.

Third. A court of appeal should be provided where anyone aggrieved could be heard. This is provided in the Senate bill.

Fourth. That arbitrary control be limited to profiteering, for most increases lie between the farmer and the consumer.

Fifth. That a minimum ceiling of parity be provided, with parity based on income, under a formula which would assure agriculture an equitable share in the national income. This formula has not been developed, and when I point out that in 1940 farmers, who comprised nearly one-fourth of our population, received from all their farm production only 6.3 percent of our national income, it is very apparent that a just formula for parity is needed. No such formula has been provided, and with wages allowed to run wild the farmer's only protection appears to be to relate any ceiling on farm prices, in some degree at least, to the wage scale, so that wages and farm prices may be kept in balance. This the O'Mahoney amendment does. It should be clearly understood that this amendment is in no sense a substitute for parity. It merely prevents establishing a ceiling which is unrelated to a possible runaway wage situation and is necessary solely because of the failure to include wages in the bill. Mr. Henderson wants the right to hold farm prices to a static base, as provided in the measure reported out by the Senate committee. This is thoroughly unsound.

Let me give you the picture of what farmers are up against in trying to do their part. Because an unsound marketing system resulted in piling up huge surpluses of certain crops during a protracted period of depression, and because the American farmer did not stop to bicker over plant expansion, hours of labor, or working conditions, but pitched right in to do a 100-percent job, most people have assumed that we need have no fears about adequate farm production.

DIFFICULTIES CONFRONTING AGRICULTURE

The farmer's willingness to do all he can has not been overestimated, but war conditions have completely changed the picture, and he cannot be expected to do the impossible.

In addition to a great increase in the demand at home, we are called on to furnish a large part of the food for our Allies, whose combined total population is many times larger than our own. Shipping conditions demand that this food be produced in the most concentrated form, and shortages have arisen in dairy, poultry, and meat products, which cannot be expanded overnight. These branches of agriculture not only require the most labor, but that labor must be the most experienced and skilled. The higher wages and shorter hours of industry, combined with the draft, have served to strip our farms of a large part of its experienced young men at the very time when we are asked for great increase in our production. We have had little protection against this. I particularly call attention to the fact that every increase in the farmer's wage cost increases his cost of production. If he cannot get prices sufficient to meet these increased costs, he cannot hire the help, and without the help he

cannot produce what is expected of him. Compensatory farm prices are absolutely essential to adequate production.

SPEAKING OF MR. HENDERSON

But, it may be asked, is not agriculture willing to trust Mr. Leon Henderson to set farm prices on a fair basis? The answer is "no," and farmers have three very good reasons for saying "no."

First, if the real purpose of the price-control bill is to avoid inflation, and it becomes necessary to abandon economic means and resort to arbitrary price fixing, all should be treated alike. Any effort to protect any single group from the impact of rising costs due to war will mean that the burden will fall more heavily on the other groups. Mr. Henderson has openly advocated just such an unsound policy in insisting that labor be exempted. Agriculture cannot maintain production under fixed prices with rising labor costs.

Agriculture must plan and finance its production months and, in the case of livestock, years ahead. Farmers can neither plan nor finance their production under such conditions.

Second, Mr. Henderson demands absolute power for himself. As I have said, farmers want a board comprised of men familiar with the problems of our essential industries. Such a board would be in a position to establish well-coordinated policies designed to prevent the confusion resulting from decisions based on insufficient information. They could then employ an administrator having the ability and the zeal of Mr. Henderson to administer the policies thus established. Although practically every successful large business in America operates under this sound principle, Mr. Henderson demands the powers of a dictator, and farmers do not believe any man is wise enough to be granted the vast dictatorial powers delegated in the price-control bill. They question the wisdom of abandoning the policies which have promoted economy and success in business. Very bluntly, they fear costly mistakes, and they fear the powers given to the administrator might be used to conduct some far-reaching social experiments.

Third, Mr. Henderson has already clearly demonstrated that he does not understand the problems involved in farm production and that he does not consider it necessary to take adequate steps to find out. Witness the recent order on fats and oils. The Secretary of Agriculture is charged with the responsibility of securing large increases in fats and oils as an essential war supply. Without approval of the Secretary, Mr. Henderson recently promulgated an order setting a ceiling on lard so low that it would result in sharply curtailed production rather than increased production. Farmers cannot help wondering if the fact that he was seeking the enactment of the bill granting to himself such broad dictatorial powers was not largely responsible for the change in the regulation which was finally made.

The Secretary of Agriculture is charged with the responsibility of administering a program of adequate farm production. Since no board is provided to assure that agriculture's problems have adequate consideration, the Secretary should have the right to veto any proposals which would interfere with such a program of production.

DANGERS OF DICTATORIAL POWER

Farmers do not believe in this type of dictatorial legislation. They consider it dangerous. If, however, it is to be enacted, they believe that reasonable safeguards should be included so that ill-advised action will not cause irreparable damage to the farm production program.

The dangers of placing such absolute power in the hands of any one man are almost beyond belief. In the case of Mr. Henderson, he has already demonstrated his willingness

to plunge into ill-advised action, which, if not checked, might wreck our whole production program. The farmers understand this clearly and are 100 percent behind Secretary Wickard in his courageous stand for the right to prevent the wrecking of the food program for which he is responsible. Secretary Wickard is one of the strongest opponents of inflation in the Government. Is it reasonable to assume that he would curb Mr. Henderson's efforts unless they threatened his production program? Such an assumption is ridiculous. Requiring the Secretary's approval on farm price ceiling is merely a safeguard to which those who depend on our increased production are entitled. Summarizing, farmers want five safeguards:

1. The Board; 2. The court of appeals;
3. The right of Congress to revoke the powers granted by joint resolution; 4. The right of the Secretary of Agriculture to prevent ceilings which will curtail needed production; 5. The inclusion of all groups, including labor, but if labor is not included, they want farm prices kept in balance by a direct relation to wages.

1. The Board has been defeated
2. The court of appeals has been provided.
3. The right to revoke the authority thus granted is included in the Senate amendments.
4. The right of the Secretary of Agriculture to prevent destructive price ceilings is included in the Bankhead Senate amendment.

5. Wages are left out, but the O'Mahoney Senate amendment gives a fair measure of protection by relating farm prices to wages. The bill is dangerous enough at best because of its dictatorial powers. Surely the public is entitled to this much protection.

In conclusion, farmers are not fighting for special privileges. They have demonstrated their good faith by increasing their production to the utmost without first demanding a host of guaranties. Justice requires that the Government keep faith with them. We have been asked for an enormous expansion in production of those foodstuffs which are most difficult to increase. This cannot be done without adequate labor, transportation, supplies, and compensatory prices. Since Agriculture is not represented on the administering boards and commissions, the farm organizations have had to speak plainly to let Congress know what must be done if we are to produce the food expected of us. We challenge any industry to show a record of longer hours, harder work, less delay or stoppage of production than will be found on our farms. All we ask is assurance of conditions which will enable us to plan for, to finance, and to produce the crops expected of us.

We have seldom seen such a volume of propaganda as has been launched against the measure, as finally passed by the Senate. The full story has not been told, and many false statements have been made. To the farmers of America I want to say that if you want to protect your industry from another trimming such as we got last time, wire your Senators and Congressmen to stand by the Senate amendments to the price control bill. To the general public I would say, if you believe in a fair deal to agriculture, and if you want to keep farmers in a position where they can produce plenty of food for ourselves and our Allies, advise your Senators and Congressmen to stand by the Senate amendments to the price control bill.

AMENDMENT OF CIVIL SERVICE RETIREMENT LAW

The Senate resumed the consideration of the bill (H. R. 3487) to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended.

Mr. MEAD. Mr. President, the bill which the Senate is now considering, House bill 3487, commonly referred to as the amendments to the Civil Service Retirement Act in the main, provides that the compulsory retirement age, which is now 62, 65, or 70, be made uniformly 70 years of age. One of the principal provisions of the bill requires compulsory retirement at 70 instead of 62, 65, or 70, as under the present law.

At the option of the employee or at the option of the Government, if the employee is disqualified to perform his duties he may be retired at the age of 60 after 30 years of service, or at the age of 62 after 15 years of service, with full retirement benefits. The employee may be retired at his option at the age of 55 after 30 years of service, with immediate annuity, actuarially equivalent to his regular annuity based on the age of 60.

The Government option is not available, however, so far as retirement is concerned, in the case of any elective officer or any officer or employee in the legislative branch. Such persons may work as long as they see fit, or as long as their work is satisfactory. Nor does it apply to any employee of the Office of the Architect of the Capitol. In those instances there is no compulsory retirement age. So, in the main, Mr. President, section 1 of the bill sets the age of 70 as the compulsory age hereafter. Heretofore it has been 62, 65, or 70.

Section 2 of the bill provides automatic separation from the service at the age of 70 years, and it applies to all except those in the elective, judicial, and legislative services. The automatic separation at the age of 70 applies, in the main, to the executive departments of the Government, but not to the elective, judicial, or legislative services.

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

The PRESIDING OFFICER (Mr. BUNKER in the chair). Does the Senator from New York yield to the Senator from Pennsylvania?

Mr. MEAD. I yield.

Mr. DAVIS. May the time be extended when the age of 70 is reached, or is the retirement compulsory?

Mr. MEAD. It is compulsory, except that there is in the bill a provision whereby there may be reemployed any retired annuitant who has special qualifications for a special task. So, while automatic separation is compulsory at the age of 70, there is still the provision that the Government may continue to enjoy the services of a specialist in any given line.

Section 3 of the bill applies to retirement membership coverage. This is the section of the bill which expands the present coverage. It includes all officers and employees in or under the executive, judicial, and legislative branches of the Government, including all elective and appointive officers, and all officers and employees in the District of Columbia. However, this coverage does not apply to elective officers or to officers and employees in the legislative branch until they elect, with certain limitations, to secure a retirement status.

The President is authorized to exclude any officer, employee, or group in the executive branch whose tenure is intermittent or uncertain or of very brief duration. There is an amendment in the bill which would allow the Architect of the Capitol to exclude from the provisions of the bill temporary employees who are engaged in the work of snow removal and the like.

Now, let us consider section 4. Section 4 applies to the additional minimum computation. The computation method under existing law applies rather unfairly to those who are in the average-pay brackets and higher-pay brackets. For instance, under existing law the total annuity may not be less than an amount equal to the average annual basic salary, not to exceed \$1,600 per annum, received by the employee during any 5 consecutive years of allowable service, multiplied by the number of years of service, but not exceeding 30 years, and then divided by 40. That does not give adequate consideration to an employee whose salary is in excess of \$1,600 per annum, and as his salary is increased above \$1,600 per annum, his percentage of annuity proportionately diminishes, until a man with a salary of \$10,000 a year would receive only about 12 percent in benefits, whereas a man with a salary of \$1,200 a year would receive approximately 35 percent of his salary in benefits.

Mr. DAVIS. What effect would it have upon those who have entered the public service from a State which has an annuity plan or retirement plan of its own?

Mr. MEAD. It would not be compulsory for them to participate in this plan.

Section 5 of the bill pertains to deferred annuity benefits. It provides that any employee or any officer separated from the service after serving at least 5 years shall be paid a deferred annuity beginning when he reaches the age of 62, computed, as provided in the provisions of the law, in proportion to his years of service. If the separation is involuntary, not removal for cause on charges of misconduct or delinquency, the officer or employee "may elect to receive an immediate annuity beginning at the age of 55 or at the date of separation from the service if subsequent to that age having a value equal to the present worth of a deferred annuity" based upon age 62, computed as provided under the provisions of the bill. In other words, a new feature of the bill provides that the employee who has retired after 5 years of service shall not take his money from the retirement fund, but shall take in lieu thereof a deferred annuity payable to him when he reaches the age of 62. So all employees hereafter making payments into the fund for a period of 5 years or over will not withdraw their money, but will participate in an annuity when they reach the age of 62.

Section 6 of the bill makes provision for past service credit. It provides that the applicant in making deposit for past service in order to participate in the benefits provided by the bill shall pay at the rate of 3½ percent back until 1926. Beyond that he will pay at the rate of 2½ percent; but after the enactment of the bill he will pay at the rate of 5 percent.

The bill raises the employee's contribution from 3½ percent to 5 percent; and anyone hereafter participating in the retirement system will pay 5 percent of his salary. That will be the highest rate charged in any retirement system of which I know. For instance, the Army and Navy, the Public Health Service, the Coast and Geodetic Survey, and the Coast Guard provide pensions for their officers, under which they receive 75 percent of their salaries and to which they make no payments whatsoever. The State Department provides a retirement service for employees in the Foreign Service. They draw 60 percent of their salaries, and they pay a modest sum into the retirement fund. When United States judges retire they draw 100 percent of their salary and pay nothing into any retirement fund. Persons participating in social-security benefits pay 1 percent of their salaries. Employees of the railroads pay 3 percent in order to participate in railroad retirement benefits. But in the civil-service retirement fund we are raising the assessments from 3½ percent to 5 percent, making it the largest assessment charged by any fund now in existence of which I know.

Section 8 pertains to refunds. It provides that any officer or employee who, after serving less than 5 years, is transferred to a position not within the act, or is absolutely separated from service, may receive a refund of the sum credited to his individual account with interest. In other words, he will not lose anything. Whatever he has paid he will receive as a refund unless he has been over 5 years in the service; and in that event he is given a deferred annuity benefit which he draws after he reaches the age of 62.

Section 9 defines the annuitant. The section would permit the Civil Service Commission to adjudicate the annuity claim and determine the rights of a former employee who has met the requirements for annuitable title but who dies before final administrative action is taken by the Commission. In such case there has been much difficulty in the past, and this section of the bill is an attempt to safeguard the estate of the annuitant, and to provide an opportunity for the orderly repayment of such moneys as may be due him.

Summing it up, Mr. President, in the main, the bill will allow Federal employees to enjoy from 5 to 8 years additional service. Persons who under existing law would be retired at the age of 62, will now be able to remain in the service, if their health and the quality of their work permit, until they are 70 years of age.

In that connection, let me say that this is an economy measure. The provision raising the assessment from 3½ percent to 5 percent will result in an annual payment into the Treasury of \$27,000,000 more than is being paid under existing conditions. During this period of emergency, when it is difficult to recruit new employees, it will make it possible for the Government to use well-trained and capable men who otherwise might be retired.

Under existing law, civil-service employees pay \$68,000,000 annually into the fund. Under the proposed law they will

pay \$95,000,000 annually into the fund. At the present time there is in the fund approximately \$751,000,000.

Another matter that is worthy of note is that this money may be used by the Government in an emergency, as it has been used in the past, and it may be restored, as it has been restored in the past, at a later date.

So, Mr. President, our committee, and so far as that is concerned, the committee of the House of Representatives and the House itself, believe this is a good bill by the affirmative action which they have taken on it. It is recommended by the departments of the Government affected and it is, in my judgment, the very best legislation bearing upon this vital subject which can now be framed. I trust that the bill, with the committee amendments, will receive the approval of this body.

Now, Mr. President, I ask the committee amendments be stated.

The PRESIDING OFFICER. The clerk will state the committee amendments.

The first amendment of the Committee on Civil Service was in section 1, paragraph (c), page 3, line 5, after the word "hereof", to insert "Nothing in this subsection shall be deemed to authorize any person to request the retirement of any elective officer, any officer or employee in the legislative branch of the Government within the classes of officers and employees which were made eligible for the benefits of this act by the act of July 13, 1937, or any employee of the office of the Architect of the Capitol", so as to read:

(c) The head of a department or independent Government agency concerned may request the retirement of any such officer or employee described in subsection (b) of this section who, by reason of a disqualification is unable to perform satisfactorily and efficiently the duties of his position or some other position of the same grade or class as that occupied by the employee and to which he could be assigned. No such request shall be submitted to the Civil Service Commission unless and until the said officer or employee has been notified in writing of the proposed retirement. Each such officer or employee shall, upon request by him, have opportunity for a hearing before the Civil Service Commission, at which hearing the officer or employee may appear in person or he may be represented by a person of his choice. No such officer or employee shall be so retired unless the Civil Service Commission after examination finds that he is so disqualified. The determination of the Civil Service Commission as to whether the officer or employee shall be retired under this subsection shall be final and conclusive. Any person so retired shall be paid an annuity computed as provided in section 4 hereof. Nothing in this subsection shall be deemed to authorize any person to request the retirement of any elective officer, any officer or employee in the legislative branch of the Government within the classes of officers and employees which were made eligible for the benefits of this act by the act of July 13, 1937, or any employee of the office of the Architect of the Capitol.

The amendment was agreed to.

The next amendment was, in section 2, paragraph (b), page 4, line 19, to strike out "Except as may now or hereafter be provided by law, no", and insert "No", so as to read:

No person separated from the service who is receiving an annuity under the provisions

of section 1 of this act shall be eligible again to appointment to any appointive office, position, or employment under the United States or of the government of the District of Columbia—

And so forth. The amendment was agreed to.

The next amendment was, in the same section and paragraph, page 4, line 24, after the name "District of Columbia", to insert "unless the appointing authority determines that he is possessed of special qualifications, in which event payment of his annuity shall be terminated during the period of his appointment. Any such person whose annuity is terminated shall, upon the termination of his appointment, have his subsequent annuity rights determined under the provisions of law in effect at the time of such termination."

Mr. NORRIS. Mr. President, will the Senator from New York yield?

Mr. MEAD. I am glad to yield to the Senator from Nebraska.

Mr. NORRIS. As the Senator will recall, I submitted to him several days ago an amendment to this bill which he said he would take up with his colleagues on the committee.

Mr. MEAD. In reply to the question submitted by the distinguished Senator from Nebraska, I will say that I did take it up, and I am informed that an amendment which was adopted by the committee provides that, although retirement is compulsory at the age of 70, any employee may be retained in the service or his service may be extended if in the judgment of his superior officers he possesses superior or essential qualifications. So we have opened the door for the continued employment of employees having special talent. The committee felt that that would adequately take care of the amendment which was suggested to me by the Senator from Nebraska who has now the floor.

Mr. NORRIS. Has the committee offered such an amendment?

Mr. MEAD. Yes; that is one of the committee amendments.

Mr. NORRIS. Very well.

Mr. MEAD. It opens the door for all employees having special talent to be retained in the service or to be brought back into the service at the suggestion or request of their superiors. That is the amendment now under consideration which I trust will be approved.

Mr. NORRIS. I thought that might be the one I had in mind. I have never heard of the amendment before. It may be the Senator is entirely correct and that it is an improvement over the amendment I suggested to him. I cannot say positively as to that, but at first blush and on merely hearing it read, some doubt arose in my mind. Perhaps the amendment fully takes care of the cases I wanted to cover by the amendment I suggested to the Senator. Does the Senator think it does?

Mr. MEAD. Yes; I do. If the Senator will read the language preceding the amendment I think he will obtain a clear idea of it. The language preceding the amendment reads:

No person separated from the service who is receiving an annuity under the provisions of section 1 of this act shall be eligible

again to appointment to any appointive office, position, or employment under the United States or of the government of the District of Columbia—

Our committee felt that was quite harsh. So the suggestions the Senator from Nebraska made to me were brought to the attention of the committee, and the committee added the words:

unless the appointing authority determines that he is possessed of special qualifications, in which event payment of his annuity shall be terminated during the period of his appointment. Any such person whose annuity is terminated shall, upon the termination of his appointment, have his subsequent annuity rights determined under the provisions of law and in effect at the time of such termination.

That, together with the authority given to the President to issue an Executive order, will take care of any employee in the Government service having special talent or possessing special qualifications.

Mr. NORRIS. I was not thinking so much about employees having special qualifications, although it would, of course, apply to them; I was thinking about the ordinary employee who had reached the age of 70 years and was not incapacitated because of his age—perhaps an exception to the general rule—but still retained all his ability and his vitality and who wanted to continue in the service, and the Government wanted men of qualifications such as those possessed by him. It seems to me that to terminate his service absolutely without any qualification was rather a cruel way to treat him, especially when the Government of the United States might be very anxious to utilize services such as he could render and ability such as he possessed.

Mr. MEAD. The Senator will realize the problem that confronted the committee. If we consider an amendment which would allow an employee to remain in the service regardless of his age, we would simply destroy the actuarial benefits of the act.

Mr. NORRIS. I do not want to do that.

Mr. MEAD. Under existing law only the President by Executive order may continue an employee in the service, but the committee placed in the bill a provision to the effect that the superior officer of the employee may continue him in the service.

Mr. NORRIS. Why is it necessary to use the language which appears there and which I do not quite understand? It reads:

Unless the appointing authority determines—

What does that mean?

Mr. MEAD. That means the personnel officer of the agency or the employee's immediate superior, the chief of the bureau or of the section or the head of the department.

Mr. NORRIS. I should like to read a little further. What does this language mean:

Unless the appointing authority determines that he is possessed of special qualifications, in which event payment of his annuity shall be terminated during the period of his appointment.

I do not quite understand what that means.

Mr. MEAD. That means that although the employee has arrived at the age of 70, when his annuity begins—

Mr. NORRIS. Yes.

Mr. MEAD. The annuity can be terminated at the same instant if his immediate superior, or any superior, for that matter, over him in the department wishes to retain his services and notifies the retirement commission that the employee has special qualifications. Therefore his annuity at 70 is suspended until he retires, say, at 75, and if during the intervening years his annuity benefits have been raised by law he will, when he retires at 75, enjoy the increased benefits which may have accrued during his 5 years of added service.

Mr. NORRIS. Does it mean, then, that if he should retire, let us say, at the age of 75, he would not get the benefit of any increase to which his additional service had entitled him—he would get the same benefit as though he had retired at the age of 70?

Mr. MEAD. He would get the benefit of any increase that resulted from legislation, and he would get the actuarial benefit resulting from his increased years of service. He would have, then, 5 years more of his own contributions to enjoy as well as 5 years more of the Government's payments to him.

Mr. NORRIS. Would he have to go through the formality of being reappointed?

Mr. MEAD. Not necessarily; no.

Mr. NORRIS. The bill says, reading further from the amendment:

Any such person whose annuity is terminated—

I do not understand that it is actually terminated. It is merely suspended; is it not?

Any such person whose annuity is terminated shall, upon the termination of his appointment—

What appointment does that mean?

Mr. MEAD. It means his subsequent continuation in the service.

Mr. NORRIS. Then, that is construed to be an appointment, I should judge.

Mr. MEAD. That is correct; and we use the word "terminated" because it applies more generally to all the others who have gone out of the service, who will not come back into the service. It is merely technical language. The information given to the committee by the retirement experts was that it covers the case we had in mind—the case of the man with special talent or special qualifications—and it adds to the authority of the President to continue him in the service the authority of his superior. If his superior does not want him in the service, the chances are that he will not want to remain in the service and cannot remain in the service, because I presume his superior may find other provisions of this bill or other laws that will enable him to terminate the employee's service. So I really believe that we go as far as it is possible to go and, at the same time, protect the retirement law in its actuarial soundness.

Mr. NORRIS. Of course, I do not want to offer any amendment that would in any way make the bill unworkable, nor do I want to ask anything unreasonable. While I do not quite understand the matter, I know that the Senator has given it a great deal of attention, and so has his committee. I think they are entitled to a good deal of praise because of their work; so, whether I ought to do so or not, I shall accept the action of the committee in the matter referred to.

Mr. MEAD. Mr. President, I ask for the adoption of the amendment.

Mr. DANAHER. Mr. President, before the Senator leaves that point, will he permit me to ask him whether under this optional retirement program men who, for example, have been employed for 15 years, and have reached the age of 62, but who still may continue in service at their option—

Mr. MEAD. That is, unless they are disqualified physically or in some other manner.

Mr. DANAHER. Yes. So long as they continue in service beyond that age, will they not be blocking the rate of promotion of persons all along the line back of them?

Mr. MEAD. The chances are that they will be; but, for instance, right now it is desired to have all these men remain in the service. The President, by Executive order, has extended for another year the service of all the men in the postal service, because it is difficult to get men to replace them. There may, in the future, be times such as there were when we passed the Economy Act, when there was a surplus of labor; and at that time, under that bill, everybody who could be forced out of the service was arbitrarily forced out after he had a minimum of thirty years of service. It was a very expensive procedure. It cost the retirement fund a tremendous sum of money. But I will say to my distinguished colleague that the longer a man is kept in the service, the more difficult it is for someone below him to receive a promotion. Right now it is very necessary that we keep these employees in the service, and it is also very necessary that we arrive at some fair and just age for their automatic separation from the service. Seventy years seems to be a fair and just age from the standpoint of the employee and from the standpoint of the Government, and it is the age arrived at more commonly by every retirement system that we know about. So far as our committee was informed, it is the best age and that is why we approved that age.

Mr. DANAHER. Mr. President, will the Senator further bear with me?

Mr. MEAD. Certainly.

Mr. DANAHER. I thank the Senator. The Senator will realize that we who are not on the committee are at quite a disadvantage in trying to construe this measure.

As I look at page 2, lines 1 to 9, inclusive, let me read the language upon which to base one more question:

Any officer or employee to whom this act applies who shall * * * hereafter—

Now I go to line 5—

attain the age of 62 years and have rendered at least 15 years of such service may, upon his own option, retire and shall be paid an annuity computed as provided in section 4 of this act.

If such a person does not exercise his right to retire, he not only will block the promotion of all persons below and back of him, but will it not also cost the latter group an additional sum of money each year paid into the retirement fund under this measure?

Mr. MEAD. No. He certainly will block promotions; but by adding to the years that he will pay into the fund, rather than to the years that he will draw out of the fund, he will make the fund more self-sustaining, he will reduce the cost of the fund so far as the Government is concerned, and the Government will get from the employee his very best years so far as efficiency and capability are concerned.

Mr. DANAHER. Will not all the younger men below the age of 62 who are not yet eligible even for optional retirement have to pay under this bill more into the retirement fund than they are paying now?

Mr. MEAD. No. I should say on the contrary, as a result of this bill, that, while employee's annuity will be raised from 3½ to 5 percent of his basic salary, the younger men will have the older men paying into the fund which the younger men some day will enjoy, whereas if the older men stepped out they would be drawing benefits which only the younger men would pay.

Mr. DANAHER. I thank the Senator.

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

Mr. MEAD. I shall be glad to yield to my distinguished colleague, whose interest in the civil service has always been exemplary.

Mr. WHITE. I am very glad I interrupted the Senator. What I wanted to find out was the application of this proposed legislation to the employees of the House and Senate. Are all employees of the House and Senate who meet the age requirements and the specified length of service covered by the bill?

Mr. MEAD. All of them.

Mr. WHITE. Specifically, my interest is in the person who I think is called the indexer of the CONGRESSIONAL RECORD, who has been employed, I think, for more than 50 years. I wondered whether the benefits of this bill would reach him.

Mr. MEAD. They will reach him. Such persons may elect, even under present law, to join the retirement. It does cover him.

Mr. President, may the amendment be adopted?

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 4, beginning in line 24.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment reported by the committee will be stated.

The CHIEF CLERK. In section 3, page 5, line 19, after the word "said", it is proposed to strike out "governments, nor to

any elective officer until such officer gives notice in writing to the Civil Service Commission of his or her desire to come within the purview of this act. Said notice must be given in the case of any such person in the legislative branch of the Government on the effective date of this date of this act, within 6 months from such effective date, and in the case of any such person elected and serving after the effective date of this act, within 6 months from the taking of the oath of office", and to insert "governments: *Provided further*, That this act shall not apply to any elective officer or to any officer or employee in the legislative branch of the Government within the classes of officers and employees which were made eligible for the benefits of this act by the act of July 13, 1937, until he gives notice in writing to the disbursing officer by whom his salary is paid of his desire to come within the purview of this act. In the case of any elective officer serving in the legislative branch of the Government on the effective date of this act and in the case of any officer or employee in the service of the legislative branch of the Government on the effective date of this act, such notice must be given within 6 months after such effective date. In the case of any elective officer elected to and serving in the legislative branch of the Government after such effective date, such notice must be given within 6 months after the taking of the oath of office; and, in the case of any officer or employee of the legislative branch of the Government who enters the service after such effective date, such notice must be given within 6 months after the date of entrance to the service. No provision of this or any other act relating to automatic separation from the service shall have any application whatever to any elective officer."

Mr. MEAD. Mr. President, I offer an amendment to the amendment, on page 6, line 14, and I should like to have it stated and adopted.

The PRESIDING OFFICER. The clerk will state the proposed amendment to the committee amendment.

The CHIEF CLERK. On page 6, line 14, it is proposed to strike out "6 months after such effective date" and to insert in lieu thereof "the calendar year of 1942."

Mr. MEAD. I ask that that be made a part of the amendment just read at the desk.

Mr. GEORGE. Mr. President, to the particular part of the bill now under discussion I had offered an amendment, which has been printed, but if the modification suggested by the Senator from New York should be made, then the amendment I previously offered to this part of the bill would be withdrawn.

Mr. MEAD. My amendment covers the amendment which the Senator from Georgia has presented. I ask that the amendment of the committee be amended as I have suggested.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. McKELLAR. Mr. President, I call the Senator's attention to page 6, line 9, where it is desired that the period after "Act" be changed to a semicolon, followed by the words "and any such officer or employee may, within 60 days after the effective date of this subsection, withdraw from the purview of this act by giving similar notice of such desire." Has the Senator from New York any objection to an amendment of that kind?

Mr. MEAD. Offhand, and at first blush, I should not have objection, but I do not know what the effect of the amendment would be, and I should like to take it up with my colleagues before accepting it.

Mr. BYRD. Will not the Senator from Tennessee explain the amendment?

Mr. McKELLAR. It is to take care of an employee whom we all know, Mr. Wold, who would like to have the privilege of withdrawing.

Mr. MEAD. Withdrawing from the provisions of the act?

Mr. McKELLAR. Yes. I ask the Senator from New York to take the amendment to conference.

Mr. MEAD. I do not know whether it would have a disastrous effect on the bill or not. The Senator from Virginia [Mr. BYRD] has an amendment to offer to the provision now before the Senate, and I think we should have a little time to discuss and consider the amendment offered by the Senator from Tennessee.

Mr. McKELLAR. I am willing to have that done.

Mr. BYRD. Mr. President, I offer an amendment, which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. In the committee amendment, on page 6, line 24, after the word "officer" it is proposed to insert the following:

No annuity shall be paid any elective officer unless he shall deposit the applicable percentage deduction with interest covering service for at least 5 years next preceding the effective date of retirement: *Provided*, That if deposits are not made for the entire period of the service of such elective officer, said annuity shall be based only on the period of service for which deposits are made, and on any period of service prior to August 1, 1920: *Provided further*, That deposits of such applicable percentage deductions may be made in installments as fixed by the Civil Service Commission.

Mr. BYRD. Mr. President, the purpose of the amendment is to place the elective officers of the Government, who are for the first time being taken in under the Retirement Act, on the same basis with those in the civil service who have been paying into the retirement fund for many years. The Senator from New York [Mr. MEAD], the Senator from Ohio [Mr. BURTON], and I were on a subcommittee which considered the proposed legislation, and this amendment is presented to the Senate with the approval of the subcommittee.

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

Mr. BYRD. I yield.

Mr. McKELLAR. When the Retirement Act was passed in 1920, were not

the elder employees taken in without paying any amount for previous service?

Mr. BYRD. I think so.

Mr. McKELLAR. After having taken care of the older employees at the beginning of the retirement system, would it not be unfair to require now that the older employees who would come in under the pending bill should not have the benefit of the act until they made back payments?

Mr. BYRD. The amendment applies only to elective officials. It applies to Members of the House of Representatives and of the Senate, to the President of the United States and the Vice President. I think it is a very different proposition when we are confronted by a proposal to vote what are in effect pensions to ourselves.

I call the attention of the Senator from Tennessee to the fact that if a Representative or Senator came into Congress on March 4, 1907, under the bill as it is now written that Representative or Senator could pay into the fund \$200, and if he retires on January 1, 1943, if he has served 5 years, and if he is 62 years of age, he will receive \$4,175.44 a year as long as he lives, without making any further payments.

Mr. McKELLAR. I may say to the Senator, before discussing the amendment, that it is my present intention to vote against the bill. However, when we started the retirement system for civil-service employees, just as we are asked to start it now for the legislative branch, we took in the older employees, and we did not require that they make back payments in order to get the advantage of the law, although some of them would receive payments comparable to those which the Senator now says Senators and Representatives would receive. I do not believe in the system of pensioning legislative officers, and I expect to vote against the bill; but if we are to do it, we should be fair to them, and not treat them in a way different from that in which we treated the civil-service employees when the system was originally established. In other words, we should apply the same rule. We are asked to start a system of retiring legislative officials, and we should treat them just as we treated the civil-service employees in 1920, when we started the retirement system.

Mr. BYRD. Then the Representatives and Senators should have been included in the retirement system in 1920. They were not included, and under the provision before us as it now stands a Senator or Representative who came into office in 1907 could, as I have stated, draw \$4,175.44 a year for life by the payment of \$200, merely the first payment for this year. That figure of \$200 is arrived at on the consideration that one is given 6 months to exercise his option, then he has to pay only 5 percent of the balance of his salary for the rest of this calendar year, which would be approximately \$200.

Mr. BURTON. Will the Senator yield?

Mr. BYRD. I yield.

Mr. BURTON. Responding particularly to the question propounded by the

Senator from Tennessee [Mr. McKELLAR], as to placing Members of Congress on precisely the same basis with other officials of the Government, I will say the amendment does precisely that, by providing that payment by elective officers shall not be made prior to the 1920 date. That puts them on exactly the same basis as the civil-service employees.

Mr. BYRD. Mr. President, under the bill as it now stands a Representative or a Senator who came into office in 1915, by paying \$200 and retiring on January 1, after having served 5 years and being 62 years of age, would draw \$3,139 a year for life.

Mr. President, all my amendment does is to put the Representatives and the Senators, the elective officers themselves who appropriate the money, on the same basis as those who are in the civil service and who have been paying into the retirement fund all through the years.

I am not opposed to a proper and sound retirement plan. I am in favor of the bill, with the exception I have stated. I think the Congress of the United States would place itself in a very unfortunate position if at this time, when the country is in the perilous condition which now confronts it, we were to vote ourselves what is the equivalent of substantial pensions by the payment simply of one single payment for the balance of this year, approximately \$200, assuming, of course, that the Representative or Senator retires on the 1st of next January. I hope my amendment will be adopted. It has the approval of the subcommittee and of the Senator from New York [Mr. MEAD] and the Senator from Ohio [Mr. BURTON].

Mr. MEAD. Mr. President, the conference which was referred to by the distinguished Senator from Virginia [Mr. BYRD], and in which I was a participant, considered the amendment and approved it. I wish to say for the RECORD that we have a retirement system in my State of New York. It has been of long standing. Its actuarial soundness is exemplary, and is studied by those interested in retirement systems all over the Nation. I do not feel that I am in a position to participate in the proposed retirement system because I am already in one. Therefore, I can speak as a disinterested party.

Mr. President, I wish to say that by this amendment—and I think this statement ought to go into the RECORD and into the press—we are penalizing Members of Congress as no other group covered by retirement privileges in this bill or by any other retirement system that I know of, has ever been penalized. The day the Retirement Act went into effect—and I was a Member of the House at the time and interested in its passage—6,000 persons went on full retirement. When amendments to the Retirement Act covering other groups of civil-service employees became effective, every individual in those particular groups was entitled to the full benefits of the law.

I wish to mention another thing for the RECORD. The day this bill goes into effect, covering as it does some 535 Members of the House and Senate, and Delegates, if we should all elect to join we

will pay into that fund \$267,000 annually. If 2 Members, participant in the fund, should decide to retire within the next year, there would be a charge of only seven or eight thousand dollars made against the \$267,000 we would pay into the fund.

Mr. President, that is an illustration of the actuarial soundness of a system by which all groups, when covered in, receive 100-percent benefits the first day. It is a case of the young in the service carrying the load for the old and the veterans. It is a case of rewarding with our own contributions men whose services in the legislative body, and in every other department of the Government, have been exemplary and are appreciated.

Mr. President, we, by our collective contributions, which are actuarially sound, as the figures are given to us by the actuaries, would pay into the fund 5 percent of our salaries, thereby making the system capable of carrying the load which some day we may place upon it. We would pay in an amount of money which likewise would be sufficient to take care of the older legislators who may retire within the next few years.

While the amendment offered by the Senator from Virginia [Mr. BYRD] was agreed upon by the subcommittee mentioned by the Senator, I want the RECORD to note that, so far as I know, we are the only group covered by any retirement system which is penalized by being called upon to go away back to the very beginning of each individual's service, or to the time of the application of the act, whichever, by reason of length of service, we may choose to do, and to pay the sum represented by the time in question.

Mr. President, there are officials in the executive branch who receive more pay than we in Congress receive, who will be able to retire on the day after the bill is passed, without making any contribution of note to the fund, and yet when you or I retire, if we want to participate in the benefits of the retirement fund, we will receive the full impact of the provisions of the Senator's amendment, and will have to reach down into our pockets and make substantial contributions. High-ranking officials in the Army and Navy will be able to retire, as they have been in the past, without paying one cent into any retirement system. That applies to the Public Health Service and to the Coast and Geodetic Survey, but it will not apply to us.

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

Mr. MEAD. I yield.

Mr. McKELLAR. If officers of the classes mentioned by the Senator, in the Army and in the Navy, and high executive officials in various departments, judges of the Supreme Court, and other officials, can be retired without making up-back payments for a considerable time, why cannot Members of Congress? Why should we make a distinction between such officials and Members of Congress? It seems to me the law ought to apply to all alike.

Mr. MEAD. Mr. President, I will say to my distinguished colleague that the

provision carried in the amendment of the Senator from Virginia was not contemplated in the bill approved by the House committee, it was not in the bill which received House approval, but it was considered to be exemplary, and as I said before, the subcommittee agreed to it.

Mr. McKELLAR. As I understand the Senator from New York himself opposes it, and I think very wisely opposes it, and I am glad to hear his opposition expressed. I think the argument the Senator from New York makes is correct. If we are going to establish a retirement system, I cannot see why we should discriminate against the legislative body while we make it very easy for other departments of the Government.

Mr. MEAD. I will say to the Senator from Tennessee that I feel we ought not to delay the passage of this bill 1 day. The bill is so vitally important from the standpoint of the departments of Government, as a means for the retention of efficient employees in the service, and it is so just actuarially as it applies to the departments of Government, that I do not want to delay its passage 1 day, but I believe, and I wanted to make the statement for the RECORD, that we are discriminating, as the Senator from Tennessee points out, against the legislative branch, and against no other group in the Federal service.

Mr. BYRD. Mr. President, I think the Senator from New York should make it clear that every employee of the Government under civil service has been required to make these payments since the establishment of the retirement plan.

The Senator's reference to Army and Navy officers has no significance, because they are not under the retirement system. All the Senator from Virginia is asking is that the elective officers of the Government, those who vote the funds, should be placed on an equality with the civil-service employees who have been making payments regularly. There is no injustice in that proposal.

Mr. MEAD. The Senator is both right and wrong. When the retirement legislation was enacted in 1920 I said that every employee covered by it, without paying anything back, received the full benefits of the retirement law; and 6,000 of them participated in those benefits on the very first day.

Mr. BYRD. Does the Senator from New York think it is a matter of good public policy for Senators and Representatives to vote themselves a pension, which could be as much as \$4,000 a year, upon the payment of \$200? Is that a matter of good public policy?

Mr. MEAD. I think it is good public policy for the legislative branch to enact, on the advice and counsel of the actuarial experts of the retirement system, an actuarially justifiable retirement system.

Mr. BYRD. Did the Civil Service Commission recommend that the elective officers of the Government be placed under the retirement fund?

Mr. MEAD. The Civil Service Commission recommended, as it recommended in connection with the House bill and with every preceding amendment to the bill

which went into effect, that assessments be sufficiently high to take care of all employees in a given group from the very first day the law went into effect.

Mr. BYRD. Does not the Senator think that if the elective officers should be placed under the bill they should have been placed under it in 1920? It is proposed to give them the benefit of the act for the past 20 years without requiring them to make any payments, practically putting them on an equality with the civil-service employees who have made the payments.

Mr. MEAD. In 1920 we gave the applicant who retired, even though he retired the day after the law went into effect, the full and complete maximum benefits of the Retirement Act, just as though he had worked for the Government for 50 years.

Mr. BYRD. Does the Senator see no distinction between Senators voting for benefits for themselves and voting for benefits for other employees of the Government?

Mr. MEAD. I am very much opposed to a Member of Congress voting for a pension for himself. I am in favor of Members of Congress diligently looking into the question, provided that whatever bill is passed for a retirement system—not a pension system—be actuarially sound, and that the contributions be high enough. I should make them 10 percent, if that were necessary to make the system actuarially sound.

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

Mr. MEAD. I yield.

Mr. McKELLAR. Let me say to my good friend from Virginia that my views with regard to pensioning members of the legislative branch of the Government are quite similar to his. Having those views, I do not see how he can do anything else but what I expect to do, and that is to vote against the bill. I do not think they ought to be retired.

Mr. BYRD. The Senator from New York was speaking of a system which is actuarially sound. Does he think it is actuarially sound to pay a pension of \$4,000 a year upon a deposit of \$200? Is that actuarially sound. Could any insurance company in America survive 30 days under such a system?

Mr. MEAD. I know of applicants for insurance who have filled out their applications and sent in their first payments, and within 24 hours have participated in a benefit in excess of \$4,000.

Mr. BYRD. By reason of death.

Mr. MEAD. Mr. President, there is confusion between pensions and retirement, between what is actuarially sound and what is a subsidy. Let me illustrate.

Suppose the 96 Members of the Senate should decide to form a pool with their own personal contributions, the benefits at \$100 a month, to go to any Senator involuntarily separated from the service. That would not be a pension if the Members of the Senate decided to dig down in their own pockets and maintain that little insurance or retirement system for Members of the Senate.

What we are doing collectively, Mr. President, is participating in a system set

up by the Government. We are participating, to the fullest degree recommended by the actuaries, in a system to be initiated with the enactment of the bill, just as the original system was initiated. We are to participate in it to the full extent—and no further—that any member of the Cabinet or the head of any bureau or section of the Government will participate in it. However, the amendment would not permit us to do so. It would require us to do something we do not require from any other participants. It would require each Member of the Senate or the House who wishes to enjoy the benefits of the act to pay all the back premiums which would have been required had he joined the fund when he became a Member of the Senate or House.

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

Mr. MEAD. I yield.

Mr. GEORGE. There seems to be no force whatsoever in the objection raised by my very good friend the distinguished Senator from Virginia. Even applying the ordinary life insurance rule, any man who pays one premium may take a policy for any amount he pleases. He may pay one premium, die within a week, and receive the full amount.

Mr. BYRD. He would not receive it, would he?

Mr. GEORGE. His family would receive it.

Mr. BYRD. He would not receive it. A death is a risk taken by the insurance companies. That is very different from a retirement or annuity plan.

Mr. GEORGE. No. It is not a risk taken by the insurance company. The insurance company sets up a system under which it is possible to write and pay insurance. The Senator from Virginia is taking the most extreme case, that of a Senator who has been here for 30 years, and who, after making a single payment, retires. We might take the most extreme example in the case of life insurance.

Mr. BYRD. Premiums for life insurance are vastly greater than the amounts paid into the annuity or retirement fund under this plan.

Mr. GEORGE. They are different because the system is different; but at an insurable age one can buy a great deal of insurance on an ordinary life basis for \$200. He can buy an amount of insurance greater than the amount anyone would ever receive out of this system after serving 30 years.

Mr. BYRD. This is an annuity. It is not paid in a single sum. A man may live 10 or 20 years longer, and receive \$4,000 a year under the plan.

Mr. GEORGE. That is correct.

Mr. BYRD. The Senator's comparison is not logical. He is comparing an annuity with insurance death benefits. In the case of insurance a single payment is made, but an annuity is paid during the lifetime of the beneficiary.

Mr. GEORGE. I did not say that the comparison was logical. What I am saying is that the insurance system is built up on an actuarial basis, as is the retirement system. The Senator from Virginia is not at all logical. He is decidedly unfair—which is no compliment

to him, because usually he is fair—when he takes the most extreme case, that of a man who has been here 30 years and who pays one payment and then retires.

Mr. BYRD. What does the Senator think would be a reasonable case to take?

Mr. GEORGE. We must consider all cases. We must consider those who have been here for only 1 year as well as those who have been here for 30 years.

Mr. BYRD. Those who have been here for 1 year are not eligible. They are not eligible until they have been here for 5 years. Let us begin with the year 1925, if the Senator thinks I am unfair. Under the terms of the bill, if a man were 62 years old, for a payment of \$200—assuming that he retires on January 1, next—he would receive \$1,800 a year for life. He might live for 20 years longer. He would receive \$36,000 for a payment of \$200.

If the Senator wishes to take another example, let us take the year 1927. In that case, by the payment of \$200 for the remainder of this year, assuming that he retires on the 1st of January, next, the beneficiary would receive \$1,663 a year for life. In the case of the year 1929, he would receive \$1,478 for the payment of \$200; and in the case of the year 1931, he would receive \$1,284.

Mr. GEORGE. I understand, Mr. President; but I am pointing out that the Senator took the most extreme case.

Mr. BYRD. But all that is in proportion, Mr. President, to the length of service; and if it is in proportion it is one-seventieth of the salary of the service.

Mr. GEORGE. What the Senator is now doing is arguing against any retirement system.

Mr. BYRD. The Senator from Georgia either has not paid attention to what the Senator from Virginia said—

Mr. GEORGE. I have paid very strict attention.

Mr. BYRD. Or else I have not been able to make myself clear. What I am arguing for is to have Senators and Representatives who vote appropriations placed on a basis of equality with civil-service employees who have been making payments into the retirement fund for all these years. I say that if Senators and Representatives should have been placed under a retirement system they should have been placed under it in 1920, and not come in at this late hour when they would benefit from the past payments made by others to a fund to which they have not contributed.

Mr. GEORGE. But the retirement system was commenced in 1920 and anyone who fell into the classification was included.

Mr. BYRD. Why were not Senators and Representatives taken in at that time?

Mr. GEORGE. I do not know.

Mr. BYRD. The Senator from Georgia was here at that time, was he not?

Mr. GEORGE. No; I was not here as long ago as that.

Mr. BYRD. What the Senator apparently now favors is the giving to Senators and Representatives practically the same benefits as those received by civil-service employees who have been making pay-

ments all during the years—in other words, to provide that from the salaries they have received in former years Senators and Representatives shall not pay back anything in the way of contributions to the retirement fund.

Mr. GEORGE. We did not require those who were brought in in 1920 to pay back anything; because we were starting the system. From time to time we have placed other persons under the system. In 1937 we did so. We did not require them to make any back payments.

Mr. BYRD. Is there not a difference, however? That was the commencement of the system, or the first part of it.

Mr. GEORGE. Oh, no; in 1937 it had been going on for 17 years.

Mr. BYRD. In 1920?

Mr. GEORGE. In 1937.

Mr. BYRD. I am speaking of 1920.

Mr. GEORGE. I know; but in 1937 we brought in other persons, and we did not require them to make any back payments.

By the bill we simply apply the system to Congress—to the Members of the Senate and of the House.

The argument of the Senator from Virginia is good as against any retirement system. If he entertains that view I thoroughly appreciate the fact. But if we are going to institute a retirement system, it seems to me there is no reason why we cannot apply it to elective officers, even legislative officers.

Mr. BYRD. My amendment, Mr. President, does not exclude elective officers. It simply requires them to make a payment for which they will receive additional benefits.

Mr. GEORGE. Here is what the Senator's amendment does; I will take a personal case: In order for me to pay back to the date when I entered the Senate I should have to pay something in the neighborhood of \$9,000 or a little more.

Mr. BYRD. In what year did the Senator come in?

Mr. GEORGE. In 1922.

Mr. BYRD. Let us take 1921: The Senator would have to pay \$9,600; and for the \$9,600 the Senator would receive \$800 more than he would now receive under the bill. From that date he would receive about 9 percent of the payment. Is that unfair?

Mr. GEORGE. Yes; it is unfair, for this reason: A Member of Congress who has rendered honest service, who has dealt fairly with himself and his country, and who has been here 20 years is not able to pay \$9,000 out of his pocket. He would have to forego every single dollar of benefit under the bill.

Mr. BYRD. If he could not pay it in a lump sum, could he not pay it in installments?

Mr. GEORGE. No; he could not pay it in installments.

Mr. BYRD. He could not pay it in installments out of the annuity itself?

Mr. GEORGE. No; he could not. Because he would not have the money to pay in the first instance.

Mr. BYRD. In this instance the annuity would be \$2,800, out of which he eventually would have to pay \$9,600.

Mr. GEORGE. Yes; but in order to receive the annuity he would have to

leave this body, and he would have to be a certain age. Unfortunately, I can meet the age requirement, because I am beyond 62. But what the Senator is beginning to say is that a man who is now elected to the Senate may, by paying 5 percent per annum, receive both the Government contribution and the benefit of his payment. But Senators who have been here for 15 or 20 years and who did not come here as wealthy men simply could not participate in the insurance. Because even to go back for 5 years, which is the shortest period for which payments may be made, a Member of Congress would have to pay practically \$2,000 in cash, plus 5 percent per annum, and that would exclude many men who have had honorable careers in this body for 20 or 25 years.

Mr. McKELLAR. Mr. President, will the Senator yield, so that I may ask the Senator from Georgia a question?

Mr. MEAD. Yes; I yield.

Mr. McKELLAR. My attention has been called to the fact that in 1939 there was another amendment to the Civil Service Act by which fourth-class postmasters were brought into the system.

Mr. MEAD. That is correct.

Mr. McKELLAR. Those who were about to retire were not required to make back payments; but, on the contrary, as I recall the number, about 3,000 were retired on that very date without ever having to pay anything into the fund. That has been done each time additions to the civil service have been made. Why should we treat all other classes differently, and not require them to make back payments, but requires Senators and Representatives to pay large sums? I think it is unfair. I do not think it is a proper course to take toward one's colleagues.

Mr. BYRD. Was the other plan fair? The Senator does not think that any pension plan is fair. Merely because we make a mistake once we should not make it twice.

Mr. McKELLAR. This would be the fourth time.

Mr. BYRD. The fifth time.

Mr. McKELLAR. But it is the same plan we started out with, and I do not think it should be changed as against ourselves.

Mr. GEORGE. Mr. President, will the Senator from New York yield to me again?

Mr. MEAD. I am glad to do so; I yield.

Mr. GEORGE. I think the Senator from Tennessee is quite correct. I can understand that if the view is entertained that a retirement system should not have been adopted at all, of course it should never be applied to a legislative officer. However, I believe that the retirement system is sound. I believe it is sound not only in government, but I think it has been very properly applied from time to time in leading industries of the country. I think it is sound as applied to elective representatives. It seems to me that we should be willing to establish a good system, and, if it is a good system, a sound system, and a proper system, we should apply the same rule to Federal employees, whether they are elective or

appointive, whether they hold office for life, or whether they are elected for stated periods.

I should not quarrel with the Senator from Virginia on the basis of his opposing any retirement system; but I do think that if we establish a system to be applied to the legislative branch it should be one which will not exclude those who are most in need of the benefits of the system.

Mr. LA FOLLETTE. Mr. President, will the Senator yield to me?

Mr. MEAD. I yield.

Mr. LA FOLLETTE. I wish to ask the Senator from Georgia if he knows of a single retirement plan set up for teachers or for other groups of public employees in this country that has not covered on the basis of equality at the time the system was inaugurated those who were already in the service?

Mr. GEORGE. I do not know of any, I will say to the Senator.

Mr. LA FOLLETTE. I do not see how we could start a retirement system unless we called upon the Government or the group inaugurating it to make additional contributions, so to speak, for those who have been in the service and who are in the service at the time the system is inaugurated.

Mr. GEORGE. That is quite true. Not only is that true, but whenever a new group is brought within the system, we should, if we applied the rule that is sought to be established here, put a burden upon the persons who come in under the system—a burden which never has been employed in private industry or by Government, so far as I know.

Mr. LA FOLLETTE. In other words, what the amendment would do, if agreed to, would be to deny to those in the legislative branch of the Government who are proposed to be brought in under the retirement system the opportunity to come into the system and to make contributions from the time they are taken into it out of their salary, without any back payments.

Mr. GEORGE. That is quite true.

Mr. LA FOLLETTE. That choice, that privilege, has been given to every group which has been brought under the system from the time of its inception, including the 40,000 postmasters the Senator from Tennessee mentioned.

On what basis should those who are in the legislative branch of the Government be treated any differently than those who have been brought into the system since 1920 have been treated? It seems to me that it would be absolutely unjust and that it would deny to Senators and Representatives who are most in need of it the opportunity to avail themselves of the retirement proposal. Those who can make contributions to the extent of one-fifth of the amount of their capital assets are not those who would be most likely to be in need of the retirement privilege.

Mr. GEORGE. The Senator is correct. They would probably buy an annuity and take care of themselves on that basis.

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

Mr. MEAD. I yield to the Senator from Ohio.

Mr. BURTON. May I call the attention of the Senator from Georgia to the

experience along this line of the State of Ohio during the past 2 or 3 years? There had been a retirement system in effect for some time for State employees. By recent enactment it was made compulsory and applied to municipal employees. When it was brought into effect as applying to municipal employees precisely this method was adopted. Municipal employees then in service had not expected to be included when they went into the service and had not been counting on a pension at all; nevertheless, realizing the fairness of doing so, they were put on the same basis as State employees, on condition that they pay the back premiums for such number of years of their service as they desired, back to the date when the State employees began to pay under their act. Therefore the same principle applied here that was applied there. Municipal employees did not have to pay the back premiums unless they wished to, but it was intended to put them on the same basis as State employees and to give them permission to pay as far back as they wished, in order that they might be placed on the same basis as State employees.

Mr. GEORGE. I am not familiar with the law to which the distinguished Senator refers, but that is not the Federal system. That principle has never been applied by the Congress in any retirement act so far as I know.

Mr. MEAD. Mr. President, while this is a marked departure from the legislative enactments of the past, and the retirement practices of the past, in the interest of expedition, I ask for the adoption of the committee amendment, as amended, and with the addition of the amendment submitted by the Senator from Virginia [Mr. Byrd].

Mr. McKELLAR. Mr. President, I hope the amendment offered by the Senator from Virginia will not be adopted. It ought not to be adopted. We ought not to take a different position with ourselves than that which we take as to the employees of the Government. As we have been fair to them, we ought, in passing the bill, to be fair to ourselves. I expect to vote against the bill in its entirety, but however that may be, if we are to pass such a measure we ought to pass a fair one and not one that will be different from the bills which have been passed for the other employees of the Government.

SEVERAL SENATORS. Question!

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Virginia [Mr. Byrd] to the amendment reported by the committee, as amended.

Mr. BYRD. I ask for the yeas and nays.

The PRESIDING OFFICER. Is the demand seconded,

Mr. BYRD. I make the point of no quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

| | | |
|----------|--------|----------|
| Atken | Brown | Caraway |
| Austin | Bunker | Chandler |
| Bankhead | Burton | Chavez |
| Bilbo | Butler | Danaher |
| Bone | Byrd | Davis |
| Brewster | Capper | Doxy |

| | | |
|----------------|-----------|--------------|
| Ellender | Lucas | Russell |
| George | McCarran | Shipstead |
| Gerry | McFarland | Smathers |
| Green | McKellar | Smith |
| Guffey | Maloney | Stewart |
| Gurney | Maybank | Taft |
| Hayden | Mead | Thomas, Utah |
| Hill | Millikin | Truman |
| Holman | Murray | Tunnell |
| Hughes | Norris | Vandenberg |
| Johnson, Colo. | Nye | Wallgren |
| Kilgore | Pepper | Wheeler |
| La Follette | Radcliffe | White |
| Lee | Reynolds | Wiley |
| Lodge | Rosier | Willis |

The PRESIDING OFFICER. Sixty-three Senators have answered to their names. A quorum is present.

Mr. LUCAS. Mr. President, I was unavoidably detained from the Senate when this bill was debated in the early part of the afternoon. I wish to inquire from the able Senator from Virginia [Mr. BYRD] just what his amendment does. I do not want any long discussion of it, but I should like to have a brief explanation of the amendment.

Mr. BYRD. Mr. President, the amendment offered by the Senator from Virginia requires the elective officers of the Government, the President and Vice President, Senators, and Representatives to make certain back payments that are on a comparative basis to the payments that have always been made by employees under the civil service in order to obtain retirement benefits. I will say to the Senator from Illinois that these payments are not at all excessive. The provisions of the amendment are very liberal. By reason of making the payments, the Members of the House and Senate will receive additional compensation, more than they would receive under the bill as it now stands.

As the bill now stands, it would permit any Senator, for example who has served 5 years, to pay \$200 for this calendar year, and receive a large annuity as long as he lives in proportion to his service, when he is 62 years of age.

Mr. LUCAS. May I inquire from the Senator what is the retroactive date of his amendment when Senators would be required to start payments? In other words, how far back from the present date does the Senator's amendment go?

Mr. BYRD. It requires 5 years' payments as a minimum. Of course, the bill itself provides that no one is eligible until he has served for 5 years.

Mr. LUCAS. How much money payment would that entail?

Mr. BYRD. \$500 a year.

Mr. LUCAS. For how many years?

Mr. BYRD. The minimum is 5 years. It all depends upon how long he has served. I have here a table of the various figures, and if the Senator will give me any particular date I will tell him what the table shows.

Mr. LUCAS. Assuming that it was necessary to go back 10 years, how much would it cost?

Mr. BYRD. Take, for example, the year 1923: There would be a payment of \$8,847, and the annuity would be \$2,821 a year. That payment could be made in installments, in accordance with the provisions of the Civil Service Commission.

Mr. LUCAS. This money would come directly out of the pockets of the individual Senator, depending upon the

length of time he had served? Is that correct?

Mr. BYRD. No; it would come out of the retirement fund, which is a Government fund.

Mr. LUCAS. Who is to pay this money under the Senator's amendment, or even under the original bill?

Mr. BYRD. The United States Government is to pay it.

Mr. LUCAS. Is the Government to pay a Senator money in the way of a pension or a bounty for service here?

Mr. BYRD. This bill is based on the Retirement Act of 1920, which is supposed to be on a 50-50 basis—50 percent to be paid by the beneficiary and 50 percent by the Government. This bill for the first time takes in Senators and Representatives; but, under the bill as it now stands, Senators and Representatives are not required to make back payments. For example, a Representative or a Senator could pay \$200, and if he were 62 years of age, and if he had served since March 4, 1907, the benefits he would receive would be \$4,175 a year as long as he lived. I use that figure because it is the first figure given me by the Civil Service Commission; and the figures go down to the present day. I can give the Senator the figures for any date as to the benefits that would be received. I will say to the Senator from Illinois that my amendment merely requires that the members of the elective branch of the Government, those who are voting these appropriations, shall be required to make reasonable back payments in accordance with what has already been paid through the years by civil-service employees.

Mr. LUCAS. In other words, the Senator attempts to place Members of Congress on the same basis as the civil-service employee who has been making these payments all these years?

Mr. BYRD. That is exactly correct.

Mr. LUCAS. If I understand the matter correctly from the Senator's previous answer, a Government employee, or a Member of Congress if this bill becomes a law, will pay into the retirement fund 50 percent of the money involved, and the other 50 percent will be paid by the Government?

Mr. BYRD. I say to the Senator that that is the basis of the bill. The beneficiary does not necessarily pay that amount. He is limited to 5 percent a year of his salary.

Mr. LUCAS. I may not have made myself clear. I want to get definitely in my mind just how much the Government is to pay under the bill itself to a Senator after he retires, or what the Senator has to pay, together with the Government, during his service here.

Mr. BYRD. The Senator will have to give me some date.

Mr. LUCAS. Take my own case. I came here on January 3, 1939.

Mr. BYRD. The Senator from Illinois would not be eligible until he had been here 5 years.

Mr. LUCAS. I would not have to pay anything, then, because I would not be eligible?

Mr. BYRD. If the Senator had been here 5 years, he would pay, under my

amendment, \$1,951, and receive \$857 a year.

Mr. LUCAS. I would pay \$1,951?

Mr. BYRD. One thousand nine hundred and fifty-one dollars.

Mr. LUCAS. What would the Government pay in addition to the \$1,951?

Mr. BYRD. That is a very complicated question. The whole basis of the bill, as I understand, is a 50-50 basis. The Government puts up 50 percent and the contributions by employees of the Government are supposed to aggregate 50 percent.

Mr. LUCAS. If the Government of the United States is paying anything toward the retirement fund of a United States Senator, I cannot support the bill.

Mr. BYRD. I will say that it is doing so in this instance. I think the total appropriation is around \$100,000,000 yearly.

All I am asking in regard to this amendment is a yea-and-nay vote upon it. I ask the Senate to do me the courtesy of having a yea-and-nay vote.

The PRESIDING OFFICER. Is the demand for the yeas and nays seconded? The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Virginia [Mr. BYRD] to the amendment reported by the committee.

Mr. BYRD's amendment was, on page 6, line 24, after the word "officer", to insert "No annuity shall be paid any elective officer unless he shall deposit the applicable percentage deduction with interest covering service for at least 5 years next preceding the effective date of retirement: *Provided*, That if deposits are not made for the entire period of the service of such elective officer, said annuity shall be based only on the period of service for which deposits are made, and on any period of service prior to August 1, 1920: *Provided further*, That deposits of such applicable percentage deductions may be made in installments as fixed by the Civil Service Commission."

The PRESIDING OFFICER. The yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THOMAS of Utah (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. Not knowing how he would vote, I withhold my vote.

The roll call was concluded.

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] and the Senator from Louisiana [Mr. OVERTON] are absent from the Senate because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from North Carolina [Mr. BAILEY], the Senator from Kentucky [Mr. BARKLEY], the Senator from South Dakota [Mr. BULOW], the Senator from Idaho [Mr. CLARK], the Senator from Missouri [Mr. CLARK], the Senator from Texas [Mr. CONNALLY], the Senator from California [Mr. DOWNEY], the Senator from Virginia [Mr. GLASS], the Senator from Utah [Mr. MURDOCK], the Senator from Wyoming [Mr. SCHWARTZ], the Sen-

ator from Arkansas [Mr. SPENCER], the Senator from Indiana [Mr. VAN NUYS], the Senator from New York [Mr. WAGNER], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

The Senators from Iowa [Mr. GILLETTE and Mr. HERRING], the Senator from Texas [Mr. O'DANIEL], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Maryland [Mr. TYDINGS] are detained in various Government departments on business pertaining to their respective States.

On this question the Senator from Kentucky [Mr. BARKLEY] has a pair with the Senator from Oregon [Mr. McNARY]. I am not advised how either Senator would vote if present and voting.

Mr. AUSTIN. The Senator from New Hampshire [Mr. BRIDGES] is absent in a hospital because of a recent hip injury.

The Senator from New Jersey [Mr. BARBOUR], the Senator from Illinois [Mr. BROOKS], and the Senator from New Hampshire [Mr. TOBEY] are absent on official business.

The Senator from Oregon [Mr. McNARY] is unavoidably detained on public business.

The Senator from Minnesota [Mr. BALL] is absent because of illness.

The result was announced—yeas 28, nays 34, as follows:

YEAS—28

| | | |
|----------|----------------|------------|
| Austin | Davis | Mead |
| Brewster | Ellender | Millikin |
| Brown | Gerry | Norris |
| Burton | Green | Radcliffe |
| Butler | Gurney | Taft |
| Byrd | Hayden | Vandenberg |
| Capper | Johnson, Colo. | Wiley |
| Chandler | Lodge | Willis |
| Chavez | Lucas | |
| Danaher | Maybank | |

NAYS—34

| | | |
|----------|-------------|-----------|
| Aiken | Kilgore | Russell |
| Bankhead | La Follette | Shipstead |
| Bilbo | Lee | Smathers |
| Bone | McCarran | Smith |
| Bunker | McFarland | Stewart |
| Caraway | McKellar | Truman |
| Doxey | Maloney | Tunnell |
| George | Murray | Wallgren |
| Guffey | Nye | Wheeler |
| Hill | Pepper | White |
| Holman | Reynolds | |
| Hughes | Rosier | |

NOT VOTING—34

| | | |
|--------------|-----------------|---------------|
| Andrews | Gillette | Schwartz |
| Bailey | Glass | Thomas, Idaho |
| Ball | Hatch | Spencer |
| Barbour | Herring | Thomas, Utah |
| Barkley | Johnson, Calif. | Thomas, Okla. |
| Bridges | Langer | Tobey |
| Brooks | McNary | Tydings |
| Bulow | Murdock | Van Nuys |
| Clark, Idaho | O'Daniel | Wagner |
| Clark, Mo. | O'Mahoney | Walsh |
| Connally | Overton | |
| Downey | Reed | |

So Mr. BYRD'S amendment to the amendment of the committee as amended was rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee as amended.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The next committee amendment will be stated.

The LEGISLATIVE CLERK. On page 7, line 2, after the words "in the", it is proposed by the committee to insert the words "executive branch of the", so as to make the subsection read:

"(b) The President shall have power, in his discretion, to exclude from the operation of this act any officer or employee or group of officers or employees in the executive branch of the service whose tenure of office or employment is intermittent or of uncertain duration."

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments. The bill is open to further amendment.

Mr. MCKELLAR. Mr. President, I believe my amendment has already been stated, but I ask that it be stated again.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 6, line 9, after the word "Act", it is proposed to strike out the period and to insert a semicolon and the following: "and any such officer or employee may, within 60 days after the effective date of this subsection, withdraw from the purview of this act by giving similar notice of such desire."

The PRESIDING OFFICER. Without objection, the committee amendment on page 6, beginning in line 2, will be reconsidered.

Mr. MEAD. Mr. President, I have not had opportunity to consider this amendment. In view of the fact that it is general legislation and will permit any employee to enjoy its provisions, it occurs to me that it should not be adopted. Under existing law, if a person is in the retirement fund, he can retire and be reinstated in the service the same day, and then he would not have to pay any more into the retirement fund, and he could remain in the service so long as he wanted to. In other words, there is ample provision now for the individual to retire, be reinstated, and freeze his retirement pay. If the proposed provision is written into the law I am told it will be general in its application.

Mr. MCKELLAR. Mr. President, Mr. Wold is clerk to the Joint Committee on Printing, and as an employee of that committee he has been paying into the retirement fund for a number of years. All the amendment does is to permit Mr. Wold to withdraw from the retirement fund if he sees fit to do so. It seems to me the committee could take the matter to conference, at any rate, and iron it out there.

Mr. MEAD. Mr. President, the provision is general in its application, and under existing law an employee can take his retirement and be reinstated the same day and then his retirement remains static until such time as he re-retires, and he will not have to pay anything into the fund.

Mr. MCKELLAR. Mr. Wold desires to withdraw from the retirement fund in which he now is and take such course as he sees fit. It seems to me we should give him the privilege of doing so without forcing him to make a choice in the matter.

Mr. HAYDEN. Mr. President, it is only a matter of providing a statute law for 60 days, the way the amendment reads. I hope the Senator will permit the provision to be taken to conference.

Mr. MEAD. It was hoped we would not have to take the bill to conference.

Mr. HAYDEN. But the provision will remain in effect only for 60 days after the measure is acted upon.

Mr. MCKELLAR. Mr. President, the provision gives Mr. Wold something he ought to have. He has been a faithful servant of the Government. He occupies a position with the Joint Committee on Printing, of which the Senator from Arizona [Mr. HAYDEN] is chairman. It seems to me this privilege should be extended to Mr. Wold under the circumstances.

Mr. MEAD. Of course, the Senator understands that Mr. Wold can take his retirement now, and he could be reappointed. Then he could go back into the service and would not have to pay anything more into the retirement fund, and he could apply for retirement at any time in the future he wanted to. That is his privilege now.

Mr. HAYDEN. But he would have to retire from service.

Mr. MEAD. And then he could be brought right back into it the same day.

Mr. HAYDEN. Why not let him get out of the fund if he wants to? I do not see a particle of difference.

Mr. MEAD. That is perfectly satisfactory to me, but by taking this action we open the field to all civil-service employees.

Mr. HAYDEN. The application of the provision is limited to 60 days.

Mr. MEAD. Yes, but it is open to all others for the same period of 60 days.

Mr. HAYDEN. Yes.

Mr. MCKELLAR. I suggest the Senator take the matter to conference.

Mr. MEAD. Mr. President, after consultation with members of the committee I will accept the amendment, and take it to conference.

Mr. MCKELLAR. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. MCKELLAR] to the committee amendment.

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

Mr. GEORGE. Mr. President, I desire to offer two amendments. The first amendment relates merely to the effective date of the measure. I have discussed the measure with some persons who will have connection with its administration, and it is thought that July 1 would be an appropriate effective date. The bill, as reported, provides for the effective date as of January 1, 1942. That date has already passed, and, of course, the bill would have to be amended in that respect. I suggest that the effective date be fixed as of July 1. If that date be fixed it will be necessary to make a corresponding change in line 16.

Mr. MEAD. Mr. President, I will say that that amendment is acceptable to the committee.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 9, in lines 11 and 13, it is proposed to strike out "January 1, 1942" and to insert "July 1, 1942."

On page 9, in line 16, it is proposed to strike out "December 31, 1941" and to insert "June 30, 1942."

The PRESIDING OFFICER. Without objection, the amendment proposed by the Senator from Georgia is agreed to.

Mr. GEORGE. Mr. President, I have a second amendment, to make inapplicable the provisions of the act to employees of the Senate or the House of Representatives whose employment is purely temporary, or of uncertain duration, and it also authorizes the Architect of the Capitol to exclude from the operation of this act any employees under the Office of the Architect of the Capitol whose tenure of employment is temporary or of uncertain duration. The same rule is applied to temporary employees in the executive branch. The amendment applies to those who are temporarily employed from time to time in order to meet certain situations which arise and whose terms of employment are intermittent. It applies the same principle to the employees in the legislative branch that is already applied in the executive branch.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 7, after line 4, it is proposed to insert the following:

(c) The provisions of this act shall not apply to employees of the Senate or the House of Representatives whose employment is temporary or of uncertain duration; and the Architect of the Capitol is authorized to exclude from the operation of this act any employees under the Office of the Architect of the Capitol whose tenure of employment is temporary or of uncertain duration.

Mr. MEAD. That amendment is acceptable to the committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. GEORGE].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. McKELLAR. Mr. President, I desire to give as a further reason for voting against the bill that I do not think legislative officers ought to be retired.

Mr. MEAD. I wish again to make the statement that, while I voted in favor of the amendment submitted by my distinguished colleague the Senator from Virginia [Mr. BYRD], I did so as a member of the subcommittee which considered that proposal. The subcommittee agreed to the amendment, and as a member of the subcommittee I agreed to bring it to the floor of the Senate.

I am pleased with the action taken by the Senate. I wish to make clear that in the development of the retirement system, the coverage of new groups began coincidentally with the enactment of the law, and the coverage of the new groups was based actuarially on the assessments levied against those covered by the law. I think it is a good bill, and I think it will improve the retirement service generally.

Mr. BYRD. Mr. President, I simply wish to make a statement in regard to the action taken by the subcommittee. This is the first information I have had that the Senator from New York was opposed to the amendment suggested by the Sen-

ator from Virginia. To the contrary, he undertook to have the amendment written. During the past few days I have been absent from the city. He prepared an amendment and submitted it to the Senator from Ohio and myself. If he was opposed to the amendment he did not indicate his opposition at the meeting of the subcommittee. I will ask the Senator from Ohio if that is not his recollection.

Mr. MEAD. Mr. President, I think the Senator from Virginia will agree that the arguments which I advanced from the beginning to the end of that conference, in which I mentioned the names of Senators and the debt the country and the Senate owed to those Members, and the fact that this was a deviation from the original coverage of the law, indicated my opposition to the amendment. The bill was reported by a very close vote. I wanted it expedited. I agreed to the Senator's amendment only because I thought it was the proper thing to do under the circumstances.

Nevertheless, Mr. President, while I was outvoted in the subcommittee, those two members of the subcommittee asked me to confer with them. They told me their attitude, and I agreed, in order to expedite the passage of the bill, to have their amendment printed and referred to the retirement system, and to have the figures necessary for this discussion available. Nevertheless, as I pointed out when we met, I thought that the amendment was unfair to certain Members of the Senate who will be forced to retire in the immediate future. If they want to enjoy a pension, they will be forced to pay large sums of money in back assessments. In my opposition to the proposal I mentioned specifically two Members of the Senate, but I kept my word and voted for the amendment.

Mr. NORRIS. Mr. President, I have always felt favorable to a retirement bill. I feel that way now. I have always believed in the extension of the civil service as far as possible. Nevertheless, it seems to me that as the bill now stands it has in it an injustice favorable to ourselves.

The so-called Byrd amendment provided that Members of the House and the Senate who desired to take advantage of the retirement benefits might do so by paying what they would have paid if the provision had been law during the past years and retire at once. It seems to me that that is fair and just. The Senate voted down the Byrd amendment.

As the bill now stands, as I understand, without the payment of the percentages we should have been required to pay during past years if the law had been on the statute books during those years, we can get the same retirement benefit as though we had paid those sums. It does not seem to me that that is fair. I do not believe it is just. When we are voting retirement for ourselves, as compared with voting retirement for somebody else, I think we ought to look at the question a little differently. For that reason, and in view of the possibility that there may not be a yea-and-nay vote on the passage of the bill, I wish the RECORD to show that under the circumstances I feel impelled to vote against the passage of the bill.

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

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

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. BYRD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. THOMAS of Utah (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the junior Senator from Arkansas [Mr. SPENCER] and will vote. I vote "yea."

The roll call was concluded.

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] and the Senator from Louisiana [Mr. OVERTON] are absent from the Senate because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from North Carolina [Mr. BAILEY], the Senator from Kentucky [Mr. BARKLEY], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Idaho [Mr. CLARK], the Senator from Missouri [Mr. CLARK], the Senator from California [Mr. DOWNEY], the Senator from Virginia [Mr. GLASS], the Senator from Nevada [Mr. McCARRAN], the Senator from Utah [Mr. MURDOCK], the Senator from Wyoming [Mr. SCHWARTZ], the Senator from Arkansas [Mr. SPENCER], the Senator from Indiana [Mr. VAN NUYS], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

The Senator from Iowa [Mr. HERRING], the Senator from Texas [Mr. O'DANIEL], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Oklahoma [Mr. THOMAS] are detained in Government departments on business pertaining to their respective States.

On this question, the Senator from Kentucky [Mr. BARKLEY] has a pair with the Senator from Oregon [Mr. McNARY]. I am not advised how either Senator would vote if present and voting.

Mr. AUSTIN. The Senator from New Hampshire [Mr. BRIDGES] is absent in a hospital because of a recent hip injury.

The Senator from New Jersey [Mr. BARBOUR] and the Senator from Illinois [Mr. BROOKS] are absent on official business.

The Senator from Oregon [Mr. McNARY] is unavoidably detained on public business.

The Senator from New Hampshire [Mr. TOBEY] is absent on official business. If present, he would vote "yea."

The Senator from Minnesota [Mr. BALL] is absent because of illness.

The result was announced—yeas 42, nays 24, as follows:

YEAS—42

| | | |
|----------|---------|----------|
| Aiken | Bulow | George |
| Austin | Bunker | Gillette |
| Bankhead | Capper | Guffey |
| Bilbo | Caraway | Hayden |
| Bone | Davis | Hill |
| Brown | Doxey | Holman |

| | | |
|-------------|-----------|--------------|
| Hughes | Nye | Stewart |
| Kilgore | Pepper | Thomas, Utah |
| La Follette | Reynolds | Truman |
| Lee | Rosier | Tunnell |
| McFarland | Russell | Wagner |
| Maloney | Shipstead | Wallgren |
| Mead | Smathers | Wheeler |
| Murray | Smith | White |

NAYS—24

| | | |
|----------|----------------|------------|
| Brewster | Gerry | Millikin |
| Burton | Green | Norris |
| Butler | Gurney | Radcliffe |
| Byrd | Johnson, Colo. | Taft |
| Chandler | Lodge | Tydings |
| Connally | Lucas | Vandenberg |
| Danaher | McKellar | Wiley |
| Ellender | Maybank | Willis |

NOT VOTING—30

| | | |
|--------------|-----------------|---------------|
| Andrews | Downey | O'Mahoney |
| Bailey | Glass | Overton |
| Ball | Hatch | Reed |
| Barbour | Herring | Schwartz |
| Barkley | Johnson, Calif. | Spencer |
| Bridges | Langer | Thomas, Idaho |
| Brooks | McCarran | Thomas, Okla. |
| Chavez | McNary | Tobey |
| Clark, Idaho | Murdock | Van Nuys |
| Clark, Mo. | O'Daniel | Walsh |

So the bill (H. R. 3487) was passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Swanson, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1936) to provide protection of persons and property from bombing attacks in the United States, and for other purposes.

ENROLLED BILLS SIGNED

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

S. 1677. An act authorizing subsistence allowance provided for aviation cadets to be paid to messes in manner as prescribed by the act of March 14, 1940 (Public, No. 433, 76th Cong.);

S. 1995. An act 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";

S. 2090. An act 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;

S. 2094. An act to provide for the rank and title of the Commandant of the Marine Corps;

S. 2095. An act to further amend the act approved June 23, 1938 (52 Stat. 944), as amended;

S. 2160. An act to promote the national security and defense by establishing daylight saving time;

S. 2169. An act to create the Limited Service Marine Corps Reserve, and for other purposes;

H. R. 6128. An act to amend the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended; and

H. R. 6325. An act to amend certain provisions of the Internal Revenue Code relating to the production of alcohol.

PROTECTION FROM BOMBING ATTACKS—CONFERENCE REPORT

Mr. REYNOLDS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1936) to provide protection of persons and property from bombing attacks in the United States, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That there is hereby authorized to be appropriated such sums, not exceeding \$100,000,000, as may be necessary to enable the Director of Civilian Defense, appointed under authority of Executive Order Numbered 8757, dated May 20, 1941, to provide, under such regulations as the President may prescribe, facilities, supplies, and services to include research and development for the adequate protection of persons and property from bombing attacks, sabotage or other war hazards in such localities in the United States, its Territories and possessions, as may be determined by said Director to be in need of, but unable to provide, such protection: *Provided*, That such facilities and supplies may be loaned to civil authorities in accordance with said regulations: *Provided further*, That any department or agency of the Federal Government having equipment or supplies not required for its use may, subject to the approval of the Division of Procurement, Treasury Department, transfer the same without charge (notwithstanding the provisions of the Act of December 20, 1928, 45 Stat 1030) to the Director of Civilian Defense for the purpose herein authorized.

"Sec. 2 It shall be unlawful for any person to wear an insignia, arm band, or other distinctive article prescribed by the Director of Civilian Defense except in accordance with the regulations promulgated under the authority of section 1 hereof: *Provided*, That nothing in this Act shall be construed as authorizing the Director of Civilian Defense or any person or employee acting under him by authority of this Act, or in pursuance of the regulations prescribed thereunder to interfere with or usurp any of the rights or duties of any local district, municipal, county, or State official.

"Any person found guilty of violating the provisions of this section shall, upon conviction, be fined not more than \$100 or imprisoned for not more than thirty days, or both."

And the House agree to the same.

ROBERT R. REYNOLDS,
WARREN R. AUSTIN,
ELBERT D. THOMAS,

Managers on the part of the Senate.

A. J. MAY,
EWING THOMASON,
DOW W. HARTER,
W. G. ANDREWS,
DEWEY SHORT,

Managers on the part of the House.

The report was agreed to.

EXECUTIVE SESSION

Mr. HILL. 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. BUNKER in the chair) laid before the Senate messages from the President of the United States submitting sundry

nominations, which were referred to the appropriate committees.

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

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

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

Victor E. Anderson, of Minnesota, to be United States attorney for the district of Minnesota.

By Mr. McCARRAN, from the Committee on the Judiciary:

Edward C. Eicher, of Iowa, to be Chief Justice of the District Court of the United States for the District of Columbia, vice Alfred A. Wheat, retired.

By Mr. McFARLAND, from the Committee on the Judiciary:

J. Waties Waring, of South Carolina, to be United States district judge for the eastern district of South Carolina, vice Frank K. Myers, deceased; George Bell Timmerman to be United States district judge for the eastern and western districts of South Carolina, vice Alva M. Lumpkin, resigned; and Herbert W. Christenberry, of Louisiana, to be United States attorney for the eastern district of Louisiana, vice Rene A. Viosca resigned.

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.

THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. HILL. I ask that the nominations in the Army be confirmed en bloc, and that the President be notified forthwith.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc, and the President will be notified forthwith.

That concludes the nominations on the calendar.

ADJOURNMENT

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

The motion was agreed to; and (at 3 o'clock and 53 minutes p. m.) the Senate adjourned until tomorrow, Tuesday, January 20, 1942, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 19, 1942:

UNITED STATES CUSTOMS COURT JUDGE

Hon. William A. Ekwall, of Portland, Oreg., to be judge of the United States Customs Court, vice Hon. Walter H. Evans, retired.

UNITED STATES DISTRICT JUDGE

John W. Delehant, of Nebraska, to be United States district judge for the district of Nebraska, vice Thomas C. Munger, retired.

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

TO BE LIEUTENANT GENERAL

William Signius Knudsen.

TO BE MAJOR GENERAL

Brig. Gen. Julian Francis Barnes (colonel, Field Artillery), Army of the United States.

TO BE BRIGADIER GENERAL

Col. Patrick Jay Hurley, Infantry (Reserve).

CONFIRMATIONS

Executive nominations confirmed by the Senate January 19, 1942.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

Capt. Irvin Schindler to Judge Advocate General's Department.
Maj. Arthur Cecil Ramsey to Quartermaster Corps.
Maj. Carl Eugene Anderson to Finance Department.
Capt. Robert Edwin Cron, Jr., to Corps of Engineers.
First Lt. Archibald William Lyon to Corps of Engineers.
First Lt. Elmer John Gibson to Ordnance Department.

PROMOTIONS IN THE REGULAR ARMY

Charles Wilbur Thomas, Jr., to be colonel, Infantry.
Roscoe Campbell Crawford to be colonel, Corps of Engineers.
Milo Pitcher Fox to be colonel, Corps of Engineers.
Lewis Andrews Nickerson to be colonel, Ordnance Department.
Philip Ries Faymonville to be colonel, Ordnance Department.
Russell Lamonte Maxwell to be colonel, Ordnance Department.
John Shirley Wood to be colonel, Field Artillery.

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

TO BE MAJOR GENERALS

Fred Clute Wallace
Fred Livingood Walker
Clarence Leonard Tinker
Joseph Taggart McNarney
Lorenzo Dow Gasser

TO BE BRIGADIER GENERALS

Geoffrey Keyes
Paul Woollever Newgarden
William Henry Harrison Morris, Jr.
Willis Henry Hale
Ira Clarence Eaker
Francis Bernard Mallon
Charles Lawrence Bolté
Robert Olds
John Henry Hilldring
Charles Wolcott Ryder
Roscoe Barnett Woodruff
Matthew Bunker Ridgway
Redmond Francis Kernan, Jr.
Maxwell Abraham O'Brien
Cornelius Wendell Wickersham

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 19, 1942

The House met at 12 o'clock noon.

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

Blessed Lord God, we praise Thee that Thou wilt keep him in perfect peace whose mind is stayed on Thee, like a melody from other spheres; we pray that Thy truth may inspire and strengthen our souls, clothing us with a deathless faith that humanity can never be shorn of its dignity and might. Forbid that our lives should be exchanged for anything, for worldly ambition, for the lust of the flesh, but with spirits pulsing with the spirit of our uncreated Master, help us to experience that devotion and sacrifice which are the divine gifts.

Almighty God, we pray that our people may continue along their path with the majesty of a great cause in their souls,

sweeping its righteous power through the arteries of our Nation's life. Grant that they may ever leave the lower levels of a complacent and comfortable existence and aspire to the heights of entire dedication to the eternal principles of human liberty; may they seek a closer walk with Him, under whose feet all things shall be put under subjection. In a sad world of want and sin, faith in the Christ means conviction and sacrifice.

Our little systems have their day:

They have their day and cease to be;
They are but broken lights of Thee,
But Thou, O Lord, art more than they.
Amen.

The Journal of the proceedings of Thursday, January 15, 1942, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 6325. An act to amend certain provisions of the Internal Revenue Code relating to the production of alcohol.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2132. An act authorizing the construction of a new lock at St. Marys Falls Canal, Mich., in the interest of national defense; and

S. 2152. An act to provide for the planting of guayule and other rubber-bearing plants in order to make available a source of crude rubber for emergency and defense uses.

EXTENSION OF REMARKS

Mr. RAMSAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial reporting on a bill that has been introduced in the House and explained fully in the contents of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

CONSTRUCTION OF PUBLIC WORKS FOR THE NAVY

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 407), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of H. R. 6333, a bill to authorize the Secretary of the Navy to proceed with the construction of certain public works and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage

without intervening motion except one motion to recommit.

EXTENSION OF REMARKS

Mr. YOUNGDAHL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the Minneapolis Times-Tribune.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

THE LATE MORRIS SHEPPARD

Mr. GUYER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. GUYER. Mr. Speaker, it was a rule of Senator Morris Sheppard, on the 16th of January, to deliver an address upon the anniversary of the ratification of the eighteenth amendment. Senator Sheppard believed with Gladstone that the liquor traffic had caused more misery and suffering to the human race than war, pestilence, and famine combined, and what we admire about him was that he had the courage of his convictions.

Mr. Speaker, I ask unanimous consent to put in the RECORD a speech made by a former Member of Congress in eulogy of Senator Sheppard.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

EXTENSION OF REMARKS

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a statement I made before the Patman small-business committee.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. FADDIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Charleroi Daily Mail, published in my district.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in two respects, and in one to include an editorial from the Santa Monica Outlook, of Santa Monica, Calif.; and the other extension of my remarks to include a speech by Robert A. Morton, of the Los Angeles bar, entitled "A Promise to Hitler."

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include two items in the Appendix, one a statement by the executive council of the American Federation of Labor, pertaining to retooling of American industry for war production, and the other an editorial from the

LaCrosse (Wis.) Tribune and Leader-Press of January 15, 1942, entitled "The Formula at Last."

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

AMERICAN WAR MOTHERS

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection? There was no objection.

Mr. SPRINGER. Mr. Speaker, I take this time to advise the Members of the House that I have introduced a bill today to amend the American War Mothers Act, by providing that eligibility for membership in that great organization is extended, also, to the mothers of sons and daughters who serve in the Army or Navy of the United States, or in the military or naval service of our Allies, in the present World War.

The mothers of those who now compose our Army and Navy, and those who have sons or daughters serving with our Allies, should be extended the right of membership in the American War Mothers. This right should be extended to all those mothers who had sons or daughters in the Army or Navy of our Nation, or who were serving with our Allies, on the 7th day of December 1941, the time Japan made the ruthless and unwar-ranted attack upon us, or who may so serve at any time thereafter until the termination of this war.

All mothers who have sons and daughters so serving in this great conflict are our War Mothers. They are entitled to membership in the American War Mothers, and the amendment which I have this day introduced will extend that right to them.

I hope the proper committee, to which this amendment is referred, will act promptly in this matter so this proposed legislation may be brought before the House for action within the next few days. I also hope that this proposed amendment to the American War Mothers Act may be adopted and passed by the House without a dissenting vote. Let us give the mothers of those now serving in our armed forces the same right that was extended to the mothers of those serving in our armed forces in the first World War.

EXTENSION OF REMARKS

Mr. ELIOT of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a newspaper article from the newspaper PM.

The SPEAKER. Is there objection? There was no objection.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an address I delivered on Robert E. Lee.

The SPEAKER. Is there objection? There was no objection.

CAROLE LOMBARD

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend my remarks by the inclusion of a telegram signed by Secretary

Morgenthau, and also an address delivered by Carole Lombard, at Indianapolis, last Thursday.

The SPEAKER. Is there objection? There was no objection.

[Mr. LUDLOW addressed the House. His remarks appear in the Appendix.]

TAXES

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend my remarks in the RECORD.

The SPEAKER. Is there objection? There was no objection.

[Mr. JENKINS of Ohio addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a resolution adopted by the United Slovak Fraternal Organization and Clubs of Gary, Ind., showing their loyalty and unity, under the leadership of the President of the United States.

The SPEAKER. Is there objection? There was no objection.

REGISTRATION OF CERTAIN PROPAGANDISTS

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6269) to amend the act entitled "An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes," approved June 8, 1938, as amended, with Senate amendments thereto, and agree to the conference.

The SPEAKER. Is there objection? There was no objection.

The Chair appointed the following conferees: Mr. SUMNERS of Texas, Mr. McLAUGHLIN, and Mr. HANCOCK.

EXTENSION OF REMARKS

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter.

The SPEAKER. Is there objection? There was no objection.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent on behalf of myself and my colleague the gentleman from South Carolina [Mr. Bryson] to extend my remarks in the RECORD and include a speech delivered by Senator Joe R. Hanley, of Albany, N. Y., commander in chief of the United Spanish War Veterans, at the Woman's Patriotic Conference on National Defense.

The SPEAKER. Is there objection? There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein the address delivered by the Honorable Sumner Welles, Under Secretary of State of the United States, at the opening session of the meeting of foreign ministers at Rio de Janeiro, Brazil, January 15, 1942; also, several editorials from leading newspapers relating to the meeting of foreign ministers at Rio de Janeiro.

The SPEAKER. Is there objection? There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a resolution of the grand jury of Los Angeles County.

The SPEAKER. Is there objection? There was no objection.

THE LATE HON. WILLIAM E. ANDREWS

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection? There was no objection.

Mr. CURTIS. Mr. Speaker, with a sad heart I rise to announce the death of a former Member of the House of Representatives, William E. Andrews, who died today at his home at 1225 Fairmont Street, Washington, D. C.

Mr. William Andrews represented the Fifth Congressional District of Nebraska with honor and distinction, first in the Fifty-fourth Congress, from March 4, 1895, to March 4, 1897. From June 9, 1897, to April 30, 1915, he served as auditor for the Treasury, being appointed by former President McKinley. He was elected to the Sixty-sixth Congress and reelected to the Sixty-seventh Congress.

Mr. Andrews served as a member of the faculty at Hastings College, Hastings, Nebr., from January 1885 to January 1893. He was private secretary to the Governor of Nebraska, Hon. Lorenzo Crouse, from 1893 to 1894, before being elected to Congress.

Mr. William E. Andrews had an outstanding career as an educator, statesman, executive, and orator. He was truly one of God's noble men. His high character, his personal integrity, and his steadfast Christian faith have been guideposts to all who knew him. In his passing Nebraska and the Nation have lost a most outstanding citizen and I have lost a very dear friend.

[Here the gavel fell.]

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. KNUTSON. Mr. Speaker, those of us who had the pleasure of serving with Mr. Andrews in this body in the Sixty-sixth and Sixty-seventh Congresses are saddened to hear of his passing. Mr. Andrews came up in life the hard way. He was a fine American, a good friend, and one whose counsel we invariably sought while he was a Member of this body. We extend to his survivors our sincere sympathy.

Mr. CROWTHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CROWTHER. Mr. Speaker, it is with a great deal of regret that those of us who served with him in years past have learned of the death of former Representative William E. Andrews of Nebraska.

There is now no Member in the House who was here when he served his first term in Congress, the fifty-fourth. The dean of our membership is Judge SAPHATH,

the gentleman from Illinois, who commenced his service in the sixtieth Congress. I came in the sixty-sixth when Mr. Andrews had again been elected to Congress, after a lapse of 21 years. He was a product of the great Middle West. He was a man of high educational qualifications, a zealous worker and a fluent speaker. His activities in Congress were divided about evenly between his abiding interest in agriculture and his interest in the state of Treasury finances. He had been an auditor in the Treasury Department for a long time, and even in those days when the financial affairs of the United States were not as problematic as they are now, he was concerned as to the monetary policy and the future fiscal stability of the Government.

In the Sixty-sixth Congress there were 147 new Members. Of those there are only 6 now in Congress who have had continuous service through that period. So times marches on, and adds to the list year after year of those who have passed on to the Great Beyond.

On behalf of myself and the remaining group who served with him, I extend to his immediate family our heartfelt sympathy in their bereavement. "Good-bye old friend, your name is scrolled on memory's page."

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a short poem written by a constituent.

The SPEAKER. Is there objection?

There was no objection.

Mr. O'HARA. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a letter from a constituent.

The SPEAKER. Is there objection?

There was no objection.

Mr. PLOESER. Mr. Speaker, I ask unanimous consent to extend my remarks in two particulars and in each instance to include an editorial.

The SPEAKER. Is there objection?

There was no objection.

RIGHT-OF-WAY IN ELK GROVE, CALIF.

Mr. BUCK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3193) validating certain conveyances heretofore made by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, involving certain portions of right-of-way, in the city of Tracy, in the county of San Joaquin, State of California, and in the town of Elk Grove, in the county of Sacramento, State of California, acquired by Central Pacific Railway Co. under the act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356), with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 4, line 1, strike out all after "under" down to and including "prescribe" in line 3, and insert "the applicable mineral land laws."

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. BOREN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an article written by a very able young lawyer in the State of Oklahoma, Mr. Jeff R. Laird.

The SPEAKER. Is there objection?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a resolution passed by the Chippewa Indians of Montana and likewise a resolution passed by the Japanese of Havre, Mont.

The SPEAKER. Is there objection?

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

PUYALLUP TRIBE OF INDIANS, STATE OF WASHINGTON

The Clerk called the first bill on the Consent Calendar, H. R. 4578, to authorize certain corrections in the tribal membership roll of the Puyallup Tribe of Indians in the State of Washington, and for other purposes.

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

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

COTTON-MARKETING QUOTAS

The Clerk called the next bill, S. 2035, to amend sections 345 and 347 of the Agricultural Adjustment Act of 1938 with respect to cotton-marketing quotas.

Mr. FULMER. Mr. Speaker, I ask unanimous consent that this bill may be recommitted to the Committee on Agriculture.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

WATER CONSERVATION AND UTILIZATION PROJECTS

The Clerk called the next bill, H. R. 4648, to amend the act of August 11, 1939 (53 Stat. 1418), entitled "An act authorizing construction of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States," as amended by the act of October 14, 1940 (54 Stat. 1119).

Mr. COCHRAN. Mr. Speaker, reserving the right to object, when this bill was called on the calendar 2 weeks ago I asked that it go over without prejudice in order that I might make a study of it. I have made an investigation. It is not my purpose to object to the bill, but I do want to call attention to the report, because I do feel that the committees of the House should comply with the spirit of the Ramseyer rule and when they

bring before the House a bill amending an act that the amendments be placed in italics so we can see just exactly what the amendments amount to. In this instance the committee prints the existing law and then the amendments separately. In order to determine exactly what the bill does it is necessary to make a comparison of the two.

Mr. Speaker, I withdraw my reservation of objection.

Mr. LEWIS. Mr. Speaker, reserving the right to object, will the gentleman from Nebraska explain the bill?

Mr. CURTIS. I shall be pleased to explain the bill.

Mr. Speaker, when this bill was called on the Consent Calendar 2 weeks ago the gentleman from Missouri asked that it go over without prejudice in order that he might have time to check into the matter.

This is a bill which carries some clarifying language to what is known as the Wheeler-Case law.

Mr. LEWIS. With which I am familiar.

Mr. CURTIS. It is neither an authorization nor an appropriation. It has the approval of the Bureau of Irrigation and Reclamation. In detail this is what it does: The original act granted authority in the construction of these small irrigation projects to make certain allocations for municipal water supply and other uses and flood control. In all the items except flood control it set up the procedure for such a charge-off and placed a limit thereon. It did not do so with respect to flood control. The pending bill clarifies that.

Mr. LEWIS. To what extent?

Mr. CURTIS. It puts the same limit and the same terms on flood control as it does on the other items mentioned in the original act.

Mr. LEWIS. That is \$500,000.

Mr. CURTIS. That is right. This means that the Federal Government may make a charge-off of not to exceed that amount, in the reimbursable farmers' costs, for flood control when the engineers' report shows a justification for it.

Mr. LEWIS. Mr. Speaker, I withdraw my reservation of objection.

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

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act entitled "An act authorizing construction of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States," approved August 11, 1939 (53 Stat. 1418), as amended by the act of October 14, 1940 (54 Stat. 1119), is hereby amended so as to strike out the period at the end of the section, adding a comma, and the following language: "and that expenditures from appropriations made directly pursuant to the authority contained in section 12 (1) to meet costs allocated to flood control upon recommendation of the Chief of Engineers, War Department, shall not exceed \$500,000 on any one project."

With the following committee amendment:

Page 2, line 4, strike out the words "upon recommendation of", and insert in lieu thereof "by the Secretary after consultation with."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF EMPLOYMENT
STABILIZATION ACT

The Clerk called the next bill, H. R. 5638, to amend the act entitled "Employment Stabilization Act of 1931," approved February 10, 1931.

Mr. KEAN. Mr. Speaker, reserving the right to object, it seems to me this bill lays down a very broad policy. It authorizes an appropriation annually of such sums as may be necessary, and it looks to me as if it is a little too important a matter to be disposed of by unanimous consent. I therefore ask that the bill go over without prejudice.

Mr. BEITER. Mr. Speaker, will the gentleman withhold his request to permit an explanation?

Mr. KEAN. Certainly.

Mr. BEITER. This bill was called on the Consent Calendar 2 weeks ago. At that time the gentleman from Michigan [Mr. WOLCOTT] asked that it go over without prejudice in order that a further study could be made of it. It was the contention of the gentleman from Michigan, I believe, that several Members of the House wished to make a further study of the subject.

This is an important bill. It has the endorsement of the National Resources Planning Board and the Bureau of the Budget. It was unanimously reported from the Committee on Labor. On last Thursday the Senate Committee on Education and Labor unanimously approved a similar measure. It is a very simple bill, a simple authorization act.

The gentleman knows from our experiences after the first World War that lack of planning caused an employment slump which reached alarming proportions. This bill would permit examinations, surveys, and investigations of public-works projects, proposed as part of comprehensive plans for the protection and development of the resources of the Nation, to be undertaken by Federal, State, and local agencies as part of a post-defense planning program. I think you will agree that this is a worthy purpose. However, if we are to continue to have objections under the unanimous-consent rule I will be glad to ask for a special rule for the bill's consideration so that the entire matter can be discussed in detail. I would like to see the bill go through today and hope the gentleman will withdraw his objection, but if he does not want to do this I will act at once to request a special rule. If it is necessary to debate the merits of the bill, I will enter into such debate and furnish any additional information regarding it which is thought to be necessary.

Mr. GIFFORD. Mr. Speaker, will the gentleman yield?

Mr. KEAN. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. The Federal Government has put much money into the State employment agencies, so-called, and now I understand the Federal Government is

taking them over. Is there anything in that?

Mr. BEITER. No. If this bill is passed, it permits the National Resources Planning Board to confer with local planning agencies and with the mayors of cities and plan a program for the post-war period.

Mr. GIFFORD. I take this opportunity to warn the House that the Federal Government is reaching in now and taking over the employment agencies in the States.

Mr. BENDER. They are trying to do that.

Mr. GIFFORD. They are doing it, because they are putting up the money. They are walking in now and taking them over.

Mr. BEITER. I understand what the gentleman has in mind, but this bill does not do that.

Mr. GIFFORD. Will the gentleman help me oppose any such business?

Mr. BEITER. I certainly will help the gentleman oppose that.

Mr. KEAN. Mr. Speaker, I insist on my request that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

UNITED STATES NAVAL ACADEMY

The Clerk called the next business, Senate Joint Resolution 80, providing for the celebration in 1945 of the one hundredth anniversary of the founding of the United States Naval Academy, Annapolis, Md.

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

Mr. ROBSION of Kentucky. Reserving the right to object, Mr. Speaker, I should like to have an explanation as to what the bill will cost and what it is contemplated to do.

Mr. BENDER. Mr. Speaker, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to the gentleman from Ohio.

Mr. BENDER. This measure is a very simple one. The words of the title tell the whole story.

Mr. ROBSION of Kentucky. What will it cost?

Mr. BENDER. As far as I know, it will not cost anything.

Mr. ROBSION of Kentucky. Does the gentleman know it will not cost anything?

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to the gentleman from Michigan.

Mr. WOLCOTT. The bill provides for an authorization of \$5,000.

Mr. ROBSION of Kentucky. I withdraw my reservation of objection, Mr. Speaker.

Mr. WOLCOTT. Reserving the right to object, Mr. Speaker, this anniversary will not be celebrated until 1945. Perhaps the amount involved in the bill before us may seem rather unimportant, in view of the billions we are spending in the war effort, but, after all, I think we should save wherever possible, whether

it be a billion dollars or a thousand dollars. Perhaps the Treasury of the United States will be in a little better position next year to give consideration to the expenditure of even this small amount.

In view of the fact that we must pinch every penny in carrying on this war, I believe it does not look very well for us to be appropriating money to celebrate events, no matter how splendid and fine they are. For that reason I am compelled to object to the consideration of this bill.

Mr. COLE of New York. I object, Mr. Speaker.

Mr. KEAN. I object, Mr. Speaker.

UNITED STATES MARITIME COMMISSION

The Clerk called House Joint Resolution 231 to authorize the United States Maritime Commission to adjust certain obligations, and for other purposes.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That all payments heretofore made by the United States Maritime Commission on account of hospitalization, care, and medical or surgical services for injured employees, under an agreement or commitment made or assumed by the said Commission or the United States Shipping Board (Emergency) Merchant Fleet Corporation for the continuance of such services or payments during the disability of such employees, are hereby approved and confirmed. Such agreement or commitment shall effective July 1, 1937, be held and considered to be an existing contractual obligation on the part of the said Fleet Corporation under section 203 of the Merchant Marine Act, 1936, as amended, and the said Commission shall, effective July 1, 1940, continue such services and payments under such contractual obligation for the contemplated period, until and unless the Commission enters into an agreement or arrangement on such terms and conditions as it deems appropriate for the adjustment or termination of such services and payments, in which case payments shall be made in accordance with the new agreement or arrangement.

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That all payments heretofore made by the United States Maritime Commission on account of hospitalization, care, and medical or surgical services for Leo Mulvey, under an agreement or commitment made or assumed by the said Commission or the United States Shipping Board (Emergency) Merchant Fleet Corporation for the continuance of such services or payments during the disability of the said Leo Mulvey, are hereby approved and confirmed. Such agreement or commitment shall, effective July 1, 1937, be held and considered to be an existing contractual obligation on the part of the said Fleet Corporation under section 203 of the Merchant Marine Act, 1936, as amended, and the said Commission shall, effective July 1, 1940, continue such services and payments under such contractual obligation for the contemplated period, until and unless the Commission enters into an agreement or arrangement on such terms and conditions as it deems appropriate for the adjustment or termination of such services and payments, in which case payments shall be made in accordance with the new agreement or arrangement."

The committee amendment was agreed to.

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

the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "Joint resolution to approve and authorize the continuance of certain payments for the hospitalization and care of Leo Mulvey, and for other purposes."

PAY FOR ARMY OFFICERS

The Clerk called the next bill, H. R. 5480, to provide pay for officers in accordance with the rank and grade in which they were inducted and served in the land forces.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That persons inducted into the land forces of the United States, or called to active duty therein, in grades or ranks to which not entitled under laws and regulations in effect at the time of said induction or call, shall, notwithstanding and administrative determination to the contrary, be entitled to the pay and allowances of the rank or grade in which inducted or called for the period during which they in fact served in said erroneous rank or grade, to be paid out of the appropriation available on the date of the enactment hereof for pay of the Army: *Provided,* That the Secretary of War determines that the induction or call of said persons in said erroneous grade or rank was without fault on the part of said persons so inducted or called.

SEC. 2. Payments heretofore erroneously made to such persons described in section 1 hereof are hereby ratified and validated and credit therefor shall be allowed by the Comptroller General of the United States in the accounts of disbursing officers making said payments: *Provided,* That any amounts collected from any person on account of payments which are herein validated shall be refunded to said person upon the presentation of a claim therefor to the Comptroller General of the United States who is authorized and directed to certify said claim to the Secretary of the Treasury for payment out of any money in the Treasury not otherwise appropriated.

With the following committee amendments:

Page 1, line 4, after "States", strike out "or called to active duty therein" and insert "as a part of the National Guard of the United States under Public Resolution No. 96, approved August 27, 1940."

Line 9, strike out "and" and insert "an."

Page 2, line 18, after "any", strike out "money in the Treasury not otherwise appropriated" and insert "funds available for pay of the Army."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BLAIR COUNTY, PA.

The Clerk called the next bill, H. R. 5481, to transfer Blair County, Pa., from the western judicial district of Pennsylvania to the middle judicial district of Pennsylvania.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Blair County, Pa., of the western judicial district of Pennsylvania, be, and it is hereby, detached from said judicial district and attached to the middle judicial district of Pennsylvania.

With the following committee amendment:

Page 1, line 6, after "Pennsylvania", insert a colon and the following: "*Provided,* That the transfer herein provided shall not affect any case or proceedings now pending."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF CLASSIFICATION ACT OF 1923

The Clerk called the next bill, H. R. 6217, to amend section 13 of the Classification Act of 1923, as amended.

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

Mr. MOSER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. RAMSPECK. Reserving the right to object, Mr. Speaker, I call the attention of my friend to the fact that the testimony before the committee, of which the gentleman is a member, was to the effect that this bill is definitely a help to national defense. The administration is very eager to have it passed, promptly, in order that the Navy Department may get a higher grade of personnel for guard positions and so other agencies may retain and secure mechanics in the Government service. True, it covers some other matters, but I hope my friend may be willing to let the bill go through.

Mr. MOSER. Mr. Speaker, practically everybody in the Government is trying to take a free ride at the expense of national defense, and we have embarked on the policy of cutting out nondefense spending. Here is a bill that will carry an increase in salaries to persons who are in the classified civil service drawing salaries from \$5,600 to \$9,500 a year. I do not mind increasing the wages of a guard and helping the Navy Department recruit a superior personnel to that which they presently have, but I do object to giving every bureaucrat in the Government of the United States and every person in the high brackets of salary under the classified service a free ride every time we do something for the under dog, for charwomen, guards, and so forth, of low salary. I spent 22 years in the classified service getting up just about half that high, and with the gigantic strides that we have been taking I am constrained to object and shall ever object to increasing anybody in the classified service to a point in such service where the salary of such positions will exceed the salary of a Member of the Congress.

Mr. RAMSPECK. The gentleman knows there is nothing in this bill that will permit anybody to draw a salary above \$10,000 a year, and he also knows that the part of the bill he is discussing costs only \$300,000, whereas the total cost of the bill is \$15,000,000, the other money going to the lower-paid people who need it greatly and whose salaries are now far below the going rates in private employment.

Mr. MOSER. The aggregate of the increase in the bill will be something like \$4,000,000 to the higher brackets. There are classifications there that will receive as much as \$600. I am con-

strained to object to that part of the bill.

Mr. RAMSPECK. The testimony of all the officials of the Government was that the net increase for the higher grades would be \$300,000 per year, and I furnished the gentleman with a statement to that effect showing the number of positions and the number that are already above this \$9,000 limit either by an act of Congress or because they are not under the Classification Act. There are many of them outside the Classification Act receiving above \$9,000 per year.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. Moser]?

Mr. RAMSPECK. Mr. Speaker, I object to the bill being passed over.

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

Mr. MOSER. I object, Mr. Speaker.

MAINTENANCE OF SECRECY OF MILITARY INFORMATION

The Clerk called the next business, House Joint Resolution 264, to maintain the secrecy of military information.

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

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that a similar Senate joint resolution may be considered in lieu of the House joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate joint resolution (S. J. Res. 124), as follows:

Resolved, etc., That effective as of May 27, 1941, section 12 (h) of the Neutrality Act of 1939 (Public Res. No. 54, 76th Cong.) is amended by adding at the end thereof the following new sentence: "Any reports required by this section may be omitted or dispensed with in the discretion of the Secretary of State during the existence of a state of war."

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The similar House joint resolution was laid on the table.

THE INTER AMERICAN STATISTICAL INSTITUTE

The Clerk called the next business, House Joint Resolution 219, to enable the United States to become an adhering member of the Inter American Statistical Institute.

Mr. KEAN. Mr. Speaker, reserving the right to object, may I ask the gentleman from New York [Mr. Bloom] whether, in his opinion, the passage of this joint resolution will help in winning the war by improving relations with our South American friends? If that is so, I shall be very pleased to support the bill.

Mr. BLOOM. In answer to the gentleman, I will say yes, and, furthermore it will give us at this time information that will be valuable not only to this country but to the countries of this hemisphere. The measure is recommended by the President, the Secretary of State,

the Bureau of the Budget, the Census Bureau, and one other department.

Mr. KEAN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the House joint resolution?

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to substitute Senate Joint Resolution 96, a similar resolution.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate joint resolution.

The Clerk read as follows:

Resolved, etc., That to enable the United States to become an adhering member of the Inter American Statistical Institute, there is hereby authorized to be appropriated annually, out of any money in the Treasury not otherwise appropriated, such sums as may be required for expenditure under the direction of the Secretary of State, for the payment of the share of the United States toward the support of the institute: *Provided*, That the share of the United States each year after the second year shall not exceed 50 percent of the total contribution made for the same purposes by all adhering member governments during the year preceding the one for which payment is made: *Provided further*, That the total cost to the United States shall not exceed \$35,000 in any one year.

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

House Joint Resolution 219 was ordered to lie on the table.

The SPEAKER. This concludes the calling of the Consent Calendar, as the last four bills have not been on the calendar for 3 legislative days.

ORDER OF BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. McCORMACK. Mr. Speaker, it is expected that we will take up the conference report upon the price control bill on Thursday, if it is filed before that time. Even if filed tomorrow or today, it will not come up until Thursday.

We expect to take up tomorrow a bill from the Naval Affairs Committee. A rule has been reported today authorizing the consideration of that bill, which provides for an expenditure of \$450,000,000 for shore construction.

AUTHORIZING VESSELS OF CANADIAN REGISTRY TO TRANSPORT IRON ORE

Mr. BLAND. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 2204, authorizing vessels of Canadian registry to transport iron ore on the Great Lakes during 1942.

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object, to have the gentleman from Virginia give us an explanation of the bill.

Mr. BLAND. Mr. Speaker, an identical bill was passed last year, applicable

only to the year 1941, permitting the transportation of iron ore in vessels of Canadian registry. That bill was limited to the year 1941. This identical bill provides for the same thing for the season of 1942. It is important that an immediate arrangement be made, in order that we may get the benefit of the transportation of the ore.

Mr. MARTIN of Massachusetts. The extension is for 1 more year?

Mr. BLAND. The bill provides for 1 year. I have polled 16 out of the 21 members of the committee, and all of the members on the gentleman's side, except 1 I have seen, and they think this bill should be passed immediately.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my objection.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, by reason of emergency conditions in transportation on the Great Lakes, notwithstanding the provisions of section 27 of the act of Congress approved June 5, 1920 (41 Stat. 999), as amended by act of Congress approved April 11, 1935 (49 Stat. 154), and by act of Congress approved July 2, 1935 (49 Stat. 442), or the provisions of any other act of Congress or regulation, vessels of Canadian registry shall be permitted to transport iron ore between United States ports on the Great Lakes during the 1942 season of navigation on the Great Lakes.

The Senate bill was ordered to be read a third time, was read the third, and passed, and a motion to reconsider laid on the table.

CIVILIAN-DEFENSE LEGISLATION

Mr. MAY. Mr. Speaker, I call up the conference report upon the bill S. 1936, to provide protection of persons and property from bombing attacks in the United States, and for other purposes, and ask unanimous consent that the statement of the conferees be read in lieu of the report.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present.

CALL OF THE HOUSE

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 8]

| | | |
|----------------|-----------------|-------------|
| Barden | Ditter | Kee |
| Barry | Downs | Kelley, Pa. |
| Bell | Drewry | Kennedy, |
| Bishop | Fish | Michael J. |
| Boykin | Flannagan | Kilburn |
| Bradley, Pa. | Ford, Thomas F. | Kleberg |
| Buckley, N. Y. | Gamble | Klein |
| Bulwinkle | Gavagan | Kramer |
| Burch | Grant, Ind. | Kunkel |
| Byron | Hall, | Larrabee |
| Cannon, Fla. | Leonard W. | Leavy |
| Capozzoli | Harris, Va. | McGranery |
| Casey, Mass. | Healey | McIntyre |
| Clark | Hill, Colo. | Maclora |
| Claypool | Hope | Magnuson |
| Coffee, Nebr. | Houston | Marcantonio |
| Courtney | Howell | Merritt |
| Creal | Jensen | Monronev |
| Culkin | Johnson, III. | Myers, Pa. |
| Cullen | Johnson, | Norrell |
| Delaney | Lyndon B. | Norton |

| | | |
|----------------|----------------|-------------|
| O'Day | Romjue | Taber |
| O'Leary | Sacks | Thom |
| Osmer | Sauthoff | Van Zandt |
| O'Toole | Schaefer, III. | Vreeland |
| Pfeifer, | Scott | Wastelowski |
| Joseph L. | Sheridan | Weiss |
| Reed, N. Y. | Short | Wene |
| Rizley | Smith, Pa. | West |
| Robertson, | Snyder | Wilson |
| N. Dak. | South | Winter |
| Robertson, Va. | Stratton | Worley |
| Rogers, Mass. | Sumners, Tex. | Wright |
| Rogers, Okla. | Sweeney | |

The SPEAKER. On this roll call 332 members have answered to their names, a quorum.

By unanimous consent, further proceedings, under the call, were dispensed with.

CIVILIAN DEFENSE LEGISLATION

Mr. MAY. Mr. Speaker, I call up the conference report on the bill (S. 1936), to provide protection of persons and property from bombing attacks in the United States, and for other purposes, and I ask unanimous consent that the Clerk may read the statement in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky

Mr. MARTIN J. KENNEDY. Mr. Speaker, reserving the right to object, is it the intention of the gentleman from Kentucky to use any time to explain this report?

Mr. MAY. Yes; I expect to explain it.

Mr. MARTIN J. KENNEDY. Does the gentleman expect to use the hour provided under the rule?

Mr. MAY. Well, I do not think I shall use that much time. Gentlemen on the other side may use some time.

Mr. MARTIN J. KENNEDY. I hope the gentleman will find it possible to use all that time.

Mr. MAY. We will determine that when we come to it.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1936) to provide protection of persons and property from bombing attacks in the United States, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That there is hereby authorized to be appropriated such sums, not exceeding \$100,000,000, as may be necessary to enable the Director of Civilian Defense, appointed under authority of Executive Order Numbered 8757, dated May 20, 1941, to provide, under such regulations as the President may prescribe, facilities, supplies, and services to include research and development for the adequate protection of persons and property from

bombing attacks, sabotage or other war hazards in such localities in the United States, its Territories and possessions, as may be determined by said Director to be in need of, but unable to provide, such protection: *Provided*, That such facilities and supplies may be loaned to civil authorities in accordance with said regulations: *Provided further*, That any department or agency of the Federal Government having equipment or supplies not required for its use may, subject to the approval of the Division of Procurement, Treasury Department, transfer the same without charge (notwithstanding the provisions of the Act of December 20, 1928, 45 Stat. 1030) to the Director of Civilian Defense for the purpose herein authorized.

"Sec. 2. It shall be unlawful for any person to wear an insignia, arm band, or other distinctive article prescribed by the Director of Civilian Defense except in accordance with the regulations promulgated under the authority of section 1 hereof: *Provided*, That nothing in this Act shall be construed as authorizing the Director of Civilian Defense or any person or employee acting under him by authority of this Act, or in pursuance of the regulations prescribed thereunder to interfere with or usurp any of the rights or duties of any local district, municipal, county, or State official.

"Any person found guilty of violating the provisions of this section shall, upon conviction, be fined not more than \$100 or imprisoned for not more than thirty days, or both." And the House agree to the same.

A. J. MAY,
EWING THOMASON,
DOW W. HARTER,
W. G. ANDREWS,
DEWEY SHORT,

Managers on the part of the House.

ROBT. R. REYNOLDS,
WARREN R. AUSTIN,
ELBERT D. THOMAS,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1936) to provide protection of persons and property from bombing attacks in the United States, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate bill contained no limitation on the amounts to be appropriated to carry out the purposes of the bill. The House amendment imposed a limitation of \$100,000,000 on such amounts. The conference agreement adopts the House limitation.

The Senate bill provided that the facilities, supplies, and services to be furnished under the provisions of the bill should be furnished by the Director of Civilian Defense. The House amendment provided for the furnishing of such facilities, supplies, and services by the Secretary of War. The conference agreement adopts the Senate provision.

The Senate bill provided for the furnishing of facilities, supplies, and services only for protection from bombing attacks. The House amendment includes language to permit the furnishing of such facilities, supplies, and services for protection from sabotage, and other war hazards. The conference agreement retains this feature of the House amendment.

The House amendment added a proviso to section 2 of the Senate bill providing that nothing in the bill should be construed to authorize any person acting under authority of the bill to interfere with or usurp any of the rights or duties of any local district, municipal, county, or State official. The conference agreement retains this proviso.

The Senate bill provided for imprisonment for not more than 6 months of persons convicted of violating regulations prescribed by the Director of Civilian Defense with respect to the wearing of distinctive articles prescribed by him. The House amendment reduced the maximum imprisonment term to 30 days. The conference agreement adopts the House limitation.

A. J. MAY,
EWING THOMASON,
DOW W. HARTER,
W. G. ANDREWS,
DEWEY SHORT,

Managers on the part of the House.

The SPEAKER pro tempore (Mr. ZIMMERMAN). The gentleman from Kentucky [Mr. MAY], is recognized for 1 hour.

Mr. MAY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the statement of the conferees which has just been read to the House is a very clear statement of exactly what transpired in the conference. I understand, and you understand, of course, that the controversial features of the legislation were the question of whether the expenditure of the money and the administration of the agency that is to be provided under this legislation should be under the jurisdiction of the War Department or whether it should remain with the civilian director, whoever he may be. Your conferees and the Senate conferees have agreed upon a unanimous report. It was the contention of the House conferees that the amount of the appropriation should be limited as stated in the House bill, and that was done. Evidence before the House Committee on Military Affairs never did disclose the necessity for a larger expenditure than \$92,000,000. We put over that a margin of about \$8,000,000 to take care of any contingencies that might arise.

There was another question raised on the floor of the House among some of the membership and that was the question of whether or not there was going to be any protection to cities in the interior beyond the 300-mile border that had been testified to by the civilian director before the House committee. I have here, and it is too lengthy to take up the time to read it, a list of cities in the interior, reaching all the way from the Middle West back to the border line 300 miles in, which includes every city that has been so far determined to be engaged in national defense efforts. Another question that some Members have mentioned to me is the question of whether or not any of this money will be applied to aid cities like New York, Pittsburgh, Detroit, and Chicago. I would say with reference to that that the legislation itself settles that question by providing expressly that it is to be furnished only to those cities which need but are unable financially to procure equipment.

I regard this as a very important piece of legislation.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield.

Mr. MARTIN of Massachusetts. When the gentleman says the legislation provides for cities in need, does not that include every city?

Mr. MAY. Cities that need but are not able to buy.

Mr. MARTIN of Massachusetts. Do you not think that every one of them would be classified that way?

Mr. MAY. They could be classified if somebody wanted to say that Pittsburgh, for instance, with all of its wealth and defense industry was unable to do that, but I do not think anybody will take that kind of a stand.

Mr. MARTIN of Massachusetts. Who will do the classifying?

Mr. MAY. It is to be done by the civilian director.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield.

Mr. EBERHARTER. When the gentleman speaks of a particular city being able to buy all this equipment, even though the inhabitants of a city may be wealthy, perhaps the finances of the city are not in condition to purchase all this needed material. I may say that is the condition in Pittsburgh. I do not want that statement of the gentleman to remain unchallenged in the Record, because the finances of the city of Pittsburgh are not such that they can afford to spend a lot of money for civilian defense purposes.

Mr. MAY. I imagine that the city of Pittsburgh still has the power to levy and collect taxes.

Mr. EBERHARTER. Oh, yes; they can levy taxes, and they also have the power to issue bonds.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield.

Mr. CASE of South Dakota. In view of the fact that the mayor of the city of New York has come to Washington repeatedly with tin cup in hand, does the gentleman think that the Director of Civilian Defense will have any difficulty in finding that New York City is one of the cities in want?

Mr. MAY. Well, I do not think that question is for me to answer. The cities of the United States in many instances over a period of years have been running to Washington, hat in hand, after every dollar they can bleed the Federal Government for and I hope this activity shall not bring another era of that kind.

[Here the gavel fell.]

Mr. MAY. Mr. Speaker, I yield myself 5 additional minutes.

The SPEAKER pro tempore (Mr. ZIMMERMAN). The gentleman from Kentucky is recognized for 5 additional minutes.

Mr. MAY. All men, including the gentleman from South Dakota and myself, and the mayor of New York, are supposed to have some degree of honesty, especially when they occupy public office.

Mr. CASE of South Dakota. I am not questioning anyone's honesty.

Mr. MAY. We should start out on this program on the assumption that those in responsible positions will not make requests on bases that cannot be supported.

Mr. CASE of South Dakota. I am not questioning honesty in any quarter. I based my question on the well-known record that the mayor of the city of New York has been down here many times asking for various forms of Federal relief. My point is that if the city of New York is a city in need of financial

aid, certainly every other city in the country will seek to qualify as a city in need.

Mr. MAY. I do not think the city of New York has applied for any of this equipment so far except on its own account.

Mr. HARNESS. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield.

Mr. HARNESS. I wonder if the chairman of the Military Affairs Committee has any information as to how much of the \$100,000,000 will be used in paying salaries of appointees of the Director for services throughout the country?

Mr. MAY. It is my information that the Director himself and all of these upper officers who have volunteered their services are not on salaries.

Mr. HARNESS. But in the field the Director may appoint any number of employees without any qualification, any number he wants to put on, and fix their salaries.

Mr. MAY. That is true of every department where we pass this type of legislation, and the gentleman from Indiana is a member of the committee that conducted the hearings and I wonder if he can answer his own question.

Mr. MARTIN J. KENNEDY. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield.

Mr. MARTIN J. KENNEDY. I hope the gentleman does not intend to preclude New York from participation in this act, because the gentleman must know that the emergency tax now being collected in that city for unemployment is being used to pay the general expenses of the city; it is being diverted. So, the gentleman can see our pathetic position. His statement might place us in the unfortunate position of not being able to get any of this money. Certain salaries are not being paid in the city of New York at the present time.

Mr. MAY. I mentioned the city of New York merely as a means of answering indirectly the criticisms that were passed upon the mayor of New York here the other day in the discussion of the legislation.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. MAY. I cannot yield further at the moment. I shall be pleased to yield a little later if I have time.

On another question dealing with protection against bombing, the House bill as originally drawn was confined simply to that, but an amendment suggested, I believe, by one of the gentlemen from Virginia, was adopted which provided that the protection should extend also against fires resulting from bombing or damage from any other war efforts or activities. That was to broaden the legislation so as to protect for all purposes.

The principal reason which induced your conferees to yield on the question of giving the direction of this program over to the Civilian Director and not the Secretary of War was a second letter sent to the conferees, or to me, rather, as chairman of the Military Affairs Committee, under date of January 12, by the Secretary of War.

Secretary Stimson, you will recall, objected to being given the job in a letter

early in the hearings. That letter was included in the hearings and was referred to on the floor of the House by the gentleman from Texas [Mr. THOMASON]. At the time of the meeting of the conferees we had a second message from the Secretary of War in which he said this:

The House now would force upon the War Department duties not directly related to its basic military mission. They do this at the commencement of the greatest military expansion and development this country has ever known and during a time it is engaged in what may well be a war decisive of the possibility of the survival of Christian civilization. If agreed to, it will necessarily require the diversion for military activities of a large number of personnel that cannot be spared.

On receipt of that statement from the Secretary of War the conferees felt it was a duty they owed to this country not to cripple or add to the difficulties of the Chief of our Military Establishment.

In addition to that we provided—and I have a statement here from the Civilian Director—that all of this money is going to be spent through the War Department. So the Civilian Director is a mere person in a position. Here is what the Civilian Director himself said about it:

All equipment will be purchased and inspected by the War Department. Specifications and plans have already been worked out by the Office of Civilian Defense and the Quartermaster of the United States Army. All medical supplies will be purchased by the War Department. Specifications have been prepared by the Office of Civilian Defense and the Surgeon General's Office of the United States Army. Of course, all of the gas masks and other supplies of that kind would be bought through the Chemical Warfare Service.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield to the gentleman from New York.

Mr. CELLER. I want to get clear and I think the other Members of the House want to get clear just what is meant by "Director of Civilian Defense" and what is meant by "Executive Director of the Office of Civilian Defense." Dean Landis was appointed Executive Director and Mayor LaGuardia is the Director. What is the difference between the two?

Mr. MAY. Frankly, I do not know what the difference is, except I would take it that the Executive Director exercises some executive duties, and the Civilian Director determines what shall be done.

Mr. McKEOUGH. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Illinois.

Mr. McKEOUGH. Does the gentleman's study of this legislation indicate through whom ambulances for civilian defense needs will be authorized and purchased?

Mr. MAY. I think that will be done through the office of the Surgeon General, and it will probably be put under the operation of the Red Cross.

[Here the gavel fell.]

Mr. MAY. Mr. Speaker, I yield 30 minutes to the gentleman from New York [Mr. ANDREWS].

Mr. ANDREWS. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, unfortunately the gentleman from Missouri [Mr. SHORT], one of

the conferees, is detained at his home through illness today, but he has authorized me to say to those on the minority side that he concurs generally in the views which I shall express to you. We both signed this conference report with misgivings and reluctance.

I point out to the House that since the House acted upon this very important measure a number of matters have occurred which have some bearing on the situation.

In the first place, the House itself voted to place the administration of this measure under the War Department, but refused by a vote of 1 to authorize the appointment of an Assistant Secretary of War who would be charged with the administration of the act. It is true that the Secretary of War addressed the conferees in a letter at the time of the conference, but I can very easily imagine how the Secretary of War would not want the administration of the act when the Congress itself had not been willing to authorize an Assistant Secretary of War through whom civilian defense would be administered.

In addition, our views were somewhat altered by the fact that the day following the House action on this measure the President saw fit to appoint an executive director, Dean Landis, of the Harvard Law School, and the chances are that, if given full opportunity, he would administer this act reasonably well.

On top of that, we have the direct statement from the mayor of New York that on the adoption of this measure and some minor legislation in connection with it he will resign either as mayor of New York or as the administrator of this act.

As far as the conference report is concerned, the Senate yielded on every point to the House, and the exact language of the House bill is retained, with the exception that "Civilian Defense Director" is substituted wherever the title "Secretary of War" occurs in the provisions of the House bill.

The limitation on appropriations is the same as in the House bill, \$100,000,000.

Further, the Civilian Defense Administration reported to the conferees in a message which has just been read by the chairman of the committee that all purchasing, insofar as they were able to do it, was being done, and will be done, through the offices of the War Department, upon the recommendation of the Surgeon General, and otherwise.

For all of these reasons, the gentleman from Missouri and I saw fit, as I say, to sign the conference report reluctantly. We can see nothing particularly to be gained today by undue opposition to it unless there were to be an Assistant Secretary of War to administer it.

We do feel, however, that it should be the duty of Congress to point out faulty administration of this act. At the same time, we express the hope that sooner or later this act will be administered by one person, either Mr. LaGuardia or Mr. Landis, and that one of them alone will completely administer the act.

I received only this morning a report from the chairman of the national-defense committee of the American Legion of Erie County, which is in western New

York, which I wish to call to your attention:

As chairman of the national defense committee of the American Legion of Erie County, and as a citizen, the failure of cooperation between the Buffalo council of defense, the Erie County council of defense, and the other defense committees in the eighth judicial district, particularly along the Niagara frontier, has been a source of disgust and alarm. Individual aims, petty bickerings, jealousies, and presumably politics, are a serious draw-back to the coordination of facilities for civilian defense.

There is now a move to have the Governor appoint a coordinator for Niagara and Erie Counties. In my judgment this is a job for the Army of the United States, to make certain that there will be no semblance or claim of politics entering into the matter.

I observed the black-out rehearsal on December 26, 1941, and the following occurred to me:

From Niagara Falls as far south as Pittsburgh, and as far west as Cleveland, is a section that is one of the most vital defense areas in America. It should be guarded as carefully as the Atlantic and Pacific coast lines, the Panama Canal, and an actual war section, for the only hope of the Axis Powers, and a scant one at that, of having this war end in a stalemate, is by crippling the industrial strength of America. This area should be in charge of an Army officer of high rank and ability, with disciplinary powers over local defense councils. Under him should be subordinate officers for that part of each State within the area. Unless this is done civilian and national defense in this locality will get nowhere. There will be conflicts of opinion and lack of coordination and poor functioning all along the line. Adequate defense measures should be adopted and enforced and it is only under military jurisdiction that it can be accomplished. The history of past wars has demonstrated this.

The Army officer in charge should collaborate with a similar officer in the area extending from Toronto to Buffalo and Cleveland. Whenever there is a black-out it should extend simultaneously from Toronto to Pittsburgh. On the night of the black-out rehearsal in Buffalo, the Canadian side of the Niagara River from Toronto to Fort Erie was brightly lighted. In an actual black-out what would the use of a black-out in Buffalo and vicinity if a target and guide is furnished the enemy to enable them to locate Buffalo?

To give you an example of overlapping and the lack of cooperation, the Erie County defense committee is about to set up a battery of direct telephone communications to warn the communities throughout the county. There will be 20 telephones in service, 24 hours a day, requiring not less than 80 volunteers for each 24 hours. They figure they will need 400 volunteers. This is a very amateurish scheme. The city will have a set-up to perform the same function in the city of Buffalo. I am informed by former Police Commissioner Roche that the set-up for the whole county, including the city of Buffalo, could be handled by the police department in conjunction with the telephone company under better methods of protection. This is more of a professional set-up, and it is perfectly obvious that this plan will work to the better advantage of the defense in this locality in the event of an air raid. Prompt and accurate warning of an air raid is the most vital part of defense against such a raid. Failing in this, all other preparation goes for naught.

Summarizing, my co-conferee, the gentleman from Missouri [Mr. SHORT] and I have signed this conference report and we believe that we may as well adopt it, but we believe just as strongly that Mr.

LaGuardia should resign as soon as possible one of the two jobs he now fills and either take complete control of the administration of this act or else turn it over to Dean Landis.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from New York.

Mr. CELLER. I presume the gentleman from Missouri [Mr. SHORT] signed this report in reliance on Mayor LaGuardia's statement that he would resign one of the two offices?

Mr. ANDREWS. That is correct.

Mr. CELLER. The mayor has taken no action since that time in that regard, but in the interim Mr. Landis has been appointed executive director. What in the world is an executive director as distinguished from a director, and why was Mr. Landis appointed? Does the gentleman know? Did the conferees inquire into that?

Mr. ANDREWS. We did not.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Illinois, a member of the committee.

Mr. ARENDS. Has the gentleman any further information as to whether the executive director will be made director should the mayor of New York City, Mr. LaGuardia, resign?

Mr. ANDREWS. I think the gentleman will realize that I have no information about that.

Mr. ARENDS. Can the gentleman give me information as to whether the executive director will draw a salary of \$10,000 a year?

Mr. ANDREWS. I do not know about that.

Mr. ARENDS. The reason I ask the question is that when we were having the vote here the other day several Members voted against the creation of another Assistant Secretary of War because it meant the creation of another \$10,000-a-year job.

Mr. ANDREWS. In conclusion I want to state particularly to the Members on the minority side that we did not feel there was much point about putting this in the War Department after the House had refused to authorize an Assistant Secretary of War for the administration of the measure

[Here the gavel fell.]

Mr. MAY. Mr. Speaker, I do not observe that there is any particular objection to the conference report—

Mr. MARTIN J. KENNEDY. Mr. Speaker, will the gentleman yield me some time?

Mr. MAY. Mr. Speaker, I yield the gentleman 5 minutes.

Mr. MARTIN J. KENNEDY. Mr. Speaker—

Mr. ANDREWS. Mr. Speaker, may I state to the chairman of the committee that I had requests for 30 minutes on this side, and I understand the gentleman from Kentucky yielded me 30 minutes?

Mr. MAY. Yes; the gentleman is correct.

Mr. MARTIN J. KENNEDY. Mr. Speaker, this conference report offers us another opportunity to discuss a matter

of vital concern to every citizen in my city. Every newspaper published in New York City has pleaded, begged, and admonished the mayor, editorially, a few of which I shall attach to these remarks, to do one thing or the other—that is, to perform the duties required of him as mayor of New York City or act as the National Director of Civilian Defense. It is just impossible for one man to do justice to both these tremendous tasks. The newspapers that are now advising the mayor on his conduct are the same ones that have steadfastly supported him. Recently they emphasized his fine qualities and abilities, and at the same time failed to discover any impropriety in his attempting to fill two offices, one local and one national. They are now appealing, as friends, because they admit the fact that no one man—even LaGuardia—can perform, efficiently and well, the duties of mayor of New York City and Director of Civilian Defense. Regardless of the appointment of Judge Landis to the Office of Civilian Defense, we all know that Mr. LaGuardia will be the big boss and give orders.

Yesterday I listened to Mr. LaGuardia on the radio. The newspapers had led the public to believe that the mayor was going to make a startling statement of national interest. Instead, his statement was notable for what he failed to say. He told the people about scrap material, old rags, and bottles, and to beware of the junk man. He inferred that all the money provided under this bill had already been allocated. If any of you gentlemen expect to get any allowance for your home town, and do not have it now, I think you will get none for your defense problems. Yesterday, Fiorella said he was sending his fire commissioner down to Washington to pass upon the specifications for materials to be bought for your community. Today we are told it is the War Department that is the buyer of materials for defense. Yesterday the mayor also stated over the radio that "on Saturday a bill was introduced in the Senate to provide coverage for injured air wardens." We all know the Senate was not in session on Saturday, and up to this very minute no bill has been introduced on this subject, with the exception of H. R. 6316, which I offered on January 7.

There is entirely too much conflict between what we are told in the House by our Committee on Military Affairs and what we hear direct from the lips of the mayor. Is there not some way by which we may obtain the true facts? If not, why not? The city of New York, with more than seven and a half million people, has not had one real, honest air-raid drill. There have been some put on for the benefit of the movies—only make believe—seems to be the rule. The one siren that was delivered has been discarded because, after spending thousands of dollars, LaGuardia found that he had not planned for the pressure needed to make it function. I do not know what will happen to my city and my neighbors if we should have any serious trouble, but I hope and pray we correct the existing defects before much more time has been lost in playing house. Our New York State Legislature is in session working on

badly needed legislation. Both our Governor and the members of the senate and the assembly are in a dilemma on their legislative program because the mayor, by virtue of his being National Director of Civilian Defense, has created 48 districts, 1 for each State, and in addition he has created an extra or super district, making a total of 49 districts. The forty-ninth district, if you please, is located entirely within the limits of the city of New York, with headquarters at City Hall under the generalship of none other than Fiorella H. LaGuardia. Therefore our legislature is finding it difficult to do anything to advance wartime legislation because one part of the State, Long Island, is outside of New York City and runs from the city line to Montauk Point. The counties of Suffolk and Nassau, located on Long Island, are helpless. They are cut off from the rest of the State by the boundaries of New York City. Adjoining New York, on the north, we have Westchester County, with many busy cities and considered part of the metropolitan area. Each day more than a million people from these adjoining counties commute to New York City, but under the LaGuardia formula they are in no-man's land. Members of both houses, Democrats and Republicans, have done their best to prepare suitable legislation to meet the problems arising from the national emergency, but it is next to impossible to write a bill that will exclude New York City's seven and a half million people and at the same time make it workable and effective.

If you are going to support this conference report on the assurances of our Committee on Military Affairs that Mayor LaGuardia is going to change overnight from a blustering, arrogant person to a calm leader, inspiring confidence, you are mistaken. Personally, I do not care which job he elects to fill, mayor or director, but he should make up his mind, and make it up soon. Almost daily the newspapers of New York City are pleading with him to make a decision. They have lampooned him in cartoons in their efforts to make him see the light; one funster has him saying, "America, you love me and I think mighty highly of you." That quip reflects the attitude of F. H. LaGuardia. Unfortunately, the situation gets more ridiculous each day, with the result that the people have lost all respect for the present management of the Office of Director of Civilian Defense.

Let us send this bill back to conference and instruct the conferees to insist upon the position of the House as expressed in the vote on the 8th of January, this year.

The articles and editorials referred to in my remarks are as follows:

[From the New York Herald Tribune of January 3, 1942]

THE MAYOR AND THE OFFICE OF CIVILIAN DEFENSE

As staunch supporters of Mayor LaGuardia as chief executive of New York City, believing that he has given this city the best municipal government it has ever had, we regret greatly that his New Year's Day address showed in marked degree those weaknesses of intemperate utterance which his critics have so often held against him. At a time when the need for unity is compelling, he went out of his way to arouse fresh resentment. At a time

when a clear and dispassionate recital of the tasks confronting the Office of Civilian Defense, of which he is still the Director, would have been helpful and constructive, he contented himself with blaming his critics for much of the confusion that exists in the public mind about the Office of Civilian Defense. He resorted to name calling and mud slinging instead of meeting fairly and frankly the objections that have been directed against having any one man—even one as able and energetic as Mayor LaGuardia—hold two such important executive offices as mayor of New York and National Director of the Office of Civilian Defense.

Nothing that has been said by the mayor's critics is as destructive of confidence in his fitness to serve as head of the Office of Civilian Defense as was the entire tone of his address. It is true that the mayor was ignored when, weeks before Pearl Harbor, he called for additional equipment. It is true that many persons refused to take seriously the need for civilian defense at a time when he was already vigorously fighting for it. It is true that there was—and still is—confusion in the public minds as to the precise function of civilian defense.

But the very fact that these things are so makes it more important than ever that the Office of Civilian Defense shall be in the hands of a man who not only can live it 24 hours a day, but who, by his example, can encourage calmness, confidence, cooperation, and unity in preparing the people for their civil defense tasks. Certainly the mayor has shown excited irritation instead of calmness. He has shaken instead of encouraged confidence. He has aroused fresh antagonisms and distrust instead of inspiring unity and a spirit of cooperation. The work of the Office of Civilian Defense cannot, in fairness to the Nation, be left in such hands.

[From the New York Daily Mirror of January 3, 1942]

MAYOR LAGUARDIA VERSUS HIS MANY CRITICS

Mayor LaGuardia's self-defense over the taxpayers' municipal radio station was explosive as he denounced critics of his administration of the Office of Civilian Defense; he called them "two-by-four editors" and "swivel-chair scribes" and "liars." (He was talking about an afternoon newspaper and a columnist on a morning newspaper—not the Mirror.)

He charged that those who doubt the Office of Civilian Defense is "magnificently organized" are deliberately and for un-American reasons using a "new technique to seek to create confusion—to continue fear and terror in the minds of our people."

We doubt seriously that the mayor's speech convinced anybody of anything, except that his temperament is hardly designed to create an atmosphere of calm on the civilian front.

Your "swivel-chair scribe," who writes this, first came in contact with Mayor LaGuardia's administration of civilian defense last summer, when, as unpaid director of the New York State Defense Information Committee, we sought vainly to convince the mayor that this city should be rehearsed in all defense activities that are now pretty thoroughly muddled in the mayor's own home town.

Air-raid drills were proposed—set up first for Rockefeller Center, then for the Empire State Building, then for a Federal housing project within the city limits, finally for a large hotel. The hotel went to the expense of buying black-out curtains in preparation for the drill.

In each instance, as Governor Lehman can testify, the projected drill died unborn because we could get no "green lights," nothing but "red lights" from Mayor LaGuardia. In every project that concerned itself with this city the mayor was an unpassable bottleneck of procrastination and indecision.

And if the mayor wants to "play rough" and dispute that statement, we are quite prepared to print the record in devastating detail.

But all that is gas gone with the wind. Two immediate questions demand all the wisdom and tact of the mayor's Commander in Chief, President Roosevelt; all the patience of the public; all the temperate language of the press and the mayor:

1. The work of Civilian Defense must immediately be divided logically between military functions and purely civilian activities. The spectacular job of air-raid defense, dear to the mayor's heart, must be placed under the United States Army Air Corps, synchronized with anti-aircraft and fighter commands.

2. President Roosevelt must decide what job best suits the bristling energy and special talents of Mayor LaGuardia, and the shift to that job can be made without embarrassing the mayor.

The President must not leave the mayor in the Office of Civilian Defense through any mistaken sense of loyalty, as he has done in the case of the preposterous Miss Perkins. "Ma" Perkins and the mayor suffer more than the President does from that kind of loyalty—already, the mayor on the screen in news-reels, frenziedly advising the people to "be calm," draws more raucous laughs than Abbot and Costello.

That's bad. The value of a man capable of rendering great service to his country is being destroyed.

And there can be no question about the mayor's desire to serve his country.

[From the New York World-Telegram of December 29, 1941]

PLAINER AND PLAINER

Signs multiply to show that Mayor LaGuardia, in the matter of jobs, has, to put it bluntly, bitten off for more than he can chew.

New and conspicuous evidence is the sudden resignation of Markets Commissioner William Fellowes Morgan, Jr., outstanding member of the fusion municipal administration, whose constructive services and vigorous campaigns against racketeers in the market field have won him high measure of public confidence and respect.

Commissioner Morgan, who is no habitual quarrel-seeker, makes it perfectly clear that he resigns because of the mayor's arbitrary interference with appointments in the markets department. Significantly, also, pointing to the present difficulty of even conferring with the mayor, Mr. Morgan says:

"The mayor is bouncing around the country so much his commissioners can't get an opportunity to sit down and discuss the city's own affairs with him."

There it is.

Whether he acts as mayor of New York City or as Director of Civilian Defense, Mayor LaGuardia's well-known insistence that all initiative, orders, and directions must come from him has reached a point where both municipal administration and civilian defense seriously suffer.

Either city officials hesitate, sit back and say "it's up to the mayor"—which resulted in conflicting and jumbled air-raid precautions.

Or city officials resign—as in the case of Commissioner Morgan on the side of routine municipal administration.

Meanwhile, from Washington and Congress come criticisms and complaints of the mayor's part-time handling of his national civilian defense job. Crossfire of dissatisfaction.

The plain fact is—and it becomes more and more plain—that Mayor LaGuardia can never hope to do justice to his own city job plus the tremendous national civilian defense task he has taken on—least of all when he sticks to his favorite role of "do it all myself."

Nor is the mayor, despite his peacetime political gifts, temperamentally fitted to inspire confidence and calm in a public that needs, in wartime, something more than repeated nervous admonitions to "keep cool."

What civilians really require is the reassuring example of disciplined leaders and directors, of military type and temper, each of whom quietly gives his full time and energy to particular work assigned him.

Emphatically, the situation does not call for a dizzy show-off of one-man juggling with multiple jobs—which is pretty much all Mayor LaGuardia is now offering, and from which neither city nor Nation are getting what they urgently need.

Both begin to see it. How can the mayor be blind to it?

[From the New York Times of January 3, 1942]

MR. LAGUARDIA'S TWO JOBS

If there were only one man in the United States capable of running the Office of Civilian Defense, and if that man happened to be the already overburdened mayor of the greatest city in the Nation, no fault could be found with Mr. LaGuardia for continuing to hold both jobs. But the assumption that Mr. LaGuardia and Mr. LaGuardia alone can administer successfully the Office of Civilian Defense is unwarranted on its face. With all due credit, there are many other men in this large country whose ability, foresight, and energy justify the belief that they could handle the defense job as it should be handled, on a full-time and not a part-time basis.

The whole trouble with the present arrangement is that two great full-time jobs are being handled on part time. Mr. LaGuardia illustrates the disadvantages of this arrangement by one of his own remarks. Speaking of his presence in San Francisco on the day that that city, and New York as well, had their first air-raid alarms, he asks:

"Where would the people of this city want me to be when a neighboring city needed my help? Oh, I suppose some Jap will say, or friend of a Jap will say, 'We want you to be here.'"

Of course we want him to be here. One does not need to be a Jap, or a friend of a Jap, to believe that the place for the mayor of New York to be, in time of war, is in New York. One does not need to be a Jap, or a friend of a Jap, to believe that the office of mayor of New York is a great enough office to demand, and receive, the full-time attention of any man, particularly during the dangerous and trying days that lie ahead.

We have great admiration for Mr. LaGuardia. We have supported him three times for election to the office he now holds. We have many times expressed the opinion that he is the best mayor New York has ever had. We want him to continue to be the best mayor New York has ever had, and not a part-time mayor and a part-time defense official. We have no criticism to make of the way he ran the Office of Civilian Defense, up to the morning when war was declared. On the contrary, we think he showed in that office great energy, skill, and a realistic appreciation of the danger of our involvement in the war. We find no fault with the record before December 7. We praise that record. We simply believe—and we are more certain every day—that on December 7 the Office of Civilian Defense and the office of mayor of New York ceased suddenly, definitely, and irrevocably to be two offices that could be filled competently by a single man.

The sooner Mr. LaGuardia recognizes this incontestable fact, the sooner will his equanimity be equal to the demands now made upon it, and the sooner will his great ability be put to the best service of his city and his country.

[From the New York Sun of January 3, 1942]

LET'S GET GOING

When first I read of the imbroglio between New York's Mayor LaGuardia and his Commissioner of Public Markets, William Fellowes Morgan, Jr., I thought that the "Little Flower" had gone temperamental again. After all, apart from being mayor of the largest city on this continent, he runs the Office of Civilian Defense, manages the defense relations between the United States and Canada, directs orchestras on sundry occasions, leads the American Labor Party, and is a member of the President's War Cabinet. This is enough to raise the blood pressure of any man.

Then I smelled a hen fight. And I could not help wondering how adequately my children were being protected against air raids, black-outs, and fifth columnists by these excitable ladies in high society who have the time to quarrel among themselves as to how volunteers are to be appointed so that the credit will go to the right woman. After all, this is a war and not a coffee klatsch, and who in the name of all that is significant cares whether this or that organization or this or that woman takes the credit? What we need is leadership and efficient organization and sirens—yes; even sirens—not a hen fight as to whether the Junior League plus the Work Projects Administration is going to wear uniforms or the Red Cross ladies will wear uniforms. Who cares who wears the uniforms?

When one of these ladies told the press that fire departments and police departments had to clear their volunteers through her office in the Office of Civilian Defense, she was talking through her hat, because no one has the time now, or the inclination, to pass through tea-party bottlenecks. Does one have to be in the social register to be an air-raid warden, or is it necessary to prove tenure in the Work Projects Administration?

This Office of Civilian Defense is a bit mixed up in its duties anyhow. I quote from its own pamphlet:

"Civilian defense has two tasks:

"1. The first is to prepare for the day we pray may never come, when bombs and artillery fire fall on our cities, towns, and the countryside, and when men, women, and children must stand prepared to defend their homes and liberties.

"2. The second is to better the health, economic security, and well-being of our people, to make our country strong"

No. 2 of these jobs takes in just about everything. It includes the work of the whole administration in Washington and in each of the several States; it includes the work of all the philanthropic and charitable organizations and institutions, also all the schools, churches, hospitals, and everything else. If the Office of Civilian Defense stuck to No. 1, it would be a full-time job and would require a terrifically large force of volunteer and paid workers.

Civilian defense means protection of the civilian population from the inevitable physical effects of total war. And one of the dangers to the civilian is hysteria. As I read this manual of the Office of Civilian Defense, it seems to me that whoever composed it was pretty hysterical at the time. The American Red Cross, for instance, is one of the most respected and beloved organizations in all this world of ours. It has an experience that transcends anything that any rush-order show like the Office of Civilian Defense can possibly have. Yet on pages 18 and 19 of this manual I see that this Office of Civilian Defense has taken over the work of the American Red Cross. Nobody is going to like that—certainly not the millions of Americans who have been contributing to the Red Cross because they believe in it and its mission of nonpolitical humanity.

The real trouble with the Office of Civilian Defense is that it is headed by Fiorello La-

Guardia, who is too busy. He is doing too much. LaGuardia has no time to talk to anyone; he has been too busy to listen even before this.

What the Office of Civilian Defense needs is a first-class military organizer. I nominate Gen. James Harbord or Gen. Frank McCoy as the type of man to put at the head of this business. We want not a politician running for office; not somebody who is trying to rescue the Work Projects Administration by hiding it behind the skirts of the Junior League. We want a military man who can do the job direct, straightforward, and with only one object in view—the protection of the lives of our civilian population in our large and congested cities.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. ANDREWS. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. CLASON].

Mr. CLASON. Mr. Speaker, I do not think this bill ought to be discussed and decided solely upon the question of personalities. So far as I know, Mayor LaGuardia has given, as a Republican, the best administration of the city of New York that has ever been given to that city. I believe it has been so stated by very high persons, perhaps by the President of the United States himself. Therefore, I hope that in voting on this bill no one on the majority side will base his vote on the proposition that this is a fight between Tammany and the Republican Party. It should not be considered in that narrow light.

Mr. COFFEE of Washington. Mr. Speaker, will the gentleman yield?

Mr. CLASON. Not now. Also, I call attention to the fact that in order to strengthen the situation a gentleman was brought in from the State of Massachusetts and made Executive Director of Civilian Defense. I feel that the whole matter should be discussed from the viewpoint of whether it is a good bill. First of all, I think we ought to spend some money on civilian defense. I think the limitation of \$100,000,000 is wise, but undoubtedly this will cost a lot more than \$100,000,000.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. CLASON. Not now. The chairman has stated that the total expenditure indicated here is \$92,000,000. That is not in accordance with the evidence, because it is apparent that we are going to need 50,000,000 gas masks. The Chemical Warfare Service advises that outside of the cost of setting up 20 of these plants to make gas masks, the civilian gas masks will cost approximately \$3.50 each. That indicates that they will have to come back here for more money. I feel that the House conferees yielded on the most important issue of the whole conference when they gave up on the question of putting the purchase of these supplies within the War Department.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield?

Mr. CLASON. Yes.

Mr. ANDREWS. If the House voted to establish an additional Assistant Secretary of War, we might have been able to keep it there.

Mr. CLASON. Mr. Speaker, if this House should vote today in a manner to

indicate that its only objection to this report is that the whole matter should be left with the War Department and insist that it be left with the War Department, I am not so sure that that would not be the wise way out of this situation. Otherwise I feel that we have got to go along for the protection of our civilians and furnish this sum of money in accordance with the terms of this conference report.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. CLASON. Yes.

Mr. FITZPATRICK. The gentleman just made a statement that he did not want this matter decided from the viewpoint of Tammany Hall Democrats on one side and Republicans on the other.

Mr. CLASON. That is true.

Mr. FITZPATRICK. If the gentleman will look at the vote, he will find that more Democrats from the city of New York voted to put it under civilian control than did Republicans. They did not inject any politics into it. Look at the vote.

Mr. CLASON. Does the gentleman mean more Democrats voted for LaGuardia than for the Tammany Hall candidate in New York?

Mr. FITZPATRICK. They voted not to send it to the War Department. We did not inject any politics into it. The Republicans voted the other way.

Mr. MARTIN of Massachusetts. You tried to put politics in it?

Mr. FITZPATRICK. Not at all.

Mr. CLASON. Mr. Speaker, I do not yield any further at this time. Obviously more Democratic Congressmen from New York City vote on both sides of most bills as there are only two Republican Congressmen from New York City. It will be interesting to see whether or not under this set-up money is paid out for services in every State in the Union and, if so, on what salary basis. One thing that has troubled us is the fact that the appointees in some States up to the present time have been largely political or largely of the same political faith. I hope that on this very important matter we can avoid partisan politics, and that the Governors or the persons who appoint the authorities will select persons regardless of whether they are from one political party or from another political party.

Mr. DEWEY. Mr. Speaker, will the gentleman yield?

Mr. CLASON. I yield to the gentleman from Illinois.

Mr. DEWEY. Does the gentleman know whether those who are employed and who will be paid out of this fund come under the Hatch Act?

Mr. CLASON. I would say "Yes"; but I would ask the chairman of the committee to answer that. He has undoubtedly looked into it. Will the chairman please answer the question of the gentleman from Illinois, who wishes to know whether persons in positions of authority under this act will come under the Hatch Act?

Mr. MAY. I think all Federal employees come under the provision of the Hatch Act.

Mr. CLASON. In other words, if anybody takes a salary for services, they will come under the Hatch Act?

Mr. MAY. They will be under the provisions of that act.

[Here the gavel fell.]

Mr. ANDREWS. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Speaker, when this measure was before the House originally I took it upon myself to express some views upon it. Now as it comes before us in the form of a conference report the bill, with one exception, closely resembles and approximates the original Senate bill. I think perhaps a remark or two upon that is justified.

The gentleman from New York [Mr. ANDREWS] has read to you extracts from a letter from a very high and responsible person in the civilian defense in Buffalo in Erie County. I am in receipt of similar letters, indicating utmost confusion, cross-purposes, jealousies, frictions, and here and there political performance—letters from various parts of the country; at the same time letters from serious-minded people whose sole desire is that this service be made effective, reaching the conclusion, every one of them, that it can never reach 100-percent efficiency unless it is put under the War Department.

I care not what the politics of Mr. LaGuardia is. I do not know whether he is a Republican or a Democrat.

Mr. BATES of Massachusetts. Nobody else does.

Mr. WADSWORTH. I do not know the politics of the executive director. That is not the point. The point is this: This sort of work must be organized, extended, and disciplined to a reasonable degree over areas which cross State lines and which cross municipal lines. It is impossible for the Governor of New York, for example, to be effective, no matter how hard he tries, across the Niagara River. Only an agent of the Federal Government, armed with some degree of military authority, may consult, for example, with the military authorities of the Province of Ontario, in Canada. And inevitably you must hook up certain elements of the Military Establishment in this development of civilian defense. The whole question of signaling, of warnings in many instances, is primarily a military undertaking, and the system must be perfected with some degree of discipline.

I would not urge that all these good volunteers in our cities, counties, and States who have offered their services as fire wardens and in other capacities should be subject to rigid military discipline, the clicking of heels and saluting. Not at all. I do believe, however, that the general direction of the efforts of those volunteers can best be accomplished if it is put into the hands of the military authorities. I have believed that from the beginning. I think Members of the House will not take it in bad part from me when I remind the House that upon too many occasions in the past, dating back 2 or 3 or 4 or 5 years the Congress of the United States, in facing newly arising problems has done the inadequate thing. We have failed upon too many occasions to do the job completely, to do it adequately in the legislation that we passed, and time and

again I think you will all agree with me we have been compelled, sometimes at the eleventh hour, to repent of our sins of inadequacy by passing adequate legislation. My complaint against this measure is that it is inadequate. It does not suffice. It will probably pass. I know that prophets are not honored save somewhere else, but I venture to prophesy that it will prove to be inadequate, and that before we have gone much longer into this war, which will grow more and more tense, we will be called upon to correct our error and to do this thing right.

[Here the gavel fell.]

Mr. HARNESS. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I am in complete agreement with the gentleman from New York [Mr. WADSWORTH] who has just spoken. I believe the administration of civilian defense should be under the jurisdiction of the War Department. I urged that in the committee and here on the floor when the bill first came before us.

I do not like this measure because it gives a blank check to one individual for \$100,000,000 and he can spend that money any way he sees fit, without any check by this Congress or anyone else. It gives him the right to select the cities and towns in the country that may benefit by this legislation.

He can pick the cities on the coast or he can go inland and pick them and he can provide fire-fighting equipment and other supplies for some cities and deny the same benefits to others. He can purchase supplies and equipment anywhere he sees fit, without going through the regular procurement channels. He may or may not purchase gas masks and other equipment through the War Department where we are set up and organized to procure such items of defense. I think this is a tragic mistake, but recognizing the immediate need for legislation of this character there is little left that we can do except take this and hope for the best.

I should like to see this conference report recommitted with instructions to the conferees to insist upon the House amendment placing the Administrator of Civilian Defense under the War Department. This procedure would not unduly delay final action on the bill and would, I firmly believe, create a greater feeling of security on the part of the people of the country.

Did the gentlewoman from Illinois desire to ask a question?

Miss SUMNER of Illinois. Yes. I have had complaints from women in the city of Washington, both Democrats and Republicans, who have been in civil service a long time, who say there is a tea-party atmosphere down in the Office of Civilian Defense. I should like to know if this bill does anything to rectify that?

Mr. HARNESS. No. Under this bill, as it is now written, the Director runs the show just as he pleases.

[Here the gavel fell.]

Mr. ANDREWS. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. BRADLEY].

Mr. BRADLEY of Michigan. Mr. Speaker, I am in complete agreement

with the statements made and the reasoning advanced by the gentleman from New York [Mr. WADSWORTH], and I also was particularly interested in the excerpts from a letter written by the commander of the American Legion in Buffalo which was read by the gentleman from New York [Mr. ANDREWS], the ranking minority member of the Military Affairs Committee.

I happened to have been in Buffalo, N. Y., on the evening of December 26 when they had their practice black-out and, following that interesting experiment, I had occasion to discuss the civilian-defense picture in Buffalo with a number of those who had volunteered their services and were serving in various capacities.

I was convinced at that time, and I have been more convinced daily ever since then that we must have military control over this civilian-defense program. Now, that does not mean that we are going to tap our Army, either for experienced officers to administer the control in each city or each district, nor does it mean that I propose we shall tap our Army manpower to provide guards for defense plants or for other civilian-defense duties. It simply means that in wartime we must all take our orders from the Army and from the Army alone in matters pertaining to civilian as well as military defense, and it means that it is up to the Army to coordinate our efforts in civilian defense with our military defense. It means that leadership in civilian defense should be entrusted to military minds; to men who have been trained by, and are experienced in, the ways of our Army. It means that instead of appointing politicians for their political benefit, we should be appointing former Army men, regardless of their political label to positions of responsibility in our civilian-defense program. Those men not only will know how to coordinate their activities with those of the military but, furthermore, they have been trained to and will know how to accept and obey orders of the military who, after all, are charged with the responsibility of defending America and winning this war.

I am in full agreement with my colleague the gentleman from New York [Mr. WADSWORTH] when he proposes that we should reject this conference report and recommit this vital matter to further study by the conferees and that we should instruct the conferees on the part of the House to insist that the control of civilian defense be placed directly under the Secretary of War. I would go further than that and propose again that an additional Assistant Secretary of War be appointed to administer our civilian-defense program. I fully realize that if this is done, the President perhaps would appoint either Dean Landis or Mayor LaGuardia, or even Mrs. Roosevelt as that Assistant Secretary of War. That is beside the point. In fact, Mr. LaGuardia was a World War pilot officer and is said to be a Republican. The point I am making is that the responsibility for the conduct of our civilian defense program should be made a responsibility of the office of the Secre-

tary of War. In that manner only, I feel, could we best coordinate our military and civilian defense programs.

I repeat the suggestions which I made when we debated this bill here originally 10 days ago. At that time, if you will recall, I suggested that the President could well consider the appointment of America's outstanding living war hero of the past, Gen. John J. Pershing. True, General Pershing is an old man. True, General Pershing's health is perhaps questionable. But equally true, my colleagues, General Pershing would prefer to die with his boots on and in the service of his country, and I repeat, if Mr. Roosevelt tomorrow would name General Pershing to head our civilian defense program, he would instantly command and receive the wholehearted patriotic response and service of every ex-service man and woman in the United States. They would rally to the cause. They would rally to another opportunity to serve under their "chief." They would know how to take orders. General Pershing would quickly mold around him an organization who would know how to give those orders, and he would bring order out of chaos. And politics would go out the window, and political appointees as well.

Now, let me give a concrete example of the necessity for coordination of our military and civilian defense programs:

The confusion that may exist between the military and civilian authorities on this very important question was brought to mind in the recent practice black-out in Buffalo, N. Y. The civilian-defense authorities had ordered a black-out of the city of Buffalo, yet under orders from the interceptor command at Mitchel Field just outside of New York City, 12 defense plants in the city of Buffalo were ordered not to pay any attention to the black-out but to keep in operation and to keep their lights on. I wish the chairman of the Military Affairs Committee would tell me in this all-important question who is going to have the deciding voice? Is the Army going to be able to say what plants shall keep their lights on? Or is the Office of Civilian Defense going to have real authority to order a full and complete black-out? I think this illustration shows how the entire question is linked up with the military and ought to be under the War Department.

[Here the gavel fell.]

Mr. ANDREWS. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Speaker, I agree perfectly with the statement made by my distinguished colleague the gentleman from New York [Mr. WADSWORTH]. It seems to me as we read the newspapers and learn what is happening off our east coast and off our west coast, we must realize we are in war, and no man in this country knows what may happen within an hour. It is difficult for me, and I know it is for others, to realize that we are in war, but the fact is we are in world-wide war to the hilt. I agree with the distinguished gentleman from New York [Mr. WADSWORTH] that in civilian defense it is necessary

and absolutely necessary that the efforts of the Government of the country to the north of us and of countries to the south of us should be in perfect harmony in the conduct of a civilian defense program. This can come about only through placing civilian defense in the War Department.

If the House has been hasty—there are no partisan lines now, we are all Americans, all in this war, and we are in to win this war. Therefore, rather than go ahead and make a mistake by adopting the conference report we should take sufficient time here and now to do the job right. We should not drive this bill through when we know it is inadequate to the purpose for which it is intended.

[Here the gavel fell.]

Mr. MAY. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FADDIS].

Mr. FADDIS. Mr. Speaker, I have been one of those in the House of Representatives who all along believed that we would actually become engaged in this war. I have always believed that there were strong possibilities that this Nation could be, in one manner or another, invaded; and at the present time in the coastal waters off both the east and west coasts we are suffering some of the effects of invasion. I am one of those who believe that it is not at all improbable that we may at a not very distant future be forced to put into effect some of the agencies in connection with this legislation. As far as I am concerned I would feel a great deal better if it were entirely under the control of the War Department. To me the duties embraced in civilian defense are in a great manner inseparable from the duties of the War Department, and I fail to see how it can function efficiently and effectively unless it is part of the War Department. However that may be, I have reached the conclusion myself that it is almost an impossibility for us to get it there. There seem to be certain influences at work in this Nation to prevent any function getting under the control of the War Department if there is any way to keep it out. These influences seem to fear the War Department and, what is more alarming, desire to subtract some of the proper functions of the War Department from it and to place them in other hands and often in strange hands. I am suspicious. I am satisfied in my own mind that the day will come when we shall regret the action we have taken in this matter. I feel sure that if we are forced to rely upon the agencies we are establishing by this legislation, the day will come when we shall regret that we have not placed them under the War Department. We shall regret that we have not gone as far as we possibly could go in insuring that the civilian defense of this Nation is under the control of those who are really capable of organizing it for what it should be organized for. I fail to see where any of those who are mentioned in connection with the administration of this legislation today have ever exhibited any of the qualities of organizers to the extent that they should be charged with the administration of an agency of this kind.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. FADDIS. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. The gentleman who is addressing us is an able member of the Committee on Military Affairs. When this bill was originally before the House I supported the amendments, one of which the gentleman from Pennsylvania was the author, that would have placed the administration under the War Department and provided for the appointment of an Assistant Secretary of War for Civilian Defense. We expressed ourselves then. We were defeated on the Assistant Secretary proposal, and the conference report now before us is a further defeat. In what plight does the gentleman believe we who took that position a few days ago now find ourselves?

Mr. FADDIS. I shall say to the gentleman what I was about to conclude my remarks with, because I find myself in exactly that position. Having made our fight, and having endeavored with every means within our power to put it under the agency under which we believe it should be, I do not believe we should be justified in further opposing the enactment of this legislation, because it is high time something is done. I recognize in connection with this matter, as in all matters of this kind, that a poor plan carried into effect is a great deal better than no plan at all.

[Here the gavel fell.]

Mr. ANDREWS. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Speaker, my purpose in rising is to propound a parliamentary inquiry.

The SPEAKER pro tempore (Mr. ZIMMERMAN). The gentleman will state it.

Mr. WADSWORTH. Will the Chair state to the House the parliamentary procedure which would be in order under a condition of this sort: Am I correct in my understanding that the first question to come before the House will be a motion for the previous question?

The SPEAKER pro tempore. That is the opinion of the Chair.

Mr. WADSWORTH. In the event that the motion for the previous question is voted down, is it then within the province of the House to instruct its conferees to insist upon a certain House provision?

The SPEAKER pro tempore. In the opinion of the Chair, the House would have to recommit the bill before it could instruct conferees. Instructions to conferees should be included in a motion to recommit.

Mr. WADSWORTH. It would be a motion to recommit with instructions to the House conferees?

The SPEAKER pro tempore. That is the understanding of the Chair.

Mr. WADSWORTH. That is in the event the motion for the previous question is voted down?

The SPEAKER pro tempore. In either event, the motion to recommit would be in order.

Mr. WADSWORTH. The motion is in order at any time?

The SPEAKER pro tempore. That is the understanding of the Chair.

Mr. MARTIN J. KENNEDY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MARTIN J. KENNEDY. Is not the motion to recommit with instructions a preferential motion?

The SPEAKER pro tempore. After the previous question is ordered, that would be true.

Mr. MARTIN of Massachusetts. The motion to recommit is in order after the previous question has been ordered?

The SPEAKER pro tempore. That is correct.

Mr. MICHENER. It comes between ordering the previous question and agreeing to the conference report.

Mr. ANDREWS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ANDREWS. Am I to understand that if the motion for the previous question is defeated, a motion may be offered to instruct the conferees in any way?

The SPEAKER pro tempore. As the Chair understands it, any germane instruction to the conferees may be included in the motion to recommit.

Mr. VORYS of Ohio. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. VORYS of Ohio. The voting up or down of the motion for the previous question has nothing to do with the submission of a motion to instruct conferees, does it? Is it not correct that no matter which way the motion for the previous question goes such a motion would be in order?

The SPEAKER pro tempore. That would depend on whether or not the motion for the previous question was voted up or down, and also on who made the motion.

Mr. VORYS of Ohio. If the motion for the previous question is carried, would not a motion then be in order to instruct conferees, that being a preferential motion?

The SPEAKER pro tempore. The motion to recommit with instructions would then be in order.

Mr. MARTIN J. KENNEDY. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MARTIN J. KENNEDY. As I understand, at the conclusion of this debate, regardless of the result of the vote on the motion for the previous question that will be offered by the chairman of the Committee on Military Affairs, a preferential motion is then in order to instruct the conferees?

The SPEAKER pro tempore. After the motion for the previous question is adopted, the motion to recommit is a preferential motion.

Mr. BENDER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BENDER. After the motion for the previous question is voted on, must the motion to recommit with instructions to the conferees be in writing?

The SPEAKER. All motions must be in writing, but such a motion would not have to state anything except that it is a motion to recommit.

Mr. MICHENER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MICHENER. Mr. Speaker, we back here could not understand the ruling of the preceding occupant of the chair. As I understood his ruling, it was that the first motion to be before the House will be the motion for the previous question. If the motion for the previous question carries, debate is closed, and thereupon a motion to recommit the report to the committee of conference is in order.

The SPEAKER. The gentleman is correct.

Mr. MICHENER. If the report is recommitted to the committee of conference, then a motion could follow instructing the conferees as to the attitude of the House on the conference report.

The SPEAKER. The Chair thinks the usual practice is that the motion to instruct is included in the motion to recommit.

Mr. MICHENER. It can be, but that is not necessary.

Mr. MAY. Mr. Speaker, I yield 7 minutes to the gentleman from Texas [Mr. THOMASON].

Mr. THOMASON. Mr. Speaker, I find it very difficult to disagree with the gentleman from New York [Mr. WADSWORTH] about any matter affecting the War Department or national defense. I regard him as the outstanding authority in this House on matters affecting legislation of this character. But I still feel that this matter of civilian defense is a civilian activity. I fail to understand how a matter of black-outs and air-raid warnings and more fire equipment and more fire extinguishers and more gas masks and things of that sort necessarily have to be handled by the Army. But even if I were not sure that I am right about that, I would still be influenced by what I think is a lot more important matter in connection with this legislation. These are critical times, as we all admit. I live way down in the Southwest, where, perhaps, my people are not in so much danger of attack, but in view of what has happened on the Atlantic coast, with the sinking of three ships by submarines within the last week, and threats along the west coast all the way from San Diego up to Alaska, I am convinced that the emergency is imperative, and something must be done quickly. When the Secretary of War sends us a second letter over his own official signature and tells us that he is busy with the fighting end of the war and that he is sure there are enough competent and patriotic civilians to protect our purely domestic interests, then I do not think we should force all this work on him, contrary to his will and wishes.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. THOMASON. In just a moment I will be happy to yield.

The chairman of the committee read, and I shall not take the time to reread,

a letter I hold in my hand on War Department stationery, signed by Henry L. Stimson, Secretary of War, written on January 15, last Thursday, after he had already written us one on January 6, pleading with us that this was a civilian activity and that the civilian authorities should attend to it. He said in this letter, and I will reread one paragraph:

The House amendments to the act force upon the War Department duties not directly related to its basic military mission. They do this at the commencement of the greatest military expansion and development this country has ever known, and during a time it is engaged in what may well be a war decisive of the possibility of the survival of Christian civilization. If agreed to they will necessarily require the diversion from military activities of personnel that cannot be spared.

This is not a time to overburden the Military Establishment. Now, simply because a kind of political row has developed here, growing out of a recent election for mayor of the city of New York, we discuss personalities rather than principles. Our eastern shore is threatened, our western shore is threatened, and simply because somebody does not like the mayor of New York it is proposed to recommit the bill which might mean its death. The Senate passed its bill unanimously. I am not sure of LaGuardia's politics, or if he has any party. During the time I served with him here in the House he sat on the Republican side, and I saw in the papers where the Republican convention of the city of New York endorsed him last fall for mayor of that city. Regardless of what has been said, I think he is a great and a patriotic American, and I believe him when he said recently he wanted to get this bill out of the way and that he would resign one of his jobs. I hope he does, and I think he ought to.

I now yield to the gentlewoman from Ohio.

Mrs. BOLTON. May I ask whether the Army of the United States and the War Department are no longer interested in the defense of America.

Mr. THOMASON. They are tremendously interested, and for the gentlewoman's information I may say that Maj. Gen. L. D. Gasser, of the War Department, is the active coordinator with the Civilian Defense Administration. He is a fine man and most competent officer in whom I have great confidence.

Mrs. BOLTON. Exactly.

Mr. THOMASON. General Gasser, of the Regular Army, is in charge of the military coordination in this very field and is doing a marvelous job, and I just think that these differences are going to be ironed out, and I believe it will be done in a hurry when this bill is passed. But I say there is a principle involved here that is a lot bigger than personalities.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. THOMASON. I yield to the gentleman.

Mr. ARENDS. With respect to the statement the gentleman has just made that General Gasser is in charge of this work for the O. C. D., would it not be better if all of it were under the War Department?

Mr. THOMASON. I do not happen to be the Chief Executive—

Mr. ARENDS. I regard General Gasser just as the gentleman does.

Mr. THOMASON. As friendly as I am toward Mr. LaGuardia, which is a lot more than some of the expressions I have heard here about him, I wish he would quit one of his jobs. General Gasser will get the job done under Dean Landis, and yet it will be done by civilians. Our chairman has said that purchases will be made through the War Department. The Appropriations Committee and this House can place such restrictions as they wish on how and where the money is to be spent. I would like to see General Gasser in charge of it all. He has had much to do with all the preliminaries. Perhaps some mistakes have been made, but it must not be forgotten that Mr. LaGuardia took charge of this because he was the president of the United States Mayors Conference—a conference of mayors of a hundred cities, representing nearly every city of more than 30,000 population. He was the logical man to start the work, although before war was declared he was ridiculed as an alarmist. Much good has been accomplished.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. THOMASON. Yes.

Mr. FITZPATRICK. On the day the vote was taken here in the House a majority of the Democrats from the city of New York voted to retain this under civilian activities, and not to send it to the War Department, so they did not inject any politics into it.

Mr. THOMASON. And I am not injecting any politics into it now. I am trying to put the welfare of the country above every other consideration.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. THOMASON. Will the gentleman yield me 1 minute more?

Mr. MAY. I yield 1 minute to the gentleman from Texas.

Mr. THOMASON. I get back to the original proposition—that the War Department says that they do not want this job; that they cannot handle it if they are to do their full duty to the fighting forces of the country.

Mr. SPARKMAN. Is it not true that in England, where they have done such a splendid job, it has been left entirely to the civilian population and it has not even been tied into the military?

Mr. THOMASON. The mayors of the various cities of the United States, the fire and police chiefs, Legionnaires, local organizations, and hundreds of patriotic citizens in every city, will look after civilian defense, while our brave boys do the fighting. It is not necessary to put everybody and everything under the military. The civilian population want to do something. Everybody cannot do the fighting or go to the front. It will be an incentive for civilians to know they have a part in it. I think we should back up the wishes and judgment of the War Department in this matter.

Mr. MAY. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

Mr. MARTIN J. KENNEDY and Mr. WADSWORTH rose.

The SPEAKER. For what purpose does the gentleman from New York [Mr. KENNEDY] rise?

Mr. MARTIN J. KENNEDY. Mr. Speaker, I desire to make a preferential motion.

The SPEAKER. For what purpose does the gentleman from New York [Mr. WADSWORTH] rise?

Mr. WADSWORTH. Mr. Speaker, I have sent a preferential motion to the desk; a motion to recommit with instructions.

The SPEAKER. The gentleman is opposed to the conference report?

Mr. WADSWORTH. I am.

The SPEAKER. The Chair thinks that he should recognize a member of the minority to offer the motion to recommit. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. WADSWORTH moves to recommit the conference report with instructions that the House managers insist on the provisions of the House bill relating to the jurisdiction of the War Department.

The SPEAKER. The question is on agreeing to the motion to recommit.

The question was taken, and the Speaker announced that the Chair was in doubt.

The House again divided; and there were—ayes 93, noes 74.

Mr. MAY. Mr. Speaker, I object to the vote on the grounds that a quorum is not present and I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present. This is an automatic call. The Clerk will call the roll.

The question was taken; and there were—yeas 167, nays 172, not voting 91, as follows:

[Roll No. 9]

YEAS—167

| | | |
|------------------|--------------------|----------------|
| Allen, Ill. | Dworshak | Johnson, Ill. |
| Andersen, | Eaton | Johnson, Ind. |
| H. Carl | Edmiston | Jones |
| Anderson, Calif. | Elliott, Calif. | Jonkman |
| Andresen, | Elston | Kean |
| August H. | Engel | Keefe |
| Andrews | Englebright | Kefauver |
| Arends | Faddis | Kennedy, |
| Bates, Mass. | Fellows | Martin J. |
| Baumhart | Fenton | Kilday |
| Bender | Ford, Leland M. | Kinzer |
| Bennett | Ford, Miss. | Kleberg |
| Blackney | Gearhart | Knutson |
| Bolton | Gehrmann | Lambertson |
| Bradley, Mich. | Gerlach | Landis |
| Brown, Ohio | Gifford | LeCompte |
| Burdick | Gilchrist | McGehee |
| Butler | Gillette | McGregor |
| Camp | Gillie | McLean |
| Carlson | Gore | Maas |
| Carter | Gossett | Martin, Iowa |
| Case, S. Dak. | Graham | Martin, Mass. |
| Chenoweth | Guyar | Mason |
| Chiperfield | Gwynne | Meyer, Md. |
| Clason | Hall, | Michener |
| Clevenger | Edwin Arthur Moser | |
| Cluett | Hall, | Mott |
| Coffee, Nebr. | Leonard W. | Mundt |
| Cole, N. Y. | Halleck | Murray |
| Colmer | Hancock | O'Brien, N. Y. |
| Cooley | Harness | O'Hara |
| Copeland | Hess | Pace |
| Cox | Hinshaw | Paddock |
| Crawford | Hoffman | Peterson, Ga. |
| Crowther | Holmes | Pittenger |
| Cunningham | Hull | Ploeser |
| Curtis | Jarrett | Plumley |
| Day | Jenkins, Ohio | Foage |
| Dewey | Jenks, N. H. | Fowers |
| Domengeaux | Jennings | Randolph |
| Dondero | Johns | Rankin, Miss. |
| Douglas | Johnson, Calif. | Rankin, Mont. |

Reece, Tenn.
 Reed, N. Y.
 Rees, Kans.
 Rich
 Rizley
 Robertson,
 N. Dak.
 Robison, Ky.
 Rockefeller
 Rockwell
 Rodgers, Pa.
 Satterfield
 Sauthoff
 Shafer, Mich.
 Simpson
 Smith, Maine

Smith, Ohio
 Smith, Va.
 Smith, Wis.
 Springer
 Stearns, N. H.
 Stevenson
 Stratton
 Sumner, Ill.
 Sutphin
 Talle
 Tarver
 Thill
 Thomas, N. J.
 Tibbott
 Tinkham

Treadway
 Vorys, Ohio
 Wadsworth
 Walter
 Wheat
 Wheelchel
 Whitten
 Whittington
 Wickersham
 Wigglesworth
 Winter
 Wolcott
 Wolfenden, Pa.
 Woodruff, Mich.
 Youngdahl

NAYS—172

Allen, La.
 Anderson,
 N. Mex.
 Angell
 Arnold
 Baldwin
 Barnes
 Bates, Ky.
 Beam
 Beckworth
 Beiter
 Bland
 Bloom
 Boggs
 Boland
 Bonner
 Boren
 Brooks
 Brown, Ga.
 Bryson
 Buck
 Buckler, Minn.
 Bulwinkle
 Burgin
 Byrne
 Byron
 Cannon, Mo.
 Cartwright
 Celler
 Chapman
 Cochran
 Coffee, Wash.
 Cole, Md.
 Collins
 Cooper
 Costello
 Cravens
 Crosser
 Culkin
 Cullen
 D'Alesandro
 Davis, Ohio
 Davis, Tenn.
 Dies
 Dingell
 Dirksen
 Disney
 Doughton
 Duncan
 Durham
 Eberharter
 Eliot, Mass.
 Ellis
 Fitzgerald
 Fitzpatrick
 Flaherty
 Flannagan
 Fogarty
 Folger

Forand
 Ford, Thomas F.
 Fulmer
 Gathings
 Gibson
 Granger
 Grant, Ala.
 Green
 Gregory
 Haines
 Hare
 Harrington
 Harris, Ark.
 Hart
 Harter
 Healey
 Hébert
 Hill, Wash.
 Hobbs
 Hook
 Houston
 Hunter
 Imhoff
 Izac
 Jackson
 Jacobsen
 Jarman
 Johnson,
 Johnson, W. Va.
 Kelly, Ill.
 Keogh
 Kerr
 Kirwan
 Kocialkowski
 Kramer
 Lane
 Lanham
 Lea
 Lesinski
 Lewis
 Ludlow
 Lynch
 McCormack
 McKeough
 McLaughlin
 McMillan
 Maciejewski
 Mahon
 Manasco
 Mansfield
 May
 Mills, Ark.
 Mills, La.
 Nelson
 Norrell
 O'Brien, Mich.
 O'Connor

O'Leary
 Oliver
 O'Neal
 Patman
 Patrick
 Patton
 Pearson
 Pfeiffer,
 William T.
 Pierce
 Plauché
 Priest
 Rabaut
 Ramsay
 Ramspeck
 Rivers
 Robinson, Utah
 Rogers, Okla.
 Rolph
 Russell
 Sabath
 Sanders
 Sasser
 Sautetz
 Schulte
 Scrugham
 Secret
 Shanley
 Shannon
 Sheppard
 Sikes
 Smith, Pa.
 South
 Sparkman
 Spence
 Stegall
 Sullivan
 Sumners, Tex.
 Tenerowicz
 Terry
 Thomas, Tex.
 Thomason
 Tolan
 Traynor
 Vincent, Ky.
 Vinson, Ga.
 Voorhis, Calif.
 Ward
 Wasielewski
 Weaver
 Welch
 White
 Williams
 Woodrum, Va.
 Wright
 Young
 Zimmerman

NOT VOTING—91

Barden
 Barry
 Bell
 Bishop
 Boehne
 Boykin
 Bradley, Pa.
 Buckley, N. Y.
 Burch
 Canfield
 Cannon, Fla.
 Capozzoli
 Casey, Mass.
 Clark
 Claypool
 Courtney
 Creal
 Delaney
 Dickstein
 Ditter
 Downs
 Drewry
 Fish
 Gale
 Gamble
 Gavagan
 Grant, Ind.

Harris, Va.
 Hartley
 Heffernan
 Heidinger
 Hendricks
 Hill, Colo.
 Holbrook
 Hope
 Howell
 Jensen
 Johnson,
 Lyndon B.
 Kee
 Kelley, Pa.
 Kennedy,
 Michael J.
 Kilburn
 Klein
 Kopplemann
 Kunkel
 Larrabee
 Leavy
 McGranery
 McIntyre
 MacIora
 Magnuson
 Marcantonio

Merritt
 Mitchell
 Monroney
 Murdock
 Myers, Pa.
 Nichols
 Norton
 O'Day
 Osmers
 O'Toole
 Peterson, Fla.
 Pfeiffer,
 Joseph L.
 Reed, Ill.
 Richards
 Robertson, Va.
 Rogers, Mass.
 Romjue
 Sacks
 Scanlon
 Schaefer, Ill.
 Schott
 Sheridan
 Short
 Smith Wash.
 Smith, W. Va.
 Snyder

Somers, N. Y.
 Starnes, Ala.
 Sweeney
 Taber
 Thom

Van Zandt
 Vreeland
 Weiss
 Wene
 West

Wilson
 Wolverton, N. J.
 Worley

So the motion to recommit was re-
 jected.

The Clerk announced the following
 pairs:

On this vote:

Mr. Kunkel for, with Mr. Cannon of Flor-
 ida against.
 Mr. Scott for, with Mrs. Rogers of Mas-
 sachusetts against.
 Mr. Ditter for, with Mr. Larrabee against.
 Mr. Reed of Illinois for, with Mr. Mc-
 Granery against.

General pairs:

Mr. Robertson of Virginia with Mr. Grant
 of Indiana.
 Mr. Richards with Mr. Van Zandt.
 Mr. Barden with Mr. Short.
 Mr. Harris of Virginia with Mr. Osmers.
 Mr. Peterson of Florida with Mr. Bishop.
 Mr. Gavagan with Mr. Hartley.
 Mr. Boykin with Mr. Hope.
 Mr. O'Toole with Mr. Canfield.
 Mr. Holbrook with Mr. Heidinger.
 Mr. Barry with Mr. Gale.
 Mr. Starnes of Alabama with Mr. Fish.
 Mr. West with Mr. Hill of Colorado.
 Mr. Burch with Mr. Taber.
 Mr. Hendricks with Mr. Gamble.
 Mr. Drewry with Mr. Howell.
 Mr. Boehne with Mr. Wolverton of New
 Jersey.
 Mr. Creal with Mr. Jensen.
 Mr. Clark with Mr. Vreeland.
 Mr. Joseph L. Pfeifer with Mr. Marcan-
 tonio.
 Mr. Courtney with Mr. Claypool.
 Mr. Delaney with Mr. Sheridan.
 Mr. Bell with Mr. Heffernan.
 Mr. Casey of Massachusetts with Mr. Buck-
 ley of New York.
 Mr. Magnuson with Mr. Kee.
 Mr. Thom with Mr. Murdock.
 Mr. Klein with Mr. Smith of Washington.
 Mr. Capozzoli with Mr. Kelley of Pennsyl-
 vania.
 Mr. Somers of New York with Mr. Kopple-
 mann.
 Mr. Myers of Pennsylvania with Mr. Mer-
 ritt.
 Mr. Sweeney with Mr. McIntyre.
 Mr. Michael J. Kennedy with Mr. Smith
 of West Virginia.
 Mr. Dickstein with Mr. Bradley of Pennsyl-
 vania.
 Mr. Wene with Mr. Mitchell.
 Mr. MacIora with Mr. Monroney.
 Mr. Weiss with Mr. Romjue.
 Mr. Snyder with Mr. Downs.
 Mrs. Norton with Mr. Scanlon.
 Mr. Lyndon B. Johnson with Mr. Nichols.
 Mr. Sachs with Mr. Leavy.
 Mr. Schaefer of Illinois with Mrs. O'Day.

The result of the vote was announced
 as above recorded.

The doors were opened.
 The SPEAKER. The question is on
 agreeing to the conference report.

Mr. MARTIN of Massachusetts. Mr.
 Speaker, on that I ask for the yeas and
 nays.

The yeas and nays were ordered.
 The question was taken; and there
 were—yeas 335, nays 2, answered "pres-
 ent" 1, not voting 92, as follows:

Roll No. 10

YEAS—335

Allen, Ill.
 Allen, La.
 Andersen,
 H. Carl
 Anderson, Calif.

Anderson,
 N. Mex.
 Andrews
 Angell
 Arends

Arnold
 Baldwin
 Barnes
 Bates, Ky.
 Bates, Mass.

Baumhart
 Bean
 Beckworth
 Beiter
 Bender
 Bennett
 Blackney
 Bland
 Bloom
 Boggs
 Boland
 Bolton
 Bonner
 Boren
 Bradley, Mich.
 Brooks
 Brown, Ga.
 Brown, Ohio
 Bryson
 Buck
 Buckler, Minn.
 Bulwinkle
 Burdick
 Burgin
 Butler
 Byrne
 Byron
 Camp
 Canfield
 Cannon, Mo.
 Carlson
 Carter
 Cartwright
 Case, S. Dak.
 Celler
 Chapman
 Chipperfield
 Clason
 Clevenger
 Cluett
 Cochran
 Coffee, Nebr.
 Coffee, Wash.
 Cole, Md.
 Cole, N. Y.
 Collins
 Colmer
 Cooley
 Cooper
 Copeland
 Costello
 Cox
 Cravens
 Crawford
 Crosser
 Crowther
 Culkin
 Cullen
 Cunningham
 Curtis
 D'Alesandro
 Davis, Ohio
 Davis, Tenn.
 Day
 Dewey
 Dingell
 Dirksen
 Disney
 Dondero
 Doughton
 Douglas
 Duncan
 Durham
 Dworshak
 Eaton
 Eberharter
 Edmister
 Eliot, Mass.
 Elliott, Calif.
 Ellis
 Elston
 Engel
 Englebright
 Faddis
 Fellows
 Fenton
 Fish
 Fitzgerald
 Fitzpatrick
 Flaherty
 Flannagan
 Fogarty
 Folger
 Forand
 Ford, Leland M.
 Ford, Miss.
 Ford, Thomas F.
 Fulmer
 Gathings
 Gearhart
 Gehrmann
 Gerlach
 Gibson
 Gifford
 Gilchrist
 Gillette

Gillie
 Gore
 Gossett
 Graham
 Granger
 Grant, Ala.
 Grant, Ind.
 Green
 Gregory
 Guyer
 Gwynne
 Haines
 Hall,
 Edwin Arthur
 Hall,
 Leonard W.
 Halleck
 Hancock
 Harness
 Harrington
 Harris, Ark.
 Hart
 Harter
 Hartley
 Healey
 Hébert
 Heffernan
 Heidinger
 Hendricks
 Hess
 Hill, Wash.
 Hinshaw
 Hobbs
 Hoffman
 Holmes
 Hook
 Houston
 Howell
 Hunter
 Imhoff
 Izac
 Jackson
 Jacobsen
 Jarman
 Jarrett
 Jenkins, Ohio
 Jenks, N. H.
 Jennings
 Johnson, Calif.
 Johnson, Ill.
 Johnson, Ind.
 Johnson,
 Luther A.
 Johnson, Okla.
 Johnson, W. Va.
 Jones
 Jonkman
 Kean
 Keefe
 Kefauver
 Kelly, Ill.
 Kennedy,
 Martin J.
 Keogh
 Kerr
 Kilday
 Kinzer
 Kirwan
 Kleberg
 Kocialkowski
 Kramer
 Landis
 Lane
 Lanham
 Lea
 LeCompte
 Lesinski
 Lewis
 Ludlow
 Lynch
 McCormack
 McGehee
 McGregor
 McKeough
 McLaughlin
 McLean
 McMillan
 Maas
 Maciejewski
 Mahon
 Manasco
 Mansfield
 Martin, Iowa
 Martin, Mass.
 May
 Meyer, Md.
 Michener
 Mills, Ark.
 Mills, La.
 Moser
 Mundt
 Murdock
 Murray
 Nelson
 Norrell

O'Brien, Mich.
 O'Brien, N. Y.
 O'Connor
 O'Hara
 O'Leary
 Oliver
 O'Neal
 O'Toole
 Pace
 Paddock
 Patman
 Patrick
 Patton
 Pearson
 Peterson, Ga.
 Pfeiffer,
 William T.
 Pierce
 Pittenger
 Plauché
 Poser
 Poage
 Powers
 Priest
 Rabaut
 Ramsay
 Ramspeck
 Randolph
 Rankin, Miss.
 Rankin, Mont.
 Reece, Tenn.
 Reed, Ill.
 Reed, N. Y.
 Rees, Kans.
 Rich
 Rivers
 Rizley
 Robertson,
 N. Dak.
 Robertson, Va.
 Robinson, Utah
 Robison, Ky.
 Rockefeller
 Rockwell
 Rodgers, Pa.
 Rogers, Okla.
 Rolph
 Russell
 Sanders
 Sasser
 Satterfield
 Sauthoff
 Schulte
 Schulte
 Secret
 Shafer, Mich.
 Shanley
 Shannon
 Sikes
 Simpson
 Smith, Maine
 Smith, Ohio
 Smith, Pa.
 Smith, Va.
 Smith, Wash.
 Smith, Wis.
 South
 Sparkman
 Spence
 Springer
 Starnes, Ala.
 Stegall
 Stearns, N. H.
 Stefan
 Stevenson
 Stratton
 Sullivan
 Sumner, Ill.
 Sutphin
 Talle
 Tarver
 Tenerowicz
 Terry
 Thill
 Thomas, N. J.
 Thomason
 Tibbott
 Tinkham
 Tolan
 Traynor
 Treadway
 Vincent, Ky.
 Vinson, Ga.
 Voorhis, Calif.
 Vorys, Ohio
 Walter
 Ward
 Wasielewski
 Weaver
 Welch
 Wheat
 Wheelchel
 White
 Whitten
 Whittington
 Wickersham

Wigglesworth
Williams
Winter
Wolcott

Wolfenden, Pa. Youngdahl
Woodruff, Mich. Zimmerman
Wright
Young

NAYS—2

Johns Wadsworth

NOT VOTING—94

| | | |
|----------------|----------------|------------------|
| Andresen, | Hope | Plumley |
| August H. | Jensen | Richards |
| Barden | Johnson, | Rogers, Mass. |
| Barry | Lyndon B. | Romjue |
| Bell | Kee | Sabath |
| Bishop | Kelley, Pa. | Sacks |
| Boehne | Kennedy, | Scanlon |
| Boykin | Michael J. | Schaefer, Ill. |
| Bradley, Pa. | Kilburn | Scott |
| Buckley, N. Y. | Klein | Scrugham |
| Burch | Kopplemann | Sheppard |
| Cannon, Fla. | Kunkel | Sheridan |
| Capozzoli | Lambertson | Short |
| Casey, Mass. | Larrabee | Smith, W. Va. |
| Chenoweth | Leavy | Snyder |
| Clark | McGranery | Somers, N. Y. |
| Claypool | McIntyre | Summers, Tex. |
| Courtney | Maclora | Sweeney |
| Creal | Magnuson | Taber |
| Delaney | Marcantonio | Thom |
| Dickstein | Mason | Thomas, Tex. |
| Dies | Merritt | Van Zandt |
| Ditter | Mitchell | Vreeland |
| Domengeaux | Monroney | Weiss |
| Downs | Mott | Wene |
| Drewry | Myers, Pa. | West |
| Gale | Nichols | Wilson |
| Gamble | Norton | Wolverton, N. J. |
| Gavagan | O'Day | Woodrum, Va. |
| Hare | Osmers | Worley |
| Harris, Va. | Peterson, Fla. | |
| Hill, Colo. | Pfeifer, | |
| Holbrook | Joseph L. | |

ANSWERED "PRESENT"—1

Knutson

So the conference report was agreed to. The Clerk announced the following pairs:

General pairs:

Mr. Larrabee with Mr. Ditter.
Mr. Cannon of Florida with Mr. Kunkel.
Mr. Richards with Mr. Van Zandt.
Mr. Barden with Mr. Short.
Mr. Harris of Virginia with Mr. Osmers.
Mr. Peterson of Florida with Mr. Bishop.
Mr. Boykin with Mr. Hope.
Mr. Barry with Mr. Gale.
Mr. West with Mr. Hill of Colorado.
Mr. McGranery with Mr. Taber.
Mr. Hare with Mr. Gamble.
Mr. Boehne with Mr. Wolverton of New Jersey.
Mr. Creal with Mr. Jensen.
Mr. Clark with Mr. Vreeland.
Mr. Joseph L. Pfeifer with Mr. Marcantonio.
Mr. Summers of Texas with Mr. Mason.
Mr. Thomas of Texas with Mr. August H. Andresen.
Mr. Bell with Mr. Kilburn.
Mr. Woodrum of Virginia with Mr. Lambertson.
Mr. Worley with Mr. Plumley.
Mr. Drewry with Mrs. Rogers of Massachusetts.
Mr. Domengeaux with Mr. Mott.
Mr. Dies with Mr. Scott.
Mr. Courtney with Mr. Claypool.
Mr. Delaney with Mr. Sheridan.
Mr. Casey with Mr. Buckley of New York.
Mr. Magnuson with Mr. Kee.
Mr. Capozzoli with Mr. Kelley of Pennsylvania.
Mr. Somers of New York with Mr. Kopplemann.
Mr. Myers of Pennsylvania with Mr. Merritt.
Mr. Sweeney with Mr. McIntyre.
Mr. Michael J. Kennedy with Mr. Smith of West Virginia.
Mr. Dickstein with Mr. Bradley of Pennsylvania.
Mr. Wene with Mr. Mitchell.
Mr. Maclora with Mr. Monroney.
Mr. Snyder with Mr. Downs.
Mrs. Norton with Mr. Scanlon.
Mr. Lyndon B. Johnson with Mr. Nichols.
Mr. Sacks with Mr. Leavy.

Mr. Schaefer of Illinois with Mrs. O'Day.
Mr. Romjue with Mr. Holbrook.
Mr. Klein with Mr. Thom.
Mr. Scrugham with Mr. Sabath.
Mr. Gavagan with Mr. Sheppard.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNUITY OR PENSION UNDER RAILROAD RETIREMENT ACT

Mr. COLLINS. Mr. Speaker, I ask unanimous consent to withdraw the bill (H. R. 6357) increasing by 6 percent the amount of annuity or pension payable under the Railroad Retirement Act.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FINANCING OF WAR DEBT

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for one-half minute, and to revise and extend my remarks and include therein a copy of a bill which I have introduced today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. PATMAN addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a resolution from the Ishpeming Council of the Knights of Columbus.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent to revise and extend my remarks by including two editorials from Columbus papers.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address made by Hon. Will H. Hays at the Indiana war rally on January 15, 1942.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to extend my remarks and include a bill that I have introduced for a four-lane highway down the Tennessee Valley.

The SPEAKER. Is there objection?

There was no objection.

Mr. ROCKEFELLER. Mr. Speaker, I ask unanimous consent to extend my remarks and include a brief resolution adopted by an association in Kingston, N. Y.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMENDING INTERNAL REVENUE CODE

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent for the present consideration of House Joint Resolution 257, to amend section 124 of the Internal Revenue Code to simplify the procedure in connection with amortization of certain facilities.

Mr. VOORHIS of California. Mr. Speaker, reserving the right to object, this is a very important matter, and I should like to be heard on it.

Mr. DOUGHTON. How much time would the gentleman like?

Mr. VOORHIS of California. Eight or ten minutes, if possible.

Mr. DOUGHTON. I shall be pleased to yield the gentleman that much time if I have it.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the resolution, as follows:

Resolved, etc. That, effective as of October 8, 1940, section 124 (i) as amended, of the Internal Revenue Code, is hereby repealed.

Mr. DOUGHTON. Mr. Speaker, House Joint Resolution 257 was reported practically unanimously by the Committee on Ways and Means. It amends section 124 of the Internal Revenue Code by repealing subsection (i) of section 124.

The purpose of this resolution is to facilitate the national-defense program. Representatives of the War Department, the Navy Department, the Treasury Department, the Reconstruction Finance Corporation, the Office of Production Management, and all those agencies having to do with the administration of this act testified that it was necessary as a war defense measure. In other words, they testified that it would greatly facilitate the prosecution of the war.

Section 124 of the Internal Revenue Code of 1940 provides that a taxpayer in computing his annual tax may take as a deduction 20 percent of the cost of any war facilities he may have been authorized to construct. In the administration of the act, however, it was found that subsection (i) has resulted in delay, confusion, and misunderstanding, and has defeated the very purpose for which it was intended: To induce private business to invest its money in facilities necessary for national defense. On account of the confusion, delay, and misunderstanding resulting from subsection (i) those in charge of the administration of this act have found it very difficult and sometimes impossible to negotiate private contracts because the contractors would not invest their money, not knowing what their situation with respect to taxes would be after they had made the investment. It was testified before our committee that this confusion resulted in greatly delaying the national-defense program. More than that, the Government is being compelled to invest money where it was intended and desired that private concerns make the investment.

If we cannot rely upon the War Department, the Navy Department, the Treasury Department, the Reconstruction Finance Corporation, and the Office of Production Management to know whether this section has resulted in defeating its own purpose and delaying the national-defense program and preventing necessary war facilities being provided by private capital, I do not know upon whom we can rely for information. They have the experience, they have the knowledge, and have been trying to make it work for

months. They came before our committee and earnestly insisted that its repeal is necessary. In fact the committee held public hearings, and while the War, Navy, and Treasury Departments, the O. P. M., and the R. F. C. all were heard in favor of the legislation, not a single witness appeared in opposition.

I am fully satisfied, based upon the testimony adduced by our committee, that this legislation is necessary to expedite our national defense and war program.

Does anyone desire to ask any question?

Mr. HOFFMAN. Yes.

Mr. DOUGHTON. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Do I understand correctly from the gentleman's statement that when the legislation was before the gentleman's committee in the beginning that they favored it?

Mr. DOUGHTON. I do not recall, but when the pending resolution to repeal the subsection (i) of section 124 of the code was before us they unanimously favored its repeal.

Mr. HOFFMAN. Does the gentleman recall how they stood on the original act?

Mr. DOUGHTON. I do not recall how they stood on the original act.

Mr. TREADWAY. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. TREADWAY. Mr. Speaker, I want to supplement what the gentleman has said relative to the hearings that were held on this measure by the Ways and Means Committee. Some of the hearings were in executive session, but there was an open hearing. Among the various witnesses who appeared at the open hearings in favor of the legislation was the honorable Robert P. Patterson, Under Secretary of War, and Colonel Greenbaum; Hon. Jesse Jones, Secretary of Commerce; Mr. Odlum, from the Office of Production Management; and Mr. Forrestal, Under Secretary of the Navy; and Mr. Sullivan, of the Treasury Department.

If the gentleman will yield I should like to read a portion of Mr. Sullivan's statement for the Record.

Mr. DOUGHTON. I yield.

Mr. TREADWAY. Mr. Sullivan in a report of the Treasury Department to the Director of the Budget on December 13, 1941, made the following statement:

At the present time section 124 (i) embodies what essentially is a procurement policy, and this Department is strongly of the opinion that such procurement policy should be carried into effect wherever practicable. However, based upon the representations made in the joint letter from the Secretary of War and the Secretary of the Navy, to the chairman of the Ways and Means Committee of the House of Representatives, which is dated December 10, 1941, and is attached to your letter, this Department has no objection to the elimination of requirements effectuating this policy now contained in section 124 (i) of the Internal Revenue Code.

Mr. McKEOUGH. I would like to ask the Secretary a question:

In the event of this deletion from the statute, whether it is in the tax bill or otherwise, you are satisfied that full protection of the Government's interest from a Treasury viewpoint is not in any way eliminated?

To that Assistant Secretary Sullivan replied as follows:

I say that there can be full protection of the public interest, without the requirement of a certificate of nonreimbursement. I think that through their procurement policy, the service departments can accomplish the objective we all seek.

Therefore, the Treasury itself is on record as favoring this change in the matter of amortization.

We were informed by witnesses that there were 30,000 delayed contracts as a result of the red tape. We have just put into office a man who is supposed to cut the red tape and get action immediately, or as near immediately as possible. It seems to me it would be very foolish of Congress at this time to return to the old method and allow these procurement contracts to accumulate. Therefore, I hope the House will accept the report of the committee and the suggestion of the chairman that section 124 (i) be eliminated.

Mr. DOUGHTON. Mr. Speaker, some fears have been expressed that the Government interests would not be protected if this resolution were passed and subsection (i) were repealed. In that respect, let me quote from the testimony of Under Secretary Patterson before our committee when we had public hearings. This testimony is found on page 5 of the hearings:

That the rights of the Government should be safeguarded in every case in which it has paid, in whole or in part, for the cost of the facilities is obvious. As indicated already, this is true, whether or not the taxpayer has a contract with the Government, or whether or not the taxpayer seeks special tax amortization. Such protection should be afforded in every case, as a matter of sound procurement policy—and I mean there, of course, on the part of the contracting officer for the War Department or the Navy Department who negotiates with the prospective contractor and arrives at the terms of the contract. It is the duty of contracting officers in all such cases to see that the Government's interests are adequately protected. The contracting officers in the War and Navy Departments have been directed to protect such interests, and these directions are being carried out. The War Department assumes direct responsibility for protecting the interests of the Government in the facilities under all of the War Department's contracts.

The War Department assumes direct responsibility. No one is in a position to know so well and so fully when the interest of the Government are protected and when the rights of the people are safeguarded as those who are in charge of the administration of the act. I contend that those on the outside, who know nothing of the details and the difficulties that have been encountered by the War Department and the delay and the confusion that has resulted, are not in position to understand this so well as the departments.

[Here the gavel fell.]

Mr. VOORHIS of California. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the bill before us proposes to do the following: It proposes to repeal subsection (i) of section 124. Section 124 of the Revenue Code is the 5-year amortization provision. Sub-

section (i) states that any corporation which receives reimbursement from the Government directly or through extra payments for the goods it delivers shall not be entitled to that extent to special 20 percent per year amortization allowances, unless there is given assurance by the contracting officer that the Government's interest in the future disposal and use of the facilities for which it has paid has been provided for. In other words, the present law states that the Government is not going actually to pay for a portion of the plant, then accompany that by the right on the part of the corporation to deduct 20 percent of its cost from its tax bill for 5 years, and in addition say that at the end of the time the company can do exactly as it pleases with the facility.

It seems to me that this is a minimum of protection of the public interest. I have the utmost respect for the remarks of the chairman to the effect that if this subsection is repealed you can then depend upon the contracting officials of the War and Navy Departments. I hope and trust that that can be done, but it seems to me that it puts the Congress in an extremely anomalous position for us to repeal this provision, which is the only safeguard for the Government under the present circumstances, and then say we are repealing it because we believe the contracting officials of the Government will do anyway what the subsection requires.

The amortization deductions of 20 percent per year by the few companies which are going to enjoy the major portion of this huge expansion due to Government orders will be an extremely substantial loss from a revenue standpoint. It will be an important item.

It seems to me that the risk run by most of these companies is comparatively small. We are in a very different position from what we were when this act was first passed, when we were trying to induce private money to go into the expansion of those facilities, and when those men who did put their money into them were not at all sure whether this country would become involved or what the future would bring.

At the present time it is certain that with this colossal program the President has set before the Nation, and which must be carried out, a tremendous lot of business will be done by a comparatively few companies. It is part of our job to prevent excessive profits being made, and that is involved here.

It seems to me that to give a concession of this sort, a 20-percent-per-year amortization deduction, with no regard to whether or not reimbursement is made by the Government, is only to encourage large companies to get the benefit out of all this business, not to subcontract the business but to build additional plant facilities themselves in order that they may have the advantage of this provision, where they might instead subcontract a part of the work to smaller concerns that have some of the material and machinery already available.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield just for a question?

Mr. VOORHIS of California. Not right now; I want to finish my statement.

Mr. HOFFMAN. I just wanted to know how the gentleman stood on it.

Mr. VOORHIS of California. I am against it, I may say to the gentleman.

Mr. HOFFMAN. I thank the gentleman.

Mr. VOORHIS of California. I hope to have a chance to vote against it.

I believe that with a program anywhere near as large as the President has laid out for us it is obvious that most of the plant expansion will be so directly for war production that it is just out of the question to make it a proper or safe investment, from the standpoint of the private financing itself. Up to date only 20 percent of this expansion has been financed by private money. The rest of it has been financed by Government money. I think that is inevitable under present circumstances. How in the world can it be profitable to a private enterprise to expand as much as will be necessary to build the tanks, the guns, and the rest of the things we are going to need in this war? If we were considering expansion for civilian production, my position would be a very different one from what it is. But in the field of war munitions I can see no other proper way but for Government to finance it and then to lease it to competent producers, but to retain title to it and in many cases to retain it as stand-by capacity against the future. Had this been done after the last war we should not have so great a problem today. I think we might as well face that fact, and I feel that for the protection of the competitive, free enterprise system in the future, the important thing is to try to see to it that we do not put into the hands of a comparatively few corporations such tremendous economic power as may be done under present circumstances unless we are careful.

Mr. CARLSON. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman.

Mr. CARLSON. The gentleman is making a very interesting statement as to the benefits to these corporations taking advantage of this 20 percent amortization. Would it not also be possible that it might work to their disadvantage because they destroy any benefits by reason of taking advantage of the longer-term amortization?

Mr. VOORHIS of California. I am glad the gentleman asked that question, because my belief is that if the taxes on corporations which are going to be levied at the present time by the gentleman's committee, and for which I shall probably vote, because I think we have got to levy those taxes not only on corporations but others too—if it were expected that the taxes that will be presently levied would be continued after the war, I would agree with the gentleman, but I think the gentleman would have to grant me that the same companies that are asking the concessions contained in this bill will be the same people who will be insisting after the war is over that these tax rates be substantially reduced, and if that happens at that time, which I believe to be

not beyond the realm of possibility, then the advantage from taking the amortization at present would be very substantial indeed.

[Here the gavel fell.]

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and I would like to say that I fully realize I have not dealt with this matter adequately.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DUNCAN. Mr. Speaker, I rise in opposition to the pro forma amendment.

Mr. Speaker, the paragraph sought to be stricken out of this bill is a very complicated one. It was written into the 1940 tax bill in the Senate, or in conference, as I recall. I have not time in the 5 minutes I shall have to read it, but I do not know just how anybody in the War Department or the Navy Department can intelligently construe it and apply it. The provisions with respect to nonreimbursement certificates, as they are known, apply to contracts in excess of \$15,000. In other words if the War Department seeks to have some manufacturing company make a particular type of shell or a particular type of equipment which the War Department may desire, and it becomes necessary for that company to buy a particular piece of machinery that may be of no value to it after it has performed the terms of its contract, the questions arising under this paragraph will have to be determined.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. DUNCAN. I only have 5 minutes, and I am sorry that I cannot yield, as I want to explain this as best I can.

So every contract that any corporation may have with the War Department has to be thoroughly investigated, if it is in excess of \$15,000, for the purpose of determining whether or not under the terms of that contract the contractor is receiving compensation for any additional equipment or expenditures he may have been required to make because of that particular contract. A company may have a dozen contracts with the War Department upon which there have been granted certificates of nonreimbursement, and then he comes along and gets another contract in excess of \$15,000 and it is held by the War Department that he is receiving compensation. Then the whole thing becomes confused, and before that contractor, as I understand from the statement of Mr. Sullivan, can determine what his financial status is, they must go back and audit all of the accounts between this contractor and the War Department.

Unquestionably, this has resulted in great confusion. It has been more confusing to the businessmen than it has been to the War and the Navy Departments. They do not know what their status is, and it may take weeks for them to determine. They cannot afford to go out and spend thousands and thousands of dollars to add some new equipment which is absolutely essential to the performance of some particular contract

entered into with the War Department unless they know they are going to have some reasonable opportunity of receiving compensation for it; and when there are many thousands of these contracts to be checked over and thoroughly investigated by the War or Navy Department, to be finally approved by the President, you can well understand what the confusion is likely to be. I have every confidence that the gentlemen who are responsible for the approval of these contracts will protect the interests of the Government. With 200 officers down in the War Department spending a large part of their time passing on these contracts, these certificates of nonreimbursement or reimbursement, one can imagine what a difficult task it must be. You may wonder what these certificates of nonreimbursement are. It was a rather hard thing for me to get through my head just what they mean, and in many cases it is quite difficult for those who are administering the act to definitely determine, but I may give you this example of it as it came to us on the committee.

Suppose a contract is let to make knapsacks at \$5 apiece. If there is a reasonable profit in that \$5 of 6 or 8 or even 10 percent, the War Department probably would not determine that there was reimbursement for the equipment necessary to carry out the contract, but if it cost \$4.80 to make it, and the contract is for \$5.50, the Department probably would determine that there was reimbursement for such necessary machinery and equipment as was necessary to carry out the terms of that contract, and that the amortization provision of the act would not apply, but if it found that the contractor had not received compensation under that particular contract, then a certificate of nonreimbursement would be granted. Mr. Speaker, we can see what a complicated situation it has produced, and if we are going to depend upon these men to spend billions of dollars which the Congress is providing then certainly I think we ought to give to them the right to pass on this sort of thing.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. TREADWAY. Mr. Speaker, I move to strike out the last word. The gentleman from Missouri [Mr. DUNCAN] who has just taken his seat, is in somewhat the same mental condition that I was. We did not understand the difference between reimbursement and amortization, and I think that was really the deciding factor in the opposition of some of us to the request made by the departments. The gentleman has explained it quite thoroughly. In other words, as I understand it, the knapsack proposition brought to our attention was that if the cost of manufacture was \$5 apiece, and the contract provided for the knapsacks to be sold to the Government at \$5.40, no question of reimbursement would be involved because there was no excessive profit. However, if the price at which the knapsack was sold to the Government was at \$6.40, instead of \$5.40, then there was excessive profit, which would involve reimbursement by the Govern-

ment for the cost of the facilities, and no amortization would be allowed. I think that is a correct explanation of what this reimbursement, so-called, is.

With reference now to the remarks made by the gentleman from California [Mr. VOORHIS], I do not blame him for taking the viewpoint he does, until he has thoroughly understood the situation. There was great opposition, the chairman will not hesitate to admit, when this matter was first proposed in committee, and we were not at all satisfied that it was proper legislation, whereas, after we thoroughly understood the situation, we approved it. Representing the Republican side, I think we are all in harmony in agreeing finally to the unanimous report. The gentleman from California to my mind made two mistakes in his remarks. One was that the contractors are anxious to have this liberalized amortization procedure. No contractor appeared before us whatever. The departmental people wanted it to hurry contracts through and they were the ones who asked for this amendment striking out subsection (i) of section 124. The contractors themselves were not a party to these hearings.

Mr. COFFEE of Washington. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. In a moment. The testimony that was brought before our committee was all to the effect that there was a bottle-neck in the negotiation of war contracts. These examinations on the part of the various departments of Government to see if there was any reimbursement could not be handled rapidly enough, so that the contracts were accumulating and lying on the table and not being fulfilled over a period of time. We were told that at one time at least 30,000 contracts had piled up that could not be passed on by the method of procedure at that time. Therefore, I think the gentleman from California is in error in saying that he thinks that the several different methods of examination should be followed out. I, for one, want to say that I have confidence, and I am sure that he has, in the officials who appeared before our committee, and I quoted in particular Under Secretary Sullivan, who testified very distinctly that the interests of the Government were not in jeopardy if we carried out the program provided for in this amendment.

Mr. VOORHIS of California. I do not want to be in the position of indicating any lack of confidence in our Government officials.

Mr. TREADWAY. I realize that.

Mr. VOORHIS of California. But I do feel that the position of the Congress should not be simply to say that we think such and such ought to be done, and we are going to rely on these officials to do it.

Mr. TREADWAY. We must rely on somebody. Now, the President has set up a particular organization to hurry these contracts through—

Mr. VOORHIS of California. That is correct.

Mr. TREADWAY. To get it under way and get it done.

Mr. VOORHIS of California. Will the gentleman yield to me once more?

Mr. TREADWAY. Certainly.

Mr. VOORHIS of California. Does not the gentleman agree with me, generally speaking, that if a private company goes out and spends money and expands facilities for the construction of tanks, by and large, the amount of compensation that that company would have to get out of that would be almost the total amount that it spent on it?

Mr. TREADWAY. There are certain provisions under which he can get that total amount.

Mr. VOORHIS of California. I agree with the gentleman because it seems to me, if he does get that much, the property should belong to the United States.

Mr. TREADWAY. It will belong to the United States if they reimburse him for the entire cost of production.

I hope the bill will be accepted by the House.

[Here the gavel fell.]

Mr. McKEOUGH. Mr. Speaker, I move to strike out the last four words.

Mr. Speaker, when this matter was last before our committee we listened, as has been indicated, to the testimony of the Assistant Secretary of War, Mr. Patterson, the Assistant Secretary of the Navy, Mr. Forrestal, Secretary of Commerce, Mr. Jones, and Assistant Secretary of the Treasury, Mr. Sullivan. I do not share the views that have been expressed by the other members of the committee today with relation to the advisability of striking this particular section from the tax law. I do not agree for the simple reason that it was indicated to us by those who testified as to the need for this action resting entirely on the ability of those in charge of the War and Navy Departments to produce the necessary defense material in the shortest possible time. If you will read the hearings I am confident you will agree that while everybody who was called in to attempt to convince the committee as to the necessity of the action that is now about to be taken, was given every opportunity to do so, but in all candor I must say that those who testified completely failed, in my humble judgment, to make a case of their position.

I want to point out it was indicated that if we strike this from the law it is the proposal of the War and Navy Departments to incorporate like provisions in the individual contracts that are being executed for the production of material. If that is so, then one or two of us on the committee could not see any particular reason why they should strike it from the law, if they indicate they are going to propose such protective clauses in contracts to protect the Government. I do not think I am violating any confidence when I say to the Members of the House today there have been some contracts at least that have been awarded by the War and Navy Departments where the contractor has earned sufficient remuneration in the way of net profit not only to pay for his plant expansion, but to have a considerable reserve over and above, paying 100 percent for the plant expansion incident to the production of the items called for in the contract. It is the desire of those who are going to hold the responsibility of this program

to have this eliminated from the law. I in no way want to interfere with them.

On the other hand, I could not, in conscience, permit this situation to be presented today without at least indicating my attitude toward it, not that I think it will influence anybody in the House, but I do say in all candor that I see no necessity for eliminating this from the law. I do not think the War or Navy Departments or Mr. Jesse Jones or anybody else connected with the administrative side of this Government will be any less positioned to do a good job and in no way sacrifice protection to the Treasury of this country if we insist on it being retained in the present tax law. After all, this requirement was incorporated in the tax law for the purpose of protecting the Treasury against exorbitant profits that may be made by contractors of this country to whom are delegated the responsible task of producing the defense requirements of the hour. I think they are being very generously treated. I do not think any of them are going to go broke. I do not think any of them that have any prime contracts on the generous terms that are entered into are going to wind up with a net deficit at the end of the fiscal year. The best evidence of that conclusion rests in the earnings that are now currently offered on the part of corporations that file their earnings statements with the New York Stock Exchange. I noticed in the National City Bank Bulletin a few days ago some 350 industrial corporations with a book value of \$12,000,000,000 showed current earnings in spite of the heavy reserve set up for taxes, of 13.3 percent net, as against 9.9 percent for the same 9 months of 1940.

I cannot vote for this particular resolution.

[Here the gavel fell.]

Mr. HOOK. Mr. Speaker, I rise in opposition to the pro forma amendment.

Mr. Speaker, I fully realize the importance of the expansion program and the necessity of facilitating production, but I doubt very much whether this resolution will do it. I want to call your attention to the Truman report that was put out on the investigation of the national defense program. I call attention particularly to page 63 of that report where the statement is made that practically the whole airplane program has been handled by about 19 companies and that the inefficiency—well, let us not say inefficiency because those 19 companies have been efficient so far as their production is concerned—but the fact that we have not had the quantity production we sought comes about because those in charge of the program have limited the thing to 19 large companies. They have favored these 19 large companies. The profits and the amount of money that has been paid to these companies is out of proportion to the results secured.

Mr. DOUGHTON. Mr. Speaker, will the gentleman yield?

Mr. HOOK. I yield.

Mr. DOUGHTON. The gentleman has quoted from the Truman report. Does the Truman report favor the enactment of this resolution?

Mr. HOOK. I do not know whether it does or not.

Mr. DOUGHTON. The gentleman has taken the Truman report as his text to defend his position. The Truman report comes out for the passage of this resolution.

Mr. HOOK. They might favor the adoption of the resolution for the purpose of expediting war production, but that is the only reason I can see why this resolution should be passed. I cannot see where it is going to enlarge the production. The way to enlarge production in this country is to allow the small ordinary corporations a chance in the whole war program and not limit it, as is shown in this report, to 19 large companies. I know of one company, the Zephyr Aircraft Corporation, which was run out of business by the War Department, yet the company had equipment to produce at least 50 airplanes a day and in their bidding bid only \$3,000 a plane against some \$8,000 a plane by a large company. The Truman report cites this as a glaring example. I see on the floor of the House now my colleague, the gentleman from Michigan [Mr. DINGELL] who can vouch for the fact that we went down to the War Department, conferred with General Arnold and General Brett, and they passed it over as a light thing; whereas if they had put mass-production methods into the airplane industry of this Nation it would have saved billions of dollars and thousands—yes, millions of hours of training time. Ah, but if they did that they would have had to accept the thing that Ford did for the automobile industry, and the 19 big corporations controlling aviation in this Nation did not want that; and I say it advisedly.

Over in Pontiac, Mich., rests the equipment of this airplane company that is ready to do the work, to go into operation and with punch presses, dies, and jigs punch out 50 airplanes a day. But, no; they do not belong to the Big Six which controls the handling of this whole aviation war program. They dictate to the War Department instead of the officials of the War Department dictating to them.

It is about time we realized we are actually in a war. It is about time we realized that the President does want hundreds of thousands of planes and that the boys across the sea are crying for these planes. I hope that even if this legislation does pass those in authority will at least take into consideration the fact that we have small corporations in this country and realize that these comparatively small companies collectively will amount to a tremendous force when put into production.

I am informed that there is a possibility that the smaller companies do not want to take a chance of expansion unless they are given a certificate as provided in this legislation. I understand the large companies have taken a chance without waiting and therefore have controlled the whole of the business. If this is true that may help some. However, I cannot subscribe to any proposition that will again bring about a condition of creating war millionaires. The boys in uniform are giving their lives and all they

ask is that we at home give our best efforts to give all-out production without profits. I plead with you, do not let the boys in uniform down. It means our freedom if you do. It means a loss of all we hold dear. Production without profit is all we ask. That is not too much.

Mr. MURDOCK. Mr. Speaker, I move to strike out the last four words, and do this principally to ask two or three questions of the chairman of the Ways and Means Committee.

First, I should like to ask the chairman whether this move to strike out subsection (i) will have the effect of reducing the chances of inordinate war profits?

Mr. DOUGHTON. I do not know that it would have any direct bearing on that. It certainly would not militate against inordinate war profits; but this is a matter of amortization or reimbursing companies for providing facilities for the production of war materials; that is what this is for—amortization. The fact of the matter is those in charge of the administration of the law unanimously and earnestly insisted that their work was being handicapped and delayed and that confusion has resulted because of the existence of subsection (i). If we believe what they say, if we believe they are intelligent and honest, then if we do not pass this resolution the responsibility rests on us; and I am not willing to take that responsibility.

Mr. MURDOCK. I am very much concerned about war profits and feel that this move has some bearing, directly or indirectly, upon war profits. The second question is this: Does the gentleman believe that the passage of the pending resolution will greatly facilitate war production?

Mr. DOUGHTON. It will if one can believe the united testimony of those on whose shoulders falls the responsibility of executing the war program and who have had the experience of operating under this subsection. I have no doubt, based on their statements, that the war program will be greatly facilitated if this resolution is adopted. If it is not adopted, it will be continuously delayed. That is my honest opinion.

I believe if the gentleman had heard all the testimony, and I believe if my good friend from California, whom I very greatly admire, had heard the direct testimony, all the questions and all the answers, any reasonable doubt in their minds would have been removed.

Mr. VOORHIS of California. I should like to have heard the testimony, I may say to the gentleman.

Mr. MURDOCK. The third question I should like to ask the chairman is this: I understood the chairman to say that if we do not pass this resolution or make this change the responsibility for slowing up or delaying production will rest upon us. If we do make this change, the proper provision of these contracts will then rest squarely as a responsibility upon the War and Navy Departments. Is that not true?

Mr. DOUGHTON. That is the way I understand it. The resolution has two purposes. The first is to expedite the letting of these contracts to facilitate going ahead with the war program. At the

same time another purpose is to induce private capital to build these facilities rather than the Government's having to furnish the money.

Jesse Jones, who is not only Secretary of Commerce but head of the Reconstruction Finance Corporation, a man in whose business capacity we all have unqualified confidence, testified very definitely that, in his opinion, the effect of it would be that it would get more private capital into these contracts and the Government would have to put up less money. That was the original purpose of the act.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. MURDOCK. I yield to the gentleman from California.

Mr. VOORHIS of California. May I say to the gentleman, on the question he asked about profits, that I believe if the gentleman listened to the explanation of the gentleman from Missouri, it would be plain that the effect of this amendment would be that a company could still take advantage of the 5-year amortization period if this bill were passed, even though its profits were much more substantial than it would now be permitted to take advantage of.

May I also say to the gentleman that my point of view is that in the last analysis, with regard to trying to get private capital to finance something which is necessary for a nation, such as these huge tank plants and similar facilities, if you have to pay a price which amounts to paying back all they spend in order really to compensate them, I would rather see a clean-cut proposition whereby we recognize that that sort of construction almost has to be financed by the Government.

Mr. McKEOUGH. Mr. Speaker, will the gentleman yield?

Mr. MURDOCK. I yield to the gentleman from Illinois.

Mr. McKEOUGH. Following the colloquy with the distinguished chairman and the gentleman from Arizona, I should like the gentleman to turn to page 35 of the hearings, where he will find that I quizzed Mr. Jones on whether or not he thought that would make any great noticeable contribution to the flow of private capital to plant expansion. He did not very definitely go on record. He merely indicated that he hoped it would.

Incidentally, in quizzing him as to whether or not he had any serious objection to retaining this protective feature in the law, I found that he indicated he had no objection to retaining it.

The question resolves itself into whether or not we want to go ahead and give the green light to the Navy, the War Department, the Maritime Commission, and others, without retaining this protective feature in the law. I submit that it will in no way handicap the production program by reason of its being retained in the law, because the Navy and Army indicate they are going to retain it in the regulations that are to be issued in the event we strike it from the statute.

Mr. DOUGHTON. Mr. Speaker, will the gentleman yield?

Mr. MURDOCK. I yield to the gentleman from North Carolina.

Mr. DOUGHTON. The fact remains, in spite of the observation of my distinguished friend and able colleague on our committee, that Jesse Jones on his own volition appeared before our committee in advocacy of this joint resolution. He evidently had a purpose in it and evidently thought the resolution would work a good purpose.

Mr. McKEOUGH. I understand that; but I submit further that the gentleman will find, on reading the hearings, that he in no way strenuously urged that we do it.

Mr. DOUGHTON. That word "strenuously" is rather ambiguous.

Mr. McKEOUGH. I merely asked him whether or not it would make any difference, and he very frankly said "No."

Mr. DOUGHTON. Of course, he did not turn somersaults and break his neck, but he came out in favor of it.

Mr. McKEOUGH. He offered nothing constructive to the committee deliberations.

Mr. DOUGHTON. That word "constructive" is a matter of interpretation. The fact that he came out in favor of the resolution was a constructive act on his part.

Mr. McKEOUGH. If the gentleman will yield for one more observation, may I point out that I have no quarrel with Mr. Jones but I am one who does not genuflect every time his name is mentioned.

Mr. MURDOCK. May I say that I am now simply trying to get my own mind cleared in regard to this puzzling matter. As I view it today, our primary purpose is to increase and quicken production. That is the essential thing. I am willing to take some risk in order that we may meet that urgent need. However, I am just as unalterably opposed now as ever to permitting a crop of millionaires or multimillionaires to grow out of our war effort.

Ever since the very beginning of the second World War, I have been torn between two determinations, both of which are very important and likely to be conflicting. First, I wanted our Nation to be properly, thoroughly, and quickly prepared in a military way, and secondly, I wanted national defense attained without undue war profits and the creation of another crop of multimillionaires growing out of our defense efforts.

Accordingly, early in October 1939, I introduced a bill in the Seventy-sixth Congress—H. R. 7557—designed to tax excess war profits at that time, remembering the profiteering in this country growing out of our War between the States and out of the first World War to a much greater degree. I had the firm conviction then, as I do now, and so stated, that the American people would not stand for that sort of thing again.

However, being assured by high authority, that there would be no crop of millionaires created in this country in this emergency, I was not too insistent then on the immediate passage of such legislation as I had proposed in H. R. 7557. Instead, I brought myself to agree with those who understood the whole matter better than I did that the needed things

in the line of national defense should be attended to first, and the prevention of excess profits could be attended to later. Of course, I was greatly pleased when the President soon afterward asked Congress for an excess-profits tax.

The question is, How can we obtain the greatest quantity of production of all war material without some excess profits being permitted? I am just as firmly opposed now as ever to our Nation's dire need being the opportunity for profiteering, but I realize also that our very national existence depends upon war goods being produced. If the War Department can bring about the desired results better by our changing this provision in existing law, let's change it.

[Here the gavel fell.]

Mr. KEEFE. Mr. Speaker, I move to strike out the last three words.

Mr. Speaker, I have listened with some interest to all of the arguments that have been made with reference to the pending legislation and I confess that, perhaps, I am no different than others who have spoken who are members of the committee when they have said that confusion reigns quite supreme in their minds as to the purpose and character of this legislation. My purpose in taking the floor at this time is to endeavor, if I may, at least to satisfy my own mind as to exactly what I am called upon to vote for.

If this bill means what I believe it means, and is to be interpreted and managed as I understand the evidence discloses it will be, I shall be glad to support the legislation as an effort to expedite our national-defense program, and because I am familiar with the fact that manufacturers in my own district have been plagued intolerably by the existing law that is sought to be repealed. Let me see if I understand the situation. In order to claim the benefit of the provisions of the existing law permitting a 60-month amortization for plant expansion and defense facilities, it is not necessary under the terms of existing law for a manufacturer to have a contract with the Government for the production of defense articles. Is that right?

Mr. DOUGHTON. He may have a contract.

Mr. KEEFE. He does not necessarily have to have a contract.

Mr. DOUGHTON. He must have a certificate of necessity from the War or Navy Department.

Mr. KEEFE. When he obtains a certificate of necessity from the War or Navy Department he may claim the 60 months' amortization that is provided in the law in lieu of ordinary wear, tear, obsolescence, and depreciation.

Mr. DOUGHTON. If he can demonstrate that he has not been reimbursed.

Mr. KEEFE. If he can demonstrate that he has not been reimbursed, all right. Now, as I understand it, this section (i) that we seek to repeal provides some measure of protection to the United States Government in this situation. I may have a contract for the manufacture of certain machines necessary in the war effort, and the price that I am to receive per unit of machine must take into consideration the reimbursable

feature that is found here in this paragraph that is sought to be repealed. In other words, if it shall appear that the unit cost of the machines under my contract with the Government includes more than the ordinary compensation for normal exhaustion, wear, and tear on the facilities used to produce that machine, then I should not be entitled to amortization on account of the spending of my individual money for the building of the facilities. Is not that right?

Mr. DOUGHTON. The reimbursement will not only cover the necessary machines, but the plant is included as well.

Mr. KEEFE. I said whatever is necessary. Let me state that again so there will be no misunderstanding about it. If I am the builder of a tank and I enter into a contract with the Government by which I am paid a definite unit price per tank, the Government, in considering that contract, takes into consideration the normal wear and tear and obsolescence, and so on, on the facilities that my private funds have made possible to produce that tank. If the price which the Government has agreed to pay me is excessively more for that item of cost in determining the price of that tank, then I cannot obtain amortization from the Government under existing law.

Mr. DUNCAN. That is right.

Mr. KEEFE. Now, that seems like a sound proposition.

[Here the gavel fell.]

Mr. KEEFE. Mr. Speaker, I ask unanimous consent that I may proceed for 3 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. No; I do not want to yield yet. I want to state this other thought to see if I am right. This is a technical proposition and hard to understand.

Mr. DINGELL. I think it should be said that the gentleman is essentially correct in his deduction.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. I do not care to yield, because I do not want to be disturbed right now. I will yield later if I have the time. I am trying to follow this through with my line of thought so that I will understand it, whether anybody else does or not.

The situation I just stated would apply to one contract. Now, suppose I start building my tanks under one contract and 3 months later I am awarded another contract. Then in order to take advantage of the amortization provisions of this law I must come down here, fill out a whole host of papers, and go through all sorts of rigamarole on every single contract that I enter into with the Government. Is not that correct?

Mr. DOUGHTON. You would have to show, of course, that the facilities you ask for are necessary before you can get a contract. You would have to show that the additional facilities are necessary.

Mr. KEEFE. That means I may have put in an additional machine to perform this additional contract or may have to do a little building or erect a temporary building, and it means that on every contract I take I have to come down here and go through the formalities of receiving an amortization certificate.

The result is that it has been the experience of those engaged in the defense industry, many of whom I know in my district, that the burden that is placed on these people has discouraged them from attempting to carry on under these circumstances. I understand that all there is to this proposition is an effort to see to it that the tremendous volume of red tape and efforts that must be put forward by the manufacturer to contribute to the defense effort may be swept aside to some extent, to enable them to go on producing goods, without spending all their time making out reports down here to the Government. Because I am convinced that those in authority in the War Department intend to protect the public interest and to see to it that unconscionable profits are not made by charging unreasonable obsolescence and depreciation under these contracts, I am going to support the legislation as an effort to stimulate our defense production. Any person who would read the hearings of those who testified and who are in charge, it seems to me, could come to no other conclusion. If we cannot trust those who are in charge of the war effort to protect the Government against gouging by unconscionable contractors under these contracts, then our Government certainly has reached a sad place. This procedure and this legislation should not be considered through the light of mere demagogic appeal. It is a technical and difficult situation to understand, but with the law before us as it is I am satisfied that the situation can be developed in the Department where the public interest will be protected, and that no manufacturer claiming amortization under a reimbursement certificate will succeed in obtaining a plant at the end of this work that the Government has paid for as a result of excessive profits earned by any corporation. I could not support this legislation if I believed that it would permit unconscionable profits to be made out of the war effort.

Mr. McKEOUGH. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. Yes.

Mr. McKEOUGH. Will the gentleman favor the House with an opinion as to how that protection will be secured at the time the contract is entered into?

Mr. KEEFE. The gentleman is a member of the committee, and he ought to be able to answer that question a whole lot more efficiently than I.

Mr. McKEOUGH. And that is why I am opposing the legislation.

Mr. KEEFE. I assume that the protection is going to be secured in the negotiation of the contract itself, and that is all there is to it.

Mr. McKEOUGH. Let us take a practical situation. I know the gentleman wants to be fair, and I am convinced that he thinks that I want to be fair.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. McKEOUGH. Mr. Speaker, I ask unanimous consent that the time of the gentleman be extended for 3 minutes.

The SPEAKER. Is there objection? There was no objection.

Mr. KEEFE. I want to be perfectly fair, and I want to understand it, and I do not think that I am to be accused of unfairness in a matter of understanding, when I am approaching it for the first time this afternoon, and the gentleman is a member of the Ways and Means Committee, and other Members have indicated that after months of study many of them do not understand it or know exactly what the situation proposes, when the gentleman asks me what is going to happen and how this will be interpreted.

Mr. McKEOUGH. Mr. Speaker, will the gentleman yield? I really obtained 3 minutes for the gentleman.

Mr. KEEFE. Yes.

Mr. McKEOUGH. I compliment the gentleman upon his modesty in that he assumes in a very few minutes to take the ball and indicate that he has all the answers. The gentleman stated that he is going to support this legislation.

Mr. KEEFE. I intend to.

Mr. McKEOUGH. And I assume the gentleman is pretty well convinced in his own mind that the support of this is the thing to do.

Mr. KEEFE. I am, and surely men who possess ordinary intelligence could disagree on a matter of this kind.

Mr. McKEOUGH. I agree with that, but I merely make the point that I compliment the gentleman because he has reached his conclusion in a few minutes when it has taken the rest of us months to do it.

Mr. KEEFE. Perhaps I do not maintain the same prejudice that the gentleman does.

Mr. McKEOUGH. I have no prejudice. I am attempting to protect the Government with the language that is written into the tax bill that the gentleman supported, because it was in the tax bill which the House passed and the Senate passed and everybody approved it. I suggest the gentleman read the hearings of the testimony of Mr. Patterson, the Under Secretary of War. He was the first witness.

Mr. KEEFE. I just finished reading it.

Mr. McKEOUGH. Did you find in his testimony that he said he had no objection to this provision if it were in any other statute other than a tax bill? That is one thing he said. Secondly, he said that in the event it is eliminated from the statute it would be provided in the regulations that the War and Navy Departments had then prepared. So that we are not going to eliminate the thing that they object to, according to their own testimony. Now, there is no particular objection, as I see it, to protecting the Government against the possibility of a contract resulting in remuneration, directly or indirectly—

Mr. KEEFE. Just let me indicate to you what Secretary Patterson did say. He said:

It is proposed by the War and Navy Departments, with the concurrence of all interested agencies in the executive branch, that subsection (1) be repealed, because the subsection has created confusion and uncer-

tainty, with the result that manufacturers refrain and will continue to refrain from acquiring or constructing new facilities at their own expense. Manufacturers delay and will continue to delay in the acquisition and construction of such facilities, and valuable time has been consumed and will continue to be consumed by military and naval personnel and manufacturers who are engaged in important war work.

I say to the members of this committee that from actual observation in certain war industries in my own district, I know that that situation prevails. Now, I ask the gentleman, has he not confidence in his Secretary of War, in the Under Secretary of War, and those charged with the administration of that agency of Government?

Mr. McKEOUGH. I have confidence.

Mr. KEEFE. Has not the gentleman confidence in the Secretary of the Navy and those charged with the administration of that agency of the Government?

Mr. McKEOUGH. Yes, I have.

Mr. KEEFE. Then you believe that these people, when they grant these reimbursable certificates, even though this section (1) is removed, will see to it that in the contracts entered into with contractors, the public interest is protected, do you not?

Mr. McKEOUGH. No. I disagree at that point, because I do not think they are in a position to know because they are very human people. I do not think they can write a contract to indicate what the cost of a new bomber is going to be of a particular type. I do not think they know today what a new battleship is going to cost. I do not think they are in a position to determine it. I will give you one example, if you will permit me.

Mr. KEEFE. Under the provisions of this law they have a right now, have they not, to grant or not to grant reimbursement certificates?

Mr. McKEOUGH. Surely, depending upon whether or not at the time the contract is made they know whether the contract will be sufficiently large to reimburse, directly or indirectly, and I submit they do not know and you do not know and nobody else knows.

Mr. KEEFE. They have under existing law—

Mr. McKEOUGH. There is no harm in leaving it here.

Mr. KEEFE. I just want to say in answer to the gentleman that they have a right under existing law to determine the question of reimbursement or non-reimbursement.

Mr. McKEOUGH. They have not the right. They are compelled under the law to adjust it. It is not a matter of right. It is a matter of law.

The SPEAKER. The time of the gentleman from Wisconsin has again expired.

Mr. JENKINS of Ohio. Mr. Speaker, I move to strike out the last word.

The gentleman from Wisconsin [Mr. KEEFE] has diagnosed the situation very accurately and has come to the only real conclusion that anybody can come to. I would like the attention of the gentleman from Wisconsin [Mr. KEEFE] for just a minute. Here is another argument in favor of his argument. You can go one step further. The principal reason this section (1) is in this bill is that when these

property owners, industrialists, came before the Ways and Means Committee in the first instance to ask for this concession of amortization, the members of the committee and the Treasury representatives tried to throw a cloak of protection around the interests of the Government. This cloak was this provision referring this matter to the Treasury. Under the law as it stands now there are three different groups who are interested in these contracts. One is the contractor; one is the Army or the Navy; and the other is the Treasury. As the gentleman so ably stated, this thing has developed to such an extent and there have been so many inconsistencies and so much trouble even with the two parties, with the contractor and the Army or the Navy, that it stands to reason that with the addition of a third party to the group the trouble will be increased. To bring the Treasury in with its necessarily exacting methods, the trouble would be interminable. You would never end it. You could not get anybody in private industry to put his money into it when a final adjustment would be interminable. Striking out this section takes the Treasury out of controversy. The gentleman from Illinois [Mr. McKEOUGH] maintains that this section should stay in. This can stay in the law, but those who operate the law will have to contend with it. They will always be confronted with it. They can see the Treasury in the background. They think that they can anticipate all these conditions and take care of them in the contract. If this section stays in the law, the Treasury may come in and reinvestigate everything that the Army or Navy has already passed upon. This causes a bottleneck. Industry is tied up. I was against this thing in the beginning because I did not want the War Department or the Navy Department to have anything to do with levying taxes. Levying taxes is the function of Congress. It is not the function of the Army or Navy. We are now seeking to take this matter out of the realm of taxation and consider it as properly a matter of contract. If it is a matter of contract then it is appropriately a matter to be handled by the War and Navy Departments. Then it follows that these two Departments should have a free hand to operate if the bottleneck is to be relieved and production speeded up. It, therefore, behooves those Departments to see to it that these contracts are carefully drawn so as to protect the best interests of the country.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. BOLAND. I listened to some of the testimony presented before our committee. I ask the gentleman if it is not a fact that some of these larger corporations or contractors have taken the gamble and the chance, have expanded their plants pending the certificate's being issued to them; whereas a lot of the smaller contractors would not take that gamble and could not take that gamble because of this red tape you have to unravel before you can get a certificate?

Mr. JENKINS of Ohio. The gentleman is absolutely right. The War Department and the Navy Department both

have unqualifiedly recommended this change in the law. The danger is as stated by the gentleman from California, and the gentleman from Illinois: They are afraid somebody might not protect the Government. When we built this law we built it so the Treasury would protect the Government. It has developed from experience that this does not work well. If this section is stricken from the law it will be the policy of those in charge to have the contract to contain provisions and stipulations that will serve the Government better than the present provisions.

Mr. BOLAND. And the Treasury does not have any objection to this at all?

Mr. JENKINS of Ohio. No. They took the position they would not oppose it. If the Army and Navy fall down on their job then we have made a mistake, but if they are wise and careful and have an eye single to the best interests of the country, then we have not made a mistake.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. VOORHIS of California. The gentleman has no fear, then, that the action of Congress in repealing this subsection will be taken as an instruction by anybody to disregard it?

Mr. JENKINS of Ohio. I hope not. I am as strong today as I ever was against the Army and Navy levying taxes. But as I see it taxes are out of it. The Treasury will be out of it. The Army and Navy should be smart enough to protect the country and if not then they should not have the right to make any kind of contract. At present those agencies make many contracts. At the present time the Army and Navy have hundreds of officers now working on these complicated situations who would be relieved and permitted to go into active service where they are so badly needed.

Let these contracts state exactly what the parties agree to and then let the parties live up to the contract absolutely, literally, and in every detail. If this is done then what was intended will be accepted and that is all that is needed.

[Here the gavel fell.]

Mr. HOFFMAN. Mr. Speaker, I rise in opposition to the pro forma amendment and ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, it is a very depressing situation for a loyal Member of the House who adjourned politics on the 7th of December and wants to join in a patriotic manner in supporting these various bills for he hardly knows what to do when he finds a bill brought in here by the chairman of the Ways and Means Committee and the majority of the committee which is labeled as a defense measure and then on the floor of the House finds the Republicans called upon to make an aggressive and continuous fight to get it through while it is opposed by so-called administration spokesmen.

What I wanted to know was this: Did I understand the gentleman from Michigan [Mr. Hook] correctly to say that the

War Department had put a Michigan corporation out of business when it was in a position to make planes for the Army. Am I correct in my understanding?

Mr. HOOK. If the gentleman will read the Truman report he will find that in the report.

Mr. HOFFMAN. But did not the gentleman say just a little while ago that the War Department put an aviation company out of business?

Mr. HOOK. The officials of the War Department in charge of handling contracts, or the program of airplanes, practically threw this company out of business.

Mr. HOFFMAN. And how many planes a day did the gentleman say that company was prepared to make?

Mr. HOOK. That company, with its punch presses and their equipment, is prepared to put out about 50 airplanes a day.

Mr. HOFFMAN. Fifty?

Mr. HOOK. Yes.

Mr. HOFFMAN. And the War Department officials put them out of business?

Mr. HOOK. The gentleman is correct.

Mr. HOFFMAN. Does not the gentleman as a member of the majority party think he ought to have something to say about that?

Mr. HOOK. How can I with Republicans in control of the War Department?

Mr. HOFFMAN. Oh, the Republicans are handling this, are they? I thought Democrats were in control here. The gentleman does not mean that the Republicans down there—the gentleman does not mean that Knox and Stimson are running Roosevelt, the administration, the Army, and Navy? The gentleman does not mean that, does he?

Mr. HOOK. I thought they were still Republicans.

Mr. HOFFMAN. You ought not let them run the War Department and the Navy contrary to the policies of the administration. You do not mean to tell me that the administration is not in control of our foreign policy—of our war moves; that the Commander in Chief is not in authority—is not responsible?

Mr. McCORMACK. Mr. Speaker, if the gentleman will yield, I think this has gone along pretty well—

Mr. HOFFMAN. I have finished if the gentleman has.

Mr. McCORMACK. I thought the gentleman had yielded.

Mr. HOFFMAN. I will yield if the gentleman wants to prolong the discussion.

Mr. McCORMACK. I think we are agreed that in war the men in responsible positions without regard to their political preferment are Americans, first and always.

Mr. HOFFMAN. To the best of their ability. There is no doubt about it. There is some question about the ability of some of them, according to the Truman report.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. HOFFMAN asked and was given permission to extend his own remarks in the RECORD.

ANNOUNCEMENT

Mr. MOTT. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. MOTT. Mr. Speaker, I was unavoidably prevented from being present on the roll call on the adoption of the conference report on the civilian defense bill. Had I been present, I would have voted for the adoption of the report. I voted for the motion to recommit because I thought, and still think, that the House conferees should stand by the House amendment. Since that was not done, however, it was my intention to vote for the adoption of the report, and had I been present I would have done so.

TIRES PRIORITIES FOR CLERGYMEN

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. MUNDT. Mr. Speaker, on January 13 I addressed the House briefly calling attention to a letter I had written to Mr. Leon Henderson suggesting that members of the clergy be granted priority claims for the use of automobile tires. In response to that letter I received a very courteous letter from Mr. Henderson.

I wrote him a second time suggesting that clergymen be granted the same classification as physicians, surgeons, and veterinarians. This afternoon over the phone Mr. Henderson's office told me that in the permanent order affecting the use of automobile tires they were arranging to grant members of the clergy the same priority given to doctors, surgeons, and veterinarians.

I simply wish to say that I believe this to be a satisfactory arrangement and as good as we could expect under the prevailing circumstances. I thought the Members of the House would be interested in learning about the outcome of my correspondence with Mr. Henderson on this point inasmuch as so many of you have spoken to me about it since my remarks on the floor on January 13.

FARMERS ALSO NEED TIRE PRIORITIES

Mr. Speaker, while I am on my feet I might also mention that in my second letter to Mr. Henderson I took up with him another problem which is likely to become acute if the present tire shortage long continues. I refer to the special need for automobile tires which obtains with the farmers of America. The only means of getting to town to transact business and do necessary shopping is the family automobile for thousands of

American farm families. A big percentage of these families do not have buggies or wagons which can be horse drawn since their equipment has been completely motorized and they have neither the money nor the available buggies for switching from motorized to horse-drawn transportation. Hence when present tire resources become worn and when second-hand tires become unavailable special steps must be taken to provide America's farmers with tire priorities which will enable them to remain on the farm to produce the food essential to the winning of this war. To do this they must have means of travel from farm to town and home again. It is not too early, Mr. Speaker, to begin making plans for meeting the tire needs of American farmers and it may well be that city tire users for whom motor travel is simply a convenience will have to make concessions so that tires may be made available to farmers for whom motor travel is an absolute necessity.

I am sure that Mr. Henderson now has this problem before him and that any of you who may have a practical suggestion for solving this difficulty will find your proposals welcome in Mr. Henderson's office.

EXTENSION OF REMARKS

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a sermon by G. W. Allison, of Fort Wayne.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address by Colonel Rutherford, of Phoenix, Ariz.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

A REAL DEFENSE NEED

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, the House Rivers and Harbors Committee has included hundreds of miscellaneous projects in the bill which it is recommending for passage. Many of them are of doubtful defense value, to say the least. Some are urgent and absolutely vital. One of them is the appropriation for the building of a second set of locks through the Soo Canal in the Great Lakes region. Most of us probably are unaware of the fact that vastly more tonnage is shipped through the Soo Canal every year than through the Panama Canal. Moreover, through this canal there passes a tremendous portion of the raw materials necessary for the construction of our national defense.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield to the distinguished gentleman from New York.

Mr. REED of New York. I agree with the gentleman 100 percent. The locks at Sault Ste. Marie are one of the most vital arteries in this country. Practically all the iron and steel necessary for defense has to come through there. One disaster alone there would practically tie up 75 percent of our national defense.

Mr. BENDER. Today there is only one set of locks in this vital region. Enemy bombers engaged in either a suicidal attack or based upon unknown landing fields in the Hudson Bay region could seriously impair our war effort.

The construction of auxiliary locks is therefore a matter of the utmost urgency. I believe that Congress should separate the provisions of the omnibus bill so that we might pass upon those which are immediately necessary and postpone the consideration of those which are unrelated to national defense. The Soo Canal project belongs in the "hurry up" class. It must be passed now.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. KRAMER, for 3 weeks, on account of illness.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2132. An act authorizing the construction of a new lock at St. Marys Falls Canal, Mich., in the interest of national defense; to the Committee on Rivers and Harbors.

S. 2152. An act to provide for the planting of guayule and other rubber-bearing plants in order to make available a source of crude rubber for emergency and defense uses; to the Committee on Agriculture.

ENROLLED BILLS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 6128. An act to amend the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended; and

H. R. 6325. An act to amend certain provisions of the Internal Revenue Code relating to the production of alcohol.

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 1677. An act authorizing subsistence allowance provided for aviation cadets to be paid to messes in manner as prescribed by the act of March 14, 1940 (Public, No. 433, 76th Cong.);

S. 1995. An act 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";

S. 2090. An act 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;

S. 2094. An act to provide for the rank and title of the Commandant of the Marine Corps;

S. 2095. An act to further amend the act approved June 23, 1938 (52 Stat. 944), as amended;

S. 2160. An act to promote the national security and defense by establishing daylight-saving time; and

S. 2169. An act to create the Limited Service Marine Corps Reserve, and for other purposes.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 31 minutes p. m.) the House adjourned until tomorrow, Tuesday, January 20, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, January 20, 1942, to resume hearings on the proposed amendments to the Securities Exchange Act of 1934.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10 a. m., Wednesday, January 21, 1942, to consider H. R. 1844 and private bills.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1289. A communication from the President of the United States, transmitting five emergency supplemental estimates of appropriations, fiscal year 1942, to remain available until June 30, 1943, for the military activities of the War Department (H. Doc. No. 567); to the Committee on Appropriations and ordered to be printed.

1290. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1942 in the amount of \$7,000,000 for the Federal Works Agency (H. Doc. No. 568); to the Committee on Appropriations and ordered to be printed.

1291. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of Justice, for the fiscal year 1942 in the sum of \$2,150,000, and for the fiscal year 1943 as an amendment to the annual budget in the sum of \$3,800,000, amounting in all to \$5,950,000 (H. Doc. No. 569); to the Committee on Appropriations and ordered to be printed.

1292. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Navy Department and naval service for the fiscal year ending June 30, 1942, amounting to \$4,598,783.500 cash and \$4,170,000,000 contract authorization \$8,768,783.500, together with proposed provisions affecting certain existing naval appropriations for said fiscal year (H. Doc. No. 570) to the Committee on Appropriations and ordered to be printed.

1293. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill to amend section 4 of the act of March 2, 1934 (48 Stat. 361), relating to the Model Housing Board for Puerto Rico, and for other purposes; to the Committee on Insular Affairs.

1294. A letter from the Attorney General, transmitting a draft of a proposed bill to amend subsection (c) of section 19 of the Immigration Act of February 5, 1917 (39 Stat. 889; U. S. C., title 8, sec. 155, as amended); to the Committee on Immigration and Naturalization.

1295. A letter from the Secretary of the Navy, transmitting reports of negotiated contracts entered into by the Navy Department during the quarter ended December 31, 1941; to the Committee on Naval Affairs.

1296. A letter from the Secretary of the Navy, transmitting a report of contracts entered into for buildings, facilities, etc., for the quarter ended December 31, 1941; to the Committee on Naval Affairs.

1297. A letter from the national president, American War Mothers, transmitting report of the American War Mothers from October 1939 to October 4, 1941; to the Committee on World War Veterans' Legislation.

1298. A letter from the president, Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill to provide for regulation of insurance rates against loss by fire and lightning, and for other purposes; to the Committee on the District of Columbia.

1299. A communication from the President of the United States, transmitting the General Accounting Office certificate of settlement No. 0654549, dated November 10, 1941, covering a claim in favor of the Maryland National Capital Park and Planning Commission in the sum of \$90,000 (H. Doc. No. 571); to the Committee on Appropriations and ordered to be printed.

1300. A communication from the President of the United States, transmitting records of judgments rendered against the Government by the United States district courts, as submitted by the Attorney General through the Treasury Department, and which require an appropriation for their payment amounting to \$54,650.01 (H. Doc. No. 572); to the Committee on Appropriations and ordered to be printed.

1301. A communication from the President of the United States, transmitting a schedule of claims amounting to \$1,915,851, allowed by the General Accounting Office (H. Doc. No. 573); to the Committee on Appropriations and ordered to be printed.

1302. A communication from the President of the United States, transmitting estimates of appropriations submitted by the several executive departments and independent offices to pay claims for damages to privately owned property in the sum of \$51,493.37 (H. Doc. No. 574); to the Committee on Appropriations and ordered to be printed.

1303. A communication from the President of the United States, transmitting an estimate of appropriations for payment of certain claims allowed by the General Accounting Office amounting to \$165,483.36 (H. Doc. No. 575); to the Committee on Appropriations and ordered to be printed.

1304. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the National Mediation Board, for the fiscal year 1942, amounting to \$22,500 (H. Doc. No. 576); to the Committee on Appropriations and ordered to be printed.

1305. A communication from the President of the United States, transmitting two supplemental estimates of appropriations for the Department of State, for the fiscal year 1942, amounting to \$950,000 (H. Doc. No. 577); to the Committee on Appropriations and ordered to be printed.

1306. A communication from the President of the United States, transmitting an estimate of appropriation submitted by the Navy Department to pay claims for damages by collision or damages incident to operation of vessels of the Navy, in the sum of \$771.41 (H. Doc. No. 578); to the Committee on Appropriations and ordered to be printed.

1307. A communication from the President of the United States, transmitting an estimate of appropriation in the amount of \$151.20, submitted by the Department of Justice to pay claims for damages to any person or damage to or loss of privately owned property caused by employees of the Federal Bureau of Investigation (H. Doc. No. 579); to

the Committee on Appropriations and ordered to be printed.

1308. A communication from the President of the United States, transmitting an estimate of appropriations submitted by the War Department to pay claims for damages due to military operations, amounting to \$4,955.71 (H. Doc. No. 580); to the Committee on Appropriations and ordered to be printed.

1309. A communication from the President of the United States, transmitting an estimate of appropriations for payment of certain claims allowed by the General Accounting Office amounting to \$90,015.85 (H. Doc. No. 581); to the Committee on Appropriations and ordered to be printed.

1310. A communication from the President of the United States, transmitting a list of judgments rendered by the Court of Claims which have been submitted by the Secretary of the Treasury and require an appropriation for their payment amounting to \$714,206.80 (H. Doc. No. 582); to the Committee on Appropriations and ordered to be printed.

1311. A communication from the President of the United States, transmitting an estimate of appropriation for payment of a certain claim allowed by the General Accounting Office amounting to \$475.53 (H. Doc. No. 583); to the Committee on Appropriations and ordered to be printed.

1312. A communication from the President of the United States, transmitting an estimate of appropriation for payment of a certain claim allowed by the General Accounting Office amounting to \$49.40 (H. Doc. No. 584); to the Committee on Appropriations and ordered to be printed.

1313. A communication from the President of the United States, transmitting a record of judgment rendered against the Government by the United States District Court for the Western District of Washington, together with an indefinite appropriation to pay costs and interest amounting to \$587.20 (H. Doc. No. 585); to the Committee on Appropriations and ordered to be printed.

1314. A communication from the President of the United States, transmitting an estimate of appropriation submitted by the War Department to pay a claim for damages under river and harbor work in the sum of \$100 (H. Doc. No. 586); to the Committee on Appropriations and ordered to be printed.

1315. A communication from the President of the United States, transmitting an estimate of appropriation submitted by the Treasury Department to pay claims for damages by collision or damages incident to the operation of vessels of the United States Coast Guard, in the sum of \$1,243.57 (H. Doc. No. 587); to the Committee on Appropriations and ordered to be printed.

1316. A communication from the President of the United States, transmitting an estimate of appropriation for payment of a certain claim allowed by the General Accounting Office amounting to \$20.49 (H. Doc. No. 588); to the Committee on Appropriations and ordered to be printed.

1317. A letter from the Acting Administrator, transmitting a list of employees of the Work Projects Administration, Federal Works Agency, in the Territory of Hawaii, receiving a per annum salary of \$1,200 or more on December 1, 1941; to the Committee on Expenditures in the Executive Departments.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SABATH: Committee on Rules. House Resolution 407. Resolution for consideration of H. R. 6333, a bill authorizing Secretary of War to proceed with construction of certain public works; without amendment (Rept. No. 1594). Referred to the House Calendar.

Mr. ANDERSON of New Mexico: Committee on Indian Affairs. S. 294. An act to authorize an appropriation for payment to the Middle Rio Grande Conservancy District of construction costs assessed against certain lands within such district acquired by the United States for the benefit of certain Indians in the State of New Mexico; without amendment (Rept. No. 1595). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Washington: Committee on Indian Affairs. S. 1412. An act 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; without amendment (Rept. No. 1596). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALTER: Committee on the Judiciary. S. 1961. An act to eliminate the prohibition against the filling of the first vacancy occurring in the office of district judge for the district of New Jersey; without amendment (Rept. No. 1597). Referred to the Committee of the Whole House on the state of the Union.

Mr. SCHUETZ: Committee on Naval Affairs. S. 2139. An act to provide for performance of the duties of chiefs of bureau and the Judge Advocate General in the Navy Department, and the Major General Commandant of the Marine Corps, and for other purposes; without amendment (Rept. No. 1598). Referred to the Committee of the Whole House on the state of the Union.

Mr. GALE: Committee on Indian Affairs. H. R. 4321. A bill for the benefit of the Chippewa Indians of Minnesota; with amendment (Rept. No. 1599). Referred to the Committee of the Whole House on the state of the Union.

Mr. BULWINKLE: Committee on Interstate and Foreign Commerce. H. R. 5695. A bill to amend the Civilian Pilot Training Act of 1939 so as to provide for the training of civilian aviation mechanics; without amendment (Rept. No. 1600). Referred to the Committee of the Whole House on the state of the Union.

Mr. CELLER: Committee on the Judiciary. H. R. 6270. A bill to amend subsections (b), (d), and (e) of section 77 of the Judicial Code so as to transfer the county of Meriwether from the Columbus division of the middle district of Georgia to the Newnan division of the northern district of Georgia, and to change the terms of the district court for the Macon and Americus divisions in the middle district of Georgia; without amendment (Rept. No. 1601). Referred to the Committee of the Whole House on the state of the Union.

Mr. HINSHAW: Committee on Interstate and Foreign Commerce. H. R. 6072. A bill authorizing the States of Arizona and California, jointly or separately, to construct, maintain, and operate a free highway bridge across the Colorado River at or near Needles, Calif.; without amendment (Rept. No. 1602). Referred to the House Calendar.

Mr. BATES of Massachusetts: Committee on Naval Affairs. H. R. 6356. A bill to amend the act approved October 24, 1941, entitled "An Act to authorize the Secretary of the Navy to provide salvage facilities, and for other purposes" (Public Law No. 280, 77th Cong.), so as to remove the limitation on the sum authorized to be appropriated annually to effectuate the purposes of the act; without amendment (Rept. No. 1603). Referred to the Committee of the Whole House on the state of the Union.

Mr. CROSSER: Committee on Interstate and Foreign Commerce. H. R. 6387. A bill to extend the crediting of military service under the Railroad Retirement Acts, and for other purposes; without amendment (Rept. No. 1604). Referred to the Committee of the Whole House on the state of the Union.

Mr. TRAYNOR: Committee on the Territories. H. R. 3158. A bill 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; without amendment (Rept. No. 1605). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HARRIS of Arkansas: Committee on Claims. H. R. 4354. A bill for the relief of D. H. Dantzler; with amendment (Rept. No. 1606). Referred to the Committee of the Whole House.

Mr. KLEIN: Committee on Claims. H. R. 4896. A bill for the relief of David B. Byrne; with amendment (Rept. No. 1607). Referred to the Committee of the Whole House.

Mr. CAPOZZOLI: Committee on Claims. H. R. 5652. A bill to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credit therefor as is necessary in the accounts of certain disbursing officers, and for other purposes; with amendment (Rept. No. 1608). Referred to the Committee of the Whole House.

Mr. WEISS: Committee on Claims. H. R. 5865. A bill for the relief of Builders Specialties Co.; with amendment (Rept. No. 1609). Referred to the Committee of the Whole House.

Mr. HARRIS of Arkansas: Committee on Claims. H. R. 5887. A bill for the relief of Howard L. Miller; without amendment (Rept. No. 1610). Referred to the Committee of the Whole House.

Mr. GILLETTE: Committee on Claims. H. R. 6226. A bill for the relief of B. H. Wilford; without amendment (Rept. No. 1611). Referred to the Committee of the Whole House.

Mr. WEISS: Committee on Claims. H. R. 6328. A bill for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department; without amendment (Rept. No. 1612). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 6334) for the relief of Ralph Adams and the same was referred to the Committee on Military Affairs.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. PATMAN:

H. R. 6391. A bill providing for the issuance of nonnegotiable United States bonds to Federal Reserve banks and terminating the authority of the Treasury to issue other interest-bearing obligations of the United States to commercial banks, and for other purposes; to the Committee on Ways and Means.

By Mr. VINSON of Georgia:

H. R. 6392. A bill to authorize the construction of certain naval vessels, and for other purposes; to the Committee on Naval Affairs.

By Mr. SCHULTE:

H. R. 6393. A bill reducing the rate for transportation by railroad of members of the armed forces, and providing for transportation during certain emergency furloughs; to the Committee on Military Affairs.

By Mr. SUMNERS of Texas:

H. R. 6394. A bill to amend the act of May 28, 1896, as amended, relating to the appointment of assistant United States attorneys; to the Committee on the Judiciary.

By Mr. MUNDT:

H. R. 6395. A bill relating to the disposition of oil and gas royalties from endowment lands granted by the enabling act of North Dakota, South Dakota, Montana, and Washington; to the Committee on the Territories.

By Mr. DONDERO:

H. R. 6396. A bill making it a Federal offense to steal or embezzle certain articles, products, or materials subject to rationing or allocation under Federal law; to the Committee on the Judiciary.

By Mr. SASSCER:

H. R. 6397. A bill to provide leave of absence for employees of the Federal Government without loss of salary or annual leave in order to participate in civilian-defense activities; to the Committee on the Civil Service.

By Mr. IMHOFF:

H. R. 6398. A bill for the relief of the village of Carrollton, Ohio; to the Committee on Claims.

By Mr. RANDOLPH:

H. R. 6399. A bill to provide for increased facilities at Gallinger Municipal Hospital and Glenn Dale Sanatorium; to the Committee on the District of Columbia.

By Mr. SIKES:

H. R. 6400. A bill providing for the examination and survey of Chipola River, Ala. and Fla.; to the Committee on Rivers and Harbors.

By Mr. SPRINGER:

H. R. 6401. A bill to amend the act entitled "An act for the incorporation of American War Mothers," as amended, and matters relating thereto; to the Committee on the Judiciary.

By Mr. WHITE:

H. R. 6402. A bill to facilitate the construction of water conservation and utilization projects under the Interior Department Appropriation Act, 1940, approved May 10, 1939 (53 Stat. 685); to the Committee on Irrigation and Reclamation.

By Mr. SUMNERS of Texas:

H. R. 6403. A bill to further expedite the prosecution of the war; to the Committee on the Judiciary.

By Mr. WHITTEN:

H. R. 6404. A bill for the relief of the town of Coldwater, Miss.; to the Committee on Claims.

By Mr. RANKIN of Mississippi:

H. R. 6405. A bill to promote the national defense by providing for a four-lane high-speed highway from the District of Columbia to Memphis, Tenn., to be known as the Lee Highway; to the Committee on Roads.

By Mr. McGRANARY:

H. J. Res. 267. Joint resolution requesting the President to proclaim February 1 as National Freedom Day; to the Committee on the Judiciary.

By Mr. LEA:

H. J. Res. 268. Joint Resolution to extend the time for amending the petition of the Indians of California under section 4 of the act of May 18, 1928; to the Committee on Indian Affairs.

By Mr. LESINSKI:

H. J. Res. 269. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1942, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BARRY:

H. R. 6406. A bill for the relief of Orvie Matthew Ean; to the Committee on Naval Affairs.

By Mr. CLUETT:

H. R. 6407. A bill granting a pension to Eva Marquette; to the Committee on Invalid Pensions.

By Mr. COLLINS:

H. R. 6408. A bill for the relief of the estate of Mrs. Carl B. Burkes; to the Committee on Claims.

By Mr. HEIDINGER:

H. R. 6409. A bill for the relief of J. A. Fowler and the estate of Ola Fowler; to the Committee on Claims.

By Mr. KEFAUVER:

H. R. 6410. A bill for the relief of Alex Gamble; to the Committee on Claims.

By Mr. MAGNUSON:

H. R. 6411. A bill for the relief of the Puget Sound Bridge & Dredging Co.; to the Committee on Claims.

By Mr. POAGE:

H. R. 6412. A bill for the relief of O. R. Maxwell; to the Committee on Claims.

By Mr. SATTERFIELD:

H. R. 6413. A bill for the relief of the General Exchange Insurance Corporation, Richmond, Va.; to the Committee on Claims.

H. R. 6414. A bill for the relief of the General Exchange Insurance Corporation, Richmond, Va.; to the Committee on Claims.

By Mr. SABATH:

H. R. 6415. A bill authorizing the naturalization of Vaclav Rasin; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

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

2297 By Mr. CUNNINGHAM: Petition of Nevada-Iowa Group Management Unit of National Farm Loan Associations, representing 1,324 Federal land-bank borrowers, urging Congress at the first opportunity give due consideration to the enactment of such legislation as will insure the continuance of a sound cooperative farm-credit system and especially the extension of the 3½-percent interest rate during the period of the emergency; to the Committee on Banking and Currency.

2298. By Mr. FOGARTY: Memorial of the General Assembly of the State of Rhode Island, relative to enactment of daylight-saving legislation; to the Committee on Interstate and Foreign Commerce

2299 By Mr. FORAND: Joint resolution of the General Assembly of the State of Rhode Island, favoring the enactment at the earliest possible moment of appropriate legislation for the establishment of daylight saving throughout the United States as a means of promoting safety, increased production, and the conservation of electrical energy; to the Committee on Interstate and Foreign Commerce.

2300. Also, resolution of the Gaspee Plateau Civic Club, Inc., of Warwick, R. I., memorializing Congress to so amend title 1 of the Social Security Act so as to make a minimum of \$30 per month available, as a matter of right, to every retired citizen 60 years of age or older, who is not drawing annuities in that amount under any other Federal system, as provided in the General Welfare Act, H. R. 1410, now pending in Congress; to the Committee on Ways and Means.

2301. By Mr. KEOGH: Petition of Schroeder Bros., Inc., of New York City, opposing the passage of Senate bill 860 or any similar bill that may be introduced for adoption; to the Committee on Military Affairs.

2302. By Mr. KRAMER: Petition of the Reclamation Board of the State of California, expressing its desire to do everything possible in the interest of successful military offensive by the United States of America, and to impress upon the Congress the supreme importance of providing the necessary funds to carry out the needed program for the State; to the Committee on Military Affairs.

2303. By Mr. LECOMPTÉ: Petition of Searsboro Grange, No. 2183, Searsboro, Iowa, on price-control legislation; to the Committee on Banking and Currency.

2304. By Mr. TENEROWICZ: Resolution of the West Side Local 174, United Automobile Workers of America, Congress of Industrial Organizations, Detroit, Mich., asking for an appropriation for unemployment compensation, etc.; to the Committee on Ways and Means.

2305 By Mr. SHAFER of Michigan: Resolution of the Calhoun County (Mich.) Road Commission, opposing Senate bill 2015 and House bill 5949; to the Committee on Interstate and Foreign Commerce.

2306. By Mr. SMITH of Wisconsin: Petition of Local No. 1030, Steel Workers Organizing Committee, together with Communications Association, Congress of Industrial Organizations, demanding that appropriate congressional committees afford labor an opportunity to present its views on any legislation affecting communications workers by calling public hearings; to the Committee on Labor.

2307. By Mr. STEFAN: Resolution of the Santee Sioux Tribal Council; to the Committee on Indian Affairs.

2308. By the SPEAKER: Petition of the National Federation of Post Office Clerks, Indianapolis, Ind., petitioning consideration of their resolution with reference to the national defense program; to the Committee on Military Affairs.

SENATE

TUESDAY, JANUARY 20, 1942

The Reverend Bernard Braskamp, D. D., pastor of the Gunton-Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Almighty and ever-blessed God, whose greatness is unsearchable and whose amazing love crowneth all our days, we are again approaching Thy throne, compelled not only by our necessities, but encouraged by every gracious invitation in Thy Holy Word.

Let Thy hand of blessing rest this day upon all whom Thou hast called to positions of leadership and service in the life of our Republic, granting unto them grace and wisdom to perform their duties with pure and steadfast devotion.

We pray that Thou wilt create within our hearts those desires which Thou dost delight to satisfy. Fill us with a high and holy aspiration to know and do Thy will more perfectly. May we hold our own wishes and decisions in suspense until Thou dost declare Thy will unto us.

Help us to cleave with increasing tenacity of purpose and with fond affection to that glorious promise when the kingdoms of this earth shall become the kingdom of our Lord.

In the name of the Christ we pray. Amen.

THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of Monday, January 19, 1942, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 4648. An act to amend the act of August 11, 1939 (53 Stat. 1418), entitled "An act authorizing construction of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States," as amended by the act of October 14, 1940 (54 Stat. 1119);

H. R. 5480. An act to provide pay for officers in accordance with the rank and grade in which they were inducted and served in the land forces;

H. R. 5481. An act to transfer Blair County, Pa., from the western judicial district of Pennsylvania to the middle judicial district of Pennsylvania;

H. J. Res. 231. Joint resolution to approve and authorize the continuance of certain payments for the hospitalization and care of Leo Mulvey, and for other purposes; and

H. J. Res. 257. Joint resolution to amend section 124 of the Internal Revenue Code to simplify the procedure in connection with amortization of certain facilities.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

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

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] is absent from the Senate because of illness.

The Senator from North Carolina [Mr. BAILEY], the Senator from Virginia [Mr. GLASS], the Senator from Utah [Mr. MURDOCK], the Senator from Wyoming [Mr. SCHWARTZ], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

Mr. AUSTIN. The Senator from New Jersey [Mr. BARBOUR] and the Senator from Illinois [Mr. BROOKS] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES] is absent in a hospital because of a recent hip injury.

The VICE PRESIDENT. Eighty-five Senators have answered to their names. A quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON OPERATION OF SELECTIVE SERVICE ACT

A letter from the Secretary of War, reporting, pursuant to law, relative to the number of men in the land forces under the