tleman from Massachusetts that the bill go over until Monday.

The SPEAKER. If the gentleman says that he objected, the Chair accepts it, of course.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1945

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that I may have until midnight tonight to file a conference report and statement on the bill (H. R. 4679) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1945, and for other purposes.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 48 minutes p. m.) the House adjourned until Monday, June 19, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will meet on Wednesday, June 21, 1944, t 10:30 a. m., on all resolutions providing for temporary admission of political and religious refugees.

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. McGEHEE: Committee on Claims. S. 1881. A bill to provide for reimbursement of certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of fire at the naval advance base depot, Port Hueneme, Calif., on January 12, 1944; without amendment (Rept. No. 1672). Referred to the Committee of the Whole House on the state of the Union.

Mr. BELL: Committee on Insular Affairs. H. R. 5029. A bill to assist in the internal development of the Virgin Islands by the undertaking of useful projects therein, and for other purposes; without amendment (Rept. No. 1673). Referred to the Committee of the Whole House on the state of the Union.

Mr. BATES of Massachusetts: Committee on Naval Affairs. H. R. 4405. A bill to amend the act approved March 7, 1942 (Public Law 490, 77th Cong.), as amended, so as to more specifically provide for pay, allotments, and administration pertaining to war casualties, and for other purposes; with amendment (Rept. No. 1674). Referred to the Committee of the Whole House on the state of the Union.

Mr. HÉBERT: Committee on Naval Affairs. H. R. 4991. A bill to remove restrictions on transfers of small craft to other American republics in furtherance of the war effort; with amendment (Rept. No. 1675). Referred to the Committee of the Whole House on the state of the Union.

Mr. BELL: Committee on Insular Affairs. Third interim report pursuant to House Resolution 159. Resolution regarding problems of Puerto Rico; without amendment (Rept. No. 1676). Referred to the Committee of the Whole House on the state of the Union.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 4999. A bill to increase the service-connected disability rates of pension for certain Regular Establishment veterans and veterans of wars prior to World War No. 1; with amendment (Rept. No. 1677). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. McMILLAN:

H. R. 5046. A bill to permit the Metropolitan Police Force of the District of Columbia to obtain certain information from the War Manpower Commission and the United States Employment Service; to the Committee on the District of Columbia.

H. R. 5047. A bill to amend the United States Employees' Compensation Act of September 7, 1916, so as to permit an award of compensation for death, and payment of burial expenses, without regard to the lapse of time between the injury and death; 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. BUFFETT:

H. R. 5048. A bill for the relief of the estate of Cecile H. Burgett, deceased; to the Committee on Claims.

By Mr. McCORD:

H. R. 5049. A bill for the relief of Walter S. Faulkner; to the Committee on Claims.

By Mr. McGEHEE:

H. R. 5050. A bill for the relief of Sam D. Moak; to the Committee on Claims.

H. R. 5051. A bill for the relief of Clifton L. Holmes; to the Committee on Claims.

By Mr. McMILLAN:

H. R. 5052. A bill for the relief of Elisha Mack Rabon, Mrs. E. S. Gasque, and Dottie Elaine Gasque; to the Committee on Claims.

By Mr. VURSELL:

H. R. 5053. A bill for the relief of Mrs. Maud M. Wright and Mrs. Maxine Mills; to the Committee on Claims.

By Mr. WASIELEWSKI:

H. R. 5054. A bill for the relief of Paul Stanik; to the Committee on Claims.

PETITIONS, ETC.

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

5868. By Mr. HART: New Jersey State Senate resolution proposing amendment to the Constitution of the United States relative to taxes on incomes, inheritances, and gifts; to the Committee on the Judiciary.

5869. By Mr. ROLPH: Resolution No. 2 of the California Senate, relative to release of trucks for sale to farmers; to the Committee on Agriculture.

5870. Also, resolution No. 3 of the California Senate relative to the production of commercial blue poppies; to the Committee on Agriculture.

SENATE

MONDAY, JUNE 19, 1944

(Legislative day of Tuesday, May 9, 1944)

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

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Father of all, whose righteous laws condemn and at last break whatsoever bars Thy children from abundant life, we thank Thee for the legions of the uncoerced who, making tyranny tremble, in Thy name are marching to blast a way for all Thy children to escape tribulation. They march to build a highway to a realm and a reign of peace and good will, to a kingdom of human rights where mouths shall not cry for bread, where hands and feet shall not be shackled, where speech shall not be silenced, where eyes shall not be bandaged, where minds shall not be darkened, and learning shall not be distorted by lies which hide the light of truth.

Humble our spirits by the revelation of the dark pit from which mankind is being rescued at so great a cost. Saved from such a hell make us not content with things as they are and have been as we strive to bring in a new heaven and a new earth. We seek not the salvation which will leave us unchanged, for we have missed the mark and come short of the glory. Save us from the fatal folly of being unwilling to pay the price of better things. Destroying the worst things and dreaming of the better things in these days of agony and anguish, treading the wine press of sorrow and sacrifice, even though we walk through the valley of the shadow of death fearing no evil may Thy rod and Thy staff comfort us. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, June 16, 1944, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On June 15, 1944:

S. 1281. An act for the relief of Rebecca A. Knight and Martha A. Christian; and

S. 1849. An act for the relief of Muskingum Watershed Conservancy District.

On June 17, 1944:

S. 1416. An act for the relief of Mrs. Judith H. Sedler, administratrix of the estate of Anthony F. Sedler, deceased; and

S. 1682. An act to provide for the payment of compensation to certain claimants for the taking by the United States of private fishery rights in Pearl Harbor, island of Oahu, Territory of Hawaii.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a bill (H. R. 5040) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1944, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1944, and June 30, 1945, and for other purposes, in which it requested the concurrence of the Senate.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

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 Acting President pro tempore:

S. 1479. An act providing for the suspension of certain requirements relating to work on tunnel sites;

S. 1808. An act to authorize temporary appointment as officers in the Army of the United States of members of the Army Nurse Corps, female persons having the necessary qualifications for reappointments in such corps, female dietetic and physical therapy personnel of the Medical Department of the Army (exclusive of students and apprentices), and female persons having the necessary qualifications for appointment in such department as female dietetic or physical-therapy personnel, and for other purposes;

H. R. 4070. An act making appropriations for the Executive office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1945, and for other purposes; and

H. R. 4559. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1945, and additional appropriations therefor for the fiscal year 1944, and for other purposes.

NOTICE OF HEARING ON NOMINATION OF RAFAEL BOSCH TO BE ASSOCIATE JUSTICE OF THE SUPREME COURT OF PUERTO RICO

Mr. HATCH. Mr. President, on behalf of the Committee on the Judiciary, and in accordance with the rules of the committee, I desire to give notice that a routine public hearing has been scheduled for the 27th day of June 1944, at 10:30 a. m., in the Senate Judiciary Committee room, upon the nomination of Rafael Bosch, of Puerto Rico, to be an associate justice of the Supreme Court of Puerto Rico, vice Hon. Martin Travieso, elevated. At the indicated time and place all persons interested in the nomination may make representations. The subcommittee consists of Senators McFARLAND, chairman; KILGORE; and BUSHFIELD.

FINLAND

Mr. VANDENBERG. Mr. President, I wish, briefly, to speak of Finland. I deeply regret the undisclosed necessities which have required the State Department to dismiss the Minister of Finland, for activities said to be "inimical to the United States." I do not know the details of the evidence upon which the State Department has presumed to act. I stand by my own Government in such matters in time of war. But I cannot find it in my heart to believe that Hjalmar Procope, a gallant Finnish patriot, is guilty of anything which does not stem solely from distraught anxiety for his beleaguered homeland and from complete devotion to the harassed lifeblood of the magnificent Finnish democracy to which he has given his rich fealty. This may not excuse his unnamed acts. I do not know. But it leaves me morally certain, in the absence of proof to the contrary, that he has never harbored so much as one vagrant thought that was consciously hostile to our own United States, at least as an entity separate and apart from our major allies. Unfortunately, however, that may become an untenable discrimination in time of naked war.

The grim evolution of global war precipitates a constant procession of relentless crises which have to be met as the hard requirements of the bitter hour demand. Free Finland is the supreme victim of this cruel ritual. It was only a few years ago that this now dismissed Minister was rightly acclaimed above all other diplomats among us as the high favorite of our devoted affections—not alone for himself but for the brave young Republic which he symbolized. I recall many a thrilling ovation which the American heart appropriately poured out to him and to his intrepid, fearless people. Upon more than one sympathetic occasion this Congress has given unprecedented recognition to courageous Finland. Only 24 hours before his recall, this Minister once more paid Finland's debt installment, inherited from World War No. 1, still uniquely faithful to her undefiled word even in the midst of new and desperate travail. That is not the act of an enemy. For the sake of history and, perhaps, for the sake of belated justice in the post-war world to come, I cannot forget these things, amid the bewildering contradictions of this crashing conflict.

But the cruel vicissitudes of war pitifully tossed Finland to the unkind fates. Finland found herself impaled upon the goring horns of an imponderable dilemma—with her hereditary Russian enemy upon the one hand, and her ruthless German neighbor upon the other. The ominous narrows between ancient Scylla and Charybdis could not have been more treacherous. Unable to avoid both, she had to make her fateful choice. It has brought her into tragic collision with the cause of the United Nations—a cause which, so far as we are concerned, must be supreme and compelling and exclusive above all else. Britain and Russia are at war with her. We are not. Admittedly it is an anomaly—just as it is anomalous that we and Britain should be at war with Japan while the great U. S. S. R. is not.

We have found a way to prevent this latter situation from interfering with our United Nations liaison—and, of course, it is to our everlasting common advantage. Our Russian ally is an indispensable tower of superb military strength—and the reciprocal values are mutual. I deeply wish that the means could also have been found to solve the bloody Finnish riddle. I do not mean that the situations are comparable. But I do mean that the great body of American public opinion, still reluctant to classify democratic Finland as any sort of a foe to us, except perhaps vicariously, prayed for a composition of the Finnish war; and it is obvious that our own Government, which does not even now break relations with Finland even though dismissing her Minister, still clings tenuously to this same realistic view.

Finland's pilots have not been free from error in charting her course through these tumultuous seas. It would have been a miracle if they were. Certainly it is a tragedy that the recent peace terms—though much too harsh and impracticable in spots—could not have been pursued to a reasonable conclusion.

But we must face things as they are. The war against Germany must be fought with every weapon at our command. Her satellites—willing or otherwise—cannot expect to escape unscathed. Those who are not for us are, in net effect, against us. But, though it may be dismissed as wishful thinking at this late hour, I would still hope that the great voice and power and authority of the Government of the United States could still intervene to compose a permanent armistice upon these unequal Finnish battle fronts; and then, come what may, I would hope that the official voice of America, in proper time and place, will speak out for a reincarnated post-war Republic of Finland which may carry on once more in what has been and can be again one of the world's greatest adventures in proud, effective, enlightened, self-sufficient democracy. I take it, Mr. President, that this would vindicate the human aspirations voiced to the world in the Atlantic Charter. I make this statement lest we forget.

BOARD OF VISITORS TO THE MERCHANT MARINE ACADEMY

Mr. RADCLIFFE. Mr. President, the able chairman of the Committee on Commerce, the Senator from North Carolina [Mr. BAILEY] has requested me to announced that pursuant to law, he has appointed as members of the Board of Visitors to the United States Merchant Marine Academy the Senator from Ohio [Mr. BURTON] and the Senator from Maryland [Mr. RADCLIFFE].

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore (Mr. GILLETTE) laid before the Senate the following letters, which were referred as indicated:

SUPPLEMENTAL ESTIMATES OF APPROPRIATIONS, ETC.

Communications from the President of the United States, transmitting supplemental estimates of appropriations, etc. (with accompanying papers); to the Committee on Appropriations and ordered to be printed as follows:

A supplemental estimate of appropriation for the legislative branch, Library of Congress, fiscal year 1945, amounting to $130,000 (S. Doc. No. 205);

Draft of a proposed provision relating to existing appropriations for the Veterans' Administration, fiscal year 1944 (S. Doc. No. 206).

A supplemental estimate of appropriation for the legislative branch, United States Senate, fiscal year 1944, amounting to $2,494.83 (S. Doc. No. 207);

Estimates of appropriations submitted by the several executive departments and independent establishments to pay claims for damages to privately owned property, amounting to $7,950.82 (S. Doc. No. 208);

Estimates of appropriations to cover claims allowed by the General Accounting Office, and for the services of the several departments and independent establishments, amounting to $869,501.97 (S. Doc. No. 209);

A schedule of judgments rendered by the Court of Claims, submitted by the Treasury Department, amounting to $1,815,439.70 (S. Doc. No. 210);

A record of judgment rendered against the Government by district courts, as submitted by the Department of Justice through the

Treasury Department, amounting to $5,887.94 (S. Doc. No. 211);

An estimate of appropriation submitted by the Public Roads Administration, Federal Works Agency, to pay claims for damage to roads and highways of States, amounting to $14,701.69 (S. Doc. No. 212);

An estimate of appropriation for the Treasury Department to pay a certain claim allowed by the General Accounting Office, covering a judgment rendered by a district court, amounting to $62.95 (S. Doc. No. 213);

An estimate of appropriation to pay claims for damages by collision or damages incident to the operation of vessels of the Navy, amounting to $11,836.76 (S. Doc. No. 214);

An estimate of appropriation for the War Department to pay claims for damages to or loss or destruction of property or personal injury or death, amounting to $112,218.40 (S. Doc. No. 215);

An estimate of appropriation to pay a claim for damages by collision or damages incident to the operation of vessels of the United States Coast Guard, amounting to $82.50 (S. Doc. No. 216);

A supplemental estimate of appropriation for the legislative branch, United States Senate, fiscal year 1945, amounting to $15,450 (S. Doc. No. 217);

Supplemental estimates of appropriations for the Civil Service Commission, fiscal years 1944 and 1945, amounting to $4,180,000 (S. Doc. No. 218);

Draft of a proposed provision pertaining to existing appropriations for the War Department for rivers and harbors, for improvement of the Withlacoochee River, Fla. (S. Doc. No. 219);

A provision relating to a judgment rendered by the District Court for the District of Columbia, together with an estimate of an indefinite appropriation to pay interest (S. Doc. No. 220); and

Supplemental estimates of appropriations amounting to $460,300 for the Post Office Department, fiscal year 1944 (S. Doc. No. 221).

Report of the Near East Relief

A letter from the Comptroller of the Near East Relief, transmitting, pursuant to law, a report of the Near East Relief for the year ended December 31, 1943 (with an accompanying report); to the Committee on Printing.

Report of the Reconstruction Finance Corporation

A letter from the Chairman of the Board of the Reconstruction Finance Corporation, transmitting, pursuant to law, a confidential report of the operations of the Corporation for the month of March 1944 (with accompanying papers); to the Committee on Banking and Currency.

Personnel Requirements

Letters from the Secretary of State, the Administrative Assistant to the Secretary of Commerce, the Director of the Office of Strategic Services, and the Executive Secretary of the Office of Scientific Research and Development, transmitting, pursuant to law, estimates of personnel requirements for their respective departments and offices for the quarter ending September 30, 1944 (with accompanying papers); to the Committee on Civil Service.

Disposition of Executive Papers

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of the Departments of War (9), Navy (3), Interior, and Agriculture; Administrative Office of the United States Courts (U. S. District Court) for the Western District of Wisconsin, Federal Security Agency, Office of Price Administration (2), and War Manpower Commission which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Acting President pro tempore, and referred as indicated:

A joint resolution of the Legislature of California; to the Committee on Banking and Currency:

"Senate Joint Resolution 2

"Joint resolution relative to the release of trucks for sale to farmers

"Whereas the farmers of this State are in dire need of trucks for farming purposes; and

"Whereas there exists a great number of trucks frozen in the possession of dealers, on which interest charges are accumulating at the rate of 1 percent a month; and

"Whereas this situation results not only in depriving the farmers of the ability to purchase said trucks and put them to use in maintaining and increasing the food supply so essential to the war effort, but also in an unwarranted increase in the price of said trucks, if and when they are released for sale, by the amount of the accumulated carrying charges: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly), That the Office of Price Administration be, and is hereby, memorialized to cause the release of such trucks for sale to farmers for agricultural purposes without further delay; and be it further

"Resolved, That if the Office of Price Administration fails to make available to farmers these idle trucks, the Congress of the United States be, and it is hereby, memorialized to enact such legislation as may be necessary to make such trucks available to the farmers for the purpose of maintaining and augmenting the Nation's food supply; and be it further

"Resolved, That copies of this resolution be transmitted forthwith by the secretary of the senate to the President and Vice President of the United States, the Speaker of the House of Representatives, the Members of the Congress of the United States from the State of California, and the Honorable Chester M. Bowles, Director of the Office of Price Administration."

A joint resolution of the Legislature of California; to the Committee on Finance:

"Senate Joint Resolution 3

"Joint resolution relative to the production of commercial blue poppies

"Whereas the commercial blue poppy has been grown for many years in California for the production of seed for food purposes, such seed being utilized as spices, condiments, and for bakery products, and has come to be known as the edible blue poppy; and

"Whereas the policy of the State of California has been established by legislation in the Health Safety Code to provide for the growing of edible blue poppy as an agricultural crop under permit from the State division of narcotics as a safeguard against any possible conflict or confusion with the illicit production of opium; and

"Whereas the covenants and agreements with foreign governments are silent relative to the growth of poppies as an agricultural crop for food purposes: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly), That the Congress of the United States be memorialized to enact legislation recognizing the importance of the production of edible blue poppy seed for food uses and permitting the production of this currently important food crop under such Federal supervision as may be necessary to prevent illicit use of the edible blue poppy; and be it further

"Resolved, That the Secretary of the Treasury and the Federal Office of Narcotic Enforcement be memorialized to take such steps as may be possible in the absence of Federal legislation to permit the harvesting of edible blue poppy seed for food uses to the end that this highly important crop be not lost to the Nation at this time when the need for food is so great; and be it further

"Resolved, That the secretary of the senate be hereby directed to forward copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and to each Member of the House of Representatives from California in the Congress of the United States, to the Secretary of the Treasury and to the Chief of the Federal Office of Narcotic Enforcement."

A resolution by the Central Labor Union of Orange County, Santa Ana, Calif., favoring the extension and strengthening of the Emergency Price Control Act; ordered to lie on the table.

RATES CHARGED BY THE LAND-GRANT RAILROADS

Mr. CAPPER presented a letter from the secretary of the Topeka (Kans.) Chamber of Commerce, together with a resolution adopted by the board of directors of that chamber of commerce, which were referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

TOPEKA CHAMBER OF COMMERCE,
Topeka, Kans., June 15, 1944.

Senator ARTHUR CAPPER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR CAPPER: The enclosed resolution, which has to do with the Boren bill, was formally passed at the regular meeting of the board of directors of the Topeka Chamber of Commerce on June 13, 1944. This is being sent to you at the request of the board.

Respectfully,

WILLIAM R. WRIGHT,
Secretary.

Be it resolved by the board of directors of the Chamber of Commerce of Topeka, Kans., That we endorse the Boren bill (H. R. 4184) providing for repeal of land-grant rates, which bill passed the House of Representatives of the United States Congress by a vote of 236 to 16, and which is now pending before the United States Senate; be it further

Resolved, That copies of this resolution be forwarded to Hon. ARTHUR CAPPER and Hon. CLYDE M. REED, United States Senators from Kansas.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THOMAS of Oklahoma, from the Committee on Appropriations:

H. R. 4967. A bill making appropriations for the Military Establishment for the fiscal year ending June 30, 1945, and for other purposes; with amendments (Rept. No. 967).

By Mr. O'MAHONEY, from the Committee on Appropriations:

H. R. 4861. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1945, and for other purposes; with amendments (Rept. No. 988).

By Mr. ELLENDER, from the Committee on Education and Labor:

S. 1978. A bill 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; without amendment (Rept. No. 989).

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

H. R. 340. A bill to authorize the Legislature of the Territory of Alaska to grant and convey certain lands to the city of Sitka, Alaska, for street purposes; without amendment (Rept. No. 990);

H. R. 3306. A bill to authorize the conveyance of Harrison Park in the city of Vincennes to Vincennes University; without amendment (Rept. No. 991);

H. R. 4623. A bill to authorize the use of space in the old post-office building in Portland, Oreg., by the State of Oregon for its use as a museum for relics from the battleship *Oregon*, together with all other historical documents, objects, and relics of Oregon and the old Oregon Country held by the State for public display; without amendment (Rept. No. 992); and

S. J. Res. 8. Joint resolution authorizing the erection of a statue of Leif Erickson in the District of Columbia; with amendments (Rept. No. 995).

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs:

S. 1964. A bill to reimburse certain aviation cadets and former aviation cadets for property lost or damaged as the result of a fire at Carroll College, Helena, Mont., on January 8, 1944; without amendment (Rept. No. 993); and

S. 1974. A bill to amend section 1442, Revised Statutes, relating to furlough of officers by the Secretary of the Navy; without amendment (Rept. No. 994).

ENROLLED BILL PRESENTED

Mr. TRUMAN (for Mrs. CARAWAY), from the Committee on Enrolled Bills, reported that on June 16, 1944, that committee presented to the President of the United States the enrolled bill (S. 1848) for the relief of Claude R. Whitlock, and for other purposes.

GRANTS TO STATES UNDER SOCIAL SECURITY ACT

Mr. McKELLAR. Mr. President, I report favorably from the Committee on Appropriations, without amendment, House Joint Resolution 298, making appropriations for grants to States under the Social Security Act. The joint resolution reads:

Resolved, etc., That there are hereby appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for making for the first quarter of the fiscal year 1945 (1) grants to States for assistance to aged needy individuals, needy dependent children, and needy individuals who are blind, as authorized in titles I, IV, and X, respectively, of the Social Security Act approved August 14, 1935, as amended; and (2) grants to States for unemployment compensation administration: *Provided,* That the obligations incurred and expenditures made for each of such purposes under the authority of this joint resolution shall be charged to any appropriations therefor in the Labor-Federal Security Appropriation Act, 1945.

The reason for urging the passage of the joint resolution at this time is that the money must be available beginning the 20th of June. Mr. HARE stated in the House of Representatives:

Under a policy of the Social Security Board it is necessary to make allocation of grants to the several States prior to the beginning of each quarter. In fact, they say it is necessary to make them before June 20 for tne first quarter of the fiscal year, and since the funds are carried in the appropriation bill now pending, it is necessary to make the funds available by special resolution.

The joint resolution carries out the purpose stated by Representative HARE. I ask that, without interfering with the pending business, the joint resolution be immediately considered, so that it may be passed at this time. It is identical with a similar measure passed last year for the same reason.

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous-consent request of the Senator from Tennessee for the immediate consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

LOAN OF KITCHEN EQUIPMENT TO BOY SCOUTS

Mr. AIKEN. Mr. President, some 500 Boy Scouts of America expect to enter the annual summer camps at Painted Post, N. Y., tomorrow. Unfortunately, the kitchen stove at the camp is no longer usable. The Soil Conservation Service has a stove at that place which it is willing to lend these boys, but legislation is required before it can lend the stove to the Boy Scouts.

On June 13 the House of Representatives unanimously passed a measure which would permit the Soil Conservation Service to lend the stove to these boys, who expect to enter camp tomorrow. The Senate Committee on Agriculture and Forestry has unanimously approved the bill. The War Food Administration does not disapprove the loan.

I report favorably from the Committee on Agriculture and Forestry House bill 4659, and ask unanimous consent that the Senate proceed to the consideration of the bill. I have spoken to the Senator from Tennessee [Mr. McKELLAR] and the Senator from Maine [Mr. WHITE] about the matter.

Mr. McKELLAR. It will not displace the pending business.

Mr. AIKEN. I ask unanimous consent that the bill be taken up at this time.

The ACTING PRESIDENT pro tempore. The bill will be reported by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 4659) to authorize the Soil Conservation Service to lend certain equipment.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Vermont that the pending business be temporarily laid aside for the consideration of the measure just reported?

There being no objection, the Senate proceeded to consider the bill.

Mr. RUSSELL. Mr. President, I did not catch the remarks of the distinguished Senator from Vermont. I am wondering whether the bill enunciates any policy as to all the equipment of the Soil Conservation Service.

Mr. AIKEN. No; it does not set forth any policy at all. I would not recommend entering upon too much legislation of this kind. The bill was introduced in the House in April, and the letter to the War Food Administration regarding the measure unfortunately was lost somewhere, so that no reply was received until early June. The bill does not set forth any policy regarding the lending of equipment belonging to the Department of Agriculture.

Mr. RUSSELL. What equipment is involved in the measure?

Mr. AIKEN. A kitchen stove, principally.

The ACTING PRESIDENT pro tempore. The question is on the third reading of the bill.

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

ADDITIONAL COPIES OF HEARINGS BEFORE SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL DEFENSE PROGRAM

Mr. TRUMAN. Mr. President, from the Committee on Printing, I ask consent to report an original resolution authorizing the printing of additional copies of hearings before the Special Senate Committee to Investigate the National Defense Program, and ask unanimous consent for its present consideration.

There being no objection, the resolution (S. Res. 312) was received, considered, and agreed to, as follows:

Resolved, That 1,000 additional copies of part 21 and each subsequent part of the hearings held before the special committee of the Senate authorized and directed to make a study and investigation of the operation of the national defense program be printed for the use of said committee.

BILLS INTRODUCED

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

By Mr. RUSSELL:

S. 2008. A bill for the relief of Herman Philyaw; to the Committee on Claims.

By Mr. MURRAY:

S. 2009. A bill to amend the Servicemen's Readjustment Act of 1944; to the Committee on Finance.

By Mr. WHERRY:

S. 2010. A bill to amend the Internal Revenue Code to allow the deduction of certain circulation expenditures, and expenditures in defense of or perfecting property rights or title; to the Committee on Finance.

By Mr. THOMAS of Utah (for Mr. REYNOLDS):

S. 2011. A bill to provide that temporary appointments as commissioned or warrant officers in the Army of the United States of enlisted men or warrant officers of the Army of the United States on active duty shall be deemed to have been accepted upon the dates

such appointments are made, and for other purposes; to the Committee on Military Affairs.

By Mr. BURTON:

S. 2012. A bill authorizing the retirement of Porter Blake Womer as a lieutenant commander, United States Navy; to the Committee on Naval Affairs.

(Mr. WAGNER introduced Senate bill 2013, which was referred to the Committee on Banking and Currency, and appears under a separate heading.)

Mr. TYDINGS. Mr. President, the Senator from Nevada [Mr. MCCARRAN] is absent. In his absence he has requested that I introduce a bill in his name. I ask unanimous consent to introduce the bill for appropriate reference.

The ACTING PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred.

By Mr. TYDINGS (for Mr. MCCARRAN):

S. 2014. A bill to create the National Capital Metropolitan Water Administration, and for for other purposes; to the Committee on the District of Columbia.

(Mr. GEORGE introduced Senate bill 2015, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. WHEELER:

S. 2016. A bill authorizing the issuance of a patent in fee to Mary P. Hanson;

S. 2017. A bill authorizing the issuance of a patent in fee to Rose Bear Cloud; and

S. 2018. A bill authorizing the issuance of patents in fee to the heirs of Lucky Horse Singer and Ambrose Singer; to the Committee on Indian Affairs.

By Mr. GERRY:

S. 2019. A bill to establish the grade of admiral of the fleet of the United States Navy, and for other purposes; to the Committee on Naval Affairs.

AUTHORIZATION OF CERTAIN TRANSACTIONS BY DISBURSING OFFICERS

Mr. WAGNER. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill to authorize certain transactions by disbursing officers of the United States, and for other purposes, which I ask may be appropriately referred. In connection with the bill I ask to have printed in the RECORD a letter from the Acting Secretary of the Treasury with reference to the proposed legislation.

Mr. President, the world-wide distribution of our armed forces has given rise to perplexing problems involving the exchange of foreign currencies, and the transmittal of funds. It is essential, in order to meet the requirements of our armed forces, that enabling legislation be enacted which will authorize such exchange transactions as may be necessary to meet the exigencies of the present situation.

Under this bill disbursing officers of the United States would, subject to regulations prescribed by the heads of their respective departments, and, in the case of departments other than the Treasury, prescribed with the concurrence of the Secretary of the Treasury, be authorized for official purposes or for the accommodation of military, naval, and civilian personnel of the United States Government, and of contractors and authorized nongovernmental agencies operating with the armed forces of the United States, to cash and negotiate checks, drafts, bills of exchange, and other instruments, and to conduct exchange transactions involving United States and foreign currency, and coin, checks, drafts, bills of exchange, and other instruments. The bill provides that any gains in the accounts of disbursing officers resulting from operations thereunder shall be paid into the Treasury as miscellaneous receipts. Also, it authorizes the appropriation of such amounts as may be necessary to adjust any deficiencies in the accounts of disbursing officers which may result from such operations.

The ACTING PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred and the letter presented by the Senator from New York will be printed in the RECORD.

The bill (S. 2013) to authorize certain transactions by disbursing officers of the United States, and for other purposes, was read twice by its title and referred to the Committee on Banking and Currency.

The letter presented by Mr. WAGNER in connection with the bill is as follows:

JUNE 13, 1944.

The PRESIDENT, UNITED STATES SENATE,
Washington, D. C.

MY DEAR MR. PRESIDENT: There is transmitted herewith a proposed bill to authorize certain transactions by disbursing officers of the United States, and for other purposes, which is designed to permit disbursing officers of the United States to conduct exchange transactions essential to the activities of the armed forces.

The world-wide distribution of our armed forces has given rise to perplexing problems involving the exchange of foreign currencies and the transmittal of funds. It is essential, in order to meet the requirements of our armed forces, that enabling legislation be enacted which will authorize such exchange transactions as may be necessary to meet the exigencies of the present situation. To illustrate the necessity for legislation of this character the following more detailed statement is made:

American troops, serving in overseas theaters, are, as a rule, paid in the local currencies of the countries in which they are located. There is practically no need in those theaters for United States currency. Personnel arriving there require a means by which they can exchange United States currency in their possession for local currency. Also, personnel departing from the theaters must be able to dispose of local currency which they have accumulated, and to obtain in exchange therefor either United States currency or the currency of the country to which they are moving.

Military personnel, in large numbers, are ordered to travel by air over the Air Transport Command routes, and, in compliance with such orders, pass through many foreign countries. Frequently it becomes necessary for them to depart from countries upon very short notice, and as a result they accumulate holdings of several foreign currencies. It is essential that a means be provided whereby they can exchange these accumulations of foreign currency. Otherwise they may sustain substantial losses.

Casualties returned to this country for hospitalization frequently have in their possession foreign currency which they have received from disbursing officers in overseas theaters. Unless the foreign currency can be exchanged for United States currency through official channels it must be converted through commercial agencies which ordinarily results in a substantial loss to the holder.

Military personnel leaving this country for overseas theaters of operations require authorized means of carrying personal funds other than in cash and must have assurance that the mediums which they use will be accepted in the overseas theaters. Authority is needed for disbursing officers of the armed forces to issue Treasury checks to military personnel in exchange for currency and to cash Treasury checks, postal money orders, bills of exchange, and similar instruments.

Large sums of United States currency have been accumulated by the enemy. It is essential that every precaution be exercised to prevent the return of any of this currency to the United States. Unless adequate provisions are made for military personnel to make their legitimate exchange transactions through official channels they will likely be forced into the black market, thereby making it increasingly difficult to prevent the return of United States currency held by the enemy.

In general, the considerations which render enactment of the proposed legislation necessary to meet the requirements of the armed forces apply with equal strength to the necessity of including within the scope of such legislation civilian personnel of the United States many of whom at the present time are required to travel in foreign countries and are stationed at many posts throughout the world. Similar considerations also apply with respect to personnel of contractors and of authorized non-governmental agencies, including the American Red Cross, operating with the armed forces of the United States.

It is impossible for existing commercial facilities to meet the requirements of the situation. In the interest of morale it is therefore of prime importance that means be authorized whereby military personnel and civilian personnel of the United States Government and of authorized nongovernmental agencies operating with the armed forces will be able to exchange currencies without loss and to convert personal funds into types of negotiable instruments which may be cashed by them without charge or discount.

Under this bill disbursing officers of the United States would, subject to regulations prescribed by the heads fo their respective departments, and, in the case of departments other than the Treasury, prescribed with the concurrence of the Secretary of the Treasury, be authorized for official purposes or for the accommodation of military, naval, and civilian personnel of the United States Government, and of contractors and authorized nongovernmental agencies operating with the armed forces of the United States to cash and negotiate checks, drafts, bills of exchange, and other instruments, and to conduct exchange transactions involving United States and foreign currency and coin, checks, drafts, bills of exchange, and other instruments. The bill provides that any gains in the accounts of disbursing officers resulting from operations thereunder shall be paid into the Treasury as miscellaneous receipts. Also, it authorizes the appropriation of such amounts as may be necessary to adjust any deficiencies in the accounts of disbursing officers which may result from such operations.

The proposed legislation was informally discussed with representatives of the War Department and Navy Department. Since it was felt that the bill concerned matters of over-all fiscal policy, it was agreed that the

proposed legislation should be transmitted to the Congress by the Treasury Department. It will be appreciated if you will lay the proposed legislation before the United States Senate. A similar communication is being addressed to the Speaker of the House of Representatives.

The Department has been advised by the Bureau of the Budget that there is no objection to the submission of this proposed legislation to the Congress.

Very truly yours,

D. W. BELL,
Acting Secretary of the Treasury.

NATIONAL SERVICE LIFE INSURANCE

Mr. GEORGE. Mr. President, I ask unanimous consent to introduce a bill to liberalize certain provisions of the National Service Life Insurance Act of 1940, as amended. In connection with the bill I ask that a statement from General Hines relating to the matter be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred and the statement presented by the Senator from Georgia will be printed in the RECORD.

The bill (S. 2015) to liberalize certain provisions of the National Service Life Insurance Act of 1940, as amended, was read twice by its title and referred to the Committee on Finance.

The statement of General Hines is as follows:

VETERANS' ADMINISTRATION,
Washington, June 15, 1944.

The PRESIDENT OF THE SENATE,
The Capitol, Washington, D. C.

SIR: There is transmitted herewith draft of a proposed bill entitled "A bill to liberalize certain provisions of the National Service Life Insurance Act of 1940, as amended," with the request that the same be introduced and considered for enactment at the earliest practicable date.

Experience gained in administration of the act, and developments resulting from amendatory legislation enacted during the period of the war, demonstrate the desirability of further amendments.

Section 1 of the bill would amend subsection (j) of section 602 of the National Service Life Insurance Act to provide that in any case in which the reserve of a contract of converted national service life insurance, together with dividends accumulated thereon, exceeds the aggregate amount paid in installments to any or all persons within the permitted class of beneficiaries, the difference between such amounts shall be paid to the estate of the insured unless the estate of the insured would escheat under the laws of his place of residence, in which case no payment would be made. Under the provisions of existing law no payments of national service life insurance in force at the date of the insured's death may be made in case the insured is not survived by any person within the permitted class of beneficiaries even though there are persons in being who are entitled to his estate under the provisions of his will or under the laws of descent and distribution of his place of residence. In certain cases the designated beneficiary will predecease the insured after he has carried insurance over a considerable period of time and there will be no one within the permitted class of beneficiaries living at the time of the insured's death. In such cases, it is believed that the reserve of the converted policy, which represents the amount paid as premiums in excess of the amount required for the protection afforded, together with any accumulated dividends, should be paid to the estate of the insured except where the estate would escheat.

Section 2 of the proposed bill would amend subsection (3) (A) of section 602 (d) of the National Service Life Insurance Act, effective as of October 8, 1940. Under subsection (3) (A) as now enacted, one who became totally disabled subsequent to October 8, 1940, and prior to April 20, 1942, as the result of injury or disease incurred in line of duty, which disability continued without interruption for 6 months or more, was granted $5,000 gratuitous insurance under certain circumstances and premiums due thereon were waived until 6 months after termination of total disability or until April 20, 1943, whichever was the earlier date. If death occurred before total disability continued 6 full months, no insurance can be deemed to have been granted, or if the disabled person for some reason such as mental incompetency could not apply for waiver of premiums prior to April 20, 1943, his insurance protection ceased. The amendment proposed in section 2 of the bill would grant relief in cases in which death occurs within the required 6-month period and would extend the time for making application for continuance of waiver of premiums until 1 year after the date of enactment of the bill.

Section 3 of the bill would add a new subsection (r) to section 602 of the National Service Life Insurance Act to prevent lapse of insurance in a case in which an insured is not entitled to waiver of premiums on account of total disability because death occurred prior to the continuance of such total disability for 6 months. Under existing law, waiver cannot be granted unless a total disability continues for 6 months.

Section 4 of the bill proposes an amendment of subsection (5) of section 602 (d) of the National Service Life Insurance Act to permit application for insurance payments under subsections (2) or (3) of section 602 (d) to be filed within 5 years after the date of death of the insured. Under the provisions of subsection (5) as now enacted claim must be filed with 1 year after the death of the insured or 1 year after July 11, 1942, whichever is the later date. The Veterans' Administration has been required to deny insurance benefits because application was not timely filed in cases in which the insured's death was not announced by the service departments until more than 1 year after death had occurred. The need of this amendment is apparent.

Sections 5 and 6 of the bill would amend section 602 (h) (1) and section 602 (h) (2) of the National Service Life Insurance Act of 1940 to authorize the election of a refund life income in lieu of the mode of payments now provided. Under the provisions of section 602 (h) (1) if the beneficiary is under 30 years of age at the time the contract matures the insurance is payable in 240 installments, and payments will terminate after such payments are completed even though the beneficiary may continue to live many years thereafter. Under the provisions of section 602 (h) (2) if the beneficiary is 30 years or more of age at the time of the insured's death, insurance is payable in 120 installments certain with such payments continuing throughout the remaining lifetime of the beneficiary. In case a widow having a minor child, who is entitled to payments as provided in section 602 (h) (2), dies after having received one or more installments of insurance, payments under the contract will cease after payment of 120 installments has been completed even though the total amount of the installments paid or payable is less than the face value of the policy and even though the child is too young to be capable of self-support at the time payments expire. The proposed amendments will authorize the payment of the full face value of the insurance in every instance and will also insure an income throughout the lifetime of the first beneficiary under the policy. In most instances insurance payments would continue until the child is self-supporting.

The following tables show the number and amount of the monthly guaranteed installments purchased by $1,000 on the basis of the American Experience Table of Mortality at 3 percent under a life annuity plan and the number and amount of the guaranteed installments for 120 months certain as provided in section 602 (h) (2) at the ages stated:

Refund life income

Age	Number of guaranteed installments	Amount of each installment	Sum of guaranteed installments
6	309	$3.24	$1,001.16
10	304	3.29	1,000.16
15	296	3.38	1,000.48
20	288	3.48	1,002.24
25	277	3.62	1,002.74
30	265	3.78	1,001.70
40	235	4.26	1,001.10
50	199	5.04	1,002.96
60	158	6.34	1,001.72
70	116	8.64	1,002.24

PAYMENTS FOR 120 MONTHS CERTAIN UNDER SECTION 602 (H) (2)

6	120	$3.40	$408.00
10	120	3.45	414.00
15	120	3.54	424.80
20	120	3.65	438.00
25	120	3.79	454.80
30	120	3.97	476.40
40	120	4.50	540.00
50	120	5.39	646.80
60	120	6.81	817.20
70	120	8.51	1,021.20

Section 7 of the bill would amend subsection 602 (n) of the National Service Life Insurance Act of 1940 to authorize the beneficiary to make application for waiver of premiums in the event an insured dies after having been continuously disabled for 6 or more months without having made application for a waiver which could have been granted upon his application. It is provided that the Administrator shall not grant waiver of premiums becoming due more than 1 year prior to receipt in the Veterans' Administration of application for the same, except that in any case the Administrator finds that failure to make timely application was due to circumstances beyond the control of the insured, or of the beneficiary if the insured is dead, an application may be accepted at a later date. It is also provided that if the failure to submit evidence of the existence or continuance of total disability was due to circumstances beyond the control of the applicant, such evidence may be accepted at a later date.

Under existing laws waiver of premiums cannot be granted except upon application by the insured. In certain cases it appears that failure to make timely application was due to the mental incompetency of the insured and in case the insured died without filing application, waiver could not be granted on application made by the beneficiary. The proposed amendment would authorize application for waiver by the insured for a longer period than 1 year after the commencement of total disability and such cases, in the event of the insured's death, would authorize application for waiver of premiums to be made by the beneficiary.

Enactment of the provisions of the proposed bill would authorize payment of many meritorious claims which must now be denied under the provisions of existing law and as many of the persons who will be benefited under the proposed bill are in needy circumstances the need of early consideration of the proposed legislation is apparent.

Advice has been received from the Bureau of the Budget that there would be no objection by that office to the submission of this proposed legislation to the Congress for its consideration.

Respectfully,

FRANK T. HINES,
Administrator.

HOUSE BILL REFERRED

The bill (H. R. 5040) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1944, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1944, and June 30, 1945, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

NOTICES OF MOTIONS TO SUSPEND THE RULE—AMENDMENTS

Mr. O'MAHONEY submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 4861) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1945, and for other purposes, the following amendment, namely: Under the heading "Courts" following the paragraph for the Juvenile court", insert the following paragraph:

"For a psychiatric service for the Juvenile Court of the District of Columbia, $10,100: *Provided*, That the Board of Commissioners of the District of Columbia is authorized to obtain said psychiatric service for the Juvenile Court of the District of Columbia from the United States Public Health Service, and, at the request of the Board of Commissioners, the Surgeon General is authorized to detail the necessary medical and other personnel, not to exceed one psychiatrist, one psychologist, and one nurse, for this purpose: *Provided further*, That the amount herein appropriated shall be transferred to the United States Public Health Service for reimbursement for the medical and other personnel so detailed."

Mr. O'MAHONEY also submitted an amendment intended to be proposed by him to House bill 4861, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. O'MAHONEY (for Mr. NYE) submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is the intention of Mr. NYE to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 4861) making appropriations for the Government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1945, and for other purposes, the following amendment, namely: Under the heading "Public Works," and in the paragraph for "Department of Vehicles and Traffic (payable from highway fund)," strike out the figure "$405,000," and insert in lieu thereof "$405,800," and at the end of said paragraph, insert the following proviso: "*Provided further*, That the employee of the Department of Vehicles and Traffic who is charged with the immediate responsibility for, and exercises supervision over, the issuance of tags and certificates of title and the registration of motor vehicles and trailers shall hereafter be known as the Registrar of Titles and Tags, and so long as the present incumbent of the position for which a designation is hereby provided continues to hold such position it shall be classified in grade 9 of the clerical, administrative, and fiscal service under the Classification Act of 1923, as amended."

Mr. O'MAHONEY (for Mr. NYE) also submitted an amendment intended to be proposed by Mr. NYE to House bill 4861, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

INVESTIGATION OF HYDROELECTRIC POWER DEVELOPMENT AND IRRIGATION PROJECTS—LIMIT OF EXPENDITURES

Mr. McFARLAND (for himself and Mr. HATCH) submitted the following resolution (S. Res. 313), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the limit of expenditures of the Committee on Irrigation and Reclamation under Senate Resolution 155, Seventy-eighth Congress, agreed to June 26, 1943, as amended by Senate Resolution 304, Seventy-eighth Congress, agreed to June 5, 1944 (relating to an investigation with respect to the need for development of irrigation projects and with respect to the supply and distribution of hydroelectric power), is hereby increased by $10,000.

INVESTIGATION OF CERTAIN ACTIVITIES OF SECURITIES AND EXCHANGE COMMISSION AND THE POST OFFICE DEPARTMENT

Mr. PEPPER (for himself and Mr. ANDREWS) submitted the following resolution (S. Res. 314), which was referred to the Committee on the Judiciary:

Resolved, That the Senate Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized, and directed to make a full and complete study and investigation of the activities of the Securities and Exchange Commission and Post Office Department, or any representative thereof, with a view of determining whether (a) said agencies, or their representatives, are exceeding the power and authority vested in them; (b) whether the activities of said agencies, through their representatives, are crippling and hampering the effectiveness of the Municipal Bankruptcy Act, as amended, heretofore enacted by Congress; and (c) whether or not the activities of said agencies, through their representatives, are unfairly resulting in undermining the credit of the taxing units of the State of Florida.

The committee shall report to the Senate as soon as practicable the result of its study and investigation, together with its recommendations.

For the purpose of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-eighth Congress of the United States, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, and make such investigations, to administer such oaths, to take such testimony, and to incur such expenditures as it deems advisable. The committee is authorized to utilize the services, information, facilities, and personnel of the departments and agencies of the Government. The expenses of the committee, which shall not exceed $ shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AMERICA'S OPPORTUNITY—ADDRESS BY SENATOR BURTON

[Mr. BURTON asked and obtained leave to have printed in the RECORD an address entitled "America's Opportunity," delivered by him at the fifty-seventh annual convention of the Oregon Newspaper Publishers' Association, at Eugene, Oreg., June 17, 1944, which appears in the Appendix.]

DEVELOPMENT OF THE ST. LAWRENCE RIVER—ADDRESS BY SENATOR AIKEN

[Mr. FERGUSON asked and obtained leave to have printed in the RECORD an address on the development of St. Lawrence River, delivered by Senator AIKEN before the Lions and Rotary Clubs, of Rutland, Vt., on May 8, 1944, which appears in the Appendix.]

ADDRESS BY SENATOR WHEELER AT ECONOMIC LEADERSHIP CONFERENCE, NEW YORK CITY

[Mr. WHEELER asked and obtained leave to have printed in the RECORD the address delivered by him at the Economic Leadership Conference and dinner, sponsored by the American Tariff League, at New York City, on June 15, 1944, which appears in the Appendix.]

ADDRESS BY WHEELER McMILLEN AT ECONOMIC LEADERSHIP CONFERENCE DINNER, NEW YORK

[Mr. WHEELER asked and obtained leave to have printed in the RECORD the address delivered by Wheeler McMillen, editor in chief, Farm Journal, at the Economic Leadership Conference and dinner, New York City, on June 15, 1944, which appears in the Appendix.]

A SERIOUS REVERSAL ON THE FARM FRONT—ARTICLE BY SENATOR LA FOLLETTE

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an article entitled "A Serious Reversal on the Farm Front," written by Senator LA FOLLETTE and published in the Progressive of June 19, 1944, which appears in the Appendix.]

WHAT SHALL WE DO ABOUT OIL?—ADDRESS BY J. C. HUNTER

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD an address entitled "What Shall We Do About Oil?" delivered by J. C. Hunter, of Abilene, Tex., which appears in the Appendix.]

PLATFORM ISSUES; TARIFF AND TRADE, AND FOREIGN POLICY—ARTICLES BY WENDELL WILLKIE

[Mr. HATCH asked and obtained leave to have printed in the RECORD two articles on platform issues, one entitled "VI. Tariff and Trade," and the other "VII. Foreign Policy," written by Wendell Willkie, and published in the Washington Post of June 17 and 18, respectively, which appear in the Appendix.]

SERVICE OF DISABLED AMERICAN VETERANS ORGANIZATION—ADDRESS BY WILLIAM E. TATE

[Mr. PEPPER asked and obtained leave to have printed in the RECORD a radio address entitled "Why Disabled Veterans Need D. A. V. Service," delivered by William E. Tate, special claims officer, Disabled American Veterans, on May 29, 1944, which appears in the Appendix.]

WANTED: 3,000,000 JOBS—ARTICLE BY REX L. NICHOLSON

[Mr. MURDOCK (for Mr. MCCARRAN) asked and obtained leave to have printed in the RECORD an article entitled "Wanted: 3,000,000 Jobs," written by Rex L. Nicholson, managing director, Builders of the West, Inc., of San Francisco, which appears in the Appendix.]

IRRIGATION AND NAVIGATION IN THE MISSOURI RIVER BASIN—EDITORIAL FROM ST. LOUIS GLOBE-DEMOCRAT

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD an editorial entitled "T. V. A. Not the Answer," published in the St. Louis Globe-Democrat of June 12, 1944, which appears in the Appendix.]

DISUNITY AT HOME—LETTER FROM FRANK COLBY TO HIS SON

[Mr. ELLENDER asked and obtained leave to have printed in the RECORD a letter on the subject of disunity at home, written by Frank Colby to his son and published in the Washington Sunday Star of June 18, 1944, which appears in the Appendix.]

APPROPRIATIONS FOR THE LEGISLATIVE BRANCH AND THE JUDICIARY—CONFERENCE REPORT

Mr. TYDINGS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4414) making appropriations for the legislative branch and for the Judiciary for the fiscal year ending June 30, 1945, 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 amendments numbered 30 and 33.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 29 and agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,985,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 31, 34, and 35.

MILLARD E. TYDINGS,
THEODORE FRANCIS GREEN,
FRANCIS MALONEY,
STYLES BRIDGES,
HAROLD H. BURTON,
Managers on the part of the Senate.

EMMET O'NEAL,
JOE HENDRICKS,
ALBERT GORE,
NOBLE J. JOHNSON,
WALTER C. PLOESER,
HARVE TIBBOTT,
Managers on the part of the House.

Mr. TYDINGS. Mr. President, I move that the conference report be agreed to.

The motion was agreed to.

The ACTING PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 4414, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
June 16, 1944.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 31 to the bill (H. R. 4414) making appropriations for the legislative branch and for the judiciary for the fiscal year ending June 30, 1945, and for other purposes, and concur therein.

That the House recede from its disagreement to the amendment of the Senate numbered 35 to said bill, and concur therein with an amendment, as follows: In lieu of the sum inserted by said amendment insert "$563,500."

That the House insist upon its disagreement to the amendment of the Senate numbered 34 to said bill.

Mr. TYDINGS. Mr. President, I move that the Senate concur in the amendment adopted by the House to Senate amendment No. 35.

Mr. WHITE. Will the Senator give us a brief explanation?

Mr. TYDINGS. Certainly. There is a difference of $12,000.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Maryland.

The motion was agreed to.

Mr. TYDINGS. Mr. President, I move that the Senate recede from its amendment numbered 34, to which the House objected.

The ACTING PRESIDENT pro tempore. The question is on the motion of the Senator from Maryland.

The motion was agreed to.

CONTINUANCE OF FUNDS FOR COMMITTEE FOR CONGESTED PRODUCTION AREAS IN THE CHARLESTON (S. C.) AREA

Mr. MAYBANK. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter which I have received from J. Dougal Bissell, president of the Charleston Chamber of Commerce, requesting that funds be provided to continue the operation of the Committee for Congested Production Areas. The funds to continue the operation were omitted from the Budget estimate, but an amendment has been offered to the pending bill by the Senator from Michigan [Mr. VANDENBERG] to provide the necessary funds. Thousands of newcomers to the industrial war plants in the Charleston area have been greatly aided by the Committee for Congested Production Areas. Those who work in that area express their appreciation for what has been done for them and hope that the work will be continued. The same is true of the Charleston businessmen.

The letter expresses high regard for Mr. J. Clark Johnstone, the committee's representative assigned to the Charleston area. I do not know Mr. Johnstone personally. I wish to say that I hope the amendment will be adopted so this very fine wartime activity in the congested Charleston area may be continued.

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

CHARLESTON CHAMBER OF COMMERCE,
Charleston, S. C., June 13, 1944.

Hon. BURNET R. MAYBANK,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MAYBANK: We have the information that funds to continue the operation of the Committee for Congested Areas was omitted from the Budget.

You probably are aware that the committee's representative assigned to the Charleston area, Mr. J. Clark Johnstone, has rendered very helpful services and the board of directors at our last regular meeting unanimously recommended that sufficient funds be allocated to this committee to continue the work as long as the need exists.

Cordially yours,

J. DOUGAL BISSELL,
President.

APPROPRIATIONS FOR WAR AGENCIES

The Senate resumed the consideration of the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the junior Senator from Georgia [Mr. RUSSELL] to strike out on page 10, lines 3 to 16, inclusive, under the heading, "Committee on Fair Employment Practice."

Mr. EASTLAND. Mr. President, the junior Senator from Georgia [Mr. RUSSELL] made a very outstanding speech on Friday last concerning the pending amendment, and I feel that it is in reality unnecessary further to argue the question. No sectional issues are involved here. The Chairman of the Committee on Fair Employment Practice has testified that only 10 percent of the complaints arose in the South; but I submit, Mr. President, that the questions involved go to the very roots of our system of government, and if this organization, with the power that it claims, and with the power that it exercises, is ratified by the Congress of the United States by the passage of this appropriation, then the United States is no longer a constitutional democracy, but our Government is a dictatorship in name and in fact.

The Chairman of the Committee, Mr. Ross, testified before the special Smith committee of the House that there was no legislative authority for the setting up of the Fair Employment Practice Committee, that it was set up solely by Executive order under the war powers of the President. That is by the war powers which are alleged to be granted to the Executive by the Constitution. In this state of the case it is certainly important to examine the President's war powers to see if the President of the United States had the power under the Constitution to set up this Committee, and to authorize it to engage in activities in the fields that were assigned to the Committee. The war powers of the President are set out in section 2 of article II of the Constitution of the United States, which provides:

The President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

In that section we find in the Constitution the description of the war powers of the President.

The President—

And I read again—

shall be Commander in Chief of the Army and Navy of the United States and of the militia of the several States when called into the active service of the United States.

These are the war powers of the President. These are the war powers conferred upon the Executive by the Constitution. These powers are in addition to the war powers which Congress confers by statute. However, there is no statutory authority by the Congress to create this committee.

The Congress of the United States is also granted certain war powers in article 1 of the Constitution, and I read them:

To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations.

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

To raise and support armies, but no appropriation of money to that use shall be for a longer term than 2 years.

It will be noted that it is the duty of the Congress to raise and to support armies of the United States. Further it is the duty of Congress—

To provide and maintain a Navy.

To make rules for the government and regulation of the land and naval forces.

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.

And further, the Congress of the United States is authorized later in that section of article I of the Constitution to legislate to bring those things about.

The question we face today is that of comparing the war powers of the Congress of the United States with the war powers of the Chief Executive of the United States to see who controls the civilian activities of the United States in time of war, who controls the civilian activities of the American people, the President of the United States or the Congress.

Many years ago a very noted case was decided by the United States Supreme Court. I refer to *Fleming* v. *Page* (9 How. 603, 13 Law Ed. 276). In that case Chief Justice Taney, in discussing whether Tampico was to be considered annexed as a part of the United States while occupied by American troops in the Mexican War, said:

But this can be done only by the treaty-making power of the legislative authority, and is not a part of the power conferred upon the President by the declaration of war. His duty—

Now, mark this—

His duty and his power are purely military. As Commander in Chief he is authorized to direct the movements of the naval and military forces placed by law at his command, and to employ them in the manner he may deem most effectual to harass, conquer, and subdue the enemy.

But the Supreme Court of the United States, Mr. President, has held that the war powers of the President conferred upon him by the Constitution of the United States were purely military, to command the Army and Navy of this country, and to employ them in the manner that he may deem most effectual to harass and conquer and subdue the enemy. The Chief Executive without legislative authorization has no power in time of war over the civilian war effort.

In the case of *Ex parte Milligan* (4 Wall. 2, 18 Law Ed. 281) counsel for Milligan put his finger on the war powers of the President, and I quote a view that was adopted in that noted case by the Supreme Court of the United States:

To command an army, whether in camp or on the march or in battle, requires the control of no other persons than the officers, soldiers, and camp followers. It can hardly be contended that, if Congress neglects to find subsistence, the Commander in Chief may lawfully take it from our citizens. It cannot be supposed that, if Congress fails to provide the means of recruiting, the Commander in Chief may lawfully force the citizens into the ranks. What is called the war power of the President is nothing more than the power of commanding the armies and fleets which Congress causes to be raised. To command them is to direct their operations.

That was the doctrine enunciated by the Supreme Court of the United States in that noted case. The war power conferred by the Constitution upon the President of the United States as Commander in Chief is nothing more than the power of commanding the armies and fleets of this country and the camp followers who follow that army in its march of conquest.

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

Mr. EASTLAND. I yield.

Mr. HOLMAN. I take it, then, that it is the Senator's contention that there is a limit to the war powers of the President of the United States.

Mr. EASTLAND. There certainly is.

Mr. HOLMAN. That is encouraging.

Mr. EASTLAND. Mr. President, the war powers of the President of the United States unless granted by act of Congress are purely military and do not extend to giving him control of the civil life of this country behind the lines. The war powers of the President of the United States do not, under these decisions, give him authority to direct the civilian war effort behind the lines of combat. They do not give him control of American industry or of American labor. Control of these is vested in the Congress. Under the Constitution the war powers of Congress are superior, in their fields, to the war powers of the President. I read the war powers which the Constitution has placed in the Congress:

To provide for the common defense.

To provide and maintain a navy.

To make rules for the government and regulation of the land and naval forces.

To declare war.

To grant letters of marque and reprisal, and make rules concerning captures on land and water.

To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations.

The Congress is authorized "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof."

Frequently as I said the Congress of the United States, by legislation, delegates war powers to be exercised by the President, as we did when we enacted the Smith-Connally Act. But in this instance there is no legislative authority for the creation of this agency. The Chairman of this Committee frankly testified to that effect before the Smith committee in the House of Representatives. The agency is purely the creation of the executive branch of the Government. In the first place, the President of the United States has no legal or constitutional authority to establish this agency.

Mr. President, as the Senator from Georgia so well showed on Friday last, here is an agency set up by Executive order which has organized itself into a quasi court which assumes the power to subpena American citizens before it, which has assumed the power to try them, which has assumed the power to inflict punishment—punishment which comes very near to being blackmail, which coerces and intimidates the business interests and labor unions of the United States, and all by directive.

There are additional powers which the Committee claims to have. The Senator from Georgia showed that under the Constitution, inferior courts—and in reality this Committee is a quasi court—are created by the Congress of the United States and not by the Chief Executive. That this agency has not been created by Congress, but by Executive order. That the agency claims the further power of nullifying contracts, some of which have been negotiated under the power of the Congress of the United States—nullifying contracts which the Supreme Court of the United States has no authority to nullify or to disregard, but which the courts of our country are under a solemn obligation to uphold. The Committee has further assumed the power to repeal laws passed by the Congress of the United States.

Let us consider the Southeastern Railroad case. A few years ago Congress passed the Railway Labor Act. It was a great charter which guaranteed to railroad workers the right to organize and the right to bargain collectively. To bargain by representatives of their own choosing. In that act the Congress of the United States provided that when any class of railroad labor, such as firemen, should choose an organization as its bargaining agent, that organization should be the sole bargaining agent for every fireman or every worker of that class. The Supreme Court of the United

States, in construing that act—and I quote from the decision in the case of the *Virginian Railway* v. *System Federation* (300 U. S., 515), held that—

> When railroad labor selected its bargaining agent, it was the duty of the railroads to bargain with that agent, and with no other.

Subsequently, a majority of the railroad firemen selected the Brotherhood of Locomotive Firemen and Enginemen as their representative. They came to the city of Washington and negotiated an agreement. The agreement was negotiated under the Railway Mediation Board which was set up by Congress for that purpose. The law provides that that agreement shall be binding. The Congress of the United States said that such an agreement, when negotiated, should be binding upon all parties. The agreement known as the "Washington agreement" was concluded in 1941. In December of last year the F. E. P. C. ordered the Brotherhood of Locomotive Firemen and Enginemen and the railroads to nullify that agreement. I read from section 2 of that order:

> The Committee directs that the carriers referred to herein and the Brotherhood of Locomotive Firemen and Enginemen forthwith—

Note the use of the word "forthwith"—

> set aside the agreement dated February 18, 1941, and known as the Southeast Carriers Conference Agreement or Washington agreement.

What kind of government is this? This Committee ordered the railroads and the labor organization forthwith to nullify the agreement they had reached under a law of Congress, an agreement which a statute enacted by the Congress declared would be valid and binding. Mr. President, that is an attempt by this agency to repeal one of the great laws passed by Congress for the protection of American labor. The Committee actually claims the authority to repeal the laws of the land. There is not a court in the United States with power to nullify that contract. The Supreme Court of the United States could not order the parties to nullify the contract or to set it aside. In fact it is the duty of the courts to uphold that contract. But here is an agency created by Executive order, with no authority of Congress behind it, which comes in and tells those parties forthwith to set aside that agreement, and to negotiate a new agreement under terms and conditions which the agency specifies should go into the contract.

Then let us consider the Philadelphia Transit case. There was an agreement between the labor organizations and the employers which set up certain terms and conditions which were valid and binding on the parties. But this agency came in and ordered those parties forthwith to nullify that agreement, and to negotiate a new agreement, and further to incorporate terms and conditions in the new agreement which this Committee said should be incorporated therein. The employer and the union were ordered to nullify an agreement which was binding and enforceable, at the complaint of one of the parties thereto, in any court of jurisdiction in this country. In other words, this communistic Committee has assumed the authority to nullify contracts. Can anyone tell me that when the Congress places its stamp of approval on such an agency as this one Congress is not placing its stamp of approval upon a dictatorship in the United States? But in the railroad case how were they to enforce the Committee's directive?

The Senator from West Virginia [Mr. REVERCOMB] asked the Senator from Georgia [Mr. RUSSELL] how the F. E. P. C. or the Federal Government could enforce its order to the railroads. This man Ross, the head of the Committee, went to New York last fall, and there was interviewed by the Daily Worker, the official Communist Party organ. Ross said, in answer to a question, that President Roosevelt, acting under his wartime powers, and as ultimate authority in the enforcement of the Fair Employment Practice Committee directives, can take over and operate railroads, provided those railroads refuse to obey the directives of this agency.

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

Mr. EASTLAND. I yield.

Mr. McCLELLAN. What is the date of that statement?

Mr. EASTLAND. December 22, 1943.

Mr. McCLELLAN. Who was then head of the F. E. P. C.?

Mr. EASTLAND. Mr. Malcolm Ross, the present Chairman.

Mr. McCLELLAN. Did he give that statement to the press?

Mr. EASTLAND. No; not to the decent press—to the Communist press. I submit he was in his element in the city of New York.

Mr. President, the fifth amendment to the Constitution provides that there shall be no taking of private property without due process of law. But what does that matter to this agency? It attempts to nullify contracts protected by the courts of this country. A threat was made by the Chairman of the Committee that the President of the United States, to enforce the Committee's edict, would take over and operate the railroads. That would be dictatorship. If the Congress cannot put an end to such procedure, Mr. President, I submit, in all sincerity, that our Republic is dead.

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

Mr. EASTLAND. I yield.

Mr. McCLELLAN. While I do not believe that any Member of the Senate agrees that this Committee is vested with any such authority or power, even under the directive of the President creating it, as is contended by the Committee, the information which the Senator from Mississippi has just given with respect to the character of the statement issued by the head of this Committee to the Communist press clearly indicates to the people of this Nation what the Committee will do, and what it intends to do if it can obtain power to do it. Just as certainly as we place our legislative stamp of approval upon this measure, we set in motion a very dangerous procedure, and establish in the hands of the irresponsible a power dangerous to the future of America.

Mr. EASTLAND. I thank the Senator from Arkansas.

Mr. President, the Senator from Georgia has stated that many of the high officials of this agency are members of subversive organizations. Within a few minutes I shall read into the RECORD the names of the organizations with which these men are identified, and their background. There is no doubt that the hearts of those men today march under the red flag of communism. There is no doubt in my mind that they believe in the doctrine of communism, and that they are followers of Karl Marx. I wish to state their background at this point, because it is important in connection with the subject with which I am dealing.

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

Mr. EASTLAND. I yield.

Mr. OVERTON. Before the Senator reaches that phase of the question under consideration, I should like to ask him to give me his opinion with reference to the assumed or actual powers of this Committee. From the statement made by the Senator from Georgia I understood that the Committee exercises power and authority of preferring charges.

Mr. EASTLAND. That is correct.

Mr. OVERTON. Therefore, it acts in the capacity of a grand jury and a prosecuting attorney.

Mr. EASTLAND. The Senator is correct.

Mr. OVERTON. The Committee also resolves itself into a court and passes on the question of whether, in the Committee's belief, there has been any violation of its pronouncements and regulations. It passes upon the charges which the Committee itself has preferred. Am I correct in my understanding?

Mr. EASTLAND. The Senator is correct.

Mr. OVERTON. I further understand that no appeal is provided from any decision made by the Committee. There is no provision in the Executive order for an appeal. Of course, none has been made by Congress, because no act of Congress has been passed with reference to the Committee. Therefore, when it renders a decision the Committee renders it upon its own charges. Its decision is final, from which no appeal lies. Is that correct?

Mr. EASTLAND. The Senator is correct.

Mr. OVERTON. I thank the Senator.

Mr. EASTLAND. Mr. President, I have stated that the head of this Committee made a statement to the Communist press in the city of New York that the President of the United States could take over the railroads and operate them because the Committee's order had been violated. In that regard I further state that, in substance, Ross so testified before the Smith committee of the House of Representatives. He said that the final source of authority was the President, and that the President could take over private business in this country and operate it if a violation of the orders of this Committee had taken

place. It was contended by some Members of this body that the President of the United States had no authority to take over a war plant in the case of a strike which had stopped the production of vital war materials. I do not believe he had such authority in the absence of congressional authorization. We recognized the President had no such authority because we specifically granted it in the Smith-Connally Act. We recognized then that the right of the President to take over plants in the event of a strike before congressional authority had been given him was illegal.

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

Mr. EASTLAND. I yield.

Mr. MURDOCK. Is it the Senator's statement that while the Smith-Connally bill was being debated on the floor of the Senate there was any implication that the previous actions of the President in taking over property had been illegal?

Mr. EASTLAND. That is my recollection.

Mr. MURDOCK. Does the Senator recall an amendment which was offered upon that very point, and voted down on the ground that the Senate did not wish to take any action which would imply that the President had acted illegally?

Mr. EASTLAND. That is correct. We did not deem it wise to take action which would imply that the President's acts in the premises were illegal.

Mr. MURDOCK. Yes.

Mr. EASTLAND. But, as I remember, there was considerable contention on this floor that taking over plants by the President without congressional mandate was illegal.

Mr. MURDOCK. I am sure the Senator is correct in what he says. But the ultimate action of the Senate, which I believe was controlling, was not to adopt the amendment, because we did not wish to tell the people of the country that we thought that what the President had done previous to the passage of the act was illegal.

Mr. EASTLAND. However, we did specifically grant authority to the President in the Smith-Connally Act to take over plants in case of a discontinuance of operations due to labor disputes.

Mr. MURDOCK. The Senator is correct.

Mr. EASTLAND. If the President already had such authority, why was it necessary for Congress to write it into the law?

Mr. MURDOCK. I think it was because the President had power which was derived directly from the Constitution. But that does not mean that Congress cannot implement such authority by legislative enactment. Certainly the Senator does not take the position that, without the Smith-Connally Act, the President could not take over a plant in the United States if, in the successful prosecution of the war, in his judgment it was necessary to take over the plant?

Mr. EASTLAND. I certainly do take that identical position, and Congress recognized it when we granted the authority in the antistrike bill.

Mr. MURDOCK. I disagree with the Senator.

Mr. CHAVEZ. Mr. President, will the Senator from Mississippi yield to me?

Mr. EASTLAND. I yield to the Senator from New Mexico.

Mr. CHAVEZ. When the Montgomery Ward case arose the opinion was expressed that the authority for taking over the Montgomery Ward plant at Chicago was based upon the Smith-Connally Act; but the official interpreter of the laws of the United States stated that, irrespective of the Smith-Connally Act, the President still had authority to take over the Montgomery Ward plant.

Mr. EASTLAND. Who stated that?

Mr. CHAVEZ. Attorney General Biddle.

Mr. EASTLAND. Mr. President, I do not desire to discuss the Attorney General's opinion.

Let me ask what other powers does this agency claim. Today it exercises the power to tell business whom it shall hire, who shall work and who shall not work, and whom it shall promote. By exercising such powers this Government agency substitutes its own judgment as to the qualifications of a given worker for the judgment of the management, the men who are responsible for the operation of the business. This power deprives management of the control of its business. Management cannot longer pass upon the efficiency of an employee. This means the taking over of American industry by a Government board. This has been the Communist aim all the time. That is what the C. I. O. and what Mr. Sidney Hillman have longed for, namely, to deprive management of the control of the business of the country and set themselves up instead.

Mr. President, when a governmental agency exercises the power to tell any business whom it shall hire, when it exercises the power to tell any business who shall work in the industry and whom it shall promote, when it exercises the power to say what worker is qualified for a certain job, then management has been destroyed, and that is what the Communist Party and the C. I. O. have been interested in and what they have been attempting to do for many years. Furthermore, with such power in a Government agency the right of free enterprise in America is dead, and, so far as labor unions are concerned, the right of the working men to bargain collectively to enter into binding contracts has also been destroyed.

As I have stated in discussing such claimed power, it is certainly important to look behind the scenes in order to ascertain the background of the men who exercise it. Who are the men who constitute this Committee and administer its functions? But, first, how does the Committee enforce its decrees? First by intimidation and coercion, by calling on other governmental agencies to cancel war contracts between a business complained of and the Government of the United States. It even goes further than that, and, as the distinguished junior Senator from Georgia [Mr. RUSSELL] showed on Friday, the agency even claims power over nonwar industry in this country by intimidation and coercion and by the claimed power to take over private business and operate it in violation of the Constitution of the United States. This is the way its decrees are enforced and this is purely dictatorship.

Mr. President, who is it to whom the Congress is asked to grant this power by validating this agency, by making this appropriation? I shall cite some facts showing the background of these people as compiled by the very distinguished Member of the House of Representatives from the first district of my State. The committee is composed of Malcolm Ross, Chairman, Boris Shishkin, Milton P. Webster, Sara Southall, John Brophy, Charles Horn, and Charles H. Houston.

Who is John Brophy? Brophy has a long list of affiliations with the Communist-front activities. In August 1938 he wrote an article for a publication called Equal Justice, the official organ of the International Labor Defense, which was cited by Attorney General Biddle as subversive. In 1937 Brophy sent greetings to the National Negro Congress, which organization was also branded by the Attorney General as subversive. He has been affiliated with a large number of other activities which have been branded as subversive by the Dies House Committee on Un-American Activities.

Another member of the committee is Boris Shishkin, who was connected with the Washington Book Shop, located at Seminary Hill, Alexandria, Va., according to the records of the Committee on Un-American Activities. The Washington Book Shop is known to be a Communist-front organization, and was also branded by the Attorney General of the United States as subversive.

Another member of the committee is Charles H. Houston. Houston has a long record of affiliations with Communist-front movements which have been branded as subversive by the Attorney General of the United States as well as by the House Committee on Un-American Activities.

Now take the operational section. The director of operations is Will Maslow. Maslow has been connected with the Consumers National Federation, which was cited as being subversive by the House Committee on Un-American Activities in its report of March 29, 1944. He has also been a contributor to a publication called Health and Hygiene, which was founded as an extension of the Communist Daily Worker.

Another member is Emanuel Bloch, who is shown by the records of the House Committee on Un-American Activities to have addressed the Citizens Committee to Free Earl Browder on March 16, 1942, which committee was cited as subversive by the Attorney General of the United States. Bloch was also one of the sponsors of another organization, the National Federation for Constitutional Liberties, which was found to be subversive by the Attorney General of the United States. Another member of the operational section is Eugene Davidson, who has been connected with at least four

activities which have been branded as subversive by the Attorney General of the United States.

I come now to the New York regional office. It is to the regional offices, the records show that those against whom complaints have been filed must appeal, or before which they must appear whenever interfered with or imposed upon by the Fair Employment Practice Committee.

Here is the personnel of that office. The head is Edward Lawson, who signed the Communist Party petition in New York in 1942, according to the records of the House Committee on Un-American Activities, and was a participant in the All-Southern Negro Youth Conference, which was affiliated with the National Negro Conference, which latter organization was cited as subversive and communistic by the Attorney General of the United States.

The other examiner is Samuel Risk. Risk was also a signer of the Communist petition in New York in 1939–40, according to the records of the House Committee on Un-American Activities.

Then there is the Philadelphia regional office. The head of that office is a man named James G. Fleming. According to the report of the House Committee on Un-American Activities, he is a guest lecturer of the Philadelphia School of Social Science and Art, which is a successor to the Philadelphia Communist Workers School.

Then there is the Washington regional office. One of the members is Theophilus J. Houston. Houston is listed by the Committee on Un-American Activities as a discussion leader of the National Negro Congress, which has been cited as subversive by the Attorney General of the United States.

Now we come to the Cleveland regional office. The regional director is William T. McKnight. McKnight is listed as being a member of the Lawyers' Guild, which was cited as subversive by the House Committee on Un-American Activities in its report of March 29, 1944.

Then there is Lillian B. Walker, who is listed as one of the signers of the petition of the Communist Party in Ohio in 1940, when Earl Browder was running against President Roosevelt. Here is a Communist who in 1940 supported Earl Browder against the present occupant of the White House.

Mr. CHAVEZ. Mr. President——

The PRESIDING OFFICER (Mr. WALSH of New Jersey in the chair). Does the Senator from Mississippi yield to the Senator from New Mexico?

Mr. EASTLAND. I yield.

Mr. CHAVEZ. I believe I could agree with the Senator from Mississippi in many instances on the record he has just announced to the Senate if we could only be consistent. We all know that Mr. Browder ran for President of the United States against President Roosevelt in 1940, but we also know that within the last few months Mr. Browder has endorsed the President of the United States. Has the Senator heard a single Democrat disown that endorsement?

Mr. EASTLAND. Mr. President, that is strictly a political question. What I am discussing is the communistic background of people who attempt to exercise the life-and-death sentence over American industry.

Mr. CHAVEZ. Will the Senator yield again?

Mr. EASTLAND. I yield.

Mr. CHAVEZ. I heard the Senator state that practically every member of the President's Committee on Fair Employment Practice, as he read the list, has been declared subversive by the Attorney General of the United States.

Mr. EASTLAND. That is correct.

Mr. CHAVEZ. If that be the case, why does the Senator feel that the President would appoint them to positions such as these?

Mr. EASTLAND. The President's motives in appointing these people are his own. I am at a loss to understand the ability of these Communists to secure important Federal appointments. However, I know nothing about the President's motives and would not make a statement as to what his motives were in making the appointments. I think they are bad appointments, terrible appointments, and I am not going to cast a vote to appropriate one dollar to enable them to carry on their nefarious designs upon American industry and labor, and, further, I am not going to cast a vote to give those people control of American industry and the legitimate labor unions of this country.

Mr. CHAVEZ. I agree with the Senator that they are bad appointments, but he is not after the appointees; he is trying to reach the fundamentals of the appropriation which is designed to assure fair employment practices, irrespective of who the personnel might be carrying out the functions of the committee.

Mr. EASTLAND. I understand.

Mr. CHAVEZ. I would not appoint a single one of these people.

Mr. EASTLAND. These Communists—and I state advisedly that they are Communists—if given this appropriation, will use it, in my judgment, to displace management and control American industry, and it is my responsibility as a Senator from the State of Mississippi, as I conceive my duty, to protect the business and labor of this country from communism.

Now I come to the Chicago office. One of the members is Minnie L. Bell, colored, who is listed as being a member of the American League for Peace and Democracy, which is known to be a Communist front organization, and which was cited as being subversive by the Attorney General of the United States.

Mr. President, there are people who, to say the least, are members of subversive organizations, organizations branded as subversive and un-American by the Attorney General of the United States, who administer this program. The Congress of the United States is asked to place its stamp of approval upon them, and to give them the right to say who shall work, who shall not work, and who shall be promoted, in American industry. This Committee can, as I stated, substitute its judgment for the judgment of the management of a factory as to the qualifications of a certain worker for a certain job. That is the perfect avenue for Communist infiltration and ultimate domination of the trades-union movement of America, for historically labor and management are both parts of a whole and make up the great industrial empire of the Nation.

Behind this whole program, the driving force, the crowd that is putting on the heat for its passage, is the C. I. O. I understand that John L. Lewis recently stated that Sidney Hillman and Philip Murray must play ball with communism or die, and I intend to read Mr. Hillman's record, as compiled from an authoritative source, to show the Congress of the United States the danger here, because in the last analysis Hillman will have great and controlling influence over this Committee and over the administration of the program.

Hillman was born on March 23, 1887, in Zagare, Lithuania, where his father was a merchant. He was educated in the seminary there, and came to the United States at the age of 20. In New York City Hillman became acquainted with Morris Hillquit and Leon Trotsky. Yes; Sidney Hillman was an associate of Leon Trotsky when Trotsky lived in this country, before the Communist revolution in Russia.

About that time Hillman became a member of the Socialist Party.

In 1910 Hillman marshaled his followers in a successful strike against Hart, Schaffner & Marx, and in the agreement which followed the winning of the strike he represented his organization as business agent or deputy from 1911 to 1914.

Hillman's policy was rather clearly indicated in an editorialized statement which appeared in the March 9, 1917, issue of the Advance. I quote from Hillman's statement:

> We have unfurled the crimson banner—
>
> The crimson banner—
>
> of the Amalgamated Clothing Workers of America for the tens of thousands of workers who rally around it. It is bearing a message of hope and salvation for the workers. Our banner will never be furled before we reach the goal—the emancipation of the working class.

Mr. President, if that is not a statement in words used by Communists the world over, used by Trotsky, used by Lenin, used by Karl Marx, I cannot conceive of such a thing.

In 1922 Mr. Hillman went to Russia, and I wish to read what Pravda said on October 6, 1922, Pravda being the Communist Party's publication. It published an interview with Hillman, and this is what they said, in part:

> Comrade Hillman—
>
> They speak of him as comrade, a Communist—
>
> Comrade Hillman expressed his confidence that the Russian-American Industrial Corporation is but the first step toward a really practical help of the international proletariat to Soviet Russia, and that this corporation will play a great economic and political role in the future.

He failed in that instance, but today we find the C. I. O. Political Action Committee, which under his command is attempting to communize this country.

What did Hillman mean by "the corporation"? Hillman's assistance to Russia took a tangible turn in his taking over of the Russian-American Industrial Corporation in 1922. This organization sent out a prospectus stating that it had obtained a concession from the Bolshevist government, and it offered stock of the corporation at $10 a share, and in the trial of Alexander Krasnotchekoff in Moscow it was declared that Hillman's company, the Russian-American Industrial Corporation, was indebted to the Commercial & Industrial Bank of Moscow, and this provided the connection of the Russian-American Industrial Corporation with Soviet finances.

On that trip to Russia in 1922 Mr. Hillman visited Italy. In Italy at that time the Communist Party had taken over the industrial system of that country. Hillman went to Rome, and here is a statement which Hillman made about that trip published in the official proceedings of the 1922 convention of the Amalgamated Clothing Workers of America. I now read from Mr. Hillman's statement:

In Rome—

Said Hillman—

I was doubly welcome. The secretary of the Metal Workers' Union gave me a letter, the only key to open the gates of the factory.

As I said, the Communists in Italy at that time had taken over Italian industry. Listen to this. I read further from Mr. Hillman's statement:

With my Italian comrades—

Said Hillman—

I landed in front of the factory, which looked attractive.

Now, listen to why it looked attractive—

Because of the fine red flag which adorned the building and the Red sentinel who was keeping watch.

Is Hillman not a Communist? He said that factory was attractive because of the red flag of communism and because a Communist sentry kept watch over another man's property. I read further from Mr. Hillman's statement:

I stayed for lunch with the members of the factory council. The council then took me through the factory. The first thing that attracted my attention was a series of inscriptions on the walls, including the Soviet emblem.

I read that sentence again:

The first thing that attracted my attention was a series of inscriptions on the walls, including the Soviet emblem.

There is the most powerful political figure outside of public office in America today. There is the driving power behind the drive to have adopted the provision of this bill dealing with the Fair Employment Practice Committee, and to turn American industry over to the Fair Employment Practice Committee. There is a man who controls that Committee. Why, he is just as much a Communist as Stalin himself, and I think the United States today, Mr. President, is much closer to dictatorship from the Communist C. I. O. than the people of this country generally realize. Are these suitable people to administer this program? Should this great power be delegated to these individuals? Do you not know they will take over American business and American labor?

What does this agency do? It states first that it can appoint a great number of volunteer workers, and send them out to go into factories with the full power and force of the American Government behind them. Men who have the power of the Government behind them, but who have utterly no responsibility, go into industrial plants, stir up strife and discord, file complaints, and set in motion machinery that would deprive a company of its property. If this is not the most vicious system we have had in this Government in many years I cannot describe it. The Committee can cite an individual, bring him before the Committee under subpena, it can try the individual, make a finding of fact, cost him his Government contract, cost him his business, close him up, and the individual has no right of appeal to the courts. The very elemental safeguards of American justice and fair play and a square deal are missing here. There is no review in the courts. The individual has no day in court. He has no chance to tell his own story. Sometimes, as testified before the House committee, the Fair Employment Practice Committee holds secret sessions where the blessed light of the sun cannot shine in, and then tries just common ordinary blackmail by telling the individual that, "If you do not sign on the dotted line, if you do not abrogate or nullify this contract which you have solemnly entered into with your Government, or with your employees, we are going to cancel it, we are going to take your factory, we are going to deprive you of your property—all without due process of law."

Mr. President, what does the fifth amendment of the Constitution of the United States amount to if an executive agency can deprive legitimate businessmen of this country of those great rights therein granted them, on such a hearing as is granted by the Committee, with no right of appeal, with no right to testify, without fixed legal standards and the elemental safeguards which freemen require?

Mr. President, I submit that the Congress of the United States does not have the constitutional authority to permit this agency to operate, and by that I mean, as the Senator from Georgia [Mr. RUSSELL] stated, that when the Congress passes the provision in question, and grants the appropriation requested, it validates this agency and places congressional sanction upon it. We do not possess that authority, and I am going to read certain sections of the order creating the Committee.

5. The Committee shall receive and investigate complaints of discrimination forbidden by this order. It may conduct hearings, make findings of fact, and take appropriate steps to obtain elimination of such discrimination.

What could be more sweeping than that? But listen; this is section 7:

7. Within the limits of the funds which may be made available for that purpose, the Chairman shall appoint and fix the compensation of such personnel and make provision for such supplies, facilities, and services as may be necessary to carry out this order. The Committee may utilize the services and facilities of other Federal departments and agencies and such voluntary and uncompensated services as may from time to time be needed.

Listen to this:

The Committee may accept the services of State and local authorities and officials, and may perform the functions and duties, and exercise the powers conferred upon it by this order through such officials and agencies and in such manner as it may determine.

What is sought to be done? Under the terms of the order the Committee could delegate legislative authority to State officials, to volunteers, and to outsiders. Further, the order provides that it may exercise these functions in such manner as it may determine.

Mr. President, the legislative branch of the Government does not have authority under the Constitution of the United States arbitrarily to delegate legislative authority. Under the Constitution, we must place safeguards around that authority. We must set up certain procedure and certain rules of decision, and we can confer power over individuals in this country only in express terms. To do otherwise would violate article I of the Constitution, which provides that the legislative power resides in the Congress, and would also violate the fifth amendment to the Constitution.

In that connection, I read from a very noted decision of the United States Supreme Court, in the case of *Wichita Railroad & Light Co.* v. *Public Utilities Commission* (260 U. S., p. 48), in which the court said:

In creating such administrative agency, the legislature, to prevent its being a pure delegation of legislative power, must enjoin upon it a certain course of procedure and certain rules of decision in the performance of its function. It is a wholesome and necessary principle that such agency must pursue the procedure and rules enjoined, and show a substantial compliance therewith, to give validity to its action.

That principle has been violated in this case, and for that additional reason this whole thing is unconstitutional. In addition, as I stated a few moments ago, there is no right of appeal. There is no recourse to the courts. Recently the United States District Court for the District of Columbia, in the case of Jenkins Brothers against National War Labor Board, held that in matters of finding of fact by an executive agency, the aggrieved party, the party against whom the directive is issued, does not have the right of recourse to the court to test the correctness of the finding of fact. Mr. Justice Bailey, in an opinion rendered on April 27, 1944, ruled that the court would not go into the questions of fact set forth in the proclamation as a foundation for his action.

Mr. President, the whole success of our system of government depends upon respect by the legislative branch of the government for the powers conferred by the Constitution on the executive department; and likewise the success of our democracy, and our lives as a free people, depend upon respect for and reliance by the executive upon the congressional arm of government. Dictatorship is born in any country under conditions such as arise here. I state in all sincerity that if this agency is permitted to live, exercising the life-and-death control which it now exercises over American industry and the workingman, the American Republic is dead, our democracy is gone, and we live under dictatorship in the United States.

Consider the organizations and individuals behind this drive. Take Sidney Hillman. Take the C. I. O. Mr. President, if we enact this provision into law we feed those organizations. We make them strong. Let me tell my Republican colleagues that they are out to destroy the Republican Party. They are out to drive everyone of you from public life. A monster has arisen. If we validate this Committee, it will become the most powerful bureau in the American Government. Hearings have been held in the House on the subject of creating a permanent organization of this kind. Let us refuse this appropriation, adopt the pending amendment, and then, if we should unwisely consider a permanent F. E. P. C., safeguards can be written into the law. We can write limitations which will protect the people of this country, preserve American liberty, and prevent our country from drifting down the road to dictatorship and totalitarianism from which no nation in our generation has ever yet taken and returned.

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

Mr. EASTLAND. I yield.

Mr. RUSSELL. I ask unanimous consent to have read at the desk a brief news item appearing in the New York Times of June 18, 1944.

The ACTING PRESIDENT pro tempore. Without objection, the article will be read.

The legislative clerk read as follows:

ROOSEVELT SIGNS ELK HILLS OIL BILL—APPROVING INCREASED OUTPUT AT NAVY REQUEST, HE OBJECTS TO POWERS GIVEN TO CONGRESS—CALLS THESE "EXECUTIVE"—LONG ESTABLISHED AND SOUND PRINCIPLES OF GOVERNMENT ARE UPSET BY MEASURE, HE SAYS

WASHINGTON, June 17.—President Roosevelt signed today the bill to permit increased oil production from the Navy's Elk Hills reserve in California, but stated his objections to provisions in the measure which, he contended, would vest the Congress with "what amounts to executive powers over the administration of the naval petroleum reserves."

He approved the bill because he had been told by James V. Forrestal, Secretary of the Navy, that there was immediate need for legislation "to deal with the problems of drainage and current production from the naval petroleum reserves."

In approving the legislation the President did not wish to be understood as expressing approval of all its provisions.

WARNING ON EMERGENCIES

"On the contrary," he said, "I regret to say that in several places this act departs from principles of government which have been long established and which are in my opinion, fundamentally sound. I feel it is my duty to express my concern lest this departure be continued in future legislation.

"The provisions of the act to which I have reference would vest the Congress with what amounts to executive powers over the administration of the naval petroleum reserves.

"This legislative assumption of executive functions takes form in two requirements—first that the Secretary of the Navy, even with the approval of the President, may produce petroleum from these reserves only in the quantities from time to time specified by the Congress, and, secondly, that the Secretary may not condemn lands or enter into joint or unit contracts, or other contracts or leases, without prior consultation with the Naval Affairs Committees of the Congress.

"The first requirement, in addition to being objectionable from the standpoint of principle, was apparently drafted without proper cognizance being taken of the fact that an emergency necessitating a sharp increase in production might arise during a recess of the Congress.

"The second requirement I would have considered unwise enough if it had merely placed the executive function of advising and consulting on contracts and leases in the hands of the two Houses of the Congress. But to go further and to delegate, as it were, this function to two committees of the Congress is, in my opinion, to disregard principles basic to our form of government.

"Efficient and economical administration can be achieved only by vesting authority to carry out the laws in an independent executive and not in legislative committees. This act, in my opinion, impinges deeply upon this fundamental principle of good government embodied in the Constitution."

Mr. RUSSELL. In this statement issued by the President upon signing the bill relating to the naval oil reserves, he strongly implies that he would have vetoed the measure as an encroachment upon the powers of the executive branch of the Government but for the pressing need for some legislation on the subject. The President complains against a provision which would require the Secretary of the Navy to consult with two committees of Congress before taking certain specified action as disregarding principles basic to our form of government. I do not understand that the Secretary is bound to follow any advice he may receive from the committees. The President is therefore vigorously asserting the rights of the executive branch of the Government and protesting any interference with the prerogatives of the executive department. The President is entirely within his rights in protesting any invasion of the executive branch of the Government by legislative action. I shall undertake to sustain him in protecting the prerogatives of the executive department.

I insist, Mr. President, as a member of the legislative branch of the Government that, paraphrasing the language of the President, the action creating the Fair Employment Practice Committee by Executive order without consulting the Congress or securing any legislation authorizing such an agency is also a great departure "from principles of government which have been long established and which are fundamentally sound." There is no more firmly established principle in our form of government than that no American citizen shall be tried or penalized by any department of the executive branch of the Government—or the judicial department, for that matter—without direct congressional authority. As I undertook to point out on Friday, this agency is asserting the right to cite and try American citizens; to cancel legal contracts between employers and labor unions; to force labor unions to accept members of these organizations against the wishes of a majority of the membership; to require management or employers to accept the services of persons designated by this F. E. P. C. as well as to reclassify and upgrade employees found by this F. E. P. C. to be entitled to such reclassification or upgrading, without any action on the part of the Congress. This F. E. P. C. further asserts the right to cancel contracts between the citizen and the Government, and otherwise impose sanctions upon citizens of this country who do not conform to its illegal decrees and edicts.

Certainly, Mr. President, the executive branch of the Government cannot complain of congressional interference with executive functions and at the same time condemn any action by the Congress of the United States in denying an appropriation to an action agency of Government asserting these vast powers, which has no authority other than those conferred by Executive order. If the Congress wishes to assert its right and power to legislate, we must defeat this appropriation. To refuse to do so would be good reason for criticism. The executive department shows its alertness and aggressiveness in protecting its rights. Those who advocate this appropriation would have the legislative branch of the Government supinely approve and endorse encroachments upon its authority to legislate by ratifying in an item of appropriation all of the acts, rules, and regulations of this agency, which has not one line of statutory authority to support it nor one constitutional provision as basis for its existence. That would be the effect of our action if we approve this item in this appropriation bill.

I hope that the President's statement in signing this bill may lead us to some reclarification of the powers properly belonging to each of the three branches of Government. We should start now by defeating this appropriation.

I thank the Senator from Mississippi for yielding.

Mr. EASTLAND. Mr. President, I thank the Senator from Georgia for his observation.

As I said, there is no congressional authority for the establishment of this Committee, and the President of the United States lacks the authority under his war powers to create it.

Mr. MURDOCK. Mr. President, I make the point of order that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

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

Aiken	Hatch	Robertson
Ball	Hill	Russell
Bankhead	Holman	Shipstead
Barkley	Johnson, Calif.	Stewart
Bilbo	Johnson, Colo.	Taft
Brewster	Kilgore	Thomas, Idaho
Burton	Lucas	Thomas, Okla.
Bushfield	McClellan	Thomas, Utah
Butler	McFarland	Truman
Byrd	McKellar	Tunnell
Capper	Maloney	Tydings
Chavez	Maybank	Vandenberg
Connally	Mead	Wagner
Cordon	Millikin	Wallgren
Danaher	Moore	Walsh, Mass.
Davis	Murdock	Walsh, N. J.
Eastland	Murray	Weeks
Ellender	O'Mahoney	Wheeler
Ferguson	Overton	Wherry
George	Pepper	White
Gerry	Radcliffe	Willis
Gillette	Reed	
Gurney	Revercomb	

Mr. HILL. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senators from Nevada [Mr. MCCARRAN and Mr. SCRUGHAM] are absent on official business.

The Senator from Florida [Mr. ANDREWS], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Missouri [Mr. CLARK], the Senator from Rhode Island [Mr. GREEN], the Senator from Pennsylvania [Mr. GUFFY], the Senator from Arizona [Mr. HAYDEN], the Senator from Indiana [Mr. JACKSON], and the Senator from South Carolina [Mr. SMITH] are detained on public business.

The Senators from North Carolina [Mr. BAILEY and Mr. REYNOLDS], and the Senator from Texas [Mr. O'DANIEL] are necessarily absent.

The Senator from California [Mr. DOWNEY] is absent on official business for the Senate.

Mr. WHERRY. The Senator from Vermont [Mr. AUSTIN], the Senator from Illinois [Mr. BROOKS], the Senator from North Dakota [Mr. LANGER], the Senator from North Dakota [Mr. NYE], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The Senator from Wisconsin [Mr. WILEY] is absent attending the wedding of his daughter.

The Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

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

Mr. CHAVEZ. Mr. President, I dislike very much to disagree with some of my colleagues. I have listened attentatively to the junior Senator from Georgia [Mr. RUSSELL] and to the junior Senator from Mississippi [Mr. EASTLAND]. I wish I could agree with them in their analyses of the pending amendment. I know that other Members of this body have views contrary to mine, but knowing them as I do, I am sure that they will accept my remarks in the spirit in which they are meant, even though they may be contrary to the views held by them.

Mr. President, the question relating to the item of $500,000 for the President's Committee on Fair Employment Practice goes further than the question of the amount of money which we are asked to appropriate. The item goes to the very fundamentals of our Government. It goes to the very origin of the creation of the Republic. It goes even to the background of the creation of the Republic. Mr. President, either we shall have a republic for all of us, or our Government will be a failure. The reason I am interested in the item having to do with the Committee on Fair Employment Practice is because I want the United States to belong to all of us, and not to a few.

Who is the American citizen, and why is he an American citizen? To what is he subject? The American citizen—and I do not mean the manufacturer only, or the so-called businessman; I mean all of us—is subject to two things. He is subject to duties and responsibilities, and he is subject to rights. Unless rights go along with duties, the functions of the Government as it was created cannot successfully be performed. The American citizen must die, if necessary, in the defense of his country. The American citizen has the duty to pay his share of the cost of Government. But the American citizen is entitled basically to all the rights accorded by the laws of his country.

So, Mr. President, in this particular instance we are merely returning to fundamentals. How was this country created and why was it created? In order to take care of business only? No. In order to take care of a few citizens only? No. It was created for all. The first step which was taken by the creators of the American Nation resulted from abuses such as the Committee on Fair Employment Practice is attempting to correct. They were abuses on the part of the mother country, and the men then living within the Thirteen Colonies decided that they were freemen and declared their independence. They framed and promulgated the Declaration of Independence. I hope to prove by that very instrument which was drafted and imbedded in the minds of the people of the continental United States long before the existence of the Committee on Fair Employment Practice why the American people revolted against England.

Mr. President, why did the people revolt? The answer to that question was stated very clearly in the Declaration of Independence. Why did we go to war against England? Why did we initiate the Constitution which made it possible for us to be here today? I will endeavor to state why.

The men who drafted the Declaration of Independence uttered the truth. I have a copy of the Declaration of Independence before me. As I proceed step by step it will be my purpose to endeavor to convince Members of the Senate that it would be in keeping with the initial steps of our Government were we favorably to act upon the item now in controversy.

Those who wrote the Declaration of Independence said:

We hold these truths to be self-evident, that all men are created equal—

Of course, that did not mean social equality. That did not mean that someone must ask me to go to his home tonight and have something to eat with him. That expression, Mr. President, meant equality of opportunity under the law and under the Constitution.

that they are endowed by their Creator—

Not by the Members of the United States Senate, Sidney Hillman, or someone else, but by the Creator—

with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness.

That was the first declaration of freedom, the first enunciation of freedom as we should have it today. It was the first step. We did not have a government at that time, but only some men who wanted to be free.

Following the Revolutionary War the men who fought it and their followers got together to form a government. I think I know the history of this country; I believe I know the philosophy underlying the creation of this Government, and I believe I know for what we are fighting for today. After the Declaration of Independence the men who had fought against England, who had declared themselves independent, formed a government and wrote a constitution in which I believe and which I think should be followed in every instance, whether it be for the protection of property or for the protection of the individual. In my opinion, humanity is more important than property.

Why did the founders of our country frame a constitution? The reason is set forth in the preamble to that noble instrument. I shall read the preamble. Those who wrote it did not say, "We the businessmen," or "We the members of the C. I. O.," or "We the members of the United Mine Workers," or "We the members of the Democratic Party," or "We the members of the Republican Party." No; they said:

We the people of the United States—

All of us—

in order to—

What?

in order to form a more perfect union, establish justice—

Is there anything unjust in having in these United States fair employment practices?

insure domestic tranquillity, provide for the common defense—

How can the common defense be provided for unless every citizen of the Nation is treated equally under the law and is accorded the same equality of opportunity?

promote the general welfare.

Is the general welfare promoted when Jim Jones, doing a piece of work in an industry engaged in the war effort or in

everyday life, but who happens to be of a certain color—I am referring to actual work; I am not talking about social equality; I am talking about sweat and blood and suffering and the creation of wealth—is paid one wage while Tom Brown, doing the same class of work, laboring the same hours, creating the same wealth for these United States, is paid more than Jim Jones is paid? Is that one of the things for which the people of the Colonies revolted against England? Is that what they enunciated in the Declaration of Independence? I think not, although I may be mistaken.

And secure the blessings of liberty to ourselves and our posterity—

How can liberty be assured to ourselves and our posterity if one class of people have economic liberty and all the people have political liberty, but another class of people have economic slavery? Can such a situation be reconciled with the fundamentals of the American Government? In that light, it cannot be proved to me that the item in the bill for the Fair Employment Practice Committee is not correct.

do ordain and establish this Constitution for the United States of America.

Mr. President, a few days ago the President of the United States, the Commander in Chief of the Army and Navy, sent to the Congress of the United States a message. It was dated June 12, 1944. Amongst the things that the President said at that time—and I quote from his message—were:

This Nation is appalled by the systematic persecution of helpless minority groups by the Nazis. To us—

To our country—

the unprovoked murder of innocent people simply because of race, religion, or political creed is the blackest of all possible crimes. Since the Nazis began this campaign many of our citizens in all walks of life and of all political and religious persuasions have expressed our feeling of revulsion and anger. It is a matter with respect to which there is and can be no division of opinion amongst us.

I am referring now to the message the President sent to this body with reference to people in foreign lands who have suffered under tyranny. I agree with that message. We should take note of it, and do everything possible to relieve the situation that is called to our attention by that message.

As Americans who believe in the Constitution and love our Government and want it to continue as it was created, how can we justify within our own country such practices as now prevail, although not under the law or the Constitution, when we condemn with the President those responsible for the sufferings of strangers? How can it be justified? How can we justify paying one person more than another for the same class of work because management, poor management, says that one man should receive less because of his color? Let me say, Mr. President, when the Jap goes forth to attack our men with his bayonet, seeking to cut the throat of an American soldier, he practices no racial discrimination and shows no racial favoritism whatsoever. He will kill the American boy who has a German name; he will kill the American with a Mexican name; he will kill the American Negro; he will kill the American with an Irish name; there is no racial discrimination in him when it comes to killing. But in this country, where we are supposed to be fighting for the things we love and for the freedom of mankind, we find the ugly head of racial and economic discrimination come to the fore.

Mr. President, this item in this bill, in my opinion from the standpoint of the Government itself, from the standpoint of international policy, is the most important item that has appeared in any bill or any appropriation. I know that there is opposition in certain quarters to this appropriation, and to the continuation of F. E. P. C. I believe that such opposition is based upon a misunderstanding of the fine work being done by F. E. P. C.

I assure those Senators who have a view contrary to mine that I am not interested in the personnel of the Committee. If I had had my way, I would not have had one of them on the committee, from what I know about those whose names have been read; but I am interested in the work of the committee. I did not have anything to do with the appointments; I was not consulted at all; but I favor the philosophy, the true-blue Americanism, in the functioning of the Committee.

I feel confident that I can convince my colleagues of the merits of the appropriation for the agency mentioned, and I want those who are kind enough to listen to me hear what I am about to say.

It so happens that in the field of racial discrimination, yes; racial prejudice, in our economic system, I am thoroughly familiar with the experiences of the Mexicans and Latin Americans, particularly in the southwestern section of our country. This discrimination is not confined to citizens of the Republic of Mexico or to citizens of Latin extraction from the other Latin-American countries, but it also involves citizens of the United States of several generations, persons who are descendants of Spanish colonials who arrived in New Mexico and the Southwest as far back as the sixteenth century; citizens of the United States who have ever been loyal to this country since New Mexico was annexed in 1848, and whose patriotism cannot be questioned. The War Department's records will show that they have participated with distinction in the wars of our country, and have made singular contribution to the martial record of the Republic for almost a hundred years.

Only a few years after New Mexico became a part of the United States, the War between the States began. New Mexico did its full share in that war in the interest of the Union, and many of its citizens also sided with the Confederacy. Whether for the Union or for the Confederacy, they did their duty as they understood it at that time.

They prepared the ground for and participated fully in the efforts of the Government to control what in those days were considered as savage tribes.

They participated in the war against Spain, and the muster rolls of Teddy's Rough Riders contain many a name of Spanish derivation.

Thousands of those Americans who took part in the First World War, and many who are now lying in American cemeteries in France, were of Spanish colonial extraction. In this war they are found in every branch of the various services and in every theater of operations: In India, Burma, and the Pacific, in Africa, Italy, and the beach heads of France.

I mention these things to prove that these Americans of the Spanish southwest have not asked for the right of equality of opportunity as a gift, but, as is just and proper, they have purchased this privilege with their sweat and blood.

The people of the country know of Joe Martinez at Attu. Recently in the advance on Rome, Private Aguilar, of Brownsville, Tex., walked into the American lines with 18 or 20 German prisoners.

There are Senas on missions for the Air Corps in the Pacific, and as paratroopers in the same area. There are literally hundreds of the same stock of American boys now prisoners of the Japanese in the Philippines, themselves planting the rice upon which they subsist in order that you and I, Mr. President, may continue to relish the proverbial "three squares a day."

Does anyone think that at Bataan or Corregidor, when our men were acting under the orders of General Wainwright, the Japanese made any differentiation as to whom they were about to kill, whether they were of Mexican ancestry, from New Mexico, or Irish ancestry, from Brooklyn, or the best Anglo-Saxon stock of the country, from Georgia? They did not. They killed all they could, and, as I have said, those who are still alive are planting rice at this time. There is no differentiation as to racial stock in the prison camps in the Philippine Islands.

Another virtue of these Americans of Spanish or Mexican extraction is outstanding. Never, since they became citizens of this country, have they interfered with the policies of our country in matters affecting the United States with relation to the republics of Latin America. This can scarcely be said of any other racial group within our borders. Has anyone ever seen a Spanish name in a list of saboteurs? While it is true that they have the same racial, religious, and historical background as the peoples of Latin America, they have never petitioned our Government, or otherwise insisted that this country should do certain things in matters affecting their mother country or countries of similiar racial stock. How does this compare with the activities of other minority groups in this country with reference to their mother countries?

That discrimination against the American of Spanish or Mexican extraction has prevailed in the Southwest, and

prevails today, is known to all. I can say that it is not as rampant today as it has been in the past. Official sanction is not being given to discrimination. But it does exist, especially in the lines of economic endeavor, and, because this is true, I want the F. E. P. C. to continue in operation.

In my opinion, the activities of the F. E. P. C. in trying to adjust cases of discrimination which come to its attention have done more to bring about actual good will in Latin America than the many millions spent by the Coordinator's Office, by lend-lease agencies, or by the former Board of Economic Warfare combined.

I know the reaction of Latin Americans to the abuse of Latins, and no matter how many millions are spent below the Rio Grande we will not bring about good will amongst the people of those countries toward the United States unless their citizens and American citizens of the same origin are treated in keeping with the ideals and traditions which we so proudly proclaim as part and parcel of the American way of life.

We may spend millions of dollars in Mexico, but when one of their legislators is denied food in a restaurant in a southwestern country town these millions are worse than wasted. Other millions, even billions of dollars, might be spent in other Latin-American countries, but when the cadets we bring here, and who are our guests in our Air Corps camps, are denied the privilege of swimming in a public swimming pool, the millions of dollars are again worse than wasted.

It all goes back to the ancient truism that the finest and the most valuable things in life cannot be purchased with money, simply because they are not for sale. Thus, when the same Latins know that in the copper mines of the southwest Jim Brown gets $6.90 while Jose Gonzales gets $3.60 for the same class and type of work, do not count on the efficacy of the millions of dollars which are spent in an effort to buy good will.

When the Latin-American knows that citizens of Puerto Rico, whose sons in the present war number some 65,000, are denied jobs in war industry or the right to pick the citrus fruits of Florida because labor groups object, the millions of dollars which have been spent since 1941 will have been tossed to the winds of wasted effort.

The Latin-American public is keenly alert to these conditions, and their negative effect upon inter-American relations is becoming more marked every day. In Mexico, public opinion is overalert to the treatment which Mexicans receive in our country. It may surprise some Senators to learn that only recently there has been set up by the Chamber of Deputies of the Republic of Mexico, a committee for the purpose of keeping the attention of the Mexican Congress focused on discrimination against Mexicans in the United States. This sensitivity of national dignity is just as present in the other republics of Latin America, and the recognition of these circumstances by Axis agents has afforded them opportunities to stir up ill feeling on the part of Latin-Americans toward the United States.

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

Mr. CHAVEZ. I yield.

Mr. RUSSELL. I was interested in the Senator's statement that a certain committee had been set up in Mexico. Do I correctly understand that the committee was set up by the parliamentary body of Mexico, or was it set up by the President of Mexico?

Mr. CHAVEZ. It was set up by the parliamentary body of Mexico.

Mr. RUSSELL. That is entirely beside the question I have raised here.

Mr. CHAVEZ. The point I make is that the Fair Employment Practice Committee deals in many instances with matters affecting Mexican citizens in such a way that the little money spent by the Committee is of more help to the goodwill efforts of this country than all the money we are spending through the Coordinator's office. How would we feel if matters were reversed. Suppose Mexico gave us everything she had for the war effort, but at the same time let us assume that the Senator from Georgia [Mr. RUSSELL] and I were to endeavor to go to Mexico—I am speaking of individuals now, for what is happening affects individuals—and we were told "No; we will not let the Senator from Georgia or the Senator from New Mexico come into Mexico because they are Americans." We would strongly resent such treatment. It is such minor matters that the Committee is trying to adjust, and adjustment of them is of great help in the effort which is being made toward the establishment of friendly relations between this country and Latin America.

Mr. RUSSELL. Does the Senator from New Mexico state that the Fair Employment Practice Committee is trying to adjust matters of that nature? I understood the Chairman of the Committee to contend that the Committee invaded only the field of economics and the economic relations of the various races of people.

Mr. CHAVEZ. Oh, yes; that is correct. Before I conclude I wish to call the Senator's attention to a couple of business concerns in this country in connection with which the Committee did some work. My friend the junior Senator from Mississippi spoke of the poor businessman whom he is trying to defend. That is all very well, but I want the poor businessman to do what is right also.

Let me show how far this situation extends. The Axis Powers are ever on the alert to try to take advantage of an isolated case of abuse in order to use it for their purposes. In this connection it is singularly pertinent to call the attention of the Senate to an address delivered by me in Spanish to Latin America, via short wave, on February 11, 1942. I have been donating my time throughout the war period to the Coordinator's office and have been making short-wave talks to Latin America. In this particular instance, on February 11, 1942, I made an issue of our oft-vaunted boast that the United States of America is a land in which men from every nation may find opportunities to live in peace and under justice. Scarcely were my words received by the Nazi stations than the Ministry of Propaganda of the German Reich issued a statement that the Nazis knew and know about the atmosphere of social and economic discrimination which pervades our country as a whole. They are the same facts which have been verified by our own social and governmental agencies.

But, as I stated before, the Fair Employment Practice Committee, with a very limited fund provided from the President's fund, has done outstanding work trying to correct these abuses, thereby notifying our Latin-American friends that no official sanction will be given to either discrimination or abuse of racial minorities in our economic system. By that I do not mean social equality; merely equality of opportunity economically.

Please believe me, Mr. President, when I state that this Committee is worth more to the people of the United States, to the interests of peace in the future, unless it is desired to use the big stick, to the interests of commerce between people of the different countries, than all the other agencies put together.

I call attention now to a few instances of unfair employment practices which have come to the notice of the Government. I call them particularly to the attention of the Senator from Georgia, because I am going to show how poor business concerns such as the Dutch Shell Oil Co. and the Sinclair Oil Co. are affected. I shall call attention to some of the so-called complaints that have come to my attention and the attention of the Committee and the Government inasmuch as they affect international relations.

A report dated June 3, 1944, from the President's Committee on Fair Employment Practice incorporates an extract from a communication received from the Nonferrous Metals Commission. Having to do with the wage differentials in common labor rates paid to Mexicans and Anglo-Americans for the same work performed, this report states:

> So that it will be thoroughly understood that the problem of discrimination encountered in the instant case is not peculiar to the subject companies or the mining industry, it is well that we consider the problem generally. Carey McWilliams, an outstanding authority in the field, has written, "It has been pointed out, ad nauseam, that the Mexican migrant is ill-housed, ill-clothed, and ill-fed. His children are retarded in the schools and in many areas they did not even attend schools. From every point of view, Mexican migratory workers (most of whom are fairly recent immigrants) constitute a definite disadvantaged, submerged class of our society.
>
> "They are the victims of a well organized caste system which dooms them to restricted types of employment, visits upon them a complex and comprehensive system of social discrimination, and makes for chronic maladjustment. This system, moreover, tends by its very nature to be self-perpetuating."

Reports are constantly coming to me of social and economic discrimination against Mexicans and Latin Americans,

and almost every Western and Southwestern State is the stage upon which these un-American dramas are being acted. They all point to the unfair treatment of these groups through the application of discriminatory wage scales by every type of private enterprise.

We have in this city the headquarters of the Pan American Union. The Pan American Union is supported by the countries of Latin America, by the United States, and by Canada. The idea is to try to get along basically. Among the personnel of the Pan American Union is a Mexican who appeared before the House Labor Committee the other day and gave some testimony.

Ernesto Galarza, chief of the labor section of the Pan American Union, in a statement before the House Labor Committee on June 2, 1944, observed that—

> Next to Negroes, this group represents one of the largest so-called minorities in this country. It is probable that if all persons having some degree of identification with Hispanic and Indo-hispanic culture—economically, socially, linguistically—are included, the total size of this group would not be far from 2,500,000.

They are here. The majority of them are citizens of this country. They participate in the every-day life of this country. They go to war for this country. They die for this country. At election time we try to persuade them to vote for our side; but in the economic field or in Government enterprise they are set aside.

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

Mr. CHAVEZ. I yield.

Mr. MAYBANK. The Senator is arguing about the economic disadvantage which I regret exceedingly seems to exist among certain groups because, perhaps of race. The Senator will agree with me, will he not, that there is also an economic disadvantage to certain sections?

Mr. CHAVEZ. That is correct. That is why I wish to have a revision of freight rates in the South.

Mr. MAYBANK. Not only that; but an economic disadvantage exists in pay rates. For example, in New York the wage scale is much higher than in Charleston or Mobile.

Mr. CHAVEZ. That is correct; but that is not the point. The point is that discrimination exists because of race. A man is not placed on a certain job because he happens to be of Italian ancestry or Irish ancestry. The point I am trying to make is that if there is a job to be done, there should be no discrimination against men because of race.

Mr. MAYBANK. The Senator is making the point that there is an economic discrimination in wage scales because of race.

Mr. CHAVEZ. That is correct.

Mr. MAYBANK. Can we not also agree that there is a discrimination in wage scales as between various sections?

Mr. CHAVEZ. That is correct.

Mr. MAYBANK. There is a discrimination as between various sections in wage scales in the Government service.

Mr. CHAVEZ. Not for the same type of work. We have the Classification Act, and if a person is CAF–2, he receives CAF–2 wages.

Mr. MAYBANK. I did not mean that. The discrimination to which I refer is in Government navy yards in different sections.

Mr. CHAVEZ. There is no question about it. But if Jim Jones is a machinist, and working at the navy yard for $8 a day, why should Tom Smith, working on the next machine, doing the same class of work, be paid only $6 a day?

Mr. MAYBANK. Does not the Senator agree with me that in navy-yard work, whether it be done in New England, in the South, or on the west coast, there should be an even scale of pay? In levying taxes, Congress calls upon each and every one to pay the same rate of taxation on a given income.

Mr. CHAVEZ. That is correct. The point I am trying to make is that if the boy from the Southwest, the boy from the Northwest, the boy from the Northeast, and the boy from the Southeast go together and work for $50 a month, and die on the beaches of Normandy, their brothers should be entitled to equal wages for the same class of work.

Mr. MAYBANK. Why are not men in various sections of the country entitled to the same pay? The military pay is the same in all sections. Why should individual Government pay in New England be higher than individual government pay in the Southeast, in factories? The Army pay is the same in all sections.

Mr. CHAVEZ. Whenever the Senator comes forward with a proposal to pay wages in the South as high as those paid in New England, I shall be for it.

Mr. MAYBANK. I appreciate the Senator's attitude. I do not wish to be misunderstood as drawing a comparison between New England and the South. I merely mean that in the larger navy yards in the Northeast the pay is considerably above that in my section.

Mr. CHAVEZ. That is correct.

Mr. Galarza further said:

> In spite of his lowly social position, the contribution of the Mexican to the development of certain parts of this country, especially the Southwest, has been notable. Former Vice President John N. Garner recognized this fact in his testimony before a Senate committee in 1928, when he said: "The seasonal Mexicans in our territory do a kind of labor that no others are willing to do * * *. I can mention two counties down there on the border that have increased in taxing value in the past two decades from $3,000,000 to $88,000,000. That increase would not have been brought about if we had had an immigration quota to apply to Mexico."

My point is that we should do the decent thing, the American thing.

This contribution of the Mexican workers, however, has produced nothing but unfair-labor practices. It has not protected them from a type of economic discrimination which falls into four main classifications: (1) refusal of employment; (2) withholding of opportunities; (3) refusal of promotions according to seniority and ability; and (4) payment of lower wages for the same work as performed by Anglo-Americans.

During the summer of 1942, the War Department, under contract, started the construction of what is now Camp Hale, at Pando, Colo., Pando being a short distance from the city of Leadville. The Army, of necessity, wanted the camp completed as soon as possible. Hundreds, even thousands, of citizens flocked to the construction projects for the purpose of contributing their effort on behalf of the war.

Hundreds of citizens of Colorado, New Mexico, and Utah, whose ancestors were residents of those areas, obtained employment; but lo and behold, one day I received a telegram from a citizen of my State by the name of Juan Romero, at that time actually a member of the New Mexico State Legislature, but who had been working at this Army construction camp, to the effect that he and over 500 others had been dismissed at the instance of the construction colonel and Mr. Platt Rogers, the contractor—one of the poor businessmen we hear about—simply because they were supposed to be Mexicans.

They were no more Mexicans than is the Senator from New York [Mr. WAGNER] or than I am. So far as citizenship is concerned, they were no more Mexicans than are any of the Senators listening to me. They were American citizens, but they did not have English-sounding names. Their brothers could have been dying in Japan, in Burma, in Africa, in China, or elsewhere. They were dismissed at the instance of the construction colonel and Mr. Platt Rogers, the contractor, simply because they were supposed to be Mexicans.

Sometime ago the Congressional Medal of Honor was awarded to a boy from my section of the country who died at Attu. His name was Joe Martinez. The Congressional Medal of Honor is not awarded indiscriminately. A man must do something on the heroic order in order to receive such an award. That boy died at Attu. We should examine the records of the War Department. Some boys who were told to go would not go. But this so-called Mexican, from Colorado, did go. With a gun on his shoulder, he took the whole impact of the Japanese bullets. Nevertheless, his brother or his uncle or some other relative of his could not get a job in the war effort at Pando, Colo., because his name is Martinez. We give Martinez a medal for dying, but we refuse a job to his relative or to his friend. Then we complain, and we wish to cut out an appropriation, because a committee selected by the President is attempting to rectify such an un-American condition.

I do not take things of that type lying down. I took up the matter with General Marshall, with the Chief of Army Engineers, who was in charge of the construction, with the senior Senator from Colorado [Mr. JOHNSON] and with the junior Senator from Colorado [Mr. MILLIKIN] in whose States the camp is located, with the Governor of Colorado, who happened to be a Republican at the time, and with the F. E. P. C. I received the full cooperation of all concerned. That was as it should be. An investigation was immediately made, and the matter was found to be so discriminatory, so unfair, and so un-American

that the persons who had been dismissed were placed back at work within several days.

Can anyone still tell me that we do not need some agency of government to carry out such functions of government and to try to preserve the things which were created through the instrumentality of the Declaration of Independence and the Constitution, and for which our boys now are dying?

Again in talking about good will, let me ask whether Senators believe that all the millions of dollars we spend below the border can convince the people of the Latin-American countries that we are their friends, if such a thing as the one which occurred at Camp Hale, Colo., is tolerated or allowed to continue?

Permit me to cite other cases:

On November 24, 1943, I complained to the Chairman of the F. E. P. C. about a discriminatory advertisement which had appeared in the Albuquerque Morning Journal of November 19. That advertisement stated that Anglo girls were wanted for fountain and restaurant work. What did the Committee do? It did not go down there and use the Army to drive or force people to do certain things. It merely went there, talked over the matter, and said, "See here, these girls do not have to be of Anglo-American stock. Our people are composed of representatives of various races," including Sidney Hillman, whether we like it or not.

As a result of that action by the Committee, the advertisement was discontinued. American girls of Latin extraction were hired by the party charged, which was the Engineers Exchange of Albuquerque, N. Mex.

Now let us consider the poor people who are unable to take care of themselves without the help of the Senate. Workers at the Humble and Sinclair Oil Cos. need our help. Do Senators have any doubt about that? When Mexico, under her laws, did certain things, the Humble Oil Co. and the Sinclair Oil Co. wanted our help, and they complained that they were being mistreated. We are supposed to go there, to protect their so-called rights. We are supposed to go there and to use the strong arm of the United States—and our Government has a strong arm—to protect their so-called rights, regardless of whether those rights were obtained by means of arson, murder, or robbery. We are supposed to protect them. But in their dealings in this country, what do they do to the so-called poor Mexicans? Those companies, the Humble Oil Co. and the Sinclair Oil Co., say we are abusing them because we want them to do the right thing by some poor laborers. Workers at the Humble Oil Co. and the Sinclair Oil Co., in Texas, filed complaints with the F. E. P. C. Those complaints were a part of a number of charges filed against those two companies and against the Shell Oil Co. The Committee was able to adjust the specific complaints. All the Committee did was go down there and talk about the matter with the companies. The Committee succeeded in adjusting the specific complaints against the Humble and the Sinclair Oil Cos., but is still attempting to correct the discriminatory policies of the Shell Oil Co. The Shell Oil Co. has been using those practices in this country. The Shell Oil Co. is also a foreigner; it is not an American company. It is doing business here through the tolerance of this Government and through the tolerance of the American people. Merely because a committee of the President is attempting to obtain fair employment practices on the part of that company, we are told that we are driving business to perdition.

All Members of the Senate will recall the early 1920's. All of us recall what the oil companies did to us, unbeknown to us until the late Senator Walsh of Montana developed in this body what those oil companies were doing. Of course, because a little, two-by-four committee of the President wants them to pay the correct and proper wages, to treat a human being with the dignity to which he is entitled, we are told that we are driving those poor business people to perdition. Mr. President, it is too pathetic.

In all those cases, company practices prevented Mexican workers from obtaining opportunities to hold better paying and more skilled jobs. In anything as deep-seated as the discriminatory practices encountered, it would be foolish to say that all the problems in connection with the Humble Oil Co. and the Sinclair Oil Co. have been finally adjusted, although the specific complaints have been taken care of.

When we talk about good will, we must not forget the treatment received by Mexican workers. We might give the Office of the Coordinator of Inter-American Affairs $20,000,000. We gave that office $43,000,000 last year. But I can tell you, Mr. President, how it all goes to waste.

Mexican workers encountered difficulty in obtaining employment at the Dallas plant of the North American Aviation Co. Those individuals were qualified workers who were unable to obtain clearance for employment because they were still citizens of Mexico, although they had been living in the United States for a number of years. It is important to keep in mind that such persons were subject to the draft, and could be called for military service. Therefore, in all fairness, they should have had an opportunity to obtain employment. Dr. Carlos E. Castaneda, who was then Acting Regional Director in the Committee's Dallas office, succeeded in obtaining clearance for those workers, and approximately 50 men were employed as a result of his efforts.

Currently, the committee is investigating complaints of wage and occupational discrimination against Mexicans in the copper industry. So far, the investigation has included the following communities: In Arizona, Winkleman, Globe, Clifton, and Phoenix; in New Mexico, Santa Rita; and in Texas, El Paso.

Of course, one cannot blame the Government for responsibility in individual cases. Many of these instances of discrimination are caused by individual citizens, businessmen, corporations—yes—and even unions; but it is the duty of the Federal Government, in my opinion, to adjust such abuses, especially in wartimes.

Mr. President, let me inform my fellow Senators about the people of Latin America. I think I know them. I happen to be of Spanish extraction. I think I know their virtues and their failings, their feelings, and the psychological reactions of Latin Americans. I know their individuality, their characteristics, their emotions, their racial and religious background. Good will cannot be bought from a person of Spanish or Latin extraction. More can be done by a kind word, by decent treatment, by fair play, than by all the millions of dollars which may be spent. Courtesy and personal dignity constitute the keystone of their culture. A recognition of fair play and common decency in our treatment of our neighbors is all that is necessary. A recognition of the dignity of the human being, the dignity of birth, and the glory of death will bring about good will. I respectfully submit this thought to my fellow Members of the Senate, with the hope that it may contribute to the affirmative side of the argument on the merits of the item involved in the F. E. P. C. appropriation. I would consider myself unfaithful to the duties of my office and to my obligations as a citizen of this Republic were I not to support without qualification the appropriation making possible the continuance of the present Committee on Fair Employment Practice.

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

Mr. CHAVEZ. I yield.

Mr. RUSSELL. I regret that I was called from the Chamber once or twice during the remarks of the able Senator from New Mexico. I wonder if the Senator touched upon the constitutional aspects of the question with respect to the right or power of the President to establish an agency with powers which this agency claims to possess.

Mr. CHAVEZ. I may answer the Senator in this way: The interpretation of the Constitution is rather peculiar. I have heard arguments in this body to the effect that a certain piece of proposed legislation might be constitutional or might not be constitutional. I have heard lawyers, in whom I had confidence, argue that the particular provision now being discussed is constitutional, and I have heard other highly respected Members give an entirely different interpretation of the law. I have no opinion with regard to it.

Mr. RUSSELL. Of course, the Senator knows that we do not have legislation before us. A question as to constitutionality of legislation would not be germane.

Mr. CHAVEZ. The Senator is correct. However, I do know that, due to the emergency itself, we have given the President certain war powers. Whether we had a right to do so is beside the question.

Mr. RUSSELL. Which one of the war powers does the Senator believe has been exercised in creating this agency?

Mr. CHAVEZ. I have no ideas with regard to it, one way or the other.

Mr. RUSSELL. The agency was created in June 1941, which was before we were involved in the war and before we had granted to the President any war powers.

Mr. CHAVEZ. The Senator is correct. Up to this particular point that authority has not been questioned. I understood the Senator from Georgia so to tell me last week, when I asked him during the debate if anyone had questioned the authority of the Committee to act.

Mr. RUSSELL. The Senator from New Mexico is a lawyer, and, of course, he knows that a citizen cannot sue his Government without its consent. I do not know how the question of legality may be questioned when no citizen may go into court and sue a department of his Government for having imposed sanctions.

Mr. CHAVEZ. I recall that only a few weeks ago we had before us the matter which arose in Chicago involving the taking over by the Government of the Montgomery Ward plant. I was one of those who believed that possibly the Government did not have the authority for doing what it had done. However, the Government took over the plant. I questioned the authority of the Government to take over the Montgomery Ward plant, but it was taken over. There was subsequently some adjudication which caused me to believe that possibly I had been wrong and that the Government, after all, had the necessary authority.

Mr. RUSSELL. I do not believe there is any similarity between the issues involved in the case of seizing the Montgomery Ward plant and the right of the Government to seize a business by virtue of a citizen refusing to obey the rules of an agency not created by an act of Congress.

Mr. CHAVEZ. It is all a matter of opinion. There are some very good lawyers in the other House, and some of them are of the impression that the provision under discussion is legal. The members of the committee approved the provision, 14 to 6. Evidently they felt there was some authority for the provision.

Mr. President, there should be little necessity for elaborating on the reasons supporting the continuance of the President's Committee on Fair Employment Practice. Aside from the practical aspects of the matter, the same moral, social, economic, intellectual, and patriotic arguments could be summoned to sustain the unyielding Americanism of this appropriation which could be resorted to for purposes of upholding the provisions of our Declaration of Independence, our Constitution, and our Bill of Rights. Certainly, there is not a scintilla of moral error in the constitutional provision that every American citizen is guaranteed the certainty of these freedoms under law which will contribute to his enjoyment of life, liberty, and the pursuit of happiness.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article recently appearing in the press entitled, "Good Neighbors," written by Virginia Prewett.

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

GOOD NEIGHBORS

(By Virginia Prewett)

MINORITY PROBLEMS

One of the most significant results of the American people's increased interest in New World relations in the last year or two is realization that something must be done about our Spanish-speaking minorities, the Mexican-Americans and the colonial Spanish of the Southwest.

War has made this problem more acute, as it has complicated every social and economic task the Nation faces. As yet no comprehensive official program has been launched to make a long-term attack on this specific maladjustment in the Nation's life, yet it is unfair and untrue to say, as extremists do say, that indifference continues and nothing is being done.

The fact is that as we fight a war spread out all over the earth and burn midnight oil over the coming peace, the American people still have attention and energy to take up this problem.

Scattered aid in economic difficulties has in the recent past been given by W. P. A., C. C. C., N. Y. A., Soil Conservation, and like programs. Yet official policy makers have recognized that the fundamental cure can only begin when the Anglo-Americans of the Southwest themselves consciously attack the prejudices barring the Spanish-speaking minorities from full share in the American heritage. The C. I. A. A. has been able to get a very modest sum to back a move in this direction and the results are heartening.

TEXAN SOLUTION

The State of Texas has organized a Good Neighbor Commission with three Anglo-American and three Mexican-American members. Subcommittees are being set up in Texas cities and towns. Made up of representatives of the local chamber of commerce, the American Legion, and civic bodies, these committees will attack the problem direct by going to local establishments and explaining the need for nondiscrimination.

Educational campaigns through films, the radio, and the press will bring the need before the whole Anglo-American community. Ways will be found to bring Mexican-Americans into community activities.

The University of Texas and the whole State school system is cooperating fully in the educational campaign. This influence can scarcely be overestimated.

In New Mexico, where Spanish colonials make up a large part of the population, the State university has received a grant for a State-wide program. A field worker has canvassed many towns to find out what each one's biggest problem is.

LOCAL COMMITTEES

Local committees have been set up and given partial financial aid in meeting their main need. Where juvenile delinquency was the first headache, recreational facilities have been provided for young Hispanos. In Pecos, for example, where Anglo-American and Hispanic-American juvenile gangs used to wage war on each other, they now go to each other's juke-box dances.

Very small Hispanic-American communities have done such things as put in a well for the school. It has been found that these communities, once shown the way, develop their own leadership and go forward toward solving other problems.

California's situation has been worsened by war shifts in population. Today the Southern California Council of Inter-American Affairs, with an advisory committee of Mexican-Americans, is hard at work. An outstanding achievement resulted this spring when the council asked industries, labor organizations, the W. M. C. and U. S. E. S. to compile data on the Mexican-American as a vocational worker.

The survey revealed that Mexican-Americans in industry have as good or better records on attendance, technical performance, up-grading and taking advantage of opportunities than Anglo-Americans. This directly explodes the old theory that "Mexicans are lazy" and "don't want to work" so long used against the Mexican-American worker. This idea comes from experience with Mexican-American farm workers who are in fact listless and hopeless in the face of a rigid system of peonage that they cannot get out of. When given a chance, this survey proved, the Mexican-American is as alert and enterprising as anybody.

COLORADO'S PROGRAM

In Colorado, where four southern counties are heavily Hispanic, a program like the one in New Mexico is being set up. Denver has a very live inter-American center. When zoot-suit troubles involving the Mexican-American colony broke out in Denver this spring over 100 of the city's most prominent citizens got together and formed the Denver Unity Council. They have set up a permanent committee to investigate, and where possible, correct "situations involving discrimination or denial of legal rights on racial or religious grounds to anybody."

A clearing house for immediate action on all such incidents has been created. Study of minority group needs in housing, recreation, and health care has been undertaken.

The task of solving our Spanish-speaking minority problem is tremendous and it will take time and sustained effort to make headway. But a start is being made, and a start at the present time is great progress.

Mr. CHAVEZ. I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an editorial entitled "Funds for F. E. P. C." published in the Washington Evening Star of May 31, 1944.

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

FUNDS FOR F. E. P. C.

The Fair Employment Practice Committee, in some respects the most controversial of the war agencies created by Executive order, crossed one hurdle in its fight for survival when the House, by a four-vote margin, approved an appropriation of $500,000 for the agency, thereby exempting it from the death sentence which otherwise would have been imposed under the Russell amendment to the independent offices appropriation bill. A still higher hurdle in the form of Senate opposition remains, however, and if this proves insurmountable, the F. E. P. C. probably will go out of existence on January 1.

There are compelling reasons why the Senate should not permit this to happen. The fundamental purpose of the F. E. P. C. is to eliminate forms of discrimination which stand between minority groups, Negroes especially, and the realization of their legitimate economic aspirations. For the most part this program has been pitched on a note of wartime necessity for full utilization of labor, but this imparts a quality of impermanence to the effort which is unrealistic and harmful. For the undeniable fact is

that there will be more need after the war than there is now for an intelligent effort to strike down the artificial handicaps that discrimination imposes on Negroes and other minorities in the job market.

At the moment, however, the problem is to keep the F. E. P. C. from passing out of existence this year. Unfortunately, the committee has made errors of judgment and these mistakes have inflamed some segments of public opinion against it. But these mistakes should not blind one to the fact that this agency, relying largely on methods of persuasion, has been able to do a great deal of good work.

Approximately 3,000 complaints of discrimination had been docketed by the F. E. P. C. as of the first of this year. Nearly 1,000 of these cases were closed by January 1, about one-third of them representing satisfactory adjustments. The others listed as closed were dismissed for lack of jurisdiction or other reasons. If that is not a sensational record it is at least an unexpectedly good one for an agency which has to work in a field that has so many explosive possibilities.

On the record, and in good conscience, this is plainly a program which should be continued. There are Senators, of course, who are not in sympathy with what the F. E. P. C. has been doing and who are skeptical of what it proposes to do. But this is a matter which should be settled in perfecting a bill to give the F. E. P. C. a permanent legislative status on which the House Labor Committee begins hearings tomorrow. Nothing constructive could be accomplished, but serious harm would be done, by permitting the agency to die for lack of funds while legislation to give it whatever powers Congress thinks it should have is under consideration.

Mr. CHAVEZ. I further ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an editorial entitled "Fair Practices," published in the Washington Post of June 13, 1944.

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

FAIR PRACTICES

There is a simple yet very vital issue involved in the current fight over funds for the Fair Employment Practice Committee. The issue is this: Shall economic opportunity in America be limited on grounds of race, creed, color, or nation of origin? There can be no doubt as to how the American people, or their representatives in Congress, would settle this issue if it were stated in these real terms. Unfortunately, however, the issue has been distorted and obscured—imbued with wholly irrelevant emotional overtones and linked with complex questions of interracial relations. Some of this confusion has stemmed from misunderstanding. Some of it has been intentionally obscurantist in purpose.

The F. E. P. C. has as its sole function the elimination of unwarranted discriminatory practices in the employment of American workers. It is not concerned with abstract questions of social equality between races. It is not attempting—and has never attempted—suddenly to make over the mores of any section of the United States. It is not trying to do away with segregation or any of the manifestations of Jim Crowism—however repugnant these may be to democratic principles. As the Committee Chairman, Malcolm Ross, phrased it in testimony before the House Labor Committee the other day, "The mass of the American people can do as they please in their private lives but when it comes to earning a living, someone else with the hire-and-fire power offers the terms and conditions under which a man can earn his bread."

Race prejudice is an ugly factor in American life. Nevertheless it is a real factor and needs to be faced. The F. E. P. C. did not create race prejudice—as some of its critics have irresponsibly suggested. It is simply a mechanism for counteracting the effects of race prejudice in the economic sphere. As such it performs a service which is indispensable to the freedom of minority groups and invaluable to the welfare of the American economy as a whole.

During the progress of the war, the F. E. P. C. has done much to integrate the skills and energies of minority elements into our production program. We should have had fewer tanks, and planes, and landing ships for D-day if workers had been barred from industry through discrimination. In the course of the past 10 months, the F. E. P. C. has ended 26 work stoppages in vital production fields which had their origin in unfair employment practices; 3 of them were serious strikes in the steel industry. Its orderly, understanding approach to labor problems of this nature will be needed more than ever when we encounter the problems of demobilization and reconversion. For in this period discrimination can create chaos. If whole classes of men are denied an opportunity to earn a living because of the color of their skin, they will become desperate and dangerous.

The House has voted an appropriation of half a million dollars to carry on the F. E. P. C.'s work. The Senate Appropriations Committee, despite an unfavorable subcommittee report, has recommended the approval of this sum. Today the Senate as a whole will begin discussion of it. We hope that the discussion will be concerned with the real issue—not with bugbears conjured up to obfuscate it. We cannot deny to citizens of the United States equality of economic opportunity.

Mr. CHAVEZ. I also ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, an article by the Associated Press entitled "Officials Challenge Charges of Strained United States-Latin relations." The article deals with remarks which had been made by Dr. Hernane Tavares De Sa, which appeared recently in one of the local newspapers.

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

OFFICIALS CHALLENGE CHARGES OF STRAINED UNITED STATES-LATIN RELATIONS

Officials here today questioned the assertion of a Brazilian educator that United States relations with Latin America have been deteriorating for months because of political, economic, and personal relationships, but Senator BUTLER, Republican of Nebraska, who toured South America last summer and returned highly critical of the good-neighbor policy, said he indorsed the educator's statement 100 percent.

Speaking before the International Education Assembly at Frederick, Md., yesterday, Dr. Hernane Tavares De Sa, who is on leave from the University of São Paulo while employed in the adviser's office of the Coordinator of Inter-American Affairs, scored the succession of big and small blunders by the United States, and said that politically, Latin Americans do not know and they fear what will be done after the war with Brazilian bases now being used by this Government.

Officials here emphasized that the war has caused economic disruption in all countries, and they said it was doubtful if any one country could be blamed for the economic dislocation of another.

BUTLER MENTIONS HIS REPORT

The Brazilian Embassy said Dr. Tavares in no way presented the views of the Brazilian Government.

Senator BUTLER said that Dr. Tavares' statement "confirms the main point I attempted to make in my report to the Senate after a 20,000-mile trip through Latin America last summer."

Senator BUTLER also expressed agreement with Dr. Tavares' assertion that United States propaganda has "backfired."

Dr. Tavares said United States short-wave broadcasts were "addressed to 12-year-old morons, where, as a matter of fact short-wave sets are owned only by people of some means who rely more on the British Broadcasting Co. because of higher standards."

"I would like to repeat what I said in my report to the Senate," Senator BUTLER said in this connection, "that we are making a terrible mistake in not treating those people as our equals. They even excel us in many respects."

ROCKEFELLER OUT OF TOWN

Nelson Rockefeller, Coordinator of Inter-American Affairs, was out of town and his office would make no comment.

Other officials, who requested anonymity, were sharply critical of the Brazilian's statement that the situation he described had been "very carefully kept out of the press in this country." They pointed out that Senator BUTLER'S attack on the administration's Latin-American policy had been widely published, as well as recent reports of unrest, such as the revolts in El Salvador, Ecuador, and Bolivia.

As for his personal-conduct criticism, Dr. Tavares said United States officials sent to Latin America were "not carefully selected," that they "spent too much money" and many became "rowdy and drunk in the best casinos."

"Really, it is a minor thing," Dr. Tavares commented, "but these few give an impression of the United States all out of proportion to their numbers. The pity of it all is that Brazil is one Latin-American country where there existed general good will and a sympathetic attitude toward the United States even before the good-neighbor policy."

WIDE EXCHANGE OF STUDENTS URGED

He recommended an exchange of students "by the thousands" and of teachers as a vital part of relations with Latin-American countries, saying that "those who have lived in the United States for a year are your friends, no matter what the rest of their country may think, because they know the Americans."

Although Dr. Tavares was unsuccessful in his attempt to obtain a commitment from the assembly to invite Argentine representation to the next session, the representatives of 32 Allied Nations attending recommended that the executive committee consider inviting all nations.

Of the Argentine people, he said that "90 percent are out of sympathy with the regime." Dr. Tavares indicated he planned to leave his post of special adviser shortly and planned a Nation-wide lecture tour in October in an effort to better relations.

Mr. CHAVEZ. Mr. President, in order to carry out further the general idea, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article entitled "Plain Boys From United States Are Edisons of Air," appearing recently in the local press.

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

PLAIN BOYS FROM UNITED STATES ARE EDISONS OF AIR

(By Franklin Banker)

A United States Bomber Station in England.—Young "Edisons" by the dozens—they've invented more than 50 percent of their equipment—make the service squadron of this American bomber base one of the best in any theater of war.

These G. I. mechanics, electricians, and welders had to be "Edisons," for when they shipped here from the United States a year ago the things they didn't have outnumbered the things they had. Yankee ingenuity filled the gap.

These Eighth Air Force repairmen perform "major operations" on bombers when they return riddled by enemy bullets and sometimes have to crash-land. A plane is hauled into their hangar when its damage is too severe for the regular ground crew to fix.

These young geniuses have utilized everything so thoroughly that in 12 long months of the aerial war only two of their many battle-wrecked bombers had to be junked.

Although those two were junked, not a bolt was wasted. All the usable parts went into repairs for other bombers.

TIN CANS FOR PATCHES

In the pioneer months they patched up bullet-perforated fuselage with sheet metal made from tin cans. It wasn't possible to ship all the supplies they needed across the sub-infested Atlantic.

Staff Sgt. Robert M. Kinsall, Omaha, Ill., rigged up his own still when one broke down. Bombers had to have distilled water for their batteries.

They built their own pit for testing propellers, and their own overhead track to haul the heavy "props" around.

Once there was no time to wait for certain vital plane parts, so Staff Sgt. Ferdinand Yontis, Alexandria, Pa., dug up his own apparatus, melted down old parts, and cast them into the ones needed. This trick has been passed along to boys at other stations.

THEY FIX ANYTHING

Of all the tens of thousands of parts to a bomber, there's nothing this squadron can't fix.

The boss, 32-year-old Capt. Charles R. Lewis, Chicago, was an aeronautical engineer in peacetime. He could tell you enough of the inventions of his boys to fill a book.

"These boys are the most competent in the world," he declared. "They'll work 72 consecutive hours and pass up meals and furloughs to get our bombers back into battle.

"They won't go home with medals on their chests, but they'll know they had a great part in winning the war.

"And look who they are." He pointed to a roll call—Prosynchak, Hogan, Lacroix, Kalkbrenner, Rodriguez, and just plain Jones.

"That's America," he said. "That's the stuff Hitler will never lick."

Mr. CHAVEZ. I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a short statement entitled "End of Intolerance for United States Minorities Demanded by Ickes," which appeared recently in the press.

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

END OF INTOLERANCE FOR UNITED STATES MINORITIES DEMANDED BY ICKES

NEW YORK, June 6.—Secretary of the Interior Harold L. Ickes said last night the deliverance of the people of Europe must be accompanied by elimination of hate and intolerance for minorities at home.

"Here in the United States we cannot ignore the stark cold fact that we have a racial problem of significant proportions," he said at a testimonial dinner give Prof. Albert Einstein by the American Fund for Palestine Institutions.

"What good does it do," asked Mr. Ickes, "to send armies to Rome, Berlin, and Tokyo to 'liberate,' as we say, the inhabitants of those countries while denying people of those same extractions the liberation they have sought in this country"

Declaring "we make certain our own eventual defeat so long as we tolerate intolerance," Mr. Ickes continued.

"The Soviet Union has apparently solved its racial and ethnic problems, after generations of conflict, but not on the basis of a mere negative idea of racial 'tolerance.'

"It has done the job simply and directly on the principle that a man is a man and that he must rise or fall on the basis of his own character and ability.

"To talk of 'tolerance' for a man like Professor Einstein, or for the thousands of other outstanding Jews, Catholics, Negroes, and other minority peoples of this country is to imply that we permit them to live and work and associate with us on sufferance; that they are a burden which we bear in as genteel and Christian a spirit as possible. That, of course, is arrant nonsense."

Mr. CAPPER. Mr. President, I intend to support the request of the President, and the recommendation of the Bureau of the Budget, for an appropriation of $500,000 for the Committee on Fair Employment Practice. The President has created this Committee to insure that discrimination against the colored man shall not be practiced in employment in any industries connected with the war effort.

I believe sincerely and strongly that the appointment of this Committee, for the purposes named in the Executive order creating it, should be recognized and legalized by the Congress through making the appropriation recommended. Therefore I must vote against the amendment to strike this appropriation from the pending House bill. I realize the technical arguments advanced in support of the motion to strike the appropriation from the bill, but it seems to me that the main issue involved here goes deeper than legal technicalities.

I have devoted a good deal of my efforts as a publisher, as Governor of Kansas, and as a United States Senator from Kansas, toward obtaining for the colored man the equality of opportunity and the equality of treatment that the people of the United States have tried to accord him through the thirteenth and fourteenth amendments to the Constitution.

I am supporting the appropriation for the F. E. P. C. for the same reason I supported the measure to abolish the poll tax as a prerequisite for voting, while admitting the force of some of the constitutional arguments made against that proposed legislation.

The fact remains that the poll-tax laws in several States were written and have been enforced to deprive the Negro of the right of suffrage supposedly guaranteed him by the Constitution.

It also is a fact that there exists an unjustified discrimination against the Negro in many sections of industry, when it comes to employment.

The Congress has not hesitated to force the responsibilities of citizenship upon the Negro. When the draft laws operate, they recognize the equality of races. When it comes to employing men and women in industries, in the war industries, and in occupations related thereto, I believe we should be consistent. A race of people subject to the draft on an equality with the white man should also be accorded equality in obtaining employment to help prosecute the war on the home front.

In all my time in the Senate, I always have supported recommendations of the President, no matter who the President was or to what party he belonged when I felt he was right. In this instance I believe the President is right in attempting to end discriminations in employment due to race or color, and accordingly, in order to be consistent, I must support this appropriation.

APPROPRIATIONS FOR THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE

Mr. McKELLAR. Mr. President, I will ask the Chair to lay before the Senate the message of the House of Representatives announcing its action on a certain amendment to House bill 4204.

The PRESIDING OFFICER (Mr. WALSH of New Jersey in the chair) laid before the Senate a message from the House of Representatives announcing its action on a certain amendment of the Senate to House bill 4204, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
June 16, 1944.

Resolved, That the House still further insist upon its disagreement to the amendment of the Senate numbered 10 to the bill (H. R. 4204) making appropriations for the Departments of State, Justice, and Commerce, for the fiscal year ending June 30, 1945, and for other purposes.

Mr. McKELLAR. I move that the Senate still further insist upon its amendment numbered 10, ask a further conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate at the further conference.

Mr. WHITE. Mr. President, will the Senator indicate what the amendment is which is still in controversy?

Mr. McKELLAR. I will ask the clerk to read the amendment.

The legislative clerk read as follows:

Census of Agriculture: For all expenses necessary for preparing for, taking, compiling, and publishing the quinquennial census of agriculture of the United States.

Mr. McKELLAR. That is all that is necessary.

Mr. WHITE. I merely wanted to know what the amendment was.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee.

The motion was agreed to; and the Presiding Officer appointed Mr. MCCARRAN, Mr. MCKELLAR, Mr. RUSSELL, Mr.

BANKHEAD, Mr. CONNALLY, Mr. WHITE, and Mr. REED conferees on the part of the Senate at the further conference.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House further insisted upon its disagreement to the amendments of the Senate Nos. 1, 3, 5, 7, 8, and 9 to the bill (H. R. 4183) making appropriations for the fiscal year ending June 30, 1945, for civil functions administered by the War Department, and for other purposes; agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SNYDER, Mr. STARNES of Alabama, Mr. KERR, Mr. MAHON, Mr. POWERS, Mr. ENGEL of Michigan, and Mr. CASE were appointed managers on the part of the House at the further conference.

APPROPRIATIONS FOR WAR AGENCIES

The Senate resumed the consideration of the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

Mr. MEAD. Mr. President, I shall hurry along with my statement, and I hope I shall be able to point out that the F. E. P. C. is a very useful agency, that it was properly created, that its powers are wholly persuasive, that it has been fairly administered, and that it has a good performance record. I know there are those who are opposed to the task this agency is performing; they are opposed to the agency as it is now constituted, and they would be opposed to the agency if it were constituted by law. I know there are those who favor the work this agency is doing, but oppose the manner in which the agency was created. Then, there are those who favor the agency and its work and who are able consistently to go along with the agency as it has been set up by the President.

Mr. President, to realize the necessity that prompted the President to create this agency we would have to go back to the dawn of the manpower problem. It will be recalled that early in 1941 when we realized that an emergency was upon us it then became necessary for our own security to prepare to strengthen the military services of our country. It will be recalled that at that time there were drives by radio and in the press in an endeavor to spur productivity, industrial output, and the emergency program generally. It will be recalled that even before Pearl Harbor the President, under his emergency powers as Commander in Chief, took over a Los Angeles utility. Furthermore, he took over a large aviation plant, which indicated the approach of the acute manpower problem. Emergency methods were then adopted. Over-age men as well as thousands of women who never saw the inside of an industrial plant, even children in high school and grammar school, were employed in occupations in connection with the Nation's defense effort. But, Mr. President, all this failed to meet the requirements of industry and as a result the Nation was not sufficiently geared to meet the productivity which was required.

The Federal Government then addressed a questionnaire to the war goods manufacturers of the country, asking how many of them had new jobs open—open to Negroes. Fifty-one percent of all that were questioned had jobs both for skilled and unskilled labor, but they could not employ Negroes, and they gave as their answer, "employment policy."

Mr. President, Pearl Harbor came and with it congressional authorizations beyond the imagination of man for the production of war material and equipment, the like of which the world had never before visioned. Then and only then the President, in the acute emergency, the most serious crisis in all the history of our country, was called upon to take necessary action. He created the Fair Employment Practice Committee in order that every available man and woman and child who wa eligible otherwise might become a part of the great war-producing machinery of the Nation. Millions of our citizens until that time could not make their full contribution. There were factories and industries and machines of all kinds; there were millions of workers and yet there was a discriminatory labor policy that kept them miles apart. So, Mr. President, this agency was created. It was created in one of the darkest periods of our country's history. It was organized at a time when we were contemplating going beyond the shores of America to import men and women from outside to help in the emergency at a time when we were denying some of our own people the opportunity to work for the war effort.

Mr. President, what is the record of the Fair Employment Practice Committee? I read the record, and I read the hearings and the debates in the House of Representatives. First of all, what does the Executive order cover? I now read from the last Executive order of the President the following:

> Now, therefore, by virtue of the authority vested in me by the Constitution and statutes, and as President of the United States, and Commander in Chief of the Army and Navy, I do hereby reaffirm the policy of the United States that there shall be no discrimination in the employment of any person in war industries or in Government by reason of race, creed, color, or national origin, and I do hereby declare that it is the duty of all employers, including the several Federal departments and agencies, and all labor organizations, in furtherance of this policy and of this order, to eliminate discrimination in regard to hire, tenure, terms or conditions of employment, or union membership because of race, creed, color, or national origin.

Mr. President, I should say again, so that we may have firmly in mind the limitations placed upon this Committee, that they are, as the President said, "In regard to hire, tenure, terms or conditions of employment, or union membership because of race, creed, color, or national origin."

Then he calls upon all contracting agencies of the Government to cooperate with the Committee, and he concludes by stating:

> There is hereby established in the Office for Emergency Management of the Executive Office of the President a Committee on Fair Employment Practice, hereinafter referred to as the Committee, which shall consist of a chairman and not more than six other members to be appointed by the President. The Chairman shall receive such salary as shall be fixed by the President not exceeding $10,000 per year. The other members of the Committee shall receive necessary traveling expenses and, unless their compensation is otherwise prescribed by the President, a per diem allowance not exceeding $25 per day and subsistence expenses on such days as they are actually engaged in the performance of duties pursuant to this order.
>
> The Committee shall formulate policies to achieve the purposes of this order and shall make recommendations to the various Federal departments and agencies and to the President which it deems necessary and proper to make effective the provisions of this order. The Committee shall also recommend to the Chairman of the War Manpower Commission appropriate measures for bringing about the full utilization and training of manpower in and for war production without discrimination because of race, creed, color, or national origin.
>
> The Committee shall receive and investigate complaints of discrimination forbidden by this order. It may conduct hearings, make findings of fact, and take appropriate steps to obtain elimination of such discrimination.

Mr. President, this Committee has only persuasive powers, advisory powers, and consultative powers, and I believe the record from which I shall now read will convince anyone that the Committee has carried out its responsibilities in a very fair manner.

The pamphlet which I shall have printed with my remarks is now 4 months old. From July 1, 1943, to April 3, 1944, F. E. P. C. handled 4,435 cases, including among these the 1,016 which were pending as of July 1, 1943, when the new Committee was formed. During this period it has received 3,419 new cases and has closed 2,286. Almost 40 percent of these have been closed in a satisfactory manner. The others were closed for lack of jurisdiction, insufficient evidence, lack of merit, or withdrawal by complainant. These last 4 categories, nevertheless, represent allegations of discrimination which would have remained as continuing disputes had they not been subjected to a careful examination by a third party. In spite of a large number of closings, F. E. P. C.'s case load has continued to grow, and now stands at 2,149 pending cases. It is also interesting to note that during 1943 and 1944, F. E. P. C. has participated in the settlement of 25 work stoppages which occurred for racial reasons.

I ask that a pamphlet prepared by the Division of Review and Analysis of the F. E. P. C. be printed at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. MEAD. In that connection, Mr. President, they have made a worth-while contribution to the war effort. Only two of all the thousands of cases heard have been referred to the President. As I have said, they aided in the settlement of some 25 strikes. They were commended by the War Department; they were commended by big industrial corporations,

such as the Jones-Laughlin Steel Co.; they were commended by governments, including the Mexican Government. They were supported by the American Federation of Labor, by the C. I. O., and by a number of leading church organizations.

Mr. President, the whole production program, which was at stake, has been lifted immeasurably as a result of the successful efforts of the Committee to bring together millions of men and women who are filling skilled and unskilled positions—our own citizens, many of them made eligible to fight under the Selective Service Act, but denied the right to work under employment policies.

Mr. President, our advocacy of the rights of the minority groups has helped us immeasurably, as has been pointed out in the debate. It has helped in Central and South America and elsewhere throughout the world. Its effect on our prestige has been most salutary.

To destroy this agency now, after it has been started in the midst of this global war, in which we are carrying the torch for the "four freedoms," advocating the rights of minorities everywhere, would, in my judgment, leave America in a most embarrassing position. It would be inconsistent with our traditions. It would be inconsistent with the votes of Members of the Senate who have this week, and last week, voted for an agency created by Executive order, created to make its contribution, just as this agency was created, for increased productivity, for increased unity, and for increased teamwork in this country, and I shall take time, if necessary, to read the names of the 15 agencies created by Executive order for which we have voted appropriations here in the Senate, and which in most cases we have never questioned the right of the Executive to create. Nor has anyone, to my knowledge, questioned the legality or the illegality of these agencies. It would be inconsistent, I believe, if we were to single out this agency and deny it funds while allowing the others to go through without opposition on our part.

Now, Mr. President, what have we done in that connection? We have supported the Office of Censorship, created by Executive Order 8985, dated December 19, 1941. We supported the appropriation for the Petroleum Administration for War, created by Executive Order 9276. We supported the appropriation for the Office of Strategic Services, created by Executive Order 9312.

There is much other data which I shall not take time to read, but which I shall make part of my remarks so that others may read them if they so desire.

We supported the Central Administration Services, created by the liaison officers of the Office for Emergency Management pursuant to a letter from the President dated February 28, 1941.

We supported the Office of Civilian Defense created within the Office for Emergency Management by Executive order 8757; the Office of Coordinator of Inter-American Affairs, created by Executive order 8840; the Office of Defense Transportation created by Executive order 8989; the Office of Scientific Research and Development created by Executive order 8807; the Office of War Information created by Executive order 9182; the Office of War Mobilization created by Executive order 9347; the War Production Board created by Executive order 9024; the War Relocation Authority created by Executive order 9102; and the War Shipping Administration created by Executive order 9054.

Mr. President, I wish to place in the RECORD some information which I believe will be helpful in our determination of the question whether there is legality, authority, constitutional support for, or some congressional policy consistent with the action taken by the President in creating the agency in question. I point out in that connection that in my judgment it would be inadvisable, after we have supported appropriations for these other agencies, to make a determined fight now on this one agency while appropriations for the other agencies were permitted to go through this body and with our support.

Mr. RUSSELL. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Georgia?

Mr. MEAD. Yes; I yield.

Mr. RUSSELL. I have listened with great interest to the reading of the list by the Senator from New York. Of course, some of those agencies were created directly to implement acts of Congress which had been passed since the outbreak of the war; but aside from that I should like to ask the Senator from New York if he can specify any one of the long list of agencies he has read which, without being predicated upon as an act of Congress, claims the authority to cite American business before them, and to compel American business, through the threat of sanctions, or through the denying of contracts, to follow employment practices prescribed by the Fair Employment Practice Committee.

Mr. MEAD. Mr. President, in that connection I shall refer to the record of the proceedings of the House and to a very interesting statement by a representative of the minority party who has had more opportunity for investigation than I. I trust this statement will, at least, leave the thought that in the policies oftentimes approved by the Congress, and in the Constitution of the country itself, and in the authority conferred upon the President in the War Powers Act, there exists at least a reason sufficient to satisfy us that this agency has a right to the appropriation which is now pending before us.

The matter was brought up in the House and Representative VORYS of Ohio explained that he was opposed to appropriations for purposes not authorized by law. It was troubling him, as it has been troubling my distinguished colleague from Georgia and other Senators in this Chamber. He said:

> But since the discussion of this particular section on fair-employment practices began I have been looking into the books a little bit.

Mr. President, not being a lawyer I am leaning on the legal minds of my colleagues, and I find support for the pending provision in its approval by the other House. I find further support for it in the approval by a majority of the Senate Committee on Appropriations. And I find still further support for it in the approval we have given these other agencies without too much difficulty in the past—in fact, to some of them only last week. Representative VORYS proceeds to say, after explaining that he has made some inquiry:

> I find that under the fourteenth amendment there is a requirement that no State shall "deny to any person the equal protection of the laws." Section 5 of that amendment provides that Congress shall have power to enforce the provisions of this article.
>
> On May 31, 1870—

Representative VORYS goes on—

> 74 years ago—the first one of the civil rights statutes was passed. Let me read it to you—

He says to his colleagues of the House, and he quotes from the law:

> All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other (8 U. S. C., sec. 41).

Then Mr. VORYS continues:

> This 74-year-old law is very broad. It guarantees equal security under the law, for all races, and would bar almost every conceivable form of economic racial discrimination.

Then he continues:

> I find since 1933 that the Congress has enacted for relief, public works, and other provisions, 24 different requirements forbidding discrimination because of race, color, or creed. I find that since the national defense program started, Congress has enacted, for instance, in the Selective Service Act, and I quote:
>
> "There shall be no discrimination against any person on account of race or color"—
>
> September 16, 1940.

Mr. President, before I continue to read from the remarks of our colleague, Mr. VORYS, in the House, let me say that any Senator who voted for the Selective Service Act which prohibits discrimination because of race, color, or creed will find it difficult, in my judgment, to vote against the pending appropriation, which prevents discrimination because of race, color, or creed in connection with getting jobs to support the men who are over there fighting for us on the battle fronts of the world.

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

Mr. MEAD. I have not concluded reading from the statement by Mr. VORYS.

Mr. RUSSELL. But the Senator has gone off into another question and made the statement that he did not see how any Member of the Senate could vote against this "legislation." I merely wish to point out that this is not legislation. This is an appropriation bill.

Mr. MEAD. Sometimes we refer to appropriations as legislation. We pass legislation in the form of appropriations, but I will stand corrected. This is an appropriation. Nevertheless, it still is going to be difficult for Senators to vote against this iten., which protects a man in his job, when previously they voted to enlist that man in the service for if he were not here to assume a job in one of our industrial factories, he could be over there fighting to defend our country and its security.

Mr. VORYS continued:

In the defense public-works appropriation, June 28, 1941, was the requirement—

And this is an appropriation—

"Public works shall be provided on the basis of need and in determining need no discrimination shall be made on account of race, creed, or color."

That was the policy of the Congress at that time when there was only an appropriation item before Congress. Mr. VORYS continued:

During the war period there has been a provision for training of defense workers. I quote:

"No trainee under the appropriations provided for * * * shall be discriminated against because of sex, race, or color."

That is the policy laid down by the Congress again and again. Representative VORYS continued:

We enacted this October 9, 1940, and again on July 1, 1941, and again in 1942.

The Congress would not have provided for training defense workers without discrimination as to color if they had not expected those defense workers to be hired after they were trained without discrimination under the general laws for war contracts that Congress enacted.

Thus the Executive had and has, I submit, the duty, the obligation of executing the laws that Congress has enacted under the constitutional provisions of the fourteenth amendment.

The Executive could point out these laws to all of the agencies and authorize and direct them to prevent discrimination, but instead of that the Executive has appointed one Committee, without any coercive power, with only persuasive power, to enforce these provisions. There may have been abuses of that power. There may be places where this Committee is not functioning properly, but from the records of the hearings I find that the result is that at the present time only about 7 percent of Negroes are employed in war industries, although the population figure is about 10 percent.

The Representative from Ohio was speaking about the comparative percentage of the Negroes to the white population of the United States. He added:

I find that in only two cases have they taken the most drastic action the Committee can take, and that was to refer the matter to the Chief Executive. They say that all they are doing is to make sure that war contractors carry out an antidiscrimination provision in war contracts, which the Executive has the right, and probably the duty to insert, to carry out the fourteenth amendment as implemented repeatedly by Congress.

I should remind my colleagues that Mr. VORYS explained at the very beginning of his remarks that he found it difficult to vote for appropriations for agencies created by Presidential directive. He said:

If we want to look into this thing on its merits, this would be one instance where the Executive is executing laws which the Congress itself has enacted over a period of 74 years; 24 of these laws in the last 10 years and a great many of them in the past few years during the war emergency period. Therefore, I cannot see where this argument comes from that there is no authorization in law for the work of the F. E. P. C. This is simply an appropriation to see to the carrying out of laws we have made. Laws against discrimination do little good on the books. To be effective, they must be carried out in action. That is what this Committee is for. In my judgment this is not comparable to a number of other agencies that have sprung up without any authority in law. If this agency is abusing its powers we should limit it, but not destroy it.

Mr. President, I find in the CONGRESSIONAL RECORD, on page 5050, in the statement by Representative VORYS of Ohio, an argument which to my mind lays the groundwork for the consistency of performance which I believe the Congress should show in passing upon appropriations of this character.

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

Mr. MEAD. Yes; I yield.

Mr. RUSSELL. I can well appreciate the reasons why the Senator should make it perfectly clear that the legal opinion which he is reading is not his own. I am quite sure that if the Senator had stated his own legal opinion, he would not have argued any farfetched idea that we can predicate the legality of this agency on the fourteenth amendment to the Constitution. That argument is incomprehensible to me. I thought that every lawyer in the United States who had been able to obtain a license to practice knew that the fourteenth amendment to the Constitution imposed limitations on the powers of the several States. The fourteenth amendment is directed against the States. I wish to read five lines from it. This is the heart of it:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

The fourteenth amendment is a limitation upon the powers of the States, and I am amazed that any Member of the House of Representatives or anyone else should assert the fourteenth amendment as the basis for the legality of this Executive order. I am all the more amazed because the last section of the fourteenth amendment provides as follows:

The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

The constitutional provision does not say that the Chief Executive of the United States may issue a proclamation to enforce the fourteenth amendment. It specifically provides that the Congress of the United States shall have the power to see that no State deprives any citizen of any right by virtue of discriminatory laws. The fourteenth amendment to the Constitution of the United States was never considered as other than a limitation upon the powers of the States. Any lawyer who can issue an opinion that this amendment to the Constitution of the United States, clearly imposing limitations on the powers of the sovereign States authorizes the action of the Executive in creating an agency of this kind by Executive order, has only my sympathy. Any other clause or provision of the Constitution would be just as applicable.

Mr. MEAD. Mr. President, I know nothing about the merits of the legal attainments of the Member of the House whose statement I have quoted. I therefore would not wish even to attempt to compare his legal ability with that of my distinguished colleague from Georgia.

Mr. RUSSELL. It is not a question of legal ability. Anyone who can read the fourteenth amendment—he does not have to be a lawyer—can see that it provides that no State shall take such action as is forbidden. I do not understand that this Committee has ever claimed that it was created to repeal or interpret any State law. It is a Federal agency, and it is not proposing to protect the citizen against State legislation, but merely to protect him against what is alleged to be discrimination by individual employers.

Mr. MEAD. I inferred from what the Senator said about any lawyer in the United States arriving at that conclusion——

Mr. RUSSELL. Frankly, I am amazed that any lawyer in the United States should voice the opinion that the fourteenth amendment gave the President any power to create such an organization as this.

Mr. MEAD. I know little about the legal merits of this question. However, from the lawyers in both Houses, from the action of the committees in both Houses, and from what we have done in the matter of 15 other agencies created by Executive order, it seems to me that we are going out of our way and reaching into the clouds, as it were, for some reason or excuse to destroy one particular agency at this time. That course does not recommend itself to me as being consistent.

Mr. President, before I conclude this observation, let me say that evidently Representative VORYS of Ohio gave some thought to this question. In addition to that portion of the Constitution which has been the subject of discussion, he also cited some 24 laws enacted by the Congress in the past 10 years which placed the Congress on record in favor of policies similar to the policy set forth in this item in the appropriation bill.

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

Mr. MEAD. I am glad to yield.

Mr. REVERCOMB. I have listened with interest to the very able argument

of the Senator from New York. I may say I am quite in accord with the general purpose of providing equality of opportunity to work and equality of employment. I shall not go into the matter of the legality of the particular agency here involved. I wish to ask the Senator for information. I am very much concerned with this point, and should like to obtain any enlightenment on it which the Senator can provide or any explanation of it.. Is not the agency one which has no limitation whatsoever on its power? Is it not an agency which may act without restraint upon the subject matter involved?

For instance, in the testimony given by Mr. Ross, I notice that he was asked the following question:

> You have decided, so far as your agency was concerned, that you do have the power to set aside existing agreements between employers and labor unions

The answer was "Yes."

Does that mean that after a labor union and an employer have entered into an agreement of employment, and have fixed the terms of employment, if in the contract there is something which this agency feels is not right or, in its judgment, is not fair, the agency may, without restraint, interfere, and may terminate the contract? I find that the head of the agency has said the agency does have such power.

That strikes me as a very dangerous thing. I care not with what subject the agency deals. I care not what the problem may be. However good the purpose, however good the motive in creating the Committee, it seems to me it has unlimited power, is the sole arbiter of what it thinks is right or wrong, and from its decisions, if I am correctly informed, there is no appeal.

I should like to have the views of the able junior Senator from New York upon that matter.

Mr. MEAD. Mr. President, before I direct my attention to the question presented by the able junior Senator from West Virginia, I wish to ask unanimous consent to have printed in the RECORD at this point a statement on the constitutionality of the F. E. P. C. I trust it will receive the attention of the Senate. In it will be found quotations from amendments to the Constitution, cases before the courts, extracts from decisions in which Mr. Chief Justice Stone and Mr. Associate Justice Murphy have rendered opinions, and extracts from the decisions of the Supreme Court in the case of Perkins against Lukens Steel Co. and in the case of Myers against United States. They clearly recognize, as is indicated in the memorandum, that the President may delegate his administrative powers. The memorandum contains many other interesting observations on the constitutionality of the F. E. P. C. I ask unanimous consent that the memorandum may be printed at this point in the RECORD, as a part of my remarks.

Mr. RUSSELL. Mr. President, does the brief also advert to the fourteenth amendment?

Mr. MEAD. No; I do not believe so. The brief is very general. It covers a number of articles of the Constitution and a number of laws enacted by Congress, attributed to those articles, other than the fourteenth amendment.

Mr. RUSSELL. I shall be very happy to read it.

The PRESIDING OFFICER. Is there objection?

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

CONSTITUTIONALITY OF F. E. P. C.

It has been claimed that it has no standing in our form of Government, because it is merely the product of the pen of the President of the United States, who has no power to legislate.

To understand the creation of this agency, it is necessary to go back to 1940, when we began to change our economy from a peacetime to a wartime arsenal. Negroes were denied the right to make the munitions of war, while at the same time they were being drafted to fight for our country. As late as 1942, Negroes constituted only 3 percent of the employees in war production. This was the result of a long history of exclusion of Negroes from the production lines of industry.

Faced with the dire necessity of using every available man to produce the weapons of war, and with the continued practice of exclusion of Negroes in vital industries in the Nation, the President, on June 25, 1941, created a Committee on Fair Employment Practice in order to insure the maximum utilization in war industries and in Government of all available manpower, regardless of race, creed, color, or national origin. Thousands of complaints had descended from groups which had been shut out of war production. These indicated clearly that a huge segment of our population was in great danger of being disaffected from support of our struggle against Hitler. The President, therefore, instructed his Committee to receive all these complaints, to sift them, and to attempt to adjust them. He also gave the Committee authority to hold hearings and to take appropriate steps to eliminate the discrimination.

As Chief Executive of the United States, the President is vested with the executive power (Constitution, art. II, sec. 1, cl. 1). He takes an oath that he will faithfully execute the office of President of the United States and will, to the best of his ability, preserve, protect, and defend the Constitution of the United States (Constitution, art. II, sec. 1, cl. 7). "He shall take care that the laws be faithfully executed" (Constitution, art. II, sec. 3).

It would seem to follow from these constitutional mandates that the President, as Chief Executive, is authorized to proclaim as a policy of the United States, arising from the innate character of the American people, implicit, if not express, in the Declaration of Independence, in the Constitution of the United States and amendments thereto, and in the bills of rights in various State constitutions, a doctrine of immunity of the workers of the land from discrimination because of race, creed, color, or national origin, and to direct that all contracting agencies of the Government shall insert a provision in all Government contracts, to be included in subcontracts, which shall maintain the policy which he has proclaimed.

The policy of nondiscrimination contained in Executive Orders 8802 and 9346 is not a new one. During the past 10 years the Congress itself has outlawed discrimination because of race, creed, or color in legislating for unemployment relief, public-works projects, the Civilian Conservation Corps, civil-service classification acts, the training of civilian aircraft pilots, the National Youth Administration, the Selective Training and Service Act, the training of defense workers, the building of public works necessary to the defense program, and the Cadet Nurse Corps for Government and civilian hospital service.

Other Government agencies have likewise adopted principles and practices of nondiscrimination. The National War Labor Board a year ago announced in the Southport Petroleum Co. case the principle of "equal pay for equal work." It directed the elimination of a colored wage rate which was lower than the white race for identical work.

On several occasions the Supreme Court has spoken out against discrimination. In *New Negro Alliance* v. *The Sanitary Grocery Co.*, Mr. Justice Roberts, speaking for the Court, said:

"The desire for fair and equitable conditions of employment on the part of persons of any race, color, or persuasion, and the removal of discrimination against them by reason of their race or religious beliefs is quite as important to those concerned as fairness and equity in terms and conditions of employment can be to trade or craft unions or any form of labor organization or association. Race discrimination by an employer may reasonably be deemed more unfair and less excusable than discrimination against workers on the ground of union affiliation."

And in Hirabayashi against the United States, Chief Justice Stone stated:

"Distinctions between citizens solely because of their ancestry are by their very nature odious to a free people whose institutions are founded upon the doctrine of equality. For that reason legislative classification of discrimination based on race alone has often been held to be a denial of equal protection."

Mr. Justice Murphy, concurring in the same case, said:

"Distinctions based on color and ancestry are utterly inconsistent with our traditions and ideals. They are at variance with the principles for which we are now waging war. We cannot close our eyes to the fact that for centuries the Old World has been torn by racial and religious conflicts and has suffered the worst kind of anguish because of inequality of treatment for different groups. There was one law for one and a different law for another. Nothing is written more firmly into our law than the compact of the Plymouth voyagers to have just and equal laws."

Pronouncement of policies by Presidents is a long-established practice. While differing in kind, yet based on a similar authority, are such Presidential proclamations as that of Flag Day, the pronouncement of the "four freedoms" in the Atlantic Charter, and, more remotely, the declaration of the Monroe Doctrine. There is sufficient moral and patriotic justification to sanction the declaration of a policy of nondiscrimination against workers because of their race, creed, color, or national origin.

The power of the President to prescribe terms and conditions in a Government contract has been clearly recognized by the Supreme Court in *Perkins* v. *Lukens Steel Co.* (310 U. S. 113, 127).

"Like private individuals and businesses, the Government enjoys the unrestricted power to produce its own supplies, to determine those with whom it will deal, and to fix the terms and conditions upon which it will make needed purchases."

Although the Perkins case dealt with wage provisions to be inserted in Government supply contracts pursuant to the Public Contracts Act (49 Stat. 2036, U. S. C., title 41, sec. 35), there is nothing in the opinion which would limit the application of the quotation to provisions or conditions provided by statute, or which would prevent the President, in absence of congressional restrictions, from prescribing terms and conditions of a con-

tract, at least when such terms and conditions are reasonable.

In time of war and of labor shortage, the powers of the President, not only as Chief Executive but as Commander in Chief of the Army and the Navy of the United States (Constitution, art. II, sec. 2, clause 1), would seem to emphasize the President's power and to reaffirm the reasonableness of his direction in the present instance.

Nor is it any less certain that the President, as Chief Executive, may instruct the proper departments and agencies of the Government to assure that training and vocational programs shall be administered without discrimination because of race, creed, color, or national origin. In time of war his power to do this becomes even more obvious and his direction to prevent such discrimination, more reasonable.

As to the formation of the Committee on Fair Employment Practice and the enumeration of its functions, it would seem manifest that in time of peace the President, as Chief Executive, would be empowered to establish such a committee. The Committee is not a contracting agency of the Government. Its duties are investigatory and advisory. In pursuance of the policy declared by the President, it makes recommendations to achieve the purposes of the order. It is difficult to perceive wherein the President can be said to have transcended his power as Chief Executive by providing that such investigations, declarations of policy, and recommendations shall be carried on for him by the Committee on Fair Employment Practice.

The case of *Myers* v. *United States* clearly recognizes that the President may delegate his administrative powers (272 U. S. 52, 117):

"The vesting of the Executive power in the President was essentially a grant of the power to execute the laws. But the President alone and unaided could not execute the laws. He must execute them by the assistance of subordinates. This view has since been repeatedly affirmed by this Court (*Wilcox* v. *Jackson*, 13 Peters 498, 513; *United States* v. *Eliason*, 16 Peters 291, 302; *Williams* v. *United States*, 1 How. 290, 297; *Cunningham* v. *Neagle*, 135 U. S. 1, 63; *Russell Co.* v. *United States*, 261 U. S. 514, 523). As he is charged specifically to take care that they be faithfully executed, the reasonable implication, even in the absence of express words, was that as part of his Executive power he should select those who were to act for him under his direction in the execution of the laws."

When the powers of the President as Commander in Chief are added to those of Chief Executive, and when the function of investigation by the Committee on Fair Employment Practice is that of encouraging the fullest utilization of the Nation's manpower for the successful prosecution of the war, it is further difficult to perceive wherein this activity constitutes an unconstitutional exercise or delegation of powers by the President.

The argument that the item appropriating $500,000 to the F. E. P. C. should be stricken from the war agencies appropriation bill because the President had no authority to create F. E. P. C. should be examined in the light of the language of the First War Powers Act, enacted by Congress December 18, 1941. Title 1 of that act, among other things, authorizes the President "to make such redistribution of functions among executive agencies as he may deem necessary, including any functions, duties, and powers hitherto by law conferred upon any executive department, commission, bureau, agency, governmental corporation, office, or officer, in such manner as in his judgment shall seem best fitted to carry out the purposes of this title (secs. 601–605 of this appendix), and to this end is authorized to make such orders as he may deem necessary."

Executive Order 8802 was issued by the President June 25, 1941, prior to the enactment by Congress of the First War Powers Act. It is to be noted from the language above that in passing the First War Powers Act, Congress recognized the existence of executive agencies. Moreover, the language above quoted indicates that Congress recognized the existence of executive agencies with functions, duties, and powers which had not been conferred by congressional act. The War Powers Act speaks of the "redistribution of functions among executive agencies * * * including any functions, duties, and powers hitherto by law conferred."

No question was raised when the First War Powers Act was enacted as to the authority of the President to create F. E. P. C. or any of the other executive agencies which existed at that time. On the contrary, their existence was recognized and the President was expressly authorized to redistribute their functions.

It is clear from the above that the attack now being made on F. E. P. C. as distinguished from other executive agencies is not based upon the belief that the President had no power to create F. E. P. C.; rather it is based upon the fact that F. E. P. C. function is objectionable to those who would destroy it.

If the argument is sound that the President had no power to create F. E. P. C. it should be advanced against all other Executive order agencies.

Only a few days ago the Senate approved a huge appropriation for the War Manpower Commission. This agency was likewise created by Executive order (No. 9139, of April 18, 1943). It concerns itself with the maximum utilization of manpower. Like the F. E. P. C., it seeks to eliminate discrimination in employment based upon race, creed, color, or national origin. It has no specific statutory authority. Unlike F. E. P. C., it has vast coercive powers. It can shut off an employer's labor supply, it can require him to hire solely through the United States Employment Service, it can forbid a man from working in essential industry unless he complies with its regulations.

There are other agencies in this very war agencies appropriation bill which have no more statutory authority than the F. E. P. C. In fact, 13 of the 17 agencies were created by Executive order. Some of these agencies exert rights over American citizens. Among these agencies are the Coordinator of Inter-American Affairs, the Office of Civilian Defense, the Central Administrative Services, the Petroleum Administration for War, the Office of Defense Transportation, the Office of War Information, the Office of War Mobilization, the War Relocation Authority.

Mr. BILBO. Mr. President, will the Senator yield to me?

Mr. MEAD. I am pleased to yield.

Mr. BILBO. Does the Senator object to stating the name of the author of the memorandum?

Mr. MEAD. No; this is my own, gathered from the testimony, the hearings, and the record thus far established with reference to this legislation.

Mr. President, under the terms of the Executive order it is prescribed:

The Committee shall formulate policies to achieve the purposes of this order and shall make recommendations to the various Federal departments and agencies and to the President which it deems necessary and proper to make effective the provisions of this order.

In fact, any of the recommendations made by the F. E. P. C. to other agencies are merely advisory. Its recommendations may or may not be followed by the other Government agencies, and there is no authority in Executive Order 9346 or in any law or statute which could force any other governmental agency to obey any recommendation of the F. E. P. C. to withhold contracts, priorities, and so forth, from any private person. That is my understanding.

I wish to quote further:

The F. E. P. C. has no enforcement power. Its findings and directives are merely advisory, and the President's actions or nonactions stem from his own constitutional powers as President and Commander in Chief and not from any alleged power under the provisions of Executive Order No. 9346.

Mr. REVERCOMB. Mr. President, let me inquire from what the Senator is reading.

Mr. MEAD. I am reading from information gathered from the statements made by members of the board of the F. E. P. C., by Members of Congress, and by others at the hearings before the House and Senate committees. If the Senator will read the hearings and the congressional debates he will find that on several occasions it has been stated that the Committee's power is advisory and consultative, and that it has no power under the Executive order to force any Government agency to obey any recommendations made by it to withhold from any private person contracts, priorities, and so forth. The authority exercised stems from the authority of the Chief Executive, the Commander in Chief, to whom F. E. P. C. cases are finally referred, if they progress that far. But in all the history of the F. E. P. C. only two cases have ever reached the President of the United States.

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

Mr. MEAD. Yes; I am glad to yield.

Mr. REVERCOMB. I take it that the Senator is reading from a summary or a résumé which he has made from the testimony in this case. However, I wish to direct the Senator's attention to page 178 of the hearings before the Senate subcommittee of the Committee on Appropriations. At that hearing the following question was addressed—I have previously referred to this matter, but I wish to ask the Senator about it again—to Mr. Ross, who is a member of this Committee:

You have decided, so far as your agency was concerned, that you do have the power to set aside existing agreements between employers and labor unions.

His answer was "Yes."

In the face of that statement, which is a statement from a member of the Committee himself, that he has the power to set aside agreements——

Mr. RUSSELL. Mr. President, he is the Chairman of the Committee, and is the only full-time member.

Mr. REVERCOMB. In the face of that statement, how can it be said that he does not have that power, when he has said he does have it?

I am asking for information, in order to be enlightened on this subject.

Mr. MEAD. I have not had an opportunity at this moment to read the testimony which preceded the statement just quoted or the statements which followed it, but I am sure it was a part of the hearings and I take it for granted that the

statement was made by the Chairman of the Committee, but if the able Senator will read the Executive order he will find that the Committee does not have the authority which is expressed by the Chairman in that particular instance, and I reiterate that, to my satisfaction, the record indicates such to be the case. On appeal to the President by the F. E. P. C., the President may, under the law, exercise his authority, which is only his authority, and which is not the authority of the Committee itself.

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

Mr, MEAD. Yes; I am glad to yield.

Mr. REVERCOMB. Upon the same subject, I have before me, on page 549 of the hearings before the House subcommittee of the Appropriations Committee, an order or statement issued by the agency itself. It says:

The obligation to include the nondiscrimination clause exists even though the contract involves nonwar activity.

It was my understanding that this was an agency established by the President as a war measure for the duration of the war, dealing with war emergencies, as a part of his office. If that be so, then how can that agency assume unto itself the power to issue an order of the kind which has been discussed here, and go into every contract in which the Government may be interested, involving even the leasing of grazing land in the West? How can the Committee assume unto itself the power to issue orders dealing with all kinds of contracts?

I may say to the able Senator from New York that the purpose of the provision may be a very good one. I believe that an employer is foolish and wrong if he discriminates on account of race or creed. But shall we finance an agency which assumes powers of the kind under discussion, with which, apparently, it was never lawfully endowed? How far will it be permitted to go without restriction?

Instead of the agency being one to establish fair relations between persons, the danger is that without limitation of its authority it may seize power to act unfairly. Apparently the Committee has already done so, because its Chairman has said that it has the right to terminate, if you please, a contract entered into between an employer and a union of employees. That is going pretty far. Why cannot the whole objective be attained by the passage of a proper law containing proper restrictions? Why must we consent to giving carte blanche power without restrictions to an agency upon any subject? I ask the question in order to be advised.

Mr. MEAD. Mr. President, I shall hurry on because I had intended to conclude my remarks before now. I will admit that the Chairman of the Committee made the statement to which the Senator from West Virginia has referred; but I will not admit that the Committee has gone so far as one might be led to believe from the observations which my distinguished colleague from West Virginia has made.

I may say that the House committee, before which the statement referred to was made, was perfectly satisfied with the record which had been made by the F. E. P. C. Particularly did it single out the Chairman of the Committee on Fair Employment Practices for commendation. As arguments are found in the record against the stand which I am taking, I find reasons sustaining my position from what the House Appropriations Committee collectively said after all the testimony was in from all the witnesses for and against the appropriation. Allow me to quote it.

The Appropriations Committee, in reporting the national war agencies bill for 1945 commented on the testimony of Chairman Malcolm Ross, and added:

The record is a clear, fair, dispassionate discussion of a democratic policy of national scope and importance that deserves the earnest perusal and consideration of the House.

That is taken from the report of the House Appropriations Committee when it reported the bill.

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

Mr. MEAD. Yes; I yield.

Mr. BUSHFIELD. A short while ago I understood the distinguished Senator from New York to say that there was no power within the Committee to do some of the things which it has been alleged the Committee has done, and I wish to invite his attention to paragraph 4 of the President's order on page 524 of the printed hearings, part II. It states as follows:

The Committee shall formulate policies to achieve the purposes of this order and shall make recommendations to the various Federal departments and agencies and to the President which it deems necessary and proper to make effective the provisions of this order. The Committee shall also recommend to the Chairman of the War Manpower Commission appropriate measures for bringing about the full utilization and training of manpower in and for war production without discrimination because of race, creed, color, or national origin.

That is the language of paragraph 4.

I now read paragraph 5:

The Committee shall receive and investigate complaints of discrimination forbidden by this order. It may conduct hearings, make findings of fact, and take appropriate steps to obtain elimination of such discrimination.

If the Committee does not have the power to take steps necessary to eliminate the conditions which the Committee calls unfair labor practices, how can the distinguished Senator say that under this order there is no power for the Committee to do anything?

Mr. MEAD. Mr. President, I have already said, and I repeat, that the Committee's powers are advisory and consultative. The Committee considers complaints and takes them up with the agencies involved. As a last resort, it takes them up with the President. In all cases but two, some determination was arrived at without referring the matters to the President. After the complaints are considered, taken up with the agencies of Government which are involved, or with the President, then the agencies, or the President, or the labor organizations, or the industry itself, finding that some error has resulted from a policy which was invoked, makes correction and the Committee acts in an advisory and consultative capacity.

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

Mr. MEAD. Mr. President, I wish further to reply by again quoting from the debates and hearings held in the House. I am perfectly satisfied that my distinguished colleague may have in mind that this agency has power or it has no power. I am merely making the point that from reading the record I believe the agency has persuasive power. It is of a consultative advisory nature. I believe that in this emergency the President had a right to establish this Committee, and I cannot find it in my heart to vote against the F. E. P. C. after I voted for 15 other wartime agencies without a murmur.

Mr. BUSHFIELD. Mr. President, will the Senator yield.

Mr. MEAD. And so, Mr. President, as a foe of discrimination because of race, creed, or color, and as one who has offered such amendments here on the floor in the matter of civil-service legislation, I cannot allow this debate to pass without registering my approval of this appropriation, and my commendation for the good work accomplished thus far by the Committee.

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

Mr. MEAD. I yield.

Mr. BUSHFIELD. I believe that we are all in accord with the Senator from New York in our opposition to discrimination along the lines which have been suggested. I am bringing up the question of whether the President had or did not have the power which it is claimed he had. I ask the Senator only to define for me, if he can, or will, the words "take appropriate steps to bring compliance with its orders."

Mr. MEAD. The language means to take the matter up as a consultative or mediation group with the parties in interest, with the agencies of Government, and with the President of the United States. That is my answer.

Mr. McCLELLAN, Mr. REVERCOMB, and Mr. WHERRY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New York yield; and if so, to whom?

Mr. MEAD. I yield for a brief question. I trust, however, in view of the fact that I hope to complete my statement shortly that Senators will not read extensively from the record. I have already read from the hearings and the debates in the House, and I am perfectly satisfied with the record that has been made. I merely state my views for the information of my colleagues. But they are my views, and I know that there are Members of the Senate who are fundamentally opposed to this agency, and they will vote against it while I shall continue to support it.

I know that there are others who are opposed to the setting up of agencies by Presidential directive, but I hope, in

view of the fact that many of my colleagues have voted for other agencies, that I may convince them they ought not to single this one out and make it an exception to the rule. I now yield to my distinguished colleague from West Virginia for a question.

Mr. REVERCOMB. I thank the Senator from New York for the very able statement of his views. In arriving at the fairness of setting up an agency of this kind, this question occurs to me: If the agency makes a decision that there has been a discrimination, and there is a differing on that decision, then could the person who felt that the agency had done wrong go to the court and have it corrected? I do not believe he could, under the agency's powers as they now exist, and if he could not, that is wrong.

Mr. MEAD. In the first place, Mr. President, there are those who believe this agency is illegal. If it is illegal, what would prevent anyone from going into court and having his side of the case heard? If it is legal, its powers are advisory and consultative, and if it takes drastic action in cases within its authority, why cannot that be rectified? It occurs to me that if I believed this agency was illegal, then I should also believe that any citizen of the United States could challenge its legality. That seems to follow logically.

Mr. McCLELLAN and Mr. WHERRY addressed the Chair.

THE PRESIDING OFFICER. Does the Senator from New York yield, and if so, to whom?

Mr. MEAD. I must yield, first, to my distinguished colleague from Arkansas.

Mr. McCLELLAN. In line with the discussion with respect to the powers of the Committee, I should like to ask a question of the able Senator from New York. The President has stated that the order creating the Committee is mandatory rather than directive, overruling the Comptroller General with respect to that point. When the Committee makes a finding that there have been discriminations under the authority vested in it, according to the terms of the order, and then proceeds to make recommendations to other agencies of the Government to enforce the order by the imposition of sanctions, or whatever course it may take, I should like to ask the Senator from New York is that merely directive or is it mandatory?

Mr. MEAD. I will say to my distinguished colleague that a while ago I spoke on the question of sanctions and enforcement. I concluded by saying that the F. E. P. C. has no enforcement power. Its findings and directives are advisory, and I say again that the President's actions or nonactions stem from his own constitutional power as President, as Commander in Chief, and not from any alleged power under the provisions of his Executive order setting up this Committee.

It should be noted that the F. E. P. C.—and this I take from a fair reading of the record—is primarily concerned with removing discriminatory employment practices in war-related and governmental activities. It does not engage in the placement of labor, nor does it commend anyone to hire Negroes or other minority group of citizens unless a particular person or group of persons have been aggrieved by discriminatory treatment and the parties charged are asked to hire or place on a preferential list the qualified complainant. It imposes no quotas, and has no jurisdiction over allegedly discriminatory practices in education, housing, the armed forces, social relationships, or in public or private places or conveyances.

With minority groups of this country totaling more than 30,000,000 people, the continued existence of this agency, I believe, is to protect the full utilization of the Nation's manpower at this time. That is what it is for; that is as I read the record, and that is why I am defending the Committee.

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

Mr. MEAD. I am glad to yield.

Mr. RUSSELL. The Senator just stated that it only related to war contracts. That statement is itself directly controverted by the official rules filed by the Committee. I refer the Senator to page 549 of the House hearings, and to the rules drafted by the Committee for its own guidance, which have the practical effect of law.

Mr. MEAD. I think there is a misunderstanding. I did not say it related only to war contracts; I said "discriminatory employment practices in war-related and governmental activity."

Mr. RUSSELL. War-related activity?

Mr. MEAD. War-related activity and governmental activity.

Mr. RUSSELL. What does the Senator mean by the words "governmental activity"?

Mr. MEAD. Any official activity of the Government, the employment problem of any agency of the Government, and the contracts of any agency of government having to do with or related to the war effort.

Mr. RUSSELL. The rule I was going to advert to is as follows:

> The obligation to include the nondiscrimination clause exists even though the contract involves nonwar activity.

That is one of the rules and regulations prescribed by the Fair Employment Practice Committee for its administration. I should also like to know how the Senator can explain the action of this Committee in citing newspapers before it and whether or not newspapers are held to be a war activity.

Mr. MEAD. I will say that I read of the newspaper controversy, and that was discussed during the able Senator's discussion of the proposal, and I think it was very well handled at that time.

Now, Mr. President, I desire to proceed with my statement.

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

Mr. MEAD. I yield for a question.

Mr. WHERRY. Relative to the question asked by the Senator from Arkansas [Mr. McCLELLAN] as to the enforcement of sanctions, paragraph 4 of the Executive order reads:

> The Committee shall formulate the policies to achieve the purposes of this order and shall make recommendations to the various Federal departments and agencies and to the President which it deems necessary and proper to make effective the provisions of this order.

It has been stated several times on the floor of the Senate that sanctions were used and that the Committee withheld priorities on contracts in order that the nondiscrimination clause might be enforced.

I noted with interest the Senator's discussion of that question this afternoon. Does he know of any specific case in which this agency has withheld priorities or has enforced a sanction of some sort, or whether under recommendation to another agency, such agency has somehow enforced a sanction?

Mr. MEAD. No, Mr. President; this agency has no right to withhold priorities. Priorities are within the province of another agency of the Government. This Committee merely takes the matter up with the other agency of the Government. If the agency finds it has any authority to exercise it, then uses its own judgment in the exercise of that power. The Committee does not exercise any priorities' authority whatsoever.

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

Mr. MEAD. I shall be glad to yield.

Mr. WHERRY. What the Senator said as to priorities is true, but I am asking does he know if there has been a recommendation by this Committee to another agency to exercise such authority?

Mr. MEAD. I did not understand that the Senator used the word "recommendation" of this Committee to any other agency.

Mr. WHERRY. That is what the Committee would do, as I interpret the order. It could recommend. I am asking for information. If the Senator knows of a case I should be glad to have him inform me. Does he know whether or not this Committee has made the recommendation to another agency that has the authority to enforce, for example, the withholding of priorities?

Mr. MEAD. No; I do not. A complete reading of the record does not reveal, to my way of thinking, that they have.

Mr. WHERRY. It has been contended that that is true, and certainly that is one of the things that is vital in acting on these appropriations.

Mr. MEAD. I am sorry that it is so contended, because I am contending that that is not so; so we are at loggerheads again. I maintain that that is an authority which does not rightfully belong to them.

Mr. WHERRY. I am not at loggerheads with the Senator at all. I am merely asking him the questions because it has been contended on the floor that that recommendation has been made. If the Senator, in his investigations, or in the hearings, can point out a place where this agency has made recommendations to an agency which had the authority, and withheld priorities, or enforced some other sanction——

Mr. MEAD. A reading of the RECORD and the debates in the House reveal, so

far as I am concerned, that the agency has not exercised such authority.

Mr. President, I must hurry along, and I hope I shall be able to conclude my observations in a few moments.

I believe that the continuation of this Committee resulting from our approval of the appropriation will result in improving the skill and the productivity of our people throughout the United States. States with large manpower reserves, but where limited industrial output exists, will find an increasing prosperity developing within their borders if they encourage the program that is set out under this appropriation.

Mr. President, as I stated in the beginning, this is a war manpower measure, it is consistent with the principles upon which our Government is founded, it is in keeping with our selective-service policy, it is what we have already done in 15 other cases. Our advocacy of the rights of minority groups has helped us in our relations with other countries, and it will continue to help us at the council tables when the foundations of the peace are laid after the war.

Several of the States are now setting up permanent agencies to carry forward this work, and it will be very helpful to us, and to the States which carry on this activity, if the appropriation is continued.

As I stated a moment ago, it is inconsistent to make a determined fight on this agency and this agency alone. I admit that the debates in the Senate and in the House may have brought out some weaknesses, but what new agency of government has not developed some weaknesses? What new agency of government has not profited by the debates in the House and in the Senate, and by the hearings before the House and Senate committees? The debates, in my judgment, will have a salutary effect, and we should continue this agency by supporting this appropriation, and then legislation should follow in its wake. The House Committee on Labor is considering a permanent measure; we will be able to consider it before the end of the next fiscal year, and I believe that as a result of these debates, and as a result of the hearings we have held, we will improve the administration of the agency, and we will be very proud of our work.

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

Mr. MEAD. I am glad to yield.

Mr. BILBO. I wish to say, first, that the Senator must be an optimist if he thinks that Congress will ever make this Committee a permanent agency of Government. What I wish to ask is, will the Senator kindly put into the RECORD the names of the States which have already organized State fair employment practice committees?

Mr. MEAD. Yes; I shall do so. I have a list of them, made up of New York, New Jersey, Illinois, Nebraska, Minnesota, Kansas, and Pennsylvania.

Mr. MURDOCK. Will the Senator yield?

Mr. MEAD. I am glad to yield.

Mr. MURDOCK. Senators say they are in thorough accord with the purpose of the Committee, that is, to eliminate discrimination on the basis of race, creed, color, or national origin. If they believe in the principle of the Fair Employment Practice Committee in existence now, whether legally or illegally, under the new order, since May 27, 1943, money out of the Treasury of the United States has been paying the salaries and expenses of the agency, and the money was appropriated by the Congress of the United States. If we believe in the principle of nondiscrimination in contracts made with the Government, the only agency which we have up to date to enforce that nondiscrimination is the one created by the President, and what harm can come by continuing that Committee under the present set-up until Congress takes action to create such a Committee by legislation?

Mr. MEAD. I believe the only harm will come if we destroy this agency by action now taken by the Senate. I agree with the able Senator from Utah that if we continue the experience of this Committee until the legislation can become a reality, we will be making progress along proper lines.

Now, Mr. President, I shall hurry through, and I shall ask permission to insert in the RECORD at this point a statement on the Philadelphia Transportation Co. case.

The PRESIDING OFFICER. Is there objection?

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

PHILADELPHIA TRANSPORTATION CO. CASE

The Philadelphia Transportation Co. case has been cited for the proposition that the F. E. P. C. has set aside or abrogated contracts between management and labor unions.

This company, engaged in the business of transportation in a vital war center, was confronted with a terrible shortage of platform employees. Despite this critical need, the company, aided and abetted by the unaffiliated union which at that time represented the employees (subsequently this union lost its right as collective-bargaining agent for the employees in an election under the Pennsylvania State labor relations act), refused to employ Negroes on the platforms.

After investigation, protracted negotiations which were unavailing, and public hearing after due notice, the Committee issued directives recommending to the company and the union that they cease their discriminatory practices.

Contrary to the impression created, the Committee did not order the abrogation of any contract. There was a provision in the contract between the company and the union incorporating the rules and customs of the company in the contract.

Uncontradicted testimony disclosed, and the Committee found, that this provision had nothing to do with the hiring of Negroes, but merely referred to the usual company rules concerning punching time clocks, length of runs, etc.

All the Committee did was to recommend to the parties, in the light of the uncontradicted testimony, that they do not construe this clause which referred to extraneous matters entirely so as to restrict the employment of Negroes.

Subsequent history—the company and the new union, a C. I. O. affiliate, which was designated by the Pennsylvania State Labor Relations Board as the collective-bargaining agent for the employees, have entered into collective bargaining with a view to signing a new contract. The Committee has been informed that the negotiations are proceeding without friction and the chances are bright for the hiring of Negroes as platform men.

The new union is the bargaining representative in New York City in the New York City Transit System, which employs some 900 Negroes in platform jobs. These men are competent and outstanding employees. No complaint has been received since they have been working, a condition which has prevailed for the past several years.

Mr. MEAD. Mr. President, I also wish to file a statement on the personnel employed by the F. E. P. C.

The PRESIDING OFFICER. Is there objection?

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

PERSONNEL

It is said that the personnel is overwhelmingly Negro—it has not hesitated to discriminate against the white race in its own employment policies. I mention that fact merely to show the political nature of this agency.

Eighty percent of the complaints received by the Committee affect discrimination in employment against Negroes. Skilled handling of problems involving Negroes precludes any argument that it is illogical or improper to hire many Negroes on its staff. The assignment of specific quotas for representation of the various minority groups on its staff would have impaired, if not defeated, its responsibility under the Executive order to eliminate discrimination in employment in government.

George M. Johnson, a Negro, is the Deputy Chairman of the F. E. P. C. After Mr. Johnson testified in the lower House committee hearings, one of the committee members described him as "one of the ablest men ever to appear" before that body. Mr. Johnson holds the degrees of A. B., LL. B., and J. S. O. from the University of California. He was engaged in the practice of law and served as tax counsel for the California State Board of Equalization for 7 years. In 1940 he was appointed professor of law at Howard University. He joined the Committee's staff in the fall of 1941 as assistant executive secretary and is on leave from his teaching post. He was general chairman of the Student Institute of Pacific Relations, a member of the Berkeley Committee on Race Relations, lecturer for the Mills College Institute of International Relations, June 1941. He has been a member of the race relations department of the Federal Council of Churches of Christ in America. He was chairman of the joint council for the Southern Pacific Railroad (Pacific Lines) and the dining-car cooks' and waiters' union, and is a member of the national legal committee of the National Association for the Advancement of Colored People.

Mr. Theodore A. Jones, the administrative officer of the F. E. P. C., is a native of Colorado with a bachelor of science degree in accounting from the University of Illinois. His thesis for the degree of master of business administration from Northwestern University is now pending. He was commended by the Bureau of the Budget and the House Committee on Appropriations for his excellent preparation and presentation of the F. E. P. C. and his fine work in fiscal management and budgetary planning and control.

The qualifications of these men are representative of the attainments in scholarship and expertness in the field of race relations of the other Negroes on the staff of F. E. P. C.

It is apparent that Negro field examiners inspire confidence among Negro workers and are able to control their actions. Specifically, these examiners have been successful in satisfactorily adjusting 25 work stoppages in

war plants affecting 181,791 workers and costing 185,581 man-days lost to the war.

Quick action by F. E. P. C., which was called into the situation by management or union or Army or Navy Government officials after the situation had gotten out of hand, prevented the loss of thousands of additional man-days and averted major strikes in such plants as Carnegie-Illinois Steel, Jones & Laughlin Steel, Dravo Corporation, Youngstown Sheet & Tube, Illinois Ordnance, Bethlehem Steel Building, Republic Oil Refining, and others.

Government and management officials have acknowledged the services of F. E. P. C. in smoothing industrial relations where racial aspects are involved.

Mr. W. A. Hughes, Director of Industrial Personnel, Army Service Forces, War Department, testified before the House Labor Committee a few days ago. He stated:

"The Executive orders as they stand now seem to be functioning successfully in war plants and have in all probability been a factor in increasing labor supplies which have been helpful."

Mr. MEAD. Mr. President, in this connection I wish to say that Mr. George M. Johnson, who is the Deputy Chairman, and a Negro, testified before the House committee, and one of the committee members describes him as one of the ablest men ever to appear before that body.

Mr. President, I have the names of a number of others of the personnel in the statement I have submitted.

Mr. BILBO. Will the Senator yield at that point?

Mr. MEAD. I am glad to yield, but this will all be in the RECORD.

Mr. BILBO. Since the Senator is submitting a list of the personnel of the present set-up of this organization, I should like to hear him make some observations on the very patent and gross discriminations the Committee itself has made against the white race, by employing two-thirds Negroes and only one-third whites.

Mr. MEAD. Mr. President, that statement has been placed in the RECORD on a previous occasion by those who have participated in the House debates. Perhaps a very large percentage of the complaints brought to the attention of the Committee are complaints of discrimination against the colored race, and of necessity, in the investigation of the complaints, the board has seen fit to employ a fairly substantial percentage of colored men and women, who are in perhaps a better position to obtain all the facts and assemble all the data upon which the board acts. But, as I stated, that is already in the RECORD. I have read it thoroughly, and I cannot see that there is any discrimination, when one considers the character of the work. If we take the complaints, the percentage of complaints, we will find that there has not been discrimination, and if there has been, we have on the statute books, in the civil-service laws of the country, prohibitions against discrimination.

Mr. RUSSELL. Will the Senator yield?

Mr. MEAD. I am glad to yield.

Mr. RUSSELL. I merely wish to point out the inconsistency of the agency in that regard. They stated that a majority of the cases did involve colored people, and for that reason they assigned Negroes to investigate and prosecute them, but it developed in the course of the testimony that the second largest number of cases involved religious discrimination against Jews. I asked Mr. Ross if he appointed Jewish examiners to go into all the Jewish claims, and he said that he did not. It seems to me that this agency is unfair in that matter, because they insisted upon having Negro examiners to go into the Negro cases, but did not assign Jewish examiners to go into cases that involve discriminations against Jews.

Mr. MEAD. I do not know about that.

Mr. President, I now wish to place in the RECORD another statement in answer to the statement made that this agency is dominated by the C. I. O. The C. I. O. has no desire to dominate the Committee. This agency has been commended by Mr. William Green, the president of the American Federation of Labor, in the following words:

Legislative representative of American Federation of Labor will appear before Appropriations Committee of the United States Senate urging favorable action upon appropriation for Fair Employment Practice Committee. Will do all we can to secure favorable action by Congress of United States.

Mr. President, several charges have been made against the F. E. P. C.; one that it is concerned with all problems involving Negroes; another that it aggravates the race problem; still another one that with many Negroes on its staff it is exclusively concerned with the Negro problem. I ask that a statement concerning those charges may be made a part of the RECORD.

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

THE FALSE CHARGES AGAINST F. E. P. C.

Certain misconceptions concerning the F. E. P. C. have been prevalent. Chief among these are the charges that—

F. E. P. C. IS CONCERNED WITH ALL PROBLEMS INVOLVING NEGROES

F. E. P. C. is concerned solely with removing discriminatory employment practices in war-related and governmental activity. Contrary to popular belief, the Committee does not have jurisdiction in a case merely because the party charged is engaged in interstate activity. Similarly, it has no jurisdiction over allegedly discriminatory practices in education, housing, the armed forces, and social relationships, nor in public or private places or conveyances, nor is it concerned with political controversies such as voting rights.

F. E. P. C. PROMOTES THE EMPLOYMENT OF NEGROES, ATTEMPTS TO ENFORCE QUOTAS, AND FORCES THE EMPLOYMENT OF CERTAIN PERSONS

F. E. P. C. has no power to channel, direct, or place labor, which is the legitimate function of the War Manpower Commission. F. E. P. C. action is limited to the removal of discriminatory employment practices. It acts only on signed complaints. It does not request anyone to hire Negroes or any other minority group of citizens. It imposes no quotas. It is only in cases where a particular person or group of persons have been aggrieved by discriminatory treatment that the parties charged are asked to hire or place on a preferential list the qualified complainant. Cases are dismissed on merits where it appears that the employer was justified in refusing to hire or upgrade an applicant not properly qualified.

F. E. P. C. IS AGGRAVATING THE RACE PROBLEM

The large number of satisfactory adjustments achieved by the Committee contradict this charge. F. E. P. C. inherited a problem it did not invent, and without its services in this field some other mechanism would have had to be established to meet the discontent arising when a man's twin impulses of earning a living and serving his country are frustrated.

WITH MANY NEGROES ON ITS STAFF, F. E. P. C. IS EXCLUSIVELY CONCERNED WITH THE NEGRO PROBLEM

As the minority subject to most widespread discrimination, it is natural that the Negro minority should produce the largest proportionate number of skilled experts in this difficult field. While four-fifths of the cases before F. E. P. C. involve discrimination against Negroes, the sizable remainder are concerned with discriminatory practice against Jews, Mexican-Americans, and other minority groups. Negroes represent a tenth of the Nation's manpower. Minority groups in this country total more than 30,000,000 people, F. E. P. C. protects the full utilization of the Nation's manpower in war activities.

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

Mr. MEAD. I yield.

Mr. MAYBANK. The Senator has placed in the RECORD the recommendations of several labor organizations of the Fair Employment Practice Committee. Does the Senator have any endorsements of the Committee from the various railway brotherhoods?

Mr. MEAD. I have here a recommendation from John P. Frey, of the metal trades department of the American Federation of Labor. I have another from Mr. George Googe, long top A. F. of L. organizer south of the Potomac. He says:

Race discrimination in our unions in the South has decreased 50 percent in the last 12 years. Give us 12 years more and there won't be any.

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

Mr. MEAD. I yield.

Mr. MAYBANK. Does the writer say that the F. E. P. C. brought that about?

Mr. MEAD. No; he does not. Mr. Frey says that he went to Chattanooga, Tenn., a great many years ago and straightened out a situation there. As the result the colored metal workers are now members of the organization he represents.

Mr. MAYBANK. The question I previously asked the Senator from New York was whether any of the railway brotherhoods had endorsed the F. E. P. C.?

Mr. MEAD. I thought I had one such endorsement, but I do not have it before me now.

Mr. MAYBANK. Was it a railroad brotherhood?

Mr. MEAD. I would not make that statement; I do not know. It occurs to me that one of the railroad organizations commended the record of the Committee. I do not wish to make that as a statement of fact in the RECORD until I have it before me.

Mr. BARKLEY. Mr. President, will the Senator yield to me for a moment?

Mr. MEAD. Yes; I yield.

Mr. BARKLEY. I dislike to interrupt the Senator from New York, but I am compelled to leave the Chamber. I wonder if there is any chance of agreeing to an hour at which a vote may be taken on the pending question?

Mr. MEAD. Mr. President, I am practically through with my statement.

Mr. BARKLEY. I wonder if we could agree on some hour tomorrow when a vote could be taken.

Mr. MEAD. Mr. President, I am ready to yield the floor. I merely make a final appeal for approval of this appropriation.

Mr. RUSSELL. If the Senator from New York will be good enough to yield to me——

Mr. MEAD. I am very glad to yield.

Mr. RUSSELL. The Senator from New York has placed in the RECORD the position taken by the American Federation of Labor and other organizations. I wonder if the Senator placed in the RECORD a report by the executive council of the American Federation of Labor?

Mr. MEAD. I have some matter relating to the American Federation of Labor before me.

Mr. RUSSELL. I wish to point out that the American Federation of Labor, while it very strongly endorses the policies of this Committee as it relates to the employer, is very bitterly opposed to its policies with respect to labor unions.

Mr. MEAD. On that point I wish to say that I have a recommendation by the executive council of the American Federation of Labor at its sixty-third convention held in October of 1943, and I ask that it be placed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

In October 1943 the executive council of the American Federation of Labor at its sixty-third convention stated:

"The direct and wholehearted participation of the representatives of the American Federation of Labor in the work of the Fair Employment Practice Committee has been based on the recognition of the fact that race discrimination in war employment is inconsistent with the Nation's foremost objectives in war for the survival of democracy. Such discrimination is not only contrary to our basic institutions, but is also a threat to national unity during and after the war."

Mr. RUSSELL. Mr. President, simply to make the RECORD complete I wanted to show that the American Federation of Labor did not endorse all that this Committee has attempted to do, because the A. F. of L. was very much opposed to the policy of the Committee with respect to labor organizations.

Mr. MEAD. Mr. President, I now yield the floor.

EXHIBIT 1

THE PRESIDENT'S COMMITTEE ON FAIR EMPLOYMENT PRACTICE—ITS BEGINNING AND GROWTH

Early in the defense program it became evident that full mobilization of American manpower was going to be a major problem. An important aspect of the over-all manpower picture concerned the integration of minority groups into the war effort, and in July 1940 there began a series of measures to prevent discrimination in essential industry.

The National Defense Advisory Commission established an office in its Labor Division to facilitate the utilization and training of Negro workers and later reached an agreement with the American Federation of Labor and the Congress of Industrial Organizations by which they accepted responsibility for removing barriers against such workers. This was followed by announcement by the United States Office of Education of a nondiscrimination policy in the expenditure of Federal funds for vocational training for defense. In October 1940 Congress, in appropriating money for defense training, forbade discrimination against trainees because of sex, race, or color.

Special letters and instructions were issued by various Government officials during the next 6 months. For example, in January 1941 the Administrator of the Federal Works Agency established a regulation prohibiting discrimination in employment in the construction of defense-housing projects. In a memorandum on June 12, 1941, to William S. Knudsen and Sidney Hillman, codirectors of the Office of Production Management, President Roosevelt emphasized the need for unity. "No nation combating the increasing threat of totalitarianism can afford arbitrarily to exclude huge segments of its population from its defense industries," he said. "Even more important is it for us to strengthen our unity and morale by refuting at home the very theories which we are fighting abroad."

On June 25, 1941, in response to growing protest that the steps taken had not proved adequate, the President issued Executive Order 8802 and appointed the Committee on Fair Employment Practice to enforce it. The order stated that it was the duty of employers and of labor organizations "to provide for the full and equitable participation of all workers in defense industries, without discrimination because of race, creed, color, or national origin." According to 8802, the Committee was to "receive and investigate complaints of discrimination in violation of the provisions of this order and * * * take appropriate steps to redress grievances which it finds to be valid." It was also empowered to make recommendations to Government agencies and to the President.

The first Chairman, Mark Ethridge, publisher of the Louisville Courier-Journal, and five other members, serving without compensation, were appointed by President Roosevelt on July 18, 1941. Lawrence Cramer, former Governor of the Virgin Islands, was called from teaching at Harvard University to become executive secretary. Originally the Committee functioned within the Labor Division of the Office of Production Management. On January 26, 1942, when O. P. M. was abolished, the Committee was transferred to the War Production Board. Dr. Malcolm McLean, president of Hampton Institute, became Chairman in March 1942, and in July of the same year the Committee was transferred as an "organizational entity" to the War Manpower Commission.

By the beginning of 1943 it was apparent that a reorganization was necessary to enable the Committee on Fair Employment Practice effectively to carry on its duties. The staff, at maximum, had consisted of 13 officers and 21 clerical and stenographic employees, a number far too small to investigate thoroughly the numerous complaints being received by the Committee. Under Executive Order 9346, issued on May 27, 1943, a new Committee, with a full-time Chairman, was set up as an organizationally independent agency.

The new order enlarged upon 8802, while repeating its basic principles. It stated clearly that it was the duty of all employers, including Federal agencies and labor organizations, "to eliminate discrimination in regard to hire, tenure, terms or conditions of employment, or union membership because of race, creed, color, or national origin." Contracting agencies of the Government were required specifically to include a nondiscrimination provision in all subcontracts, as well as in all contracts as required by 8802. The Committee's powers to conduct hearings and make findings of fact, to promulgate rules and regulations, and to take appropriate steps to obtain elimination of such discrimination were mentioned in detail. Msgr. Francis J. Haas, dean of the school of social sciences at Catholic University and well-known labor mediator, was appointed Chairman of the new Committee and served until nominated bishop of Grand Rapids on October 7, 1943. Malcolm Ross, author and former Director of Information of the National Labor Relations Board, who had been deputy chairman, was named his successor by President Roosevelt on October 18, 1943.

At the present time, the President's Committee on Fair Employment Practice has, exclusive of the Chairman, 6 members who represent labor and management equally. The paid staff numbers 113 workers, 60 of whom are in the field. The national office in Washington, D. C., has 4 divisions: Field Operations, Administrative, Legal, and Review and Analysis. In addition, there are 9 regional offices, each with a director in charge, and 2 additional suboffices, 1 in Detroit in region V and 1 in Los Angeles in region XII.

DUTIES AND JURISDICTION

Responsibility for fair-employment practice rests, actually, with the individual employer, union, or Government agency. In interpreting and enforcing Executive Order 9346 the Committee, which is an administrative agency, first must determine how, when, and by whom discrimination is practiced; and second, must take appropriate steps to eliminate such discrimination.

Definition of complaints and complainants

F. E. P. C. has jurisdiction over complaints of discrimination because of race, creed, color, national origin, or alienage. The category of noncitizens was not included in Executive Order 8802. A statement by the President, in January 1942, however, brought aliens within the scope of the Committee's responsibilities.

Whether because of race, creed, color, national origin, or alienage, discrimination may take many different forms. It may be direct by the employer against an employee, as in the case of refusal to hire. A member of a minority group may be employed and later subjected to inferior working conditions. Failure to utilize the minority workers at their highest skill level, early and unwarranted dismissal, and unequal pay for equal work are additional types of direct discrimination.

Less direct discrimination in employment may be practiced by unions, training institutions, and employment agencies. Most of the complaints against unions charge refusal to accept for membership, to issue work permits, or to handle grievances, including disputes over seniority and upgrading. There also may be segregation into local auxiliaries in which the Negro worker is denied the right to vote, to bargain collectively, or to participate equally in business negotiations. Complete denial of training and, in addition, unequal facilities where segregated schools exist are the chief charges against training institutions. Discriminatory want ads and job specifications sent to employment agencies frequently prevent non-white, Jewish, and alien complainants from obtaining war jobs.

Basis of the Committee's authority

The functions performed by the Committee are carried out for and in the name of

the President. The authority delegated to the Committee stems from two Presidential prerogatives: first, the constitutional power of the President, as administrative head of the executive branch of the Government, to direct the operation and administration of all Federal agencies; and second, his power as Commander in Chief to take all administrative action necessary to assure adequate supplies for the armed forces of the United States. Pursuant to his authority under the former, the President has empowered the Committee to investigate discrimination on the part of Government agencies, Government-sponsored training programs, and private industries involved in the performance of Government contracts. The President's power as Commander in Chief underlies his delegation of authority to the Committee to investigate discrimination in all essential war industries.

Agencies within the jurisdiction of the Committee

Thus, the jurisdiction of the Committee under Executive Order 9346 extends to three categories of complaints alleging discriminatory employment practices:

1. Complaints against all agencies of the Federal Government.

2. Complaints against all employers (and the unions of their employees) having contractual relations with the Federal Government, regardless of whether such contracts pertain to the war effort, and

3. Complaints against all employers (and the unions of their employees) engaged in industries essential to the war effort, whether or not they have contractual relations with the Government.

The Committee's jurisdiction over complaints against Federal agencies has never been challenged. But questions have been raised regarding the kinds of Government contracts contemplated by the order and as to whether or not the inclusion of the order's "nondiscrimination clause" in such contracts is mandatory. The latter question has been answered in the affirmative by the President. In defining the kinds of Government contracts contemplated by the order, the Committee has ruled that the "nondiscrimination clause" must be included in all contracts made, amended, or modified which call for the employment of persons. Such inclusion does not depend upon the amount of money involved, and is required even though the contract does not involve war activity.

The Committee's jurisdiction over "war industries," which no contract is involved, has been challenged in several cases. The Committee has issued no comprehensive definition of what it regards as war industries. It accepts as a general guide the War Manpower Commission's List of Essential War Industries, but it reserves to itself the right to determine in each case whether the party charged is an "essential war industry" within the meaning of the order. The Committee has ruled that steamship lines, railroads, telephone and telegraph companies, and local street-railway systems in vital industrial areas are essential war industries within the meaning of the order.

The Committee also has ruled that its jurisdiction extends to all private educational institutions which receive Federal funds for the support and maintenance of their war training programs.

Agencies not within the jurisdiction of the Committee

Contrary to popular belief, the Committee does not have jurisdiction in a case merely because the party charged is engaged in interstate activities. F. E. P. C. has no power to deal with privately owned, privately operated plants, which do not hold Government contracts or subcontracts, and which are not engaged in activities essential to the war effort, even though they may be engaged in interstate or foreign commerce. Also excluded from the Committee's jurisdiction are retail stores and local enterprises such as beauty parlors, law offices, specialty shops, etc., which do not hold Government contracts and which are not engaged in services essential to the war effort.

The Committee has no jurisdiction over the armed forces.

PROCEDURE

A case requiring investigation by the President's Committee on Fair Employment Practice is (a) a signed complaint (b) against a named employer, union, or Government agency (c) alleging discrimination (d) relating to employment, placement, or training (e) because of race, color, creed, national origin, or alienage. Information pertaining to discriminatory advertisements, placement orders, or application forms may be acted upon by a staff member upon his own cognizance. In addition, evidence of violation of Executive Order 9346, referred to the Committee by another Government agency, may constitute a case.

Method of investigation—Customary steps

All cases are docketed in the regional office of the area in which the alleged discrimination has occurred. If a complaint comes under the jurisdiction of the Committee, investigation of its validity is begun. Further information from the complainant may be obtained and collateral investigations undertaken, after which contact is made with the party charged by a Fair Practice examiner. If an employer or union official, thus reminded of his responsibilities under Executive Order 9346, acts to eliminate discriminatory practices in accordance with the recommendations of the examiner and the regional director, the case is closed. Most of the 359 cases satisfactorily adjusted in the 6 months' period from July 1 to December 31, 1943, represent this kind of disposition.

Should a case prove unadjustable at the regional level, the Regional Office can refer it to the Director of Field Operations in Washington. At both the regional and national levels, there is frequent negotiation with the War Manpower Commission or with the contracting agencies of the Government. In some troublesome situations a senior Fair Practice examiner is sent from the Washington office to effect a satisfactory disposition of the case. Referral to the full Committee and the scheduling of a public hearing result only after all other methods of settlement have been employed unsuccessfully.

Hearings

The decision to hold a hearing is not automatic. It is made only after the members of the committee have agreed upon such action. The purpose of the public hearings is to determine the existence of discrimination, the duties of employers, and the rights of employees under Executive Order 9346.

Hearings conducted by the President's Committee on Fair Employment Practice are informal, fact-finding proceedings. They are not limited by the legal rules of evidence and procedure. The full Committee sitting as an impartial body, may hear the case or may authorize its chairman to appoint a hearing commissioner for the purpose of conducting the hearing. In other instances, a panel of Committee members may be designated. A number of concerns from the same industry or local area may be investigated at one time.

In the majority of the 11 public hearings held by the Committee since its inception, more than 1 company or 1 union has been involved.

Ample notice of the hearing and of the specific charges is given to the party charged. Parties may appear in person or be represented by counsel and may examine and cross-examine the witnesses. The Committee may request the party charged to present material, but it has no power to subpena witnesses or records.

The full Committee reviews the stenographic record of the proceeding before rendering its final decision and entering its findings. At this time it takes corrective measures, which include recommendations and directives to the parties charged and recommendations to Federal agencies and to the President of the United States to eliminate whatever discriminatory practices have been revealed.

The elimination of discrimination

In most instances, F. E. P. C. staff members are able to bring about the adjustment of specific complaints without formal reference to the Committee. Satisfactory disposition is achieved when the party charged complies with the requests of these executives that it take certain positive steps to correct present discriminatory practices or to guard against their future occurrence. Beyond the settlement of the immediate grievance, such implementation usually consists of written notices and instructions to personnel officers, placement agencies, training institutions, and labor unions that the party charged will employ persons solely on the basis of their qualifications and without regard to their race, creed, color, or national origin.

The Committee's directives usually advise the parties charged to issue formal instructions to their own personnel officers and employment agencies that the recruitment, training, and placement of workers will be carried on without discrimination.

In addition, the Committee has at times directed companies to hire persons who have been discriminated against or to reinstate workers who have been dismissed for discriminatory reasons. One such instance occurred in December 1942, following a hearing which involved charges brought by seven members of Jehovah's Witnesses. The Committee directed that "the company take immediate steps to offer reinstatement to the seven complainants and to offer them reemployment with full seniority rights they would have enjoyed had they been continuously employed."

The Committee consistently has expressed its conclusions regarding methods of carrying out the purposes of the Executive orders by means of the well-known administrative procedure of issuing directives. Power to issue directives is implied in Executive Orders Nos. 8802 and 9346. Under Executive Order No. 8802 the Committee "shall take appropriate steps to redress grievances." The corresponding clause in Executive Order No. 9346 authorizes it to "take appropriate steps to obtain elimination of * * * discrimination." The Committee's authority to issue directives springs from these phrases.

Should the Committee's directives be defied, such violation can be referred to the proper contracting agency, including the War Department, the Navy Department, or the Maritime Commission. The contracting agencies may cancel or refuse to renew war contracts Ultimately noncompliance is certified to the President of the United States.

The Committee can also bring such cases to the attention of the Chairman of the War Manpower Commission. A formal agreement, executed by the two agencies in August 1943, defines the respective responsibilities of F. E. P. C. and W. M. C. in enforcing the Government's nondiscrimination policies concerning the training, placement, and utilization of manpower. In addition, the War Manpower Commission, in carrying out its employment-stabilization program, may penalize violators of the program's clause prohibiting discriminatory hiring and referral practices. Sanctions may be invoked at both the regional and national level. Most

of them are available at any stage of negotiations when the intent of the party charged not to comply becomes clear.

The War Manpower Commission, through the United States Employment Service, may refuse to service noncomplying employers, or may issue certificates of availability to workers against whom discriminatory policies have been practiced. It may refuse the employer clearance for the recruitment of workers outside of his labor market if he imposes discriminatory hiring specifications. It may issue certificates of availability to the workers of a noncomplying employer. Also, in accordance with W. M. C. policy, employees who quit in protest over the employment of minority workers may be denied certificates of availability to other employment.

Finally, the President may act under his dual authority as administrative head of the executive branch of the Government or as Commander in Chief of the armed forces to enforce committee directives.

SCOPE OF ACTIVITIES

Complaints received and investigated

As of July 1, 1943, F. E. P. C. had pending 1,016 cases. During the 6 months' period between that date and January 1, 1944, 1,950 new cases were docketed. During the same period 989 cases were closed, leaving the committee's January 1 case load at 1,957. More than one-third of the cases closed represented satisfactory adjustments. Dismissal because of lack of jurisdiction over the complaint or because of insufficient evidence accounted for 244 of the closings. In addition, 256 cases were closed on merits, 123 were withdrawn by the complainant, and 7 were dismissed for other reasons. The 630 cases in these last 4 categories represent allegations of discrimination which would have remained as continuing disputes had they not been subjected to a careful examination by a third party.

F. E. P. C. public hearings number only 11. Of these, 6 were held under the auspices of the old Committee, before the issuance of Executive Order No. 9346. A number of companies and unions were involved, and compliance has been largely good. Certain companies have been especially cooperative. At this writing, the new Committee has conducted 5 public hearings: Two were based upon charges of discrimination because of creed and involved the Dow Chemical Co. in Midland, Mich., and the Northwest Mining and Exchange Co. in Du Bois, Pa. The railroad hearings in Washington, D. C., the boilermaker's hearings in Portland, Oreg., and San Francisco, Calif., and the case of the Philadelphia Transportation Co. in Philadelphia involved charges of racial discrimination.

Distribution of complaints by race, creed, color, national origin, alienage

Race and Color

For the most part in the United States, Negro labor has been disproportionately concentrated in unskilled, domestic, and agricultural occupations. According to the 1940 census, Negro men comprised 60.2 percent of all males in domestic service and Negro women constituted 46.6 percent of all women employed in this field. Colored men formed 21 percent of the males employed as laborers; colored women composed 26.9 percent of such laborers. (Farms and mines not included.) Negro men were 21 percent of all farm laborers and foremen. It can be seen how disproportionately the Negro is concentrated in the lower work brackets, when it is considered that Negro males constitute 10.3 percent of the total male working population, and that women form 18.9 percent of the total female working population.[1]

During World War No. 1, and for a decade thereafter, Negroes made significant occupational gains in such industries as iron, steel, meatpacking, shipbuilding, and automobile manufacturing. The depression seriously hampered these gains and in 1940, Negroes constituted a smaller proportion of the workers in mining, manufacturing, transportation and communication, than they had in 1910.[2] A survey by the Bureau of Employment Security of the Social Security Board issued in September 1941, revealed that Negroes would not be considered by industry for 51 percent of 282,245 job openings expected to occur by February 1942.[3]

The Tolan committee, in 1941, found that nine A. F. of L. unions still had constitutional provisions barring Negroes from membership, along with the railway brotherhoods. In addition, numerous unions continued to discriminate against Negro workers, excluding them by tacit consent and constitutional ritual, and, by segregating them into auxiliaries.

Since 1941 the Negro has made considerable advances in the field of industrial employment. In January, according to the War Manpower Commission, nonwhite workers now constitute 7.2 percent of the total 15,000,000 war workers in firms reporting to the United States Employment Service. This shows a good trend. In the beginning of 1942 it was estimated that nonwhite workers constituted only 3 percent of the employees in war industries. By September 1942 the figure was 5.7 percent, in January 1943 6.4 percent, and in March 1943 6.7 percent.[4] Negroes have secured significant employment opportunities in shipbuilding, aircraft, blast furnaces, steel works, rolling mills, tanks, communication equipment, explosives, and ammunition.

No reliable data is available on the utilization of nonwhite workers in skilled and semiskilled occupations. Most observers agree that Negroes are being both placed and upgraded to skilled and semiskilled operations in many plants at a startling rate. The W. M. C. has revealed that for the last quarter of 1943 14.8 percent of nonwhite placements were in other than unskilled occupations. The number of Negroes in operations other than unskilled in industry is perhaps much higher than this figure would indicate, since the usual tendency is to upgrade Negroes from unskilled jobs rather than to take newcomers from the outside at the high levels of employment.[5]

Negroes have also made considerable gains in the Federal civil service. The 1938 report by L. J. W. Hayes showed that Negroes composed 8.4 percent of Federal employees in Washington, and that 90 percent were in custodial jobs.[6] In contrast, a study by the Division of Review and Analysis of F. E. P. C., involving a sample which covered 1,957,858 Government employees, showed that 12.5 percent of these workers were colored. According to this study, in the departmental service Negroes composed 18 percent of the total personnel. A large number, 50 percent or more in some agencies, were employed in the clerical, administrative, fiscal category, although in the field service most Negroes were still in custodial classifications.

In general, however, the better utilization of the Negro is spotty and is concentrated in certain industries, in certain areas, and even in some cases, is limited to specific corporations. There are many industries where the full utilization of nonwhite workers is of critical importance to the war production effort. Among these are the local transit industry, the air-frame industry, the cotton-textile industry in the South, the jute-spinning industry, the rayon fiber and rayon textile industry, the antifriction-bearing industry, and the shipbuilding industry where they are already highly utilized.

The practices of organized labor have not kept pace with the increased employment of the Negro. Today 13 unions exclude Negroes by constitutional provisions, 5 exclude by tacit consent, 1 by ritual, and 9 afford only segregated auxiliary status to Negroes.[7]

Creed

Charges of discrimination because of creed comprised nearly 10 percent of the complaints received by the Committee during the July–December 1943 period. Most of them came from Jews. Members of this group frequently have been barred from employment through discriminatory want ads or specifications to employment agencies. Application forms on which religion must be designated further such discrimination. Training schools, realizing that Jewish graduates may be hard to place, in many cases have refused to admit them.

Orthodox Jews, Seventh-day Adventists, and others who regard Saturday as their Sabbath constitute a problem because of the working schedules to which most industries geared to the demands of war production now adhere. Absenteeism related to such practice often has led to dismissal, although many plants and agencies have managed to work out satisfactory arrangements for Sabbatarians.

National origin and alienage

Discrimination because of national origin alone accounted for 5 percent of the complaints docketed by the Committee between July 1 and December 31, 1943. Some foreign-born citizens have been denied employment simply because an employer doubts their loyalty. On the other hand, certain groups, largely Spanish-American in origin, have to contend with discrimination of the same type which faces American Negroes. This is especially true in sections of the far West and Southwest.

The problem of placing noncitizens in war jobs is a troublesome one. During the 6 months' period mentioned above discriminatory acts against aliens constituted almost 7 percent of F. E. P. C.'s docketed cases. Most discrimination of this kind arises from overcautiousness in employers engaged in war production. Sections in two acts of Congress, passed in 1926 and 1940, forbade the employment of aliens in the performance of aeronautical, secret, restricted, or confidential contracts without the written consent of the Secretary of the Department concerned. Although the latter act has expired and the 1926 act covers only aeronautical contracts, the War and Navy Departments and the Maritime Commission continue to require written consent for the employment of aliens on such classified contracts.

Any employer not engaged in work of this kind violates Order 9346 when he refuses to employ qualified and available aliens. It is also a violation for a contractor engaged in the execution of a secret, restricted, confidential, or aeronautical contract to neglect or refuse to apply to the Secretary of War or Navy for permission to employ needed and qualified aliens.

[1] U. S. Census, Population, The Labor Force, Volume III, Washington, D. C.; U. S. Government Printing Office; pp. 88 and 89

[2] Weaver, R. C., "The Employment of Negroes in War Industries," Journal of Negro Education, Washington, D. C., Howard University Press, Summer 1943; pp. 386–387.

[3] Bureau of Employment Security, Social Security Board, Labor Supply and Demand in Selected Defense Occupations Through the Period May–November 1941, Washington, D. C., Federal Security Agency; September 1941.

[4] Weaver, R. C., op. cit., p. 391.

[5] Reports and Analysis Service, Placement Activities, Washington, D. C., War Manpower Commission, December 1943.

[6] Hayes, L. J. W., The Negro Federal Government Worker, Washington, D. C., master's thesis, Howard University, 1941.

[7] Northrup, H. R., Organized Labor and Negro Workers, The Journal of Political Economy. Chicago, University of Chicago Press, June 1943 (p. 208).

The number of complaints received by the former committee from aliens proved the existence of confusion among employers and applicants alike. In March 1943 discrimination against aliens still comprised F. E. P. C.'s second largest group of complaints. A series of steps has served to alleviate the situation. On July 11, 1942, President Roosevelt issued a clarifying statement, setting forth the official position on the employment of noncitizens and outlining procedures to be followed in hiring them. This was reaffirmed on June 7, 1943, in a joint statement by the Secretary of War, the Secretary of the Navy, the Attorney General, and the Chairman of the Maritime Commission.

According to section 205 of the Independent Office Appropriations Act, approved June 26, 1943, aliens who are nationals of any of the United Nations may now be employed by the Government agencies whose appropriations are provided by this act.

In recent months the paper work and the time needed for clearance of applications have served as the chief obstacles to the employment of aliens. The President's Committee has made recommendations toward the simplification and shortening of application forms. At this time the Provost Marshal General has brought about decentralization of the investigation and clearance of alien applications. This process should reduce considerably the time required for clearance.

As a war agency, the President's Committee on Fair Employment Practice is concerned with bringing about the fullest utilization of all available manpower for the fight against the Axis. Its functions are the direct expression of Government policy and are aimed at eliminating discriminatory practices, which, in the present emergency, tend seriously to impair workers' morale and national unity. The current need for labor does not allow for the continuance of habits which bar qualified workers from employment and prolong the day of victory.

Mr. BARKLEY. Mr. President, I wish to inquire whether we may not reach some agreement on voting at some hour tomorrow. Any hour suits me.

Mr. BILBO. I have no objection to that, provided I am given an hour.

Mr. BARKLEY. The Senator would have my consent to having an hour. I should like to have the time for voting fixed at 4 or 5 o'clock.

Mr. BILBO. Tomorrow?

Mr. BARKLEY. Yes; tomorrow.

Mr. RUSSELL. The thing which disturbs me is, How shall we confine the debate to the subject under consideration? Some Senators may obtain the floor and make lengthy speeches on some unrelated matter and thereby deprive other Senators who wish to discuss the pending question of an opportunity to do so.

Mr. BARKLEY. That is the chance we always take unless by unanimous consent we can limit the debate on the amendment and have the time divided between Senators on both sides of the question.

Mr. McKELLAR. Mr. President, there are two or three Senators who wish to speak on the question, and if we continue debate on the subject, I believe we can get to a vote before 4 or 5 o'clock tomorrow.

Mr. BARKLEY. I hope so. The trouble is that every fresh day brings forth some fresh subject. I do not wish to shut any Senator off.

Mr. RUSSELL. I wish to make the RECORD clear that those who are opposed to striking this item from the bill have occupied practically all the time today.

Mr. BARKLEY. That is true with respect to today, but that was not true the previous day.

Mr. RUSSELL. On the previous day the amendment did not come before the Senate until about 2:30 in the afternoon, and the question was debated for about 2 hours.

Mr. BARKLEY. I think the time up to now has been pretty fairly equally divided.

Mr. McKELLAR. Mr. President, I think the time has been well spent, too. I do not think there is necessity at this time to fix a time for voting. So far as I am concerned, I should object to fixing the time until Senators on both sides of the question have had a reasonable opportunity to discuss it, and then I shall urge very strongly that a time be fixed for taking the vote.

Mr. BARKLEY. I am not pressing the matter. I thought perhaps it was worth while trying to fix the time for a vote.

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

Mr. BARKLEY. I yield.

Mr. WHITE. In view of what the Senator from Tennessee has said about the situation, I suppose it is useless to attempt to reach any agreement at this time, but I cannot help impressing on those Members of the Senate I am now facing, that Members on this side of the aisle have a sort of a rendezvous with destiny in a few days.

Mr. BARKLEY. I do not know whether it is a rendezvous or——

Mr. WHITE. Well, I am simply grabbing an expression out of the air.

Mr. BARKLEY. It may be a slaughterhouse. We cannot tell.

Mr. WHITE. Well, we have high hopes.

Mr. McKELLAR. Mr. President, inasmuch as the Senator from Maine has referred to me, I will say that I am doing everything humanly possible to get the pending bill through the Senate this week. I have an idea that it can be gotten through the Senate more quickly by letting it go along until tomorrow, and permit as many Senators as wish to speak this afternoon to speak, but let us for heaven's sake try to reach a conclusion of the measure quickly. I hope it will be voted on tomorrow because we have to finish about two bills a day in order to complete necessary action this week.

Mr. BARKLEY. I will say to the Senator from Tennessee that, in addition to the appropriation bills to which he refers, there is other legislation pending. The bill affecting the Office of Price Administration, extension of the Stabilization Act, has yet to become law. As everyone knows the present O. P. A. law expires the 30th of this month. We certainly cannot even consider taking any recess, even for a convention, with that law about to expire and with no action taken to extend it. The conferees have been working on it ever since it was referred to them in an effort to get together. They have not yet completed their work. We hope to have it completed tomorrow. There are other matters which ought to be disposed of quickly.

Mr. RUSSELL. I hope the Senator from Kentucky will include the bill providing for continuation of the present rate of interest by the Federal land bank.

Mr. BARKLEY. Yes; that is one of the many other measures which I think we ought to dispose of. Before we get ready to take a recess—if we are to take one--there are a good many things which need attention at once. It is urgent that we do not delay longer.

Mr. MAYBANK. Mr. President, I invite the attention of the Senator from Kentucky to the fact that some time ago a bill was passed in the House dealing with an order issued by Mr. Eccles in connection with the banks. It should certainly be considered by the Senate before any long recess is taken.

Mr. BARKLEY. That bill is still in committee. It has not been acted upon by the committee. Hearings have not been held upon it.

Mr. MAYBANK. That may be true, but it is extremely embarrassing to the bankers of the United States and to those who are suffering not to know how their business stands. I hope that before we take any long recess—I am not suggesting a recess for the Republican convention, but I am in thorough agreement with the distinguished minority leader that such a recess should be taken—we should determine whether or not the bankers of the United States are to be kept in ignorance as to how their business stands, after a bill has been passed unanimously by the House of Representatives. I shall insist upon consideration of that bill.

Mr. WHITE. Mr. President, I should like to say a word further about the situation. I am in complete agreement with the Senator from Kentucky that there are other pieces of legislation than the matter now pending before us which must be disposed of before a recess is taken. I have no desire to criticize the debate on the pending bill. I think it has been germane to the bill, and has been carried on in good spirit. I think there has been no uncalled-for discussion. I have been disappointed that it has taken so long. I had hoped that we might dispose of the bill this afternoon.

We might as well be perfectly frank about the situation. It so happens that Members on this side of the aisle had hoped they might leave here tomorrow, at least temporarily, for a day or two. I had hoped that the situation might be such that they could leave with propriety. It seems to me that we should make every effort to hasten the disposition of this bill. If we cannot agree now as to a time for the final vote, I hope it will be understood that we will remain in session until at least 6 o'clock this evening, and make that much of a contribution to the termination of the debate and the passage of the bill.

Mr. McKELLAR. That would be entirely satisfactory to me.

Mr. BARKLEY. I think that would be a very proper contribution to winding up the debate.

Mr. McKELLAR. That is entirely satisfactory to me.

I hope we can vote on the bill before 2 o'clock tomorrow afternoon. I see no reason why we cannot.

Mr. DAVIS. Mr. President, more than half a century ago I first began work in the iron and steel mills of the great Commonwealth of Pennsylvania.

During my years of labor in the mills I have seen men from almost every nation come to this country and accept employment in those same mills.

I have worked side by side with some of those men, and I know that in many cases the discriminations practiced against them made it virtually impossible for them to obtain employment. I have seen men shunted from town to town and from city to city—denied all employment because of their activities in behalf of the advancement and security of their fellow workers.

Mr. President, no American should be discriminated against. America is a free land, where all men should be treated as free citizens. I shall vote in favor of an appropriation for the F. E. P. C., in order that America and its citizens may always remain free.

Mr. SHIPSTEAD obtained the floor.

Mr. BILBO. Mr. President, will the Senator from Minnesota yield to me to make an observation while the Senator from New York [Mr. WAGNER] is present?

Mr. WAGNER. Mr. President——

Mr. BILBO. I should like to make an observation while the Senator from New York is present.

Mr. WAGNER. Mr. President, I should like to make an observation.

Mr. SHIPSTEAD. Mr. President, if there is to be any controversy, I shall not yield. I understand that the Senator from New York wishes to file a report.

Mr. WAGNER. Yes.

Mr. SHIPSTEAD. I yield for that purpose.

Mr. WAGNER. Mr. President, I ask unanimous consent that during the recess of the Senate I may be permitted to submit the report of the conference on the O. P. A. bill.

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

Mr. BILBO. Mr. President, will the Senator from Minnesota yield to me so that I may make an observation to the Senator from New York [Mr. WAGNER]?

Mr. SHIPSTEAD. Mr. President, in my experience an observation in the Senate may require a long time.

Mr. BILBO. I shall require less than 1 minute. May I have the Senator's permission.

Mr. SHIPSTEAD. Does the Senator say 1 minute?

Mr. BILBO. I shall require less than 1 minute.

Mr. SHIPSTEAD. I am glad to yield with that understanding.

Mr. BILBO. Mr. President, I join with the Senator from South Carolina [Mr. MAYBANK] in making a very special request of the Senator from New York, who is chairman of the Committee on Banking and Currency, that if possible he adopt the hearings before the House Committee on the Federal Reserve regulation known as regulation Q. I have heard from practically every banker in the State of Mississippi. This is a very important and urgent matter with them. It is vital to their very life. Early action is very desirable. I trust that the Senator may see his way clear to adopting the hearings before the House committee, so that the Senate may act upon the bill one way or the other.

That is all I wish to say.

Mr. MAYBANK. Mr. President, will the Senator from Minnesota yield so that I may make a very brief statement in connection with what the Senator from Mississippi [Mr. BILBO] has said?

Mr. SHIPSTEAD. I shall be glad to yield for a moment.

Mr. MAYBANK. Again I wish to call attention to the banking bill which is pending before the Committee on Banking and Currency. I do not know whether it is necessary to have a recess of the Senate for more than 10 days. That seems to me to be a very long time. I again insist that before any recess for longer than 10 days is taken, the people of my section and the people of the entire country who are suffering should know whether or not they are to continue to suffer under the orders of Mr. Eccles.

DISCLOSURE OF SECRET DIPLOMATIC CORRESPONDENCE

Mr. SHIPSTEAD. Mr. President, let me say in the beginning that I do not rise to interfere with the progress of the bill before the Senate. I do not intend to discuss the pending bill. I intend to refer to a matter which in my opinion is of such great importance that it ought to be called to the attention of the Congress of the United States. It deals with a newspaper dispatch from London, England, which has passed through the British censor. It deals with the debate in the Parliament of Great Britain. That debate was participated in by members of the three parties represented in the British Parliament, and it is of such a grave character that it reflects upon the integrity not only of the Government of the United States, but also, to some extent, upon the integrity of the Government of Great Britain. I am amazed that the British censor should pass it, but because the British censor has passed it, I assume that it has the imprimatur of the British Government.

We hear much gossip, and many stories have been peddled around for years, and no one has said anything about them; but because the Parliament of a foreign government has officially taken cognizance of it, it seems to me to be the duty of the Congress of the United States also to take cognizance of it, since it reflects upon the integrity of our own Government.

I wish to read the dispatch for the RECORD. It is a dispatch from London, passed by the British censor, on June 16. The headline reads as follows:

Commons told F. D. R. pledged aid before war—M. P. says Churchill got promise.

At that time Mr. Churchill was not Prime Minister. He was a private citizen. I read from the dispatch:

LONDON, June 16.—President Roosevelt promised Prime Minister Churchill before Britain entered the war that America would come to her aid. This accusation was made today in the House of Commons by John McGovern, an independent Laborite.

In a debate on regulation 18–B, in which the minister of home security is given authority to detain in prison without trial any person he suspects to be dangerous to the war effort, McGovern asked whether the reason for the continued detention of Capt. A. H. M. Ramsay, a member of Parliament, was that he might make sensational disclosures about pre-war negotiations between Churchill and Roosevelt.

McGovern linked the detention of Ramsay to the arrest of Tyler Kent, American embassy clerk, whose mother, a resident of Washington, D. C., has been fighting for his release for 4 years. Kent was sentenced to 7 years' imprisonment in camera on a charge of disclosing embassy secrets. He was a code clerk and had access to diplomatic correspondence.

I quote the words of the member of Parliament, Mr. McGovern:

"I have been told that Captain Ramsay is not in because he is a Fascist," McGovern said, "but because Tyler Kent took copies of letters from a diplomatic bag between the Prime Minister and the President of the United States. The Prime Minister was soliciting military aid in the event this country was going to war and preparations were made and promises given by the President of the United States through the diplomatic bag."

That was done when the present Prime Minister was not Prime Minister.

I continue to quote the words of the member of Parliament:

I am told that while the present Prime Minister was First Lord of the Admiralty under the late Neville Chamberlain—

That was when the present Prime Minister was head of the British admiralty, and when Chamberlain was Prime Minister and head of the British Government—

he still was carrying on this campaign behind the back of his Prime Minister—

I am quoting the words of a member of the British Parliament—

engaging in the exchange of letters through the diplomatic bag in order to find out the strength of American support and whether America could be depended upon to come into the war.

That was before Winston Churchill was Prime Minister. At that time he had the status of a private citizen.

I quote further from the words of the Member of the British Parliament:

It is said that if Ramsay were released—

Ramsay was a member of Parliament, and is now in jail—

it would be extremely dangerous and difficult for him to be going around substantiating these things and stating that they are true, and therefore that he is being held because the Prime Minister does not want him to be liberated.

So we have this controversy, with a member of Parliament held in jail without a trial or a hearing, under a directive known as 18–B.

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

Mr. SHIPSTEAD. I will, if the Senator wishes to ask a question.

Mr. WHEELER. I was going to say that my understanding of the matter is that Ramsay was put in jail under one of the war powers.

Mr. SHIPSTEAD. That is correct.

Mr. WHEELER. But Tyler Kent is an American citizen who was working for the American Embassy in London. He was charged in a British court, and was tried in a secret British court for stealing from the American Embassy or, rather, for embezzling certain papers and for showing certain correspondence or cablegrams between Mr. Churchill and President Roosevelt. For that he was tried in a British secret court, and was sent to jail.

Mr. SHIPSTEAD. That is correct.

Mr. WHEELER. Mrs. Kent came to see me some time ago. I may state that she is from a very respectable Virginia family, and her husband served for a long time in the Consular Service. She came to see me, and told me her son was charged and tried, and was put in jail for 7 years. I was unable to believe that an American boy connected with the American Embassy could be tried in a secret British court, under the protocol and under the laws of the United States. So I wrote a letter to Secretary Hull, asking him how it was that an American boy could be tried in a secret British court for stealing, or embezzling, or getting hold of papers which went through the American Embassy. I received no answer to that letter. Because of the fact that Mr. Joseph P. Kennedy was at that time American Ambassador to Great Britain, I sent him a copy of the letter.

As I said, I received no response to my letter. But the State Department did send Mr. Shaw, of the State Department, to see me.

It seems, according to information which has been verified, that the boy got hold of certain cablegrams and made photostatic copies of them, as I understand, and showed them to other persons. I understand that he showed them to a Russian woman.

Mr. SHIPSTEAD. And to a member of Parliament, Mr. Ramsay.

Mr. WHEELER. Yes; he also showed them to a member of Parliament.

Of course, that was a very serious thing. No one would uphold Kent in what he did.

I cannot understand how an American citizen could be tried in a British secret court. I understand that our State Department paid a lawyer to help defend him. But our State Department, in so doing, was hiring someone to defend the boy against the charge of having done something against the American Embassy. The boy is still in jail. What would happen if we should arrest a member of the British Embassy here and endeavor to try him in an American secret court? Of course, the British Government would immediately protest, and we would not try him in a secret or a public court.

Mr. SHIPSTEAD. He would be sent back to England to be tried under the laws of England.

Mr. WHEELER. He would be sent back to be tried in England. That is what aroused my interest in the matter. I received no reply from Mr. Kennedy, although he did call me on the telephone.

My understanding is that no foreigner is allowed to use the American code. It is my understanding that at the time under discussion Mr. Churchill was the First Lord of the Admiralty in Mr. Chamberlain's cabinet. He could not use the British code. In other words, he would not dare to use the British code, if the information which came to me from Mrs. Kent is correct.

Mr. SHIPSTEAD. He could not use the code without the consent of Chamberlain.

Mr. WHEELER. No; and, of course, he would not use it to send the kind of a message which was sent. So he was permitted to use the American code, which, in my judgment, as I understand the law, is not to be used by any foreigner. I may be entirely wrong about it. However, I received no satisfactory answer as to why this American boy was tried in a British secret court. I cannot understand why our State Department or our Government permitted it. The boy had been in the diplomatic service for a long time. He had been in Russia for some time. He was taken out of Russia because, as I understand, he became very anti-Communist there, and was transferred to London. He went to Russia, as I understand, with Mr. Bullitt, and was then employed in London as a code clerk. He was decoding messages which passed between Mr. Churchill and Mr. Roosevelt. He then made copies of the messages, and very foolishly showed them to a member of Parliament, and also to a Russian woman.

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

Mr. SHIPSTEAD. I yield.

Mr. BUSHFIELD. Does the Senator have any information with regard to how Mr. Churchill obtained possession of our code?

Mr. WHEELER. As I have already said, I do not know how he obtained possession of it, or how anyone would be permitted to have the code. When Mrs. Kent, who is a very fine lady, whose husband was in the Consular Service for many years, and of whom everyone speaks very highly and says that she is a lady of excellent reputation, came to me and told me the story, I said that there was nothing which I could do except to inquire from the State Department and endeavor to ascertain how the boy was tried. I received no letter from the State Department, but Mr. Shaw came to see me and told me that they were very much worried because of the fact that the Russian woman had obtained the information which the boy had decoded. I believe the Russian woman was a white Russian, and fear had been expressed because she was believed to be opposed to the Communists, and that she might convey the information which she had received to Hitler and his gang. Reprehensible as it was for the boy to have done what he did, there still is no answer to the question as to why he should have been tried in a British secret court.

Mr. SHIPSTEAD. The question is, Was the secret code of the Diplomatic Service used for the benefit of Mr. Churchill who was not the head of a foreign government?

Mr. WHEELER. At the time the member of Parliament, Mr. Ramsay, made some statement or some inquiry in Parliament, he was immediately taken out of Parliament and put into what amounted to a concentration camp. He was tried, but he was taken away under the War Powers Act, and has been away for 3 or 4 years. The question relating to the situation is now before Parliament, and, as the Senator from Minnesota has said, a discussion has taken place on the floor of Parliament between Members of that body. A report of the discussion was sent out reflecting upon our Government, the President, and certainly upon Mr. Churchill. It reflects upon our State Department. The British let the report go out through the censor. The report arrived in this country and was published in newspapers here.

Frankly, I think the entire matter should be gone into. I think the Judiciary Committee of the Senate should find out how an American boy could be tried in a British secret court for having done something against our own Embassy.

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

Mr. SHIPSTEAD. I yield.

Mr. WHERRY. Does the Senator from Montana care to express an opinion as to what legality there could be for the British court to take jurisdiction in this case?

Mr. WHEELER. I have never found out. The boy was a code clerk. My understanding is that he made photostatic copies of certain information and took them to his room. So what he did was stealing or embezzling from the American Embassy. The American Embassy is within the jurisdiction of the United States and not the British Government. The American Embassy in England does not come under the jurisdiction of the British Government any more than does the British Embassy here in the United States come under our jurisdiction.

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

Mr. SHIPSTEAD. I yield.

Mr. CONNALLY. I do not wish to interrupt the Senator at this point, but when he concludes I expect to make a statement with regard to this matter.

Mr. SHIPSTEAD. I continue to quote from the honorable member of Parliament who stated:

> It is said that if Ramsay were released it would be extremely dangerous and difficult for him to be going around substantiating these things and stating that they are true, and, therefore, that he is being held because the Prime Minister does not want him to be liberated.

The news article continued as follows:

> In the course of the debate Minister of Home Security Herbert Morrison, whose duty it is to enforce regulation 18–B, disclosed that since it was put into force 1,829 persons

have been detained without trial. The maximum at any one time was 1,428 in August 1940. He said that releases had reduced the number to 429 last July and cut the number to 226 by May 31.

The long debate was opened when Irving Albery, Conservative, moved that the regulation be reconsidered and enforcement be taken from Morrison.

Morrison has charge of the regulation and imprisonment of these people.

Albery asked that a special tribunal be given power to determine whether in the case of Ramsay the house was not being unwisely deprived of the services of one of its members, and if the electors of Ramsay's constituency were not being deprived of representation. He questioned whether the regulation is not "dangerous to the constitution of the country."

Albery's motion was supported by Commander Archibald Southby, another Conservative. He charged that under 18–B there is no judicial safeguard for the liberty of the citizen against acts of the executive power and contended that detainees should have a public trial "at the earliest possible moment."

Geoffrey Mander—

Geoffrey Mander, I understand, was secretary to the present Prime Minister, Winston Churchill, before he became Prime Minister, and therefore must have had knowledge of these things. The article continues—

a Liberal, defended regulation 18–B, but urged that a committee of the house be selected to go into the question of expelling Ramsay from its membership.

MORRISON SILENT ON CHARGES

At this point McGovern took the floor and told of conversations he said he had with Ramsay before the war. He added that his conclusion was that "Ramsay ought rather to be in a mental institution than in a criminal place of detention."

Security Minister Morrison refused to discuss the charges against Ramsay, saying that if he did so he would have to disclose information which might be of value to the enemy "about what I know about the enemy's espionage service and information about the British security service as well." He made no mention of McGovern's Roosevelt-Churchill charge.

Mr. HOLMAN. Mr. President——

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). Does the Senator from Minnesota yield to the Senator from Oregon?

Mr. SHIPSTEAD. I yield.

Mr. HOLMAN. I am perturbed about another element of this discussion. As I understand, the Senator has disclosed that our President, Mr. Roosevelt, assured Mr. Churchill that if England became involved in the war and needed our help, our country would go to the rescue of England. Was that coincident with the time when Mr. Roosevelt was telling American mothers and fathers that American boys would never be sent into foreign wars?

Mr. SHIPSTEAD. I can only speak from memory, Mr. President. It must have been before that statement was made, because this refers to a time prior to when Winston Churchill was Prime Minister.

Mr. HOLMAN. Let us get that straight. He assured England that the United States would come to the rescue of England if England became involved in war, and subsequent to that time assured American mothers and fathers that their boys would never be sent overseas in conflict?

Mr. SHIPSTEAD. I cannot speak by the record as to that, except from what is revealed in the debates in the House of Commons of Britain, participated in by members of all three political parties in Britain. This refers to a time when the present Prime Minister was not Prime Minister, when he was in the minority, had the status of a private citizen.

I do not know very much about English law, but in the United States if a private citizen undertakes to negotiate with a foreign government, not going through the State Department, he is violating the law of the land. A private citizen in Britain may negotiate with a foreign government, under the laws of Britain, for aught I know. But that of itself is not so important as the fact that this is an official debate, in the Parliament of an Allied government, and that it passed the censorship to the people of the United States. I think that is significant. It is not gossip, it is official, and therefore I felt it my duty to call it officially to the attention of the Congress of the United States, because it is a reflection on the integrity of the Government of the United States, whatever the British people may think of the reflection on their present Prime Minister.

I am not saying this is true, I am only calling it to the attention of the Senate that an official parliamentary body of an Allied government has made these reflections upon the integrity of the Government of the United States. I do not know what can be done, as we are about to adjourn, but it seems to me important that a committee of the Senate, either the Judiciary Committee or the Foreign Relations Committee, should take some cognizance of the matter. We cannot afford to ignore it, as we can afford to ignore gossip in the newspapers. Here is an article, passed by the British censor, which therefore must have the imprimatur of the British Government, for what purpose I cannot say.

Mr. CONNALLY. Mr. President, I regret very much that the distinguished Senator from Minnesota should pay so much attention to a mere hearsay statement of a member of the House of Commons. It will be recalled that in the quotation the Senator stated in several places that this member of the House of Commons—I forget his name—made the statement, "I have been told so and so and so," or, "It is understood so and so and so and so and and so."

The Senate cannot afford to accept as facts statements of that character and have an impression created on the floor of the Senate, such as the implication drawn by the Senator from Oregon [Mr. HOLMAN] when he asked the question, "Mr. Churchill did so and so and Mr. Roosevelt did so and so," already assuming as facts this gossip and this talk.

The fact that it passed the British censor does not bear much significance because statements made on the floor of the House of Commons are public property, there is general knowledge as to what is said and what occurs there. I see no reason why they should not pass it and let us hear about it. If they had not, I doubt not the Senator from Minnesota would have been on the floor denouncing the British Government for keeping this information from us, not allowing us to know about this transaction supposedly occurring between Mr. Churchill, when he was Lord of the Admiralty, and President Roosevelt.

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

Mr. CONNALLY. I yield.

Mr. SHIPSTEAD. We do not get Hansard, the record of the debates in the British Parliament, as soon as we get newspaper reports passed by the British censor. There is nothing here to indicate that any member of the Parliament denied the charges that were made by the honorable member who discussed the matter. It was discussed as a fact. No question was raised as to the facts in the case. The only question was, "What are we to do about it?"

Mr. CONNALLY. The Senator says no one denied some statement. Does the fact that no one denied it make it true?

Mr. President, since this matter has arisen on the floor, let me say that I have had some contacts with the legal officer in the Department of State, and I find this to be the case about this matter: Young Kent was an employee of the American Embassy. He became involved with a little group in England, member of Parliament Ramsay, a Russian woman, and others who were conspiring to violate and did violate English law. It was not alone a breach of trust to the Government by which he was employed, but in his activity in connection with this group in England he was violating the British law, the Defense of the Realm Act. The British have laws dealing not only with the extraction of documents, but the conveying of information concerning the documents to British citizens, and in that way the young man violated the British law.

The State Department says that the British Government before prosecution submitted the documents to the United States Government, and before the prosecution was begun our Government examined the documents and concluded that Kent ought to be prosecuted, and waived his diplomatic immunity. If we had desired we could have invoked diplomatic immunity in this case and perhaps have prevented it from being prosecuted in the British courts.

But here was a conspiracy. One prong of it was a boy working for the American Embassy; another prong was a member of the British Parliament; and a third prong was a person from Russia.

All of them were engaged in enterprises which under the British law were inimical to the safety of the British realm. Why not try them all in the same jurisdiction where the facts were available, where the crime was committed, especially when our Government, knowing the facts, was willing that that course should be pursued? That is my answer to these charges.

Mr. WHEELER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Montana?

Mr. CONNALLY. I yield.

Mr. WHEELER. I do not know what the charge was, but my understanding is that young Kent was charged with stealing from the American Embassy.

Mr. CONNALLY. That was not the only charge. Stealing, it was felt, was one offense, and using the object of the theft for other purposes was another offense.

Mr. WHEELER. His mother tells me that he was charged with stealing from the American Embassy; that that was the formal charge that was placed against him. If that was the formal charge placed against him, as Mrs. Kent says it was, then our Government certainly should not have permitted him to be charged with stealing something from America and turning him over to Britain, to be tried in a British secret court.

Mr. CONNALLY. I am not aware what Mrs. Kent knows about it. I do not suppose she knows anything except what her son wrote her, or something of that kind. I am talking about the official records as disclosed by the Department of State.

Mr. WHEELER. If the Senator will pardon me, that is what I should like to see—the official records. I should like to know what they are. I wrote to the State Department and asked how the boy could be tried in England. They did not answer my letter and say that this man was charged with a conspiracy to violate British law. They did not say that he was not charged with stealing. What I should like to see is the records of the State Department themselves, because it makes a vast difference whether he was charged with stealing from the American Embassy or was charged with some crime under British law by reason of which the State Department waived diplomatic immunity.

Mr. CONNALLY. That is exactly what I said, that the British tried him for violating the British law, for conspiring with British citizens and others within the jurisdiction of the British court. It is all very well for one to beat his breast and say, "We will try Americans in an American court," but we find a man in this instance who was conspiring, and under the British law he was found to be guilty. I have no tears to shed for him because of the court in which he was tried so long as he received a fair trial and if he did not receive a fair trial I assume our diplomatic representatives would take appropriate action. They said they appointed counsel to advise with him and to be with him and help defend him. What more can be asked?

Mr. President, I regret the political tinge that the Senator from Oregon tried to interject into this matter. We are in a great war. This is not an individual war of President Roosevelt. It is not an individual war of Mr. Winston Churchill. It is not an individual war of Mr. Stalin or of Chiang Kai-shek. It is a war of all the people of these four great countries. Why do we in the midst of it have to have these slings and slurs constantly cast at Mr. Churchill. I hold no brief for Mr. Churchill. Why do we have to have these slings continually at the President of the United States? I have never been an unconditional supporter of the President in his domestic policies; but I have favored his foreign policies, and I expect to continue to follow them so long as they go along the course they have taken in recent years.

Mr. President, this war is not helped, it is not aided, its successful prosecution is not furthered, its cause is not advanced by things of this sort—picking up a newspaper somewhere and reading that John Smith said that Bill Jones told him that the Widow McCafferty told him that Mr. Roosevelt told Churchill before ever he was Prime Minister that we were going to help him militarily. I do not know whether Mr. Churchill invoked the President's aid. Everyone in this Chamber knows that Mr. Roosevelt could not send a soldier, he could not send a dollar of military supplies to Mr. Churchill or his Government or any other government until the Congress of the United States authorized such action.

Mr. President, why can we not have unity until the war is over? Why cannot we stop this sniping and shooting behind the lines? Why can we not do away with sabotage until this struggle is over? When it is, then turn loose your dogs of war, bring on your political organizations and your militaristic groups representing this faction and that faction. But in the name of common sense, during time of war let us remain united.

Mr. President, I repeat, I do not hold any brief for Mr. Churchill. I never saw him in my life until he visited in the United States. I had some slight contact with him here. But the world will never forget the Churchill of the dark and gloomy days when the life of Britain—and when I say the life of Britain, perhaps the life of many other countries in the world—was hanging by such a brittle thread during the evacuation of Dunkerque, in the midst of that awful tragedy and that terrible catastrophe, when the British Army was thrown out upon the sea without arms and without protection, when his land was harried by bombs and by the Luftwaffe, when death and destruction and fire and ravage were sweeping over London and the south of England, when in his desperation he gave utterance to those great words—and they were great words—that England would not surrender, but that "we will fight them on the land, we will fight them on the sea, we will fight them on the beaches, as long as British courage and British resistance can survive."

Mr. President, that is Mr. Churchill in essence. He is a Britisher and I am an American. Of course, he stands for his own country as I stand for my own country. But we are engaged now in a great joint enterprise. That joint enterprise is to save the civilization of the world from a heartless, and conscienceless, and cruel, and crafty, and desperate world conception of aggression and military tyranny. I strike hands with Mr. Churchill. I strike hands with Mr. Stalin. I strike hands with Chiang Kai-shek. I strike hands with the leaders of all the other United Nations. God bless them. May God give strength to their arms and length to their swords, in order to help us in this tremendous world struggle, which we hope will eventuate in a just and equitable peace and the creation of an instrumentality in the years to come which will decrease the danger of wars and undertake to put a halter upon cruel military aggressors and set up a rule of law and rectitude, as against the cruel and mighty forces of tyranny and military despotism.

Mr. SHIPSTEAD. Mr. President, I pay tribute to the Senator from Texas. He is a great orator. He is a great statesman. I am very fond of him. He is chairman of the Foreign Relations Committee of the Senate. He possesses powers which I did not know he had. He has the power of divination. He stated that since I began my remarks he had consulted the State Department about the facts in this case. As a matter of fact, he could have done so only by the power of divination, because he has been in his seat in the Senate since the very beginning of my remarks. I am glad to pay tribute to his powers of divination, which only add to my admiration for the Senator from Texas.

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

Mr. SHIPSTEAD. I yield.

Mr. CONNALLY. Let me say to the Senator that very reluctantly I tore myself away from his entertaining address and consulted the State Department over the telephone while he was engaged in answering interrogatories from the other side of the Chamber. I returned to the Chamber so speedily, in order to hear the other remarks of the Senator, that he did not observe my absence.

Mr. SHIPSTEAD. The Senator must have anticipated my remarks. That adds to his reputation as a very astute statesman. I pay my respects to the Senator from Texas.

Mr. CONNALLY. I thank the Senator.

Mr. SHIPSTEAD. Mr. President, I brought this matter to the attention of the Senate because of the official communications which have come from the British Parliament, and which have been passed by the British censor. I had heard of such things, as many other Senators have heard of them; but, of course, we cannot pay any attention to gossip. This, however, is not gossip. It is official. No one on the floor of the House of Parliament of Great Britain denied the statements which were made by members of the three parties represented in the Parliament. Because the British censor passed the information to the United States, I naturally came to the conclusion that the British Government wanted the American people to know about it. Otherwise, it would not have permitted it to pass the censor.

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

Mr. SHIPSTEAD. I yield.

Mr. CONNALLY. I merely wish to thank the eminent Senator from Minnesota for his very generous, laudatory, extravagant, and expansive remarks on the Senator from Texas.

Mr. SHIPSTEAD. The Senator from Texas has always had my admiration.

While we may disagree, I know that he is a great patriot and a great orator, and that he is very conscientious in his concern for the welfare of the United States. While we may disagree at times, I never question his patriotism.

Mr. CONNALLY. I thank the Senator.

Mr. WHEELER. Mr. President, I fully subscribe to what the Senator from Minnesota has said about the distinguished Senator from Texas.

Because of the article which was read, quoting members of the British Parliament, the Senator from Texas seemed to think that I was criticizing Mr. Churchill. Let me say that those who are criticizing Mr. Churchill are not the Senator from Minnesota and the Senator from Montana.

Mr. SHIPSTEAD. I did not criticize Churchill. He is a great British patriot.

Mr. WHEELER. Those who are criticizing Mr. Churchill are members of the British Parliament. They are the ones who are criticizing, and they are the ones who are reflecting upon the President of the United States.

It is all very well for Senators to say that we must not say anything against Mr. Stalin; that we must agree with everything Mr. Stalin does, everything Gen. Chiang Kai-shek says, and everything Mr. Churchill says. Some would even say that we must agree with everything de Gaulle says, and that in the Senate of the United States we must not criticize any of our allies.

The press of Russia, which is controlled by the Russian Government, does not hesitate for one second to criticize the British. It does not hesitate to criticize Americans. But we must remain silent, although we are the people who have made it possible for the Russian Government to survive. We must not criticize them. We must sit quietly in our seats and let the British, the Russians, and everyone else criticize us.

Certainly I admire Stalin. I admire him from the standpoint that he is for Russia first. He is looking out for the Russian interests. I do not admire him for the things he has done, because, in my judgment, there is not a more ruthless dictator in the world than Mr. Stalin. I think of him as a ruthless dictator—and I know something about it—just as I think of Hitler and his gang as ruthless dictators.

I cannot take to my breast a dictator and praise him when he is my friend, any more than I can praise him when he is my enemy. To me a cruel dictator who sends thousands of people to concentration camps and to the salt mines of Siberia is a ruthless, cruel dictator, and no man in the history of the world has ever been more ruthless than has Mr. Stalin. The fact that he happens to be on our side at the present time does not change his complexion to me.

The British press has criticized us, but we in America must not say anything. If we do, we are looked upon as being unpatriotic. We must not criticize anyone. We must not criticize the waste and extravagance of Government. If we do, we are not patriotic.

Mr. President, I believe that the Senator from Texas [Mr. CONNALLY] is a great patriot; but I do not permit anyone to place his patriotism and love of country on a higher level than the love I have for my country. I resent criticism by persons who have been in this country only a short time of the patriotism of those whose people have lived here for generations. I resent the activities of those who are hired to smear Members of Congress because they do not vote 100 percent with any President of the United States, no matter who he may be.

No one is going to succeed in keeping me from criticizing Mr. Churchill if I think he is wrong. I may say that I am a great admirer of Mr. Churchill's. I think he is a great statesman. But let me ask why it is that today some persons praise Mr. Stalin and say he is a great man. They do so because of the fact that he is for Russia only. He has said he is thinking of the Russian borders. He has made the statement that all he asks is that Russia get back her territory.

What has he said and what has he permitted to be said about the Germans in the Russian official press? He said he wants a strong Reich, a strong Germany. He does not want to see Germany destroyed. That statement appeared in the official press which is owned and controlled by the Russians.

I cannot understand those who admire Mr. Churchill because of his statement, "I did not become the King's first minister in order to liquidate the British Empire." They admire him for saying that. They admire Stalin because he is for Russia. But they smear Americans who think of this country before they think of any other country in the world.

I do not know any other country in the world. I do not like to boast, but I say to you that my people came to this country because they were persecuted as Quakers. They came here in 1634 and located on the shores of Massachusetts. My only interest, Mr. President, is that I wish to see this Government preserved so that my children and their children and grandchildren may have the same opportunities that I had, as a poor boy, to come up the ladder from poverty to a place of ordinary means and a position in this body.

I resent having anyone question a person's patriotism because of the fact that he is for his own country first.

I have no apologies to make. I am proud of the fact that I am for my country first. Some persons may try to make others believe that I did everything I humanly could do and everything I honorably could do to keep this country out of war. I have no apologies to make for it.

When the Senator from Texas says the President of the United States could not give away anything until the Congress of the United States voted it, I wish to call attention to the fact that he did. He gave away the destroyers. Congress did not pass any act to that effect. But all that is water over the dam; it has been done.

I am not criticizing anything which has been done. We are in the war. Immediately after Pearl Harbor, I said I wanted to do everything in the world I could do to help win the war. I know there are certain groups who are trying to smear everyone who wanted to keep America out of this war. Before Russia was attacked, many of those persons were on my side. But immediately after Russia was attacked they followed the Russian line, not the American line. Then, almost overnight, the war became, instead of an imperialistic war, a war to save humanity. Are they good Americans? Are they interested in America, or are they interested in Russia? I say to those who love Russia more than they love the United States and to those who love England more than they love the United States and to those who love Germany or Italy more than they love the United States, "For God's sake, go back there and live there." The only reason why they came here to live is because here they have liberties and opportunities which they could not have in any other country in the world. But if one calls attention to the fact that the British are criticizing us, he is immediately told, "You must not stir up anything; you must not criticize them. We must have unity."

Mr. President, possibly the Republicans should dissolve their party, and should not hold a convention. I am not sure that that would not be the right thing to do. But any time we have only one party in this country we shall have what is had in Russia, in Germany, and in Japan; we shall have fascism in the United States of America.

I say that whether we are in a war or whether we are not in a war it is the duty of the Members of the Congress of the United States to criticize their Government, to criticize their Army if it is wrong, to criticize their Navy if it is wrong, to criticize Congress if it is wrong, to criticize even the Commander in Chief, if you please. That is what democracy means. It is only out of the welter of debate that the truth emerges. When we stop that in this country, Mr. President, our democratic Republic will be gone.

Mr. BILBO. Mr. President——

Mr. CONNALLY. Mr. President, will the Senator bear with me for a moment?

Mr. BILBO. Yes.

Mr. CONNALLY. Let me say that I made no attack on the patriotism of the Senator from Minnesota, and no attack on the patriotism of the Senator from Montana.

Mr. WHEELER. I appreciate that fact.

Mr. CONNALLY. I think they are both patriotic citizens concerned with the interests of our country. But the Senator from Montana has said we say we must not criticize. I do not object to criticism. If I did, I would leave the Senate. I may leave it anyway, but not tomorrow. But, Mr. President, if we have the right to criticize, we have the right to defend against criticism, have we not? Is there anything which requires that we manacle our hands or

that we keep quiet when we hear statements which are unauthorized being made?

Let us see what the Senator from Minnesota read. The article he read has just been handed to me. It is the whole basis of the recent discussion. I will not read the entire article. The Senator from Minnesota started this whole matter.

Mr. SHIPSTEAD. I have read the article to the Senate.

Mr. CONNALLY. Yes. The article says:

President Roosevelt promised Prime Minister Churchill before Britain entered the war that America would come to her aid. This accusation was made today in the House of Commons by John McGovern, an independent Laborite.

Did he support that statement with any facts? Let us see what his facts are? There is a quotation, and then he is reported to have said, "I have been told."

Mr. President, anyone could tell a person anything he wanted to tell. One of the doorkeepers at one of the doors to this Chamber could tell me that the British had surrendered. That would not make it true, would it? I could be told that the Russians had captured Berlin. That would not make it true. I could rise on the floor of the Senate, and could say, "I have been told that Berlin has been captured."

I read further from the article:

"I have been told that Captain Ramsay is not in because he is a Fascist," McGovern said, "but because Tyler Kent took copies of letters from a diplomatic bag between the Prime Minister and the President of the United States. The Prime Minister was soliciting military aid in the event this country was going to war and preparations were made and promises given by the President of the United States through the diplomatic bag."

He has been told all that.

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

Mr. CONNALLY. I will yield in a moment.

The member of the House of Commons said he was told all that. He did not say where he had obtained the information. But he has charged that President Roosevelt promised Churchill he would furnish aid to Britain.

Now, Mr. President, let me say a few further words, and then I shall yield.

The quotation continues:

It is said that if Ramsay were released—

And so forth. "It is said." There is another chunk of proof. A notarial seal is on that. That is sworn to. "It is said." Of course, it has been said here today. But that does not make it so.

I continue to read from the quotation:

It is said that if Ramsay were released it would be extremely dangerous and difficult for him to be going around substantiating these things and stating that they are true, that therefore that he is being held because the Prime Minister does not want him to be liberated.

The quotation starts with the words, "It is said." Now, let us see what he subsequently says. Later on this fellow Ramsay is shown as being in need of mental care instead of being in jail.

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

Mr. CONNALLY. I yield.

Mr. HATCH. I have been waiting for the Senator to say, "they say." Does that language appear in what he is reading?

Mr. CONNALLY. No; that would involve at least two persons. This language involves only one. If it were to state "they," it would be different. It might be that each one would corroborate the other. But the language is "It is said." Therefore it is so. [Laughter.]

When the Senator from Minnesota turns on his radio at night and listens to the different commentators, I wonder how he digests them all and gets them all in harmony.

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

Mr. CONNALLY. I yield.

Mr. SHIPSTEAD. I may say to the Senator that I pay little attention to the debates in the Congress. I pay a very great deal of attention to the debates in the House of Commons They are not so flamboyant as we are here. I do not mean to say that we are too flamboyant, but after many years of reading the reports of the proceedings in the British House of Commons, I have come to admire their frankness and their limitation on hyperbole, which I find sometimes to exist in the Senate of the United States. No; not in the Senate. I mean in another House, but it is not permissible to reflect on another House, and so I merely say that I have taken considerable cognizance of the sincerity and accuracy of Hansard.

If the Senator will permit me——

Mr. CONNALLY. I permit the Senator.

Mr. SHIPSTEAD. I may say that about 3 years ago Lord Woolton, Minister of Food in England, made a very frank report on how Britain had received $800,000,000 worth of food from the United States, sold it to the people for $500,000,000, and put the money into the treasury.

When I explained that situation to the Senate—and I obtained the information from Lord Woolton's report in Hansard—I was questioned about the honesty of the report. I receive more information about this war from the reports of the British House of Commons than I do from the RECORD of the Congress of the United States, and I admire the British for their frankness.

Mr. CONNALLY. Mr. President, along the line I was suggesting with reference to how the Senator from Minnesota digests the adverse communiques broadcast over the radio every night, I may say that we have heard broadcasters say that some person says this or that. When the Senator gets through with them all I do not know how he arrives at any conclusion as to what was accurate and what was not.

For example, last night we were all distressed and alarmed because of the announcement which came blaring over the radio that former Chief Justice Charles Evans Hughes was critically ill at his home in Washington. We all respect Mr. Hughes. We have great admiration for him. He is one of the greatest jurists of the country. What about him? It is said that Mr. Hughes is dangerously ill. I read from today's issue of the Washington Star:

HUGHES CORRECTS RADIO REPORT OF "GRAVE ILLNESS"

NEW YORK, N. Y., June 19.—Former Chief Justice Charles Evans Hughes last night denied a radio report that he was "gravely ill."

Declaring he "never felt better," Mr. Hughes called the Blue Network to correct the statement, which had been made by Walter Winchell on his regular Sunday night program.

The network interrupted its coast-to-coast hook-up to make the correction.

Yet, Mr. President, it was said by the radio announcer that Mr. Hughes was dangerously ill. Whom shall we believe?

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

Mr. CONNALLY. Not just now.

Whom does the Senator wish to believe? Does he wish to believe what was said by the radio announcer, or what was said by Mr. Hughes himself?

I now yield.

Mr. WHEELER. The Senator from Texas has said that since the debate started he called the State Department.

Mr. CONNALLY. The Senator from Montana could have done so at any time between the time Mrs. Kent talked to him and now, if he had wanted to do so.

Mr. WHEELER. Oh, no. I wrote the State Department when Mrs. Kent came to see me and told me about the boy.

Mr. CONNALLY. The State Department does not have to answer a letter, but when the Senator calls the State Department on the telephone I guarantee that he will receive a reply.

Mr. WHEELER. I wrote them a letter and they did not answer it.

Mr. CONNALLY. Of course it is hard to get a telephone conversation into the newspapers, but it is possible always to get a letter in. [Laughter.]

Mr. WHEELER. The letter has been referred to, and now the Senator quotes the State Department, and says that somebody in the State Department said——

Mr. CONNALLY. It was Mr. Hackworth. I will get his full name in a moment.

Mr. WHEELER. I know Mr. Hackworth, but I was quoting Mrs. Kent——

Mr. CONNALLY. Who knows nothing about it.

Mr. WHEELER. Oh, yes, she does. Make no mistake about it. She knows a great deal more about it than the Senator thinks she knows.

Mr. CONNALLY. She would have to if she knows anything.

Mr. SHIPSTEAD. But did not the Senator from Montana talk with Mr. Shaw?

Mr. WHEELER. Yes.

Mr. SHIPSTEAD. What did he say?

Mr. CONNALLY. I shall have to wait until the Senator concludes.

Mr. WHEELER. I do not wish to quote a private conversation which I had with Mr. Shaw. He came from the State Department to my office to see me. He did not say whether the boy had been tried for stealing from the American

Embassy. He told me some of the facts, and I do not propose to say what he told me about the facts. I merely say that I cannot understand the situation. Frankly, the mere fact that Mr. Hackworth has said that the boy was tried under the War Powers Act does not mean that he was not tried for stealing from the American Embassy, or for embezzling, which, perhaps, he was guilty of doing. But after Mrs. Kent said he had been charged with stealing from the American Embassy, the State Department did not deny it when I asked them about it.

Mr. SHIPSTEAD. If the boy had been guilty of stealing from the State Department he could have been tried under American law.

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

Mr. CONNALLY. I yield.

Mr. HATCH. I ask the Senator from Texas to yield to me in order that I may make the observation that only a few days ago on the floor of the Senate, in reply to the Senator from New Hampshire [Mr. BRIDGES], I accidentally happened to say something about the President of the United States and his intentions with respect to international cooperation. I was excoriated for my statement. I was denounced on the floor of the Senate, because I happened to have the temerity to read from the Republican platform adopted in 1940.

Mr. CONNALLY. The Senator should have been "sent up" for it. [Laughter.]

Mr. HATCH. I was accused of injecting partisan politics into the debate on the floor of the Senate.

Mr. CONNALLY. Let my last comment be deleted.

Mr. HATCH. Oh, no; leave it in.

Mr. CONNALLY. I refer to what I just said.

Mr. HATCH. I object to that being taken out, because what I was going to say was that all I demanded was that parties and candidates express their honest convictions. I did not care what their convictions were, they might have been extremely isolationist; they might have been extremely nationalistic; they might have been exceedingly internationalistic, but whatever they were, I asked that candidates speak the truth.

What I said was based upon the written record of parties and of history. I have not indulged in gossip; I have not indulged in rumor; and if the Senate of the United States desires at this late hour, at 10 minutes before 6 in the afternoon, to go into vague and indefinite discussion based upon rumor and gossip, let me say that I hope no one will ever again accuse me of engaging in partisan political discussion.

Mr. SHIPSTEAD. Will the Senator from Texas yield to me?

Mr. CONNALLY. Very briefly. I am anxious to conclude.

Mr. SHIPSTEAD. There have been many discussions of lack of patriotism and loyalty to the United States. I come from a family who came to the United States in 1867, from a country which had a parliamentary form of government long before there was one in the United States. The moment they became citizens, they became loyal to the United States, and preached loyalty to their children.

Mr. CONNALLY. No one has attacked the loyalty of the Senator from Minnesota or of his grandfather.

Mr. SHIPSTEAD. I regard highly my oath of office to support the Constitution of the United States, and I am willing to protect the Constitution and my Government. When it comes to patriotism, I do not desire to reflect upon anyone who came over in the *Mayflower*, or who settled in Texas. Patriotism means loyalty to country, love of country, and of the flag and of the Constitution. Since I came to the Senate I have tried to support the Constitution of the United States according to my oath. I desired to make this statement because there is a great deal of talk in the Senate about patriotism. The only real patriotism is loyalty to the Constitution.

Mr. CONNALLY. Mr. President, I wish to absolve myself of any imputation that I have in anywise reflected on the patriotism of the Senator from Minnesota. I explicitly said I thought he was patriotic, a great citizen, and a great Senator. I do not think anything is to be gained by attacking people's motives in relation to patriotism. I want this Chamber to remain always a free forum of debate. If I cannot meet debate in the open field, I do not deserve to win. Let Senators attack anyone they desire to, but when they do so, let them present some proof, some evidence, something more than "I just heard somebody say."

For the information of the Senator from Montana, let me say that the man I consulted was Mr. Green H. Hackworth, of the State Department.

Mr. WHEELER. I know Mr. Hackworth very well, and I respect him as a very high-class, able citizen.

Mr. CONNALLY. And one who knows what he talks about.

Mr. WHEELER. Yes; but the Senator still has not answered the question, because he did not say Mr. Hackworth stated whether or not Kent was charged with stealing from the American Embassy.

Mr. CONNALLY. I will tell the Senator what Mr. Hackworth said. He said the man stole the stuff. It is not always the theft of an article that makes the act a great crime, but what one does after he gets it. This man took this matter out of the Embassy files and turned it over, with photostatic copies, to a member of the House of Commons, who was charged with activities which imperiled the safety of the British Realm. He communicated them to a Russian woman, presumably a spy, and it was for this misuse of these papers that he violated British law.

Mr. SHIPSTEAD. Will the Senator yield?

Mr. CONNALLY. Let me draw a conclusion. Suppose someone steals the automobile of Lord Halifax in Washington. Would any Senator say, "Oh, we cannot try him here; we have to send him to England for stealing Lord Halifax's automobile"?

Mr. WHEELER. Mr. President——

Mr. CONNALLY. Wait a moment. Let me get through. I have been interrupted so much—and I do not mind interruptions—that it is going to be difficult for me to know when I read the RECORD, when I was talking and when someone else was talking.

Suppose after the man steals Lord Halifax's automobile, he puts it into a pool with automobile thieves, or suppose he drives it and runs over some American citizen and kills him. Do Senators think we could not try him in our courts? Have we to say, "He is a diplomat. He is all covered over with sanctity. We cannot bring this murderer to the bar of our courts. We have to send him to England." If that were proposed, the Senator from Montana would tear up three shirts denouncing it. [Laughter.] The idea of Great Britain demanding that a murderer who killed one of my constituents—or especially a constituent of the Senator from Montana—being sent back to England, defying our courts! Why should he not be prosecuted here, where he committed the crime, where the witnesses are, and where the devilment took place?

The State Department says the British tried Kent only for a violation of British law. If, when his term expires, Senators want him tried again here, for stealing from the American Embassy, well and good, but the British tried him only for violating their law, in defense of the Realm, and it was for the use of these papers after he abstracted them in conspiracy with a member of Parliament and with others.

Mr. SHIPSTEAD. Will the Senator yield for a question?

Mr. CONNALLY. I yield.

Mr. SHIPSTEAD. The Senator has been very kind. I do not know whether the man stole anything or not; I do not know anything about that.

Mr. CONNALLY. They say he did. "It is said" he did.

Mr. SHIPSTEAD. That is not the gravamen of the situation. The question is, Did Churchill, as a private citizen, communicate with the President of the United States in the secret code of the State Department?

Mr. CONNALLY. I do not know.

Mr. SHIPSTEAD. That has been charged. I am not saying it is so, but I get that——

Mr. CONNALLY. From somebody saying it.

Mr. SHIPSTEAD. From members of the Parliament of the British Government. They are official.

Mr. CONNALLY. It was not official. I have read what the member of Parliament said.

Mr. SHIPSTEAD. I venture to say there is not a man on the floor of the United States Senate who would make the assertion that a private citizen of the United States would communicate in secret code with the British Government unless he knew what he was talking about.

Mr. CONNALLY. The Senator may think so.

Mr. SHIPSTEAD. And I do not believe any member of the British Parliament would make such a statement.

Mr. CONNALLY. Of course, if the Senator wants to take that extreme view, very well, but let us see what they say about this question.

Geoffrey Mander, a Liberal, defended Regulation 18–B, but urged that a committee of the House be selected to go into the question of expelling Ramsay from its membership.

At this point McGovern—

He was the one who made the speech, he was the man upon whom the Senator from Minnesota relies. He is the one who said, "It is said."

At this point McGovern took the floor and told of conversations he said he had with Ramsay before the war.

That is, the member of the House of Commons.

He added that his conclusion was that "Ramsay ought rather to be in a mental institution than in a criminal place of detention."

There was something wrong with him if he either should have been in the penitentiary or in an asylum. There is bound to be something wrong with him. It is not for me to go into the details of scientific, psychiatric distinctions.

Mr. SHIPSTEAD. If the Senator will yield, that is the opinion of that particular honorable Member.

Mr. CONNALLY. The Senator said just a while ago that no man would make the statement on the floor of the House of Commons or here unless he knew the facts.

Mr. SHIPSTEAD. Mr. President, I am not trying to convict any Member of the British Parliament, but will the Senator please remember that the man who was secretary to Churchill when he was First Lord of the Admiralty stated that he could not testify because it would reveal information with respect to espionage that he thought would not be for the public interest. So he would not deny it.

Mr. CONNALLY. But he could not affirm it.

Mr. SHIPSTEAD. No.

Mr. CONNALLY. There we are. It is not affirmed and it is not denied, and of course this individual would not do it. Everyone knows that in the chancellory of every great country there are confidential communications which cannot with propriety be blazoned to the world. We have a conference over there now about the conduct of this war. Would Senators want the newspapers to carry headlines the morning following a conference saying, "The Americans and British forces will on day after tomorrow attack the beachhead between Le Havre and Cherbourg"?

Mr. SHIPSTEAD. Will the Senator yield?

Mr. CONNALLY. Permit me to finish my thought first. Would Senators want the newspapers to say that Mr. Stalin and Mr. Roosevelt and Mr. Churchill held a conference yesterday at Teheran and print exactly everything that was said at that conference, what policies were adopted, where they were going to strike next, and what the peace terms were going to be? In that event, how far would we get with our diplomacy? I will tell the Senate. We would simply get stuck in the mud.

Mr. SHIPSTEAD. I am making no accusations.

Mr. CONNALLY. I thank the Senator.

Mr. SHIPSTEAD. I am presenting what is an official debate in the House of Commons.

Mr. CONNALLY. Well, so is this an official debate, and I hope they do not read it over in England. All this is an official debate.

Mr. SHIPSTEAD. I presented the matter for the information of the Senate of the United States. I am not saying that what was said is true, but it was such a grave matter, being of an official character, that it ought to be called to the attention of the Congress of the United States, because it comes from the British House of Commons.

Mr. CONNALLY. I do not see any harm in calling it to the attention of Congress, but I think the Senator, when he comes into court, ought to come in with some evidence or some proof. A friend of the member of the House of Parliament in question says he is crazy, that he ought to be in the asylum. Another friend says, "it is said," and that is all he has.

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

Mr. CONNALLY. I yield.

Mr. HATCH. All I wish to say to the Senator from Texas is that we all know the Secretary of State, Mr. Cordell Hull. Mr. Hull would not sacrifice the liberty of any American citizen at home or abroad. I think that is a correct statement; is it not? And the Senator from Texas has said that these matters were referred to the Secretary of State.

Mr. McKELLAR. I will back the Senator in the statement he has made respecting Mr. Cordell Hull.

Mr. HATCH. And the Secretary waived diplomatic immunity because this man violated the laws of the country in which he was serving. There has never been a greater protector of individual liberty, of the right of trial by jury, than the British people. There has never been a greater protector of American liberty than our own Secretary of State. The Senator from Minnesota may quote someone in the British Parliament, but he can never convince me that Cordell Hull unjustly waived the rights of an American citizen.

Mr. SHIPSTEAD. I am not trying to convince the Senator of anything.

Will the Senator yield to me for a moment?

Mr. HATCH. I do not have the floor.

Mr. SHIPSTEAD. According to the record the young man was tried in secret chamber, in camera. He was not tried by jury. I am not accusing the Parliament of anything.

Mr. HATCH. I think the Senator is speaking of something of which he knows nothing.

Mr. WHEELER. No; he was tried in a secret British court. There is no claim otherwise, and the State Department will so advise the Senator.

Mr. SHIPSTEAD. He was tried in camera.

Mr. CONNALLY. Let me say that that is no doubt true. All violations of the Defense of the Realm Act are tried in secret, because diplomatic correspondence and transactions would have to be revealed if a public trial were had.

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

Mr. CONNALLY. I yield.

Mr. SHIPSTEAD. The question is not whether this man committed an ordinary crime. The question is, Did he reveal and did he give to a private citizen of Britain, who made use of it, the secret code of the Department of State of the United States? I am not saying that he did.

Mr. CONNALLY. I am not saying that he used the code. I do not know. But he did have photostatic copies made of certain diplomatic correspondence, and he conveyed that to a member of the House of Commons and to a woman spy of Russia.

Mr. President, I have trespassed too long upon the time of the Senate. I wish to thank the Senator from Minnesota for his kindness in furnishing me these newspapers.

Mr. President, I hope no Senator will deduce from anything I have said any criticism of the Senator from Minnesota or of the Senator from Montana. I am perfectly willing that there be the fullest and the freest debate. I was only contending that we should not here in this great forum give currency over the radio and through the news columns to any statement for which we ourselves cannot vouch, and we ought not to make a statement unless we know it to be true, or unless we have what we think is adequate proof. Let not charges be based on "it is said," on hearsay, on rumor, on gossip, and on the filmy clouds of conversation and deduction and wishful thinking, but let the charges be made upon the basis of fact.

Mr. SHIPSTEAD. I have made no accusation. The only reason I brought the matter to the attention of the Senate was because it came from an official source, from the Parliament of Great Britain, an ally of ours. The debate was participated in by members of three parties in the British Parliament. No one arose on the floor of Parliament to deny the things which were said. I have no personal interest in the matter; but, because a great parliament of a great government engaged in the debate, and some of its members uttered sentiments reflecting upon the Government of the United States, I thought we ought to take some cognizance of the matter, that it ought to be brought to our attention for what it is worth, and if the Congress sees fit to do something about it, very well, that is up to the Senate and up to the House. But I will not stand here silent when members of a foreign parliament make such statements as were made, when members of various parties represented in it agree to the same statements, and whether they are based on

fact or not, they all agree that there is something in these transactions. The man in question is in jail, and it is charged that he was not tried according to law. Here is a member of Parliament tried under a war regulation. He was a collaborator with the young man working for the State Department of the United States. This matter is so important that I did not think we as a Congress could let the official debate continue without a recognition of it. It is up to the Congress to do what it wishes about it. It is for the Congress to decide whether it wishes to do anything about it. However, I was firmly and conscientiously of the opinion that it must be called to the attention of the Senate. I have no personal interest in the matter.

Mr. BILBO. Mr. President, I think it is extremely regrettable that it became necessary in this discussion to listen to such a severe denunciation of the head of the Russian Government on the floor of the United States Senate, when Russia is at the present time our very helpful ally in the World War. Without her help the issue might be in doubt. She has just finished a campaign sacrificing more than 8,000,000 Russian lives in order that the tyrants whom we are fighting may be destroyed.

APPROPRIATIONS FOR WAR AGENCIES

The Senate resumed the consideration of the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

Mr. BILBO. Mr. President, I have been waiting for about 2 hours to deliver my speech on the amendment of the Senator from Georgia [Mr. RUSSELL] to the pending appropriation bill. It is evident that it is too late to begin my remarks.

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

Mr. BILBO. I yield.

Mr. CONNALLY. I think the Senator ought to thank us, because if his speech goes over until tomorrow, he will have a better gallery, a better press, and more listeners on the floor of the Senate.

Mr. BILBO. Secretly, I am gratified.

Mr. President, I ask unanimous consent that I may obtain the floor at the beginning of the session tomorrow.

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

EXECUTIVE SESSION

Mr. McKELLAR. I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. STEWART in the chair) laid before the Senate messages from the President of the United States, 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. BANKHEAD, from the Committee on Agriculture and Forestry:

Charles Franklin Brannan, of Colorado, to be Assistant Secretary of Agriculture, vice Grover B. Hill.

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 Executive Calendar.

COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of A. Miles Pratt to be collector of customs for customs collection district No. 20, with headquarters at New Orleans, La.

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

That completes the calendar.

Mr. McKELLAR. I ask that the President be immediately notified of the confirmation of this nomination.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

DISTRICT PUBLIC UTILITIES COMMISSION—NOMINATION OF J. FRANCIS REILLY

Mr. BILBO. Mr. President, on June 8 the Senate confirmed the nomination of J. Francis Reilly to be a member of the Public Utilities Commission of the District of Columbia. His place of residence was stated in the nomination as being the State of Maryland. In fact, he is a resident of the District of Columbia. The Senate having no authority to make the proper change, in the nomination, the President has sent to the Senate a corrected nomination of Mr. Reilly, properly stating his residence as being in the District of Columbia.

I therefore ask unanimous consent for the present consideration of the nomination, with a view to its confirmation without reference to the Committee on the District of Columbia, which has already considered the question.

Mr. WHITE. Mr. President, my attention was diverted, and I did not hear the request. Does this relate to the confirmation of a nomination?

Mr. BILBO. This is a nomination which has already been confirmed. A new nomination has been submitted, because the address of the nominee was inaccurately stated in the nomination previously confirmed.

Mr. WHITE. As I understand, this is a case in which there was a mistake as to the residence, and this nomination is only for the purpose of correcting the error.

Mr. BILBO. That is correct.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination? The Chair hears none, and the nomination will be stated.

The legislative clerk read the nomination of J. Francis Reilly, of the District of Columbia, to be a member of the Public Utilities Commission of the District of Columbia.

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

Mr. BILBO. I ask unanimous consent to enter a motion to reconsider the vote confirming the previous nomination, and move that the President be requested to return the resolution of notification to the Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi? The Chair hears none, and the motion to reconsider the vote confirming the previous nomination will be entered.

The question is on agreeing to the motion of the Senator from Mississippi that the President be requested to return the resolution of notification to the Senate.

The motion was agreed to.

RECESS

Mr. McKELLAR. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 15 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, June 20, 1944, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 19 (legislative day May 9), 1944:

UNDER SECRETARY OF THE NAVY

Ralph A. Bard, of Illinois, to be Under Secretary of the Navy.

REGISTER OF LAND OFFICE

William Riddell, of Montana, to be register of the land office at Billings, Mont. (Reappointment.)

UNITED STATES PUBLIC HEALTH SERVICE

The following-named for appointment and promotion in the regular corps of the United States Public Health Service:

TO BE ASSISTANT SURGEONS EFFECTIVE DATE OF OATH OF OFFICE

Frederic C. Bartter	David F. Bradley
Leon A. Heppel	Joseph E. Maurer
Francis S. Schwarz	Rheim M. Jones
Griffith E. Quinby	William R. Rosanoff
Robert J. Huebner	Warren S. Kennison
James K. Norman	

TO BE PASSED ASSISTANT SURGEON EFFECTIVE DATE OF OATH OF OFFICE

Luther L. Terry

SURGEON TO BE TEMPORARY SENIOR SURGEON EFFECTIVE JUNE 1, 1944

Edwin Gantt Williams.

PASSED ASSISTANT SURGEON TO BE TEMPORARY SURGEON EFFECTIVE JUNE 1, 1944

James Barclay Donaldson

ASSISTANT SURGEON TO BE TEMPORARY PASSED ASSISTANT SURGEON EFFECTIVE JUNE 1, 1944

Joseph P. Kesler

SENIOR SURGEONS TO BE MEDICAL DIRECTORS EFFECTIVE DATES INDICATED

Joseph W. Mountin, July 17, 1944.
Ralph E. Porter, July 15, 1944.

IN THE MARINE CORPS

Brig. Gen. Clifton B. Cates to be a major general in the Marine Corps, for temporary service, from the 1st day of February 1944.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

To be first lieutenants with rank from July 1, 1944

Second Lt. William Allen Daniel, Air Corps (temporary lieutenant colonel).

Second Lt. Robert Gabel Emmens, Air Corps (temporary lieutenant colonel).
Second Lt. Franklin H. MacNaughton, Air Corps (temporary lieutenant colonel).
Second Lt. William John Kennedy, Air Corps (temporary major).
Second Lt. John Bailey Henry, Jr., Air Corps (temporary lieutenant colonel).
Second Lt. Harry MacCulloch Pike, Air Corps (temporary lieutenant colonel), subject to examination required by law.
Second Lt. Kenneth Walter Northamer, Air Corps (temporary lieutenant colonel).
Second Lt. Jack Gillespie Milne, Air Corps (temporary major).
Second Lt. Luther Henry Richmond, Air Corps (temporary lieutenant colonel).
Second Lt. William Frank Savoie, Air Corps (temporary major).
Second Lt. Carver Thaxton Bussey, Air Corps (temporary lieutenant colonel).
Second Lt. Glenn Smith Finley, Jr., Cavalry (temporary major).
Second Lt. Philip Wendell Constance, Ordnance Department (temporary major).
Second Lt. Lindsey Hartford Vereen, Air Corps (temporary lieutenant colonel).
Second Lt. Charles David Sonnkalb, Air Corps (temporary lieutenant colonel).
Second Lt. Carl Erwin Drewes, Ordnance Department (temporary major).
Second Lt. James Wyatt Newsome, Air Corps (temporary lieutenant colonel).
Second Lt. James Raymond Lyons, Air Corps (temporary major).
Second Lt. Harry Hunt Towler, Jr., Air Corps (temporary major).
Second Lt. Nathan Bourne Hays, Air Corps (temporary major).
Second Lt. Russell Keith Brock, Air Corps (temporary major).
Second Lt. James William Guthrie, Air Corps (temporary major).
Second Lt. Quinter Paul Gerhart, Air Corps (temporary major).
Second Lt. Robert Wiygul Burns, Air Corps (temporary lieutenant colonel).
Second Lt. James Collins Bagg, Quartermaster Corps (temporary captain).
Second Lt. James Willard Guest, Field Artillery (temporary major).
Second Lt. Harold Broudy, Coast Artillery Corps (temporary captain).
Second Lt. Arnold Beverly Addlestone, Ordnance Department (temporary major).
Second Lt. Joseph Lowery Amell, Jr., Field Artillery (temporary captain).
Second Lt. Allan Gardner Pixton, Field Artillery (temporary lieutenant colonel).
Second Lt. Joseph Ruane McGuire, Field Artillery (temporary major).
Second Lt. Henry John Amen, Air Corps (temporary lieutenant colonel).
Second Lt. William Elmer Zins, Air Corps (temporary major).
Second Lt. Grover Cleveland Brown, Air Corps (temporary colonel).
Second Lt. Albert James Moye, Air Corps (temporary major).
Second Lt. Harry James Sands, Jr., Air Corps (temporary lieutenant colonel).
Second Lt. David Warren Hassemer, Air Corps (temporary lieutenant colonel).
Second Lt. Robert Brown Coen, Air Corps (temporary major).
Second Lt. Ralph Leslie Michaelis, Air Corps (temporary colonel).
Second Lt. Arthur Clarke Perry, Air Corps (temporary major).
Second Lt. Frank Leslie Nims, Air Corps (temporary major).
Second Lt. Robert Haynes McCutcheon, Air Corps (temporary lieutenant colonel).
Second Lt. Charles McDonald Parkin, Jr., Corps of Engineers (temporary major).
Second Lt. Keith Philip Fabianich, Infantry (temporary captain).
Second Lt. Herman Richard Schell, Infantry (temporary captain).
Second Lt. Alexis Michael Gagarine, Infantry (temporary first lieutenant).
Second Lt. Harland Glen Wood, Coast Artillery Corps (temporary major).
Second Lt. John Carl Sparrow, Quartermaster Corps (temporary captain).
Second Lt. Arthur McMurrough Murphy, Infantry (temporary captain).
Second Lt. Donald Heck, Signal Corps (temporary major).
Second Lt. Albin Felix Irzyk, Cavalry (temporary major).
Second Lt. Richard James Darnell, Infantry (temporary major).
Second Lt. Lewis Warner Fogg 3d, Corps of Engineers (temporary captain).
Second Lt. Gordon Lowell Chambers Scott, Corps of Engineers (temporary captain).
Second Lt. Ray C. Conner, Ordnance Department (temporary lieutenant colonel).
Second Lt. Peter Leon Urban, Coast Artillery Corps (temporary major).
Second Lt. James Erwin Crosby, Jr., Air Corps (temporary major).
Second Lt. Robert Eldon Phelps, Infantry (temporary captain).
Second Lt. Morris Cowan Stout, Field Artillery (temporary captain).
Second Lt. James Moore Boyd, Air Corps (temporary captain).
Second Lt. Douglas Hugh Sullivan, Field Artillery (temporary captain).
Second Lt. Glen Carl Long, Infantry (temporary major).
Second Lt. Alvin Ethelbert Cowan, Infantry (temporary major).
Second Lt. Fred Allan Pierce, Jr., Infantry (temporary major), subject to examination required by law.
Second Lt. Jeff William Boucher, Corps of Engineers (temporary major).
Second Lt. Gerald Elbert Gowell, Cavalry (temporary major), subject to examination required by law.
Second Lt. James Miller Hustead 2d, Field Artillery (temporary captain).
Second Lt. Zebulon LaFayette Strickland, Jr., Coast Artillery Corps (temporary captain).
Second Lt. Leonard Shirley Wilhelm, Infantry (temporary major).
Second Lt. Jean Albert Jack, Air Corps (temporary lieutenant colonel).
Second Lt. Wilburt James Irwin, Field Artillery (temporary major).
Second Lt. Robert Arnold Martin, Cavalry (temporary captain).
Second Lt. Thomas John Sharpe, Field Artillery (temporary major).
Second Lt. Joe Vandiver Langston, Infantry (temporary major).
Second Lt. Reuben Eugene Wheelis, Quartermaster Corps (temporary captain).
Second Lt. John Herbert Savage, Ordnance Department (temporary major).
Second Lt. Frederick John Wells, Corps of Engineers (temporary captain).
Second Lt. Karekin Gaspar Arabian, Chemical Warfare Service (temporary captain).
Second Lt. Rawlins Murrell Colquitt, Jr., Coast Artillery Corps (temporary major).
Second Lt. Charles Edward Tennesson, Jr., Field Artillery (temporary major).
Second Lt. Lloyd LeRoy Hanes, Infantry (temporary major).
Second Lt. Jules Maurice DuParc, Coast Artillery Corps (temporary major).
Second Lt. William Bernard Pohlman, Jr., Coast Artillery Corps (temporary major).
Second Lt. Leon Francis Kosmacki, Field Artillery (temporary captain), subject to examination required by law.
Second Lt. Benjamin Alan Swartz, Field Artillery (temporary captain).
Second Lt. George Alexander Clayton, Infantry (temporary major).
Second Lt. Robert Alroy Olson, Air Corps (temporary captain).
Second Lt. Richard Boyd Bullock, Infantry (temporary captain).
Second Lt. John William Paxton, Corps of Engineers (temporary major).
Second Lt. Warren Earl Walters, Infantry (temporary captain), subject to examination required by law.
Second Lt. Rudolph Kermit Brunsvold, Infantry (temporary major).
Second Lt. James William Sutherland, Jr., Infantry (temporary major).
Second Lt. John Arthur Benner, Coast Artillery Corps (temporary major).
Second Lt. Edwin Herbert Garrison, Air Corps (temporary captain).
Second Lt. John William O'Neill, Air Corps (temporary captain).
Second Lt. William Franklin LaHatte, Coast Artillery Corps (temporary major).
Second Lt. Harry Kelly Thomson, Field Artillery (temporary major), subject to examination required by law.
Second Lt. William Donald Ward, Coast Artillery Corps (temporary captain).
Second Lt. George Ira Taylor, Field Artillery (temporary captain).
Second Lt. Harry Vaughn Beck, Infantry (temporary captain).
Second Lt. Robert Clare Foulston, Jr., Infantry (temporary captain).
Second Lt. Chester Henry Bigger, Field Artillery (temporary captain).
Second Lt. James Victor Sanden, Field Artillery (temporary major), subject to examination required by law.
Second Lt. John Wesley Simmons, Infantry (temporary captain).
Second Lt. James Lester Ballard, Jr., Infantry (temporary captain).
Second Lt. Laurence Arthur Madill, Infantry (temporary captain).
Second Lt. Donald Henry Janz, Coast Artillery Corps (temporary major).
Second Lt. Frank Selden Holcombe, Infantry (temporary major).
Second Lt. Burt Lunney Mitchell, Jr., Infantry (temporary captain).
Second Lt. William Fredrick Cathrae, Field Artillery (temporary major).
Second Lt. Floyd Allison Soule, Infantry (temporary captain).
Second Lt. James Francis McCarthy, Jr., Air Corps (temporary captain).
Second Lt. Henry Van Middleworth, Infantry (temporary major), subject to examination required by law.
Second Lt. James Penquite Mulcahy, Field Artillery (temporary major).
Second Lt. Elmer Hugo Almquist, Jr., Field Artillery (temporary major).
Second Lt. John Logan Schutz, Infantry (temporary major).
Second Lt. William Marks Hutson, Coast Artillery Corps (temporary captain).
Second Lt. Owen Beall Knight, Field Artillery (temporary captain).
Second Lt. Henry Price Tucker, Infantry (temporary major).
Second Lt. Hugh Woodrow Benson, Coast Artillery Corps (temporary captain).
Second Lt. Wilson Freeman, Field Artillery (temporary major).
Second Lt. William Neville Sloan, Jr., Quartermaster Corps (temporary major).
Second Lt. Andrew Peach Rollins, Jr., Corps of Engineers (temporary lieutenant colonel).
Second Lt. Max George Hensel, Infantry (temporary captain).
Second Lt. Gordon B. Cauble, Signal Corps (temporary major).
Second Lt. John Farley Splain, Coast Artillery Corps (temporary major).
Second Lt. Arthur Wendell Gunn, Field Artillery (temporary captain).
Second Lt. Chester Elwood Kennedy, Cavalry (temporary major).
Second Lt. William E. Feeman, Corps of Engineers (temporary major).

Second Lt. James William Haley, Infantry (temporary captain).
Second Lt. Eugene Philip Palmer, Coast Artillery Corps (temporary captain).
Second Lt. Robert Charles Barthle, Signal Corps (temporary captain).
Second Lt. Joseph Theodore McQuaide, Corps of Engineers (temporary captain), subject to examination required by law.
Second Lt. Bernard Paul Haley, Infantry (temporary captain).
Second Lt. Arthur John Howland, Field Artillery (temporary captain).
Second Lt. Burton Bryant Chandler, Cavalry (temporary captain).
Second Lt. Edward Bernard Jennings, Corps of Engineers (temporary major).
Second Lt. Otho Eugene Holmes, Infantry (temporary major).
Second Lt. Robert Usher Gaines, Jr., Air Corps (temporary first lieutenant).
Second Lt. Francis Loring Douglass, Infantry (temporary captain).
Second Lt. Leo Bond Jones, Field Artillery (temporary major).
Second Lt. Maxie Thurmond, Cavalry (temporary captain).
Second Lt. Byron Mark Kirkpatrick, Corps of Engineers (temporary major).
Second Lt. Louis Edward Aull, Field Artillery (temporary major).
Second Lt. Charles Edward Mosse, Air Corps (temporary captain).
Second Lt. Albro Lefils Parsons, Jr., Corps of Engineers (temporary captain).
Second Lt. Ernest Samusson, Jr., Infantry (temporary captain).
Second Lt. William Barker Wootton, Jr., Infantry (temporary captain).
Second Lt. William Robertson Desobry, Infantry (temporary major).
Second Lt. James Turner Skipworth, Infantry (temporary captain).
Second Lt. Hubert Walter Gillespie, Jr., Field Artillery (temporary major).
Second Lt. Edmund Louis DuBois, Coast Artillery Corps (temporary captain).
Second Lt. Harold Ralph Rock, Infantry (temporary captain).
Second Lt. William Albert Becker, Field Artillery (temporary major).
Second Lt. Edward August Huwaldt, Field Artillery (temporary major).
Second Lt. Charles Frederick Ostner, Field Artillery (temporary captain).
Second Lt. Richard Johnson Binnicker, Jr., Field Artillery (temporary captain).
Second Lt. Toma David Harris, Jr., Cavalry (temporary captain).
Second Lt. Eugene Francis Lawrence, Coast Artillery Corps (temporary captain).
Second Lt. Robert Blaine Wells, Infantry (temporary captain).
Second Lt. Daniel Seward LaShelle, Infantry (temporary first lieutenant).
Second Lt. George Lindsay Disharoon, Jr., Infantry (temporary major).
Second Lt. George Eugene Bostwick, Air Corps (temporary first lieutenant).
Second Lt. Quentin Roosevelt, Field Artillery (temporary captain).
Second Lt. John Michener Wilson, Infantry (temporary captain).
Second Lt. John Taylor Newman, Signal Corps (temporary captain).
Second Lt. Bliss Leon Mehr, Air Corps (temporary captain).
Second Lt. Thomas Eugene Watson, Jr., Chemical Warfare Service (temporary first lieutenant).
Second Lt. Donald Dean Dunlop, Infantry (temporary major).
Second Lt. Joseph Gorrell Kearfott Miller, Field Artillery (temporary captain).
Second Lt. Joseph Douglas Mitchell, Infantry (temporary first lieutenant).
Second Lt. Charles Warren Adcock, Coast Artillery Corps (temporary captain).
Second Lt. Ernest Lee Wehner, Field Artillery (temporary captain).

To be first lieutenants with rank from July 18, 1944

Second Lt. Joseph Theodore Materi, Coast Artillery Corps (temporary captain).
Second Lt. William Victor Downer, Jr., Coast Artillery Corps (temporary captain).
Second Lt. William Warren Neely, Coast Artillery Corps (temporary captain).
Second Lt. Thomas Bennett Mechling, Coast Artillery Corps (temporary major).

MEDICAL CORPS

To be colonels

Lt. Col. Leland Elder Dashiell, Medical Corps (temporary colonel), with rank from July 4, 1944.
Lt. Col. George William Reyer, Medical Corps (temporary colonel), with rank from July 4, 1944.
Lt. Col. Oscar Thweatt Kirksey, Medical Corps (temporary colonel), with rank from July 6, 1944.
Lt. Col. Byron Johnson Peters, Medical Corps, with rank from July 13, 1944.
Lt. Col. Joseph Rogers Darnall, Medical Corps (temporary colonel), with rank from July 15, 1944.
Lt. Col. Leland Oliver Walter Moore, Medical Corps, with rank from July 23, 1944.
Lt. Col. Henry William Meisch, Medical Corps (temporary colonel), with rank from July 24, 1944.

To be lieutenant colonel

Maj. Berna Thomas Bowers, Medical Corps (temporary colonel), with rank from July 25, 1944.

To be majors

Capt. Frank Anthony Minas, Medical Corps (temporary colonel), with rank from July 1, 1944.
Capt. Henry Schuldt Murphey, Medical Corps (temporary colonel), with rank from July 1, 1944.
Capt. Carl Robert Darnall, Medical Corps (temporary lieutenant colonel), with rank from July 1, 1944.
Capt. George Merle Powell, Medical Corps (temporary lieutenant colonel), with rank from July 1, 1944.
Capt. Charles Henry Morhouse, Medical Corps (temporary colonel), with rank from July 1, 1944.
Capt. John Lemoin Crawford, Medical Corps (temporary colonel), with rank from July 1, 1944.
Capt. Claude Cordray Dodson, Medical Corps (temporary lieutenant colonel), with rank from July 1, 1944.

To be captains

First Lt. James Lee Royals, Medical Corps (temporary major), with rank from July 1, 1944.
First Lt. Robert Hicks Holmes, Medical Corps (temporary major), with rank from July 1, 1944.
First Lt. William Henry Anderson, Medical Corps (temporary major), with rank from July 1, 1944.
First Lt. Robert Patrick Campbell, Medical Corps (temporary major), with rank from July 1, 1944.
First Lt. Walter Cecil Twineham, Medical Corps (temporary major), with rank from July 1, 1944.
First Lt. William Holmes Crosby, Jr., Medical Corps (temporary major), with rank from July 1, 1944.
First Lt. Edward Kernaghan Mills, Medical Corps (temporary major), with rank from July 1, 1944.
First Lt. John Charles Benson, Jr., Medical Corps (temporary major), with rank from July 1, 1944.
First Lt. Milton Omar Beebe, Jr., Medical Corps (temporary major), with rank from July 1, 1944.
First Lt. Edward Lloyd Seretan, Medical Corps (temporary major), with rank from July 1, 1944.
First Lt. Winston Clarkson Hainsworth, Medical Corps (temporary major), with rank from July 1, 1944.
First Lt. John Joseph Maloney, Medical Corps (temporary major), with rank from July 1, 1944.
First Lt. Frederic John Hughes, Jr., Medical Corps (temporary major), with rank from July 1, 1944.
First Lt. Charles Bullard Hooker, Medical Corps (temporary major), with rank from July 1, 1944.
First Lt. Wilson Gordon Brown, Medical Corps (temporary captain), with rank from July 1, 1944.
First Lt. Abraham Chartock, Medical Corps (temporary major), with rank from July 2, 1944.
First Lt. Andrew Carroll Offutt, Medical Corps (temporary captain), with rank from July 2, 1944.
First Lt. William Morrow Webb, Medical Corps (temporary captain), with rank from July 2, 1944.
First Lt. Jess Franklin Gamble, Medical Corps (temporary lieutenant colonel), with rank from July 3, 1944.
First Lt. James Archer Orbison, Medical Corps (temporary captain), with rank from July 5, 1944.
First Lt. Dan Crozier, Medical Corps (temporary major), with rank from July 9, 1944.
First Lt. Adolph David Casciano, Medical Corps (temporary captain), with rank from July 12, 1944.
First Lt. Julian Marlow Sether, Medical Corps (temporary captain), with rank from July 12, 1944.
First Lt. William Gregory Thalmann, Jr., Medical Corps (temporary captain), with rank from July 12, 1944.
First Lt. William John Brown, Medical Corps (temporary major), with rank from July 12, 1944.
First Lt. Edward Henry Vogel, Jr., Medical Corps (temporary captain), with rank from July 12, 1944.
First Lt. Courtland Stillings Jones, Jr., Medical Corps (temporary captain), with rank from July 12, 1944.
First Lt. James Park Dewar, Jr., Medical Corps (temporary major), with rank from July 12, 1944.
First Lt. LeRoy Otten Travis, Medical Corps (temporary major), with rank from July 12, 1944.
First Lt. Edward Jenner Whiteley, Medical Corps (temporary major), with rank from July 12, 1944.
First Lt. Welland Angel Hause, Medical Corps (temporary captain), with rank from July 14, 1944.
First Lt. Harold Mendez Jesurun, Medical Corps (temporary major), with rank from July 17, 1944.

DENTAL CORPS

To be colonels

Lt. Col. John Samuel Ross, Dental Corps, with rank from July 4, 1944.
Lt. Col. Elmer Henry Nicklies, Dental Corps (temporary colonel), with rank from July 13, 1944.

To be major

Capt. John Kenneth Sitzman, Dental Corps (temporary colonel), with rank from July 9, 1944.

To be captains

First Lt. Victor Clifford Tisdal, Jr., Dental Corps (temporary captain), with rank from July 1, 1944.
First Lt. Edwin Howell Smith, Jr., Dental Corps (temporary captain), with rank from July 1, 1944.
First Lt. Julius Calvin Sexson, Dental Corps (temporary captain), with rank from July 1, 1944.

First Lt. Frank Archer Mitchell, Dental Corps (temporary captain), with rank from July 1, 1944.

First Lt. Joseph Robert Gibson, Dental Corps (temporary captain), with rank from July 1, 1944.

First Lt. Richard James Farrell, Dental Corps (temporary captain), with rank from July 1, 1944.

First Lt. Albert Rhoades Buckelew, Dental Corps (temporary captain), with rank from July 1, 1944.

First Lt. George Nicholas Schulte, Dental Corps (temporary major), with rank from July 7, 1944.

First Lt. Norbert Corbin Kephart, Dental Corps (temporary captain), with rank from July 8, 1944.

First Lt. Russell Henry Augsburger, Dental Corps (temporary captain), with rank from July 31, 1944.

VETERINARY CORPS

To be colonel

Lt. Col. Harry Lawrence Watson, Veterinary Corps (temporary colonel), with rank from July 18, 1944.

PHARMACY CORPS

To be first lieutenant

Second Lt. Charles Joseph Mrazek, Jr., Pharmacy Corps (temporary captain), with rank from July 6, 1944.

CHAPLAIN

To be colonel

Chaplain (Lt. Col.) Mariano Vassallo, United States Army (temporary colonel), with rank from July 19, 1944.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 19 (legislative day of May 9), 1944:

PUBLIC UTILITIES COMMISSION OF THE DISTRICT OF COLUMBIA

J. Francis Reilly to be a member of the Public Utilities Commission of the District of Columbia for the term of 3 years from July 1, 1944.

COLLECTOR OF CUSTOMS

A. Miles Pratt to be collector of customs for customs collection district No. 20, with headquarters at New Orleans, La.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 19, 1944

The House met at 12 o'clock noon.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Almighty God, our Father, who art willing and able to supply our many needs, we pray that in all our thoughts and toils during the day we may have the constant inspiration and confident companionship of Thy presence.

May we daily live by that standard of the better self which Thou hast revealed in the Christ, our Lord, and may the social order which we are seeking to build be in conformity unto His ideals of brotherhood and good will among men.

Grant that in our prayers we may remember more frequently and fervently all who are giving themselves so sacrificially for those blessings which we are privileged to enjoy.

To Thy name shall be the praise and the glory. Amen.

The Journal of the proceedings of Saturday, June 17, 1944, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Gatling, one of its clerks, announced that the Senate had passed without amendment a bill and a joint resolution of the House of the following titles:

H. R. 4659. An act to authorize the Soil Conservation Service to lend certain equipment; and

H. J. Res. 298. Joint resolution making appropriations for grants to States under the Social Security Act.

The message also announced that the Senate further insists upon its amendment numbered 10 to the bill (H. R. 4204) entitled "An act making appropriations for the Departments of State, Justice, and Commerce for the fiscal year ending June 30, 1945, and for other purposes," disagreed to by the House; asks a further conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McCARRAN, Mr. McKELLAR, Mr. RUSSELL, Mr. BANKHEAD, Mr. CONNALLY, Mr. WHITE, and Mr. REED to be the conferecs on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4414) entitled "An act making appropriations for the legislative branch and for the judiciary for the fiscal year ending June 30, 1945, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate No. 35 to the foregoing bill and that the Senate recede from its amendment No. 34 to said bill.

The message also announced that the Acting President pro tempore has appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Agriculture.
2. Department of the Interior.
3. Department of the Navy.
4. Department of War.
5. Federal Security Agency.
6. Office of Price Administration.
7. War Manpower Commission.
8. Administration Office of the United States Courts (U. S. District Court for the Western District of Wisconsin).

EXTENSION OF REMARKS

Mr. FITZPATRICK. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein an editorial which appeared in this morning's Washington Post on the O. P. A. bill now in conference.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

WAR DEPARTMENT CIVIL FUNCTIONS APPROPRIATIONS 1945

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4183) making appropriations for the fiscal year ending June 30, 1945, for civil functions administered by the War Department, and for other purposes, with Senate amendments thereto; disagree to the Senate amendments, and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. SNYDER]? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. SNYDER, Mr. STARNES of Alabama, Mr. KERR, Mr. MAHON, Mr. POWERS, Mr. ENGEL of Michigan, and Mr. CASE.

EXTENSION OF REMARKS

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MANASCO. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. BOYKIN] be permitted to extend his remarks on two subjects, in one to include a newspaper article and in another a radio address.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include a speech I made at the Democratic State convention in Indianapolis on Friday, June 16, 1944.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. O'BRIEN of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a short quotation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. KILDAY. Mr. Speaker, I ask unanimous consent that on Wednesday next, after the disposition of business on the Speaker's desk, I be permitted to address the House for 15 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. MORRISON of Louisiana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article on the St. Lawrence seaway power project in the Labor Record of New Orleans, La.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, sometime ago I secured an estimate from the Public Printer on the cost of including in the RECORD certain communications to the Congress of the United States by Mr. Rollo Ellis, a citizen of California. I find it would take five pages of the RECORD. Since that time, Mr. Speaker, I have succeeded in arranging to cut the matter down to about half its former length. It will still exceed two pages, but, nevertheless, I ask unanimous consent to print it in the RECORD.

The SPEAKER. Notwithstanding and without objection, it is so ordered.

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article by Mark Sullivan.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a speech I made in Philadelphia on June 15, 1944.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that I may have permission to address the House for 20 minutes on Wednesday next after the conclusion of other business.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. ANDREWS of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein certain resolutions.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent that after the regular business today I be permitted to address the House for 10 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. AUCHINCLOSS. Mr. Speaker, I ask unanimous consent that I be permitted to address the House after the regular order of business on Wednesday next for 15 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Miss STANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an address by Chancelor Samuel P. Capen, of the University of Buffalo, to the class of 1944.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks by printing an address by my colleague the gentlewoman from New York [Miss STANLEY].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include a statement of another in the Appendix.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mrs. SMITH of Maine. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech delivered by me at the White House on June 14.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ANTON J. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McGREGOR. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. Will the gentleman from Ohio temporarily withdraw his point of order as there are other Members who wish to be recognized to extend their remarks?

Mr. McGREGOR. Mr. Speaker, I withdraw the point of order.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article from the New York Times.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MURPHY. Mr. Speaker, I ask unanimous consent that the time allotted to me on a special order for tomorrow may be increased from 15 minutes to 30 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein certain tables which I have compiled.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WRIGHT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Will the gentleman from Pennsylvania temporarily withdraw his point of order as there are other Members who desire to be recognized to their extend their remarks?

Mr. WRIGHT. Yes, Mr. Speaker.

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COFFEE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therewith a resolution which I am introducing today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Miss STANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial which appeared in the New York Times on June 16, 1944.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein two telegrams.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

The SPEAKER. The gentleman from Ohio [Mr. McGREGOR] and the gentleman from Pennsylvania [Mr. WRIGHT] make the point of order that there is no quorum present. Evidently there is no quorum present.

Mr. RAMSPECK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 95]

Arnold	Grant, Ind.	Morrison, N. C.
Baldwin, Md.	Hagen	Murdock
Blackney	Hale	Myers
Boren	Hall,	O'Connor
Boykin	Edwin Arthur	Patman
Bradley, Mich.	Hall,	Peterson, Ga.
Bradley, Pa.	Leonard W.	Pfeifer
Brumbaugh	Harless, Ariz.	Phillips
Buckley	Harris, Va.	Plumley
Burchill, N. Y.	Hébert	Rabaut
Burdick	Heffernan	Reece, Tenn.
Cannon, Fla.	Heidinger	Reed, N. Y.
Capozzoli	Johnson,	Richards
Chiperfield	Calvin D.	Rivers
Cox	Kennedy	Rooney
Dickstein	Keogh	Rowe
Dies	Kilburn	Russell
Disney	Klein	Shafer
Douglas	Lane	Sheridan
Drewry	Lemke	Simpson, Pa.
Elmer	Lewis	Smith, Va.
Fay	Luce	Stearns, N. H.
Ford	Lynch	Stewart
Fulbright	McCord	Sumner, Ill.
Fuller	McLean	Taylor
Furlong	McMurray	Thomas, N. J.
Gallagher	Magnuson	Torrens
Gavin	Mansfield, Tex.	Treadway
Gibson	Merrow	Wadsworth
Gifford	Miller, Mo.	White
Gordon	Miller, Pa.	Whitten
Granger	Mills	Woodrum, Va.

The SPEAKER. Three hundred and thirty-seven Members have answered to their names. A quorum is present.

On motion of Mr. RAMSPECK, further proceedings under the call were dispensed with.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet tomorrow morning at 10 o'clock.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object—and I shall not object, because I appreciate it is necessary to come in early if we are to finish our business—will the gentleman tell us what the program will be?

Mr. McCORMACK. I will be glad to. The first order of business will be final action on the war contracts termination bill, after which bills on the Consent Calendar will be called. Then there are several bills that we expect may be passed by unanimous consent.

There are from two to four suspensions to be called, which will depend on what action is taken when two of the bills from the Consent Calendar are called.

Two of the bills to be called up under suspension are bills reported by the Committee on Foreign Affairs; one, H. R. 4311, authorizing the appointment of two additional Assistant Secretaries of State; the other, H. R. 4282, relating to the sale of buildings and grounds.

Then there is the civilian pilot training bill to extend an act which expires June 30, also a bill reported by the Committee on Interstate and Foreign Commerce relating to tuberculosis. After that the agricultural conference report will come up.

Mr. TARVER. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Georgia.

Mr. TARVER. I was advised last week that the agricultural appropriation conference report would follow immediately the calling of the Consent Calendar, and that that was a definite arrangement. I have so advised many gentlemen who are interested in that report. I am surprised to hear the gentleman say, if I understand him correctly, that action thereon has been postponed until action is had on some four or five different items of legislation.

Mr. McCORMACK. I am sure the gentleman from Georgia will appreciate the fact that it is the practice, if not the rule, that motions to suspend the rules follow the call of the Consent Calendar. In announcing this program I do not think any statement I have made is inconsistent with what the gentleman understood and what the gentleman has just stated, because the agricultural conference report will immediately follow any bill on which the Speaker recognizes a Member to move to suspend the rules.

Mr. TARVER. I think it is clearly evident from the gentleman's statement that we cannot hope to get up the conference report on the agricultural appropriation bill until late in the afternoon today, if at all, if you are going to have four or five suspensions of the rules, after the Consent Calendar is called, before you take up that report. I am wondering if it would not be better—if you are not going to take it up until late in the afternoon when there is no quorum here and when the point of no quorum may be made, and if the agreement made last week will not be carried out—that the conference report on the agricultural appropriation bill go over until tomorrow.

Mr. McCORMACK. With all due respect to the gentleman's observation about the agreement last week not being carried out, or being carried out, the gentleman from Massachusetts feels that the agreement is being carried out, and the gentleman will not enter into a dispute on that.

The SPEAKER. The gentleman from Georgia may be, and I think is, quoting a conversation he had with the present occupant of the chair. I told the gentleman that the conference report would come up immediately after the Consent Calendar. I think I then said to him, "if there are no suspensions." At that time the Chair did not know that matters of such urgency would come up as would require suspension of the rules. The Chair does not think the gentleman will have to wait until late in the afternoon to get action.

Mr. TARVER. I am not raising any question in regard to what the leadership may determine as to the proper schedule of business of this House.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

Mr. TARVER. I am simply taking the position, Mr. Speaker, that if this report is not to be reached until late in the afternoon, it ought to go over until tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CONTRACT SETTLEMENT ACT OF 1944

The SPEAKER. When the House adjourned on last Saturday the so-called contract-termination bill had been ordered to be read a third time, and was read the third time.

The question is on the passage of the bill.

Mr. DWORSHAK. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. DWORSHAK. I am, Mr. Speaker.

The Clerk read as follows:

Mr. DWORSHAK moves to recommit the bill to the Committee on the Judiciary for further study.

The SPEAKER. The question is on the motion to recommit.

Mr. MAY. Mr. Speaker, I make the point of order that the motion to recommit comes too late. In support of that motion I desire to call the Chair's attention to the proceedings of last Saturday as set forth in the RECORD at page 6140. At that time, under the rule, the Chair announced that the third reading of the bill was in order, and I rose and was recognized for the purpose of making a motion. At that time I presented a motion to recommit, which contained a provision that the bill should be recommitted to the Committee on the Judiciary, with instructions to that committee to report the bill back forthwith with what is known as the Thomason amendment relating to the Comptroller General. The amendment was attached to the motion. The Chair at that time inquired whether or not I was opposed to the bill. I qualified to make the motion by saying that I was against the bill. I repeat that. I am still against it. I make the point of order that since under the rule only one motion to recommit is in order the motion of the gentleman from Idaho comes too late.

The SPEAKER. The gentleman from Kentucky received recognition, and he said he intended to offer a motion to recommit. The Chair asked him if he qualified as opposed to the bill, and he said he was opposed to it.

The motion to recommit was never offered. The Chair did not recognize the gentleman to offer a motion to recommit, and the gentleman from Massachusetts said that if any further proceedings were had, he would call for a quorum. The Chair sees no motion to recommit published in the RECORD, and it certainly would have been published in the RECORD if the gentleman had offered it.

Mr. MAY. Mr. Speaker, may I interrupt the Speaker, in all due respect, to call attention to the Speaker's language as of last Saturday, which reads as follows, and I quote from the RECORD:

The bill was ordered to be read a third time, and was read a third time.

Mr. MAY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. MAY. I am, Mr. Speaker.

Mr. MARTIN of Massachusetts. Mr. Speaker, I understood the vote on the bill was going to go over until Monday. Is it not better to have the whole proceedings go over? I do not want to have to make the point of order that a quorum is not present.

The SPEAKER. The gentleman can offer his motion to recommit and have it pending.

The SPEAKER. But the gentleman did not; that is the answer. When there are Members on the minority side who qualify, the right to offer a motion to recommit passes to the minority. That is the rule.

Mr. MARTIN of Massachusetts. Mr. Speaker, I may say that at that time we had no opportunity to make the motion to recommit.

The SPEAKER. The question is on the motion to recommit.

Mr. COOPER. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The question was taken; and on a division (demanded by Mr. MAY) there were—ayes 20, noes 189.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. McCORMACK, Mr. WALTER, and Mr. MAY demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 326, nays 21, not voting 83, as follows:

[Roll No. 96]

YEAS—326

Abernethy	Fenton	McGregor
Allen, Ill.	Fernandez	McKenzie
Allen, La.	Fish	McMillan
Andersen, H. Carl	Fisher	McWilliams
	Fitzpatrick	Maas
Anderson, Calif.	Flannagan	Madden
Anderson, N. Mex.	Fogarty	Maloney
	Folger	Martin, Iowa
Andresen, August H.	Forand	Martin, Mass.
	Fulmer	Mason
Andrews, Ala.	Gale	Merritt
Andrews, N. Y.	Gamble	Michener
Angell	Gathings	Miller, Conn.
Arends	Gavin	Miller, Nebr.
Auchincloss	Gearhart	Monkiewicz
Baldwin, Md.	Gerlach	Monroney
Baldwin, N. Y.	Gilchrist	Morrison, La.
Barden	Gillette	Mott
Barrett	Gillie	Mruk
Barry	Goodwin	Mundt
Bates, Ky.	Gordon	Murphy
Bates, Mass.	Gore	Murray, Tenn.
Beall	Gorski	Newsome
Beckworth	Graham	Norman
Bell	Grant, Ala.	Norrell
Bender	Grant, Ind.	Norton
Bennett, Mich.	Green	O'Brien, Ill.
Bennett, Mo.	Gregory	O'Brien, Mich.
Bishop	Griffiths	O'Brien, N. Y.
Bland	Gross	O'Hara
Bloom	Gwynne	O'Neal
Bolton	Halleck	O'Toole
Bradley, Pa.	Hancock	Outland
Brehm	Hare	Pace
Brooks	Harness, Ind.	Patton
Brown, Ga.	Harris, Ark.	Peterson, Fla.
Brown, Ohio	Hart	Pfeifer
Bryson	Hartley	Philbin
Buck	Hays	Phillips
Buffett	Hébert	Pittenger
Bulwinkle	Hendricks	Ploeser
Burch, Va.	Herter	Poulson
Burgin	Hess	Powers
Busbey	Hill	Pracht
Butler	Hinshaw	C. Frederick
Byrne	Hobbs	Price
Camp	Hoch	Priest
Canfield	Hoeven	Ramey
Cannon, Mo.	Hoffman	Ramspeck
Carlson, Kans.	Holifield	Randolph
Carrier	Holmes, Mass.	Rankin
Carson, Ohio	Holmes, Wash.	Reed, Ill.
Carter	Hope	Rees, Kans.
Case	Horan	Richards
Chapman	Howell	Rivers
Chenoweth	Jackson	Rizley
Church	Jarman	Robertson
Clark	Jeffrey	Robinson, Utah
Clason	Jenkins	Robsion, Ky.
Clevenger	Jennings	Rockwell
Cochran	Jensen	Rodgers, Pa.
Coffee	Johnson, Anton J.	Rogers, Mass.
Cole, Mo.		Rohrbough
Cole, N. Y.	Johnson, Ind.	Rolph
Colmer	Johnson, J. Leroy	Rowan
Compton		Russell
Cooley	Johnson, Lyndon B.	Sabath
Cooper		Sadowski
Costello	Johnson, Ward	Sasscer
Courtney	Jones	Satterfield
Cravens	Jonkman	Scanlon
Crawford	Judd	Schiffler
Crosser	Kean	Schwabe
Cunningham	Kearney	Scott
Curley	Kee	Scrivner
Curtis	Keefe	Sheppard
D'Alesandro	Kefauver	Short
Davis	Kelley	Sikes
Dawson	Kerr	Simpson, Ill.
Day	Kilday	Slaughter
Delaney	Kinzer	Smith, Maine
Dewey	Kleberg	Smith, Ohio
Dilweg	Knutson	Smith, Va.
Dingell	Kunkel	Smith, W. Va.
Dirksen	LaFollette	Smith, Wis.
Dondero	Lambertson	Snyder
Doughton	Landis	Somers, N. Y.
Eaton	Lanham	Sparkman
Eberharter	Larcade	Spence
Elliott	Lea	Springer
Ellis	LeCompte	Stanley
Ellison, Md.	LeFevre	Starnes, Ala.
Ellsworth	Lesinski	Stefan
Elston, Ohio	Ludlow	Stevenson
Engel, Mich.	McConnell	Stigler
Engle, Calif.	McCormack	Stockman
Feighan	McCowen	Sullivan
Fellows	McGehee	Sumner, Ill.
Sumners, Tex.	Vorys, Ohio	Wickersham
Sundstrom	Vursell	Wigglesworth
Taber	Wadsworth	Willey
Talbot	Walter	Wilson
Talle	Ward	Winstead
Tarver	Wasielewski	Winter
Thomas, Tex.	Weaver	Wolcott
Tibbott	Welchel, Ohio	Wolfenden, Pa.
Tolan	Weiss	Wolverton, N. J.
Towe	Welch	Woodruff, Mich.
Troutman	Wene	Worley
Vinson, Ga.	West	Wright
Voorhis, Calif.	Whittington	Zimmerman

NAYS—21

Bonner	Johnson, Okla.	Murray, Wis.
Durham	King	O'Konski
Dworshak	Kirwan	Poage
Gossett	Mahon	Sauthoff
Hull	Manasco	Thomason
Izac	Mansfield, Mont.	Vincent, Ky.
Johnson, Luther A.	May	Whelchel, Ga.

NOT VOTING—83

Arnold	Granger	Miller, Mo.
Blackney	Hagen	Miller, Pa.
Boren	Hale	Mills
Boykin	Hall, Edwin Arthur	Morrison, N. C.
Bradley, Mich.		Murdock
Brumbaugh	Hall, Leonard W.	Myers
Buckley		O'Connor
Burchill, N. Y.	Harless, Ariz.	Patman
Burdick	Harris, Va.	Peterson, Ga.
Cannon, Fla.	Heffernan	Plumley
Capozzoli	Heidinger	Pratt, Joseph M.
Celler	Johnson, Calvin D.	
Chiperfield		Rabaut
Cox	Kennedy	Reece, Tenn.
Dickstein	Keogh	Reed, N. Y.
Dies	Kilburn	Rooney
Disney	Klein	Rowe
Douglas	Lane	Shafer
Drewry	Lemke	Sheridan
Elmer	Lewis	Simpson, Pa.
Fay	Luce	Stearns, N. H.
Ford	Lynch	Stewart
Fulbright	McCord	Taylor
Fuller	McLean	Thomas, N. J.
Furlong	McMurray	Torrens
Gallagher	Magnuson	Treadway
Gibson	Mansfield, Tex.	White
Gifford	Marcantonio	Whitten
Gillespie	Merrow	Woodrum, Va.

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Taylor for, with Mr. Burdick against.

General pairs:

Mr. Woodrum of Virginia with Mr. Reed of New York.
Mr. Keogh with Mr. Miller of Missouri.
Mr. Peterson of Georgia with Mr. Plumley.
Mr. Whitten with Mr. Elmer.
Mr. Kennedy with Mr. Kilburn.
Mr. Rabaut with Mr. Treadway.
Mr. Buckley with Mr. Arnold.
Mr. Drewry with Mr. Calvin D. Johnson.
Mr. Heffernan with Mr. Rowe.
Mr. Mansfield of Texas with Mr. Lewis.
Mr. Celler with Mr. Shafer.
Mr. Lane with Mr. Hale.
Mr. Lynch with Mr. Blackney.
Mr. Harless of Arizona with Mr. Fuller.
Mr. Fay with Mr. Simpson of Pennsylvania.
Mr. Fulbright with Mr. Merrow.
Mr. Klein with Mr. Gifford.
Mr. Mills with Mrs. Luce.
Mr. Capozzoli with Mr. Thomas of New Jersey.
Mr. McCord with Mr. Miller of Pennsylvania.
Mr. Dickstein with Mr. Douglas.
Mr. McMurray with Mr. Gallagher.
Mr. Burchill of New York with Mr. Edwin Arthur Hall.
Mr. Sheridan with Mr. Bradley of Michigan.
Mr. Torrens with Mr. Lemke.
Mr. Boykin with Mr. McLean.
Mr. Rooney with Mr. Heidinger.
Mr. Cannon of Florida with Mr. Stearns of New Hampshire.
Mr. Gibson with Mr. Leonard W. Hall.
Mr. Cox with Mr. Chiperfield.
Mr. Magnuson with Mr. Brumbaugh.
Mr. Disney with Mr. Gillespie.
Mr. Myers with Mr. Joseph M. Pratt.
Mr. Boren with Mr. Hagen.
Mr. Murdock with Mr. Marcantonio.

Mr. FULMER changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. SUMNERS of Texas. Mr. Speaker, I move that the House insist upon its amendment to the Senate bill and ask for a conference with the Senate

The motion was agreed to; and the Chair appointed the following conferees: Mr. SUMNERS of Texas, Mr. WALTER, Mr. KEFAUVER, Mr. HANCOCK, and Mr. GWYNNE.

GENERAL LEAVE TO EXTEND

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their own remarks in the RECORD on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that on Wednesday next, after the other special orders, the gentleman from Michigan [Mr. ENGEL] may address the House for 40 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on today, after the conclusion of the legislative business and other special orders that may have been entered, I may address the House for 10 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. LANDIS] may extend his own remarks in the RECORD on two subjects and include editorials.

I also ask unanimous consent that the gentleman from South Dakota [Mr. MUNDT] may extend his own remarks and include an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks on the subject of Finland and to include an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include as a part thereof a brief by William R. McMasters on national old-age pensions.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF PRICE CONTROL ACT—PERMISSION TO FILE CONFERENCE REPORT

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that the conferees on the bill (S. 1764) to amend the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of October 2, 1942, as amended, and for other purposes, may have until midnight tonight to file a conference report.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include therein a speech I recently delivered.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include therein an article by Francis Bryson in the New Orleans Item.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

EXPEDITING PAYMENT FOR LAND ACQUIRED DURING WAR PERIOD

The Clerk called the first bill on the calendar, S. 919, to expedite the payment for land acquired during the war period.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

COMPLIANCE WITH STATE INSPECTION LAWS

The Clerk called the next bill, H. R. 3405, making certain regulations with reference to fertilizers, feeds, nursery stock, or seeds that may be distributed by agencies of the United States.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMENDING PUBLIC LAW 537, SEVENTY-SEVENTH CONGRESS, APPROVED MAY 2, 1942

The Clerk called the next bill, H. R. 2908, to amend Public Law 537, Seventy-seventh Congress, approved May 2, 1942.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CREATING THE WAR SHIPPING FIELD SERVICE

The Clerk called the next resolution, House Joint Resolution 182, to create the War Shipping Field Service.

Mr. BLAND. Mr. Speaker, I ask unanimous consent that this resolution may be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ABOLISHING JACKSON HOLE NATIONAL MONUMENT

The Clerk called the next bill, H. R. 2241, to abolish the Jackson Hole National Monument as created by Presidential Proclamation No. 2578, dated March 15, 1943, and to restore the area embraced within and constituting said monument to its status as part of the Teton National Forest.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

Mr. BARDEN. Mr. Speaker, reserving the right to object, this bill has been on the calendar for some time. A minority report has been signed. I understand there were seven votes against reporting this bill out of the committee. I can see no advantage in its remaining upon the calendar, but I am not going to insist upon my objection if the gentleman from Missouri is really serious in asking that it be passed over.

Mr. COCHRAN. Mr. Speaker, I will join the gentleman in objecting right now.

I object to the bill.

Mr. BARDEN. Mr. Speaker, I object.

EXEMPTING CERTAIN OFFICERS AND EMPLOYEES OF THE NATIONAL WAR LABOR BOARD FROM CERTAIN PROVISIONS OF THE CRIMINAL CODE

The Clerk called the next bill, H. R. 4349, to exempt certain officers and employees of the National War Labor Board from certain provisions of the Criminal Code.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXEMPTING CERTAIN OFFICERS AND EMPLOYEES OF THE OFFICE OF SCIENTIFIC RESEARCH AND DEVELOPMENT FROM CERTAIN PROVISIONS OF THE CRIMINAL CODE

The Clerk called the next bill, H. R. 4446, exempting certain officers and employees of the Office of Scientific Research and Development from certain provisions of the Criminal Code.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXEMPTING CERTAIN OFFICERS AND EMPLOYEES OF THE WAR DEPARTMENT FROM CERTAIN PROVISIONS OF THE CRIMINAL CODE AND REVISED STATUTES

The Clerk called the next bill, H. R. 4468, to exempt certain officers and employees of the War Department from certain provisions of the Criminal Code and Revised Statutes.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CRIERS AND BAILIFFS IN UNITED STATES COURTS

The Clerk called the next bill, H. R. 4065, further defining the number and duties of criers and bailiffs in United States courts and regulating their compensation.

Mr. COLE of New York. Mr. Speaker, reserving the right to object, will the gentleman from Pennsylvania [Mr. WALTER] explain the purpose and effect of this bill?

Mr. WALTER. Mr. Speaker, the bill is intended to correct a bad situation that prevails now in the United States courts with respect to attendants to judges. This provides for bailiffs and criers; in other words, general all-around attendants to the judges. The judges now have attendants. They are, however, compensated only when the judge is actually holding court. When he is in chambers he has no attendant, no messenger. In other cases the United States marshal makes the assignment of a deputy marshal if one is available. The attention of the Committee on the Judiciary was called to the fact that in some cases marshals would not make assignments with the result that the judges do not have any attendants at all and in some instances are compelled to open court themselves. I forget what the exact amount is but it will require an additional expenditure in the neighborhood of $40,000 or $50,000 annually.

Mr. HARNESS of Indiana. How many new employees will be taken on?

Mr. WALTER. No new employees. It will mean that those employees who are lent by the marshal and are now serving in this capacity will continue to serve but will be compensated on an annual instead of on a per diem basis when the judge is sitting.

Mr. HARNESS of Indiana. Is there any real necessity for this thing now to increase the cost of administering this Government by some $40,000 or $50,000 a year?

Mr. WALTER. Oh, yes; the Committee on the Judiciary was unanimously of the opinion that these attendants ought to be provided.

Mr. COLE of New York. Mr. Speaker, I withdraw my reservation of objection.

Mr. HARNESS of Indiana. Mr. Speaker, I object.

The SPEAKER pro tempore [Mr. RAMSPECK]. The gentleman from Indiana objects.

The Clerk called the next bill, H. R. 4282, to amend the act entitled "An act for the acquisition of buildings and grounds in foreign countries for use of the Government of the United States of America," approved May 7, 1926, as amended, to permit of the sale of buildings and grounds and the utilization of proceeds of such sale in the Government interest.

Mr. PRIEST. Mr. Speaker, there is an understanding that the gentleman

from New York [Mr. BLOOM] will ask for recognition to consider this bill under a suspension of the rules. I therefore ask unanimous consent that the bill may be passed over without prejudice.

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

There was no objection.

APPOINTMENT OF TWO ADDITIONAL ASSISTANT SECRETARIES OF STATE

The Clerk called the next bill, H. R. 4311, to authorize the appointment of two additional Assistant Secretaries of State.

Mr. COLE of New York. Mr. Speaker, an agreement has been reached with the chairman of the Committee on Foreign Affairs to limit the effect of this bill to the duration of the war plus 2 years. The effect of the bill therefore will be that these two additional secretaries will serve only for the duration of the war plus 2 additional years.

Mr. HARNESS of Indiana. Mr. Speaker, reserving the right to object, I should like to ask the gentleman from New York if he can see any real necessity for creating two new offices in the Department of State when we do not require similar officials in the War Department of the Navy Department.

Mr. COLE of New York. That was the question I raised 2 weeks ago when this bill was called up. I doubted the necessity for these two additional secretaries, but apparently the matter has been thoroughly considered by the Committee on Foreign Affairs and in their opinion they feel these two additional secretaries are necessary.

Mr. FISH. Has it been considered by the House?

Mr. HARNESS of Indiana. I object, Mr. Speaker.

AMENDMENT TO ACT ENTITLED "AN ACT TO EXPEDITE THE PROVISION OF HOUSING IN CONNECTION WITH NATIONAL DEFENSE"

The Clerk called the next bill, H. R. 4728, 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.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940 (54 Stat. 1125) as amended, is amended by inserting after the word "it" in the last proviso of said section 3 the phrase ", as a claimant agency under the controlled materials plan established pursuant to subsection (a) of section 2 of the act entitled 'An act to expedite national defense, and for other purposes,' approved June 28, 1940 (54 Stat. 676), as amended,", and by deleting the words "for persons engaged in national defense activities" from the last proviso of said section 3.

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.

ALLOWANCES FOR MILEAGE OF GRADUATES OF THE UNITED STATES MILITARY ACADEMY

The Clerk called the next bill, S. 1669, to clarify the law relative to allowances for mileage of graduates of the United States Military Academy and transportation of their dependents on assignment to their first duty station and to the mileage allowance of persons entering the United States Military Academy as cadets.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That officers graduated from the United States Military Academy when traveling under competent orders to the first station to which they are permanently assigned for duty shall receive the mileage allowance authorized by law for officers of the Army traveling under competent orders without troops, for the distance actually traveled under such orders, not to exceed the distance by the shortage usually traveled route from their homes or from West Point, N. Y., as may be designated in their orders, to such first duty stations. The orders mentioned in the first sentence of this section shall be deemed to involve a "permanent change of station" as those words are used in the fifth paragraph of section 12, Pay Readjustment Act of 1942 (act of June 16, 1942; 56 Stat. 365), and the rights of the officers concerned shall be governed by the provisions of that paragraph with respect to the transportation of their dependents and household effects. That portion of the act of August 9, 1912 (37 Stat. 252; 10 U. S. C. 744), which reads as follows: "*Provided further*, That hereafter a graduate of the Military Academy shall receive mileage as authorized by law for officers of the Army from his home to the station which he first joins for duty," is hereby repealed. The provisions of this section shall be effective as of January 19, 1943: *Provided*, That no person shall suffer, by reason of the enactment of this act, any reduction in any allowance or compensation which he has been paid or to which he was entitled immediately prior thereto.

SEC. 2. A person entering the United States Military Academy as a cadet shall receive a mileage allowance at the rate of 5 cents per mile for all travel which he actually performs, and which he certifies he has actually performed, while proceeding to the United States Military Academy for admission as a cadet, not in excess of the distance by the shortest usually traveled route between the place which he certifies was his actual permanent place of abode or home, school, or Army station at the time such travel was commenced and the United States Military Academy. All payments to such persons for travel to the United States Military Academy made on or after June 1, 1940, to the extent that they involve questions as to the place from which payment of mileage was authorized, are hereby approved, ratified, and confirmed.

With the following committee amendment:

Page 3, line 9, after the word "Academy", insert the following: "*Provided*, That a person discharged from the armed forces to enter the United States Military Academy shall receive a mileage allowance at the rate of 5 cents per mile for travel performed not in excess of the distance by the shortest usually traveled route between the place of discharge as certified by him and the United States Military Academy: *Provided further*, That no travel allowance shall be payable under this section for travel performed outside the continental limits of the United States."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADJUSTMENT OF DEBTS OF INDIVIDUAL INDIANS, ASSOCIATIONS OF INDIANS, OR INDIAN TRIBES

The Clerk called the next bill, H. R. 2654, to authorize the Secretary of the Interior to adjust debts of individual Indians, associations of Indians, or Indian tribes, and for other purposes.

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

Mr. CASE. Mr. Speaker, reserving the right to object, when this bill on the calendar and the following bill were called 2 weeks ago I asked to have them passed over without prejudice in order that amendments might be prepared to them to meet the objections which I raised.

In the first instance, H. R. 2654, as reported, it appeared to me, would permit the Secretary of the Interior to expend tribal funds for the purchase of lands without the consent of the tribe. In the other bill, H. R. 3345, it appeared to me there was no requirement that the Secretary of the Interior have the written approval of the Indian or tribe concerned when he leased lands. The bill plainly requires the Indian to have the approval of the Secretary of the Interior when he makes a 25-year lease, but the rule should work both ways. If the Secretary is going to lease an Indian's lands, a tribe's lands, he should have a written power of attorney from the allottee or tribe giving consent. I may say that in the absence of the gentleman from Montana [Mr. O'CONNOR], chairman of the committee, due to illness, I have conferred with the clerk of that committee and also with the ranking minority member. We have prepared amendments on these points that are satisfactory to both of them. These amendments are at the desk, and with the understanding they will be presented I withdraw my reservation of objection.

The SPEAKER pro tempore. 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 the Secretary of the Interior be, and he is hereby, authorized in his discretion to adjust or cancel charges of the Government of the United States existing as debts against individual Indians, associations of Indians, or Indian tribes, which have accrued or shall accrue from the use of funds held in trust for Indian tribes, whenever he shall determine that any such debt is uncollectible in whole or in part, or that in equity and good conscience, repayment should not be enforced: *Provided*, That no debt incurred from tribal funds shall be adjusted or canceled without the consent of the tribe involved, expressed through a resolution of the governing body thereof or otherwise.

SEC. 2. The Secretary of the Interior may accept from individual Indians conveyances of land or interest therein to the United States in trust for the tribe of which they are members, in partial or full settlement of debts resulting from the use of tribal funds or funds appropriated by Congress for the benefit of Indians, whenever he may determine that such debts are otherwise uncollectible: *Provided*, That if in any case the value of the land or interest therein exceeds the debt, the Indian may be paid the difference from any unobligated tribal funds belonging to the tribe for whose benefit the conveyance is made, or from any public appropriations available to the Indian Service for the purchase of land for Indian tribes.

Mr. CASE. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. CASE: Page 2, line 17, strike out the period, insert a colon and the following: "*And provided further*, That unobligated tribal funds shall not be expended for this purpose without the consent of the tribe legally expressed."

Mr. CASE. Mr. Speaker, I may say that all this does is to require that if the Secretary expends private funds for the purchase of land in the adjustment of certain debts he shall have the consent of the tribe legally expressed to use tribal funds for that purpose.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from South Dakota.

The 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.

LEASING OF INDIAN LANDS

The Clerk called the next bill, H. R. 3345, to authorize the leasing of Indian lands for business, and other purposes.

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

Mr. CASE. Mr. Speaker, as I stated, the same situation prevails here. We have an amendment at the desk that has been prepared in consultation with the clerk of the committee and the ranking minority member.

The SPEAKER pro tempore. 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 notwithstanding any other provisions of law, any restricted Indian lands may be leased for (1) public, religious, educational, or business purposes; (2) the use and benefit of enterprises operated by Indian groups; or (3) other beneficial purposes, for periods not to exceed 25 years under such rules and regulations as the Secretary of the Interior may prescribe.

SEC. 2. Such leases may be made by the individual Indian owner of the land or by the authorized representatives of the tribe or group of Indians to whom the land belongs, subject to the approval of the Secretary of the Interior or his authorized representative. Restricted allotments of deceased Indians, when the heirs or devisees cannot agree on a lease, may be leased for them in the manner prescribed by the act of July 8, 1940 (54 Stat. 745, ch. 554). No lease shall be made by or on behalf of any tribe organized in accordance with the act of June 10, 1934 (48 Stat. 984), for a longer period than is authorized by the tribal constitution or charter. Nothing contained in this act shall be construed to repeal any authority to lease restricted lands which any Indian, Indian tribe, or official of the Department of the Interior would have in the absence of this act.

Mr. CASE. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. CASE: Page 1, line 3, after the comma, insert the following: "With the consent in writing of the individual Indian, association of Indians, or Indian tribe concerned."

The 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.

APPROPRIATION OF AMOUNTS RECEIVED FROM THE SERVICES OF CONSCIENTIOUS OBJECTORS FOR EXPENDITURE BY THE SELECTIVE SERVICE SYSTEM

The Clerk called the next bill, H. R. 3199, to authorize the appropriation for expenditure by the Office of Foreign Relief and Rehabilitation Operations, of certain amounts received from services of conscientious objectors.

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

Mr. BROOKS. Mr. Speaker, reserving the right to object, this bill would allow the families of conscientious objectors the same allotment substantially as that paid by the Government to families of soldiers and sailors in the Army of the United States. It allows payments in accordance with the Allotment Act and under many rules and regulations of the Allotment Act and amounting to the same sums as the compensation paid to families of our servicemen.

I have received a letter from Francis M. Sullivan, executive director, national legislative committee, as well as a resolution passed at the 1943 convention of the American Legion, held at Omaha, both of which go on record against the payment of public funds to the families of conscientious objectors as being against the best interest of the Nation.

Mr. COLE of New York. Will the gentleman yield?

Mr. BROOKS. I yield to the gentleman from New York.

Mr. COLE of New York. Of course, the gentleman realizes these funds are not public funds. They are the earnings of the individuals involved.

Mr. BROOKS. I disagree with the gentleman. They have been collected by the Government and are Government funds. It is proposed that they be paid out by the Army finance office as part of the Army set-up to these families of conscientious objectors.

Mr. COLE of New York. Not at the present time.

Mr. BROOKS. Under your bill they will be paid out by the Army finance officer as allotments to the families of conscientious objectors.

Mr. COLE of New York. That is true, but these funds are the earnings of the individual. The money is being kept in the Federal Treasury as a separate fund and some solution must be reached by the Congress at some time for the disposal of these funds. My own idea was first that the funds should be used for foreign relief, but the Committee on Military Affairs thought differently. They thought there was some obligation on the part of the Government to take care of the families of these men who are in the camps, and the money should be used for those purposes.

Mr. BROOKS. Some day the Government may have to work out some disposition of these public funds. These funds, however, do not represent clear earnings at all. It does not mean that the Government has not expended money in taking care of these camps and in taking care of these objectors in these camps which have been set up for them. I do not believe our people want to pay under a similar set-up to that under which we pay allowances to the families of soldiers and sailors, and for the same amount of allowance to these families of conscientious objectors; and that is what the bill does.

Mr. COLE of New York. The gentleman is making an unfair statement of the situation because the dependents of these people are not placed on the same basis as the dependents of the ordinary person in the service. To be entitled to these funds the family must show that it is in actual need, which is not true of the ordinary person in the service.

Mr. BROOKS. May I interrupt right there. If the gentleman will read the Allotment Act he will find that the same basis is used excepting for wives of servicemen. You must establish need in order to pay an allotment to the families of the soldiers and sailors. The same identical basis is used here.

Mr. COLE of New York. The gentleman realizes that if an individual in this category of conscientious objector has dependents, people who are completely dependent upon him, then they will not be taken into these camps; they will be allowed to remain in their civil life, and I am quite sure the gentleman does not want that to happen.

Mr. BROOKS. The situation has been handled very well under the present set-up by the agencies that are now handling them. These agencies are doing a fine job in handling the situation and I am willing to let them go along on that basis.

Mr. COLE of New York. I suggest that the gentleman use his talents toward finding some solution for the disposal of these funds.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that the letter to which I referred and the resolution of the national convention of the American Legion be inserted at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana [Mr. BROOKS]?

There was no objection.

The letter and resolution follow:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMITTEE,
Washington, D. C., June 12, 1944.

Hon. OVERTON BROOKS,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN: Confirming our telephone conversation of this morning, I am taking the liberty of forwarding to you herewith copy of Resolution 425 adopted at the Omaha national convention held in September, 1943, concerning conscientious objectors.

You will note the last resolving clause of our resolution places the American Legion in opposition to payment of compensation to conscientious objectors or to members of their families.

Sincerely yours,

F. M. SULLIVAN,
Executive Director National Legislative Committee.

RIGID DISCIPLINE DEMANDED IN CAMPS FOR CONSCIENTIOUS OBJECTORS

Resolution 425

Whereas the proper classification of conscientious objectors and persons pretending to be conscientious objectors constitutes one of the serious problems of the war; and

Whereas the American Legion believes that constitutional religious freedom was not designed nor intended to permit any citizen to shirk his obligation to his country in time of national peril: Now, therefore, be it

Resolved, That the American Legion, in national convention assembled in Omaha, Nebr., this 22d day of September 1943, favors a public policy that will respect the religious principles of the sincere conscientious objector, but that will prevent the slacker from evading military service; and be it further

Resolved, That we commend those local selective service boards which have given strict and careful interpretation to the selective service laws, and have thereby prevented the misuse of the law by slackers and intended evaders of military service, and that we call upon all local boards in the Nation to examine carefully the religious background of the conscientious objections of all registrants so that no would-be slacker may be aided by them to evade military service; and be it further

Resolved, That the American Legion urge the adoption of rigidly enforced discipline and war requirements in all camps or elsewhere employed for conscientious objectors; and be it further

Resolved, That we oppose the payment of any public compensation to conscientious objectors or to members of their family.

Mr. BARDEN. Mr. Speaker, further reserving the right to object, without giving any consideration whatever to the conscientious objectors themselves and without any regard for their comfort or care, how do we escape some responsibility for their wives and children when in distress and need if the Government is going to collect the funds for the work performed by these conscientious objectors? How are we going to escape some responsibility for seeing that at least a portion thereof may be returned to his dependents who are proven to be in need and who might be suffering? How are we going to escape that responsibility? I doubt if it is a good answer to say that charity will take care of them—after all, the little children could not choose their father.

Mr. BROOKS. I am not prepared to accept any responsibility. My contention is that this is a matter of charity, which should be handled as it is at the present time—on a charity basis. I fully agree with the resolution of the American Legion, which says, in effect, that setting up allotment payments to families is encouraging those who would not actually be conscientious objectors to try to take advantage of the law.

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

Mr. BROOKS, Mr. SIKES, and Mr. KEAN objected.

OPERATION OF NAVAL PLANTATIONS OUTSIDE THE CONTINENTAL UNITED STATES

The Clerk called the next bill, S. 1634, to provide for the management and operation of naval plantations outside the continental United States.

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

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Navy is authorized, under such regulations as he may prescribe, to manage, operate, maintain, and improve plantations and farms outside the continental limits of the United States, directly by the United States or under such lease, contract, or other arrangement as he may find suitable and in the interest of the United States, for the purpose of furnishing food and food products to the armed forces of the United States and the personnel thereof, and to civilians serving with the armed forces: *Provided*, That no land shall be acquired for the purpose: *Provided further*, That except for the plantation at the Naval Operating Base, Trinidad, British West Indies, no plantation or farming operations shall be undertaken by the Secretary of the Navy without the prior approval of the Naval Affairs Committees of the Senate and the House of Representatives, and thereafter similar approval for the continuance of any plantation and farming operation, including the operation of the plantation at Trinidad, shall be obtained annually on or before June 30 of each year: *Provided further*, That statements relating to each operation showing the receipt and expenditure of money, data on production, and recommendations for the continuance or abandonment of each project, shall be made by the Secretary of the Navy as of December 31 of each year: *And provided further*, That notwithstanding the foregoing provisions, commanding officers, pursuant to the authority contained in this act, may undertake local gardening projects for the purpose of furnishing fresh vegetables to messes, whenever the production of vegetables is considered practicable and fresh vegetables are not otherwise available and funds are administratively allocated to the costs of a garden project.

SEC. 2. Appropriations for the subsistence of naval personnel shall be available for any and all expenditures necessary in the management, operation, maintenance, and improvement of any such plantation or farm: *Provided*, That equipment, material, and supplies required therein may be purchased without regard to section 3709 of the Revised Statutes and other laws applicable to purchases by governmental agencies.

SEC. 3. Food and food products and other property incidental to the operation of any plantation or farm may be sold under such regulations as may be issued by the Secretary of the Navy without regard to the provisions of other law relating to the sale of Government property, and all funds and moneys received or accruing from such sales shall be deposited in the Treasury to the credit of miscellaneous receipts: *Provided*, That surplus production over the amount furnished or sold to the armed forces of the United States and the personnel thereof, and to civilians serving with the armed forces, may only be sold outside the continental limits of the United States.

SEC. 4. All persons employed directly by the United States, and their heirs, shall be governed as to compensation for disability or death from personal injury sustained while in the performance of duty, by the act approved September 7, 1916 (39 Stat. 742, 5 U. S. C. 751 ff.), as amended: *Provided*, That only American citizens, employees of the United States, shall be entitled to benefits under the civil-service laws and other laws of the United States relating to the employment, work, compensation, rights, benefits, or obligations of civilian employees of the United States.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That hereafter the appropriations for the subsistence of naval personnel shall be available for any and all expenditures necessary in the management, operation, maintenance, and improvement of any plantation or farm, on land subject to naval jurisdiction outside of the continental United States, for the purpose of furnishing food and food products to the armed forces of the United States: *Provided*, That equipment, material, and supplies required therein may be purchased without regard to section 3709 of the Revised Statutes, and other laws applicable to purchases by governmental agencies: *Provided further*, That only American nationals, employees of the United States, shall be entitled to benefits under the civil-service laws and other laws of the United States relating to the employment, work, compensation, rights, benefits, or obligations of civilian employees of the United States: *Provided further*, That surplus production over the amount furnished or sold to the armed forces of the United States and to civilians serving with the armed forces may only be sold outside the continental limits of the United States: *And provided further*, That no land shall be acquired under this authorization.

"SEC. 2. This act shall remain in effect until the termination of the present war and for 6 months thereafter."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE HATCH ACT CONCERNING MUNICIPALITIES IN ALASKA

The Clerk called the next bill, H. R. 330, to amend section 16 of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939, as amended.

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

Mr. KEAN. Mr. Speaker, reserving the right to object, this bill is one of the many attempts to weaken the Hatch Act. It is true it only applies to railroad workers in Alaska. I note in the committee report it says "in harmony with the views of the Attorney General." I am a little suspicious of the views of the Attorney

General. I ask unanimous consent 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.

ALASKAN INTERNATIONAL HIGHWAY COMMISSION

The Clerk called the next bill, H. R. 4625, to extend the existence of the Alaskan International Highway Commission for an additional 4 years.

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

Mr. COLE of New York. Mr. Speaker, reserving the right to object, the purpose of this bill is to extend the life of the Alaskan International Highway Commission, but it does so by extending the terms of the members of the Commission from a term of 6 years to a term of 10 years. I feel that it is a mistake to extend the term of an incumbent after he has been appointed. I have submitted an amendment to the persons interested, and it has been accepted by them, the effect of which would be to extend the Commission, but not the term of office of the members of the Commission.

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 the terms of the members of the Alaskan International Highway Commission appointed pursuant to the provisions of the act entitled "An act to create a Commission to be known as the Alaskan International Highway Commission," approved May 31, 1938, shall be 10 years in lieu of 6 years as provided by such act, as amended and supplemented by the act entitled "An act to extend the existence of the Alaskan International Highway Commission for an additional 4 years, and for other purposes," approved June 11, 1940.

Mr. COLE of New York. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE of New York:

On page 1, line 3, strike out the words "terms of the members" and insert "existence."

On page 1, line 4, strike out the word "appointed" and insert "created."

The 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.

FEDERAL CROP INSURANCE ACT

The Clerk called the next bill, H. R. 4911, to amend the Federal Crop Insurance Act.

Mr. KEAN. Mr. Speaker, this bill is obviously too important for the consent calendar. Therefore, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

EXTENSION OF CIVILIAN PILOT TRAINING ACT OF 1939

The Clerk called the next bill, S. 1432, to extend the Civilian Pilot Training Act of 1939.

Mr. PRIEST. Mr. Speaker, it is my understanding that the gentleman from North Carolina [Mr. BULWINKLE] will be recognized later to move to suspend the rules and pass this bill. Therefore, I ask unanimous consent that the bill be passed over without prejudice.

Mr. STEFAN. Reserving the right to object, Mr. Speaker, this bill extends the Civilian Pilot Training Act which expires on June 30, at the end of this fiscal year. It is a very important bill. I am very much disturbed because the committee has written an extension of only 1 year into the bill. I think it should have been 5 years. In order to give the Members of the House some information regarding the reasons why the act should be extended, Mr. Speaker, I ask unanimous consent to extend my remarks at this point and include therein a letter and a table bearing on the situation.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. STEFAN. Mr. Speaker, I think the Civilian Pilot Training Act of 1939 should be extended for these reasons:

First. To make our Nation secure.

In order to maintain our place in the air and to insure protection in any period of emergency, an opportunity to acquire a sound working knowledge of flying techniques should be made available each year to new groups of young people possessing aptitude for such training.

Second. To add protection to our young men of today.

In this air age, with civil aviation pressing vigorously forward, constant effort must be made to improve flight techniques and skills. A successful pilot is essentially self-confident and is at ease in the air. This sense of confidence and ease cannot be acquired over a brief period. The development of flight training and related special technical skills required to make safe flying possible should, therefore, begin at the high-school level.

It goes without saying that the lives of many of our able seamen in the Navy today have been saved due to their ability to take care of themselves in the water when their ships have been sunk. The same holds true for the Air Forces where, no doubt, lives have been saved because the pilot feels at home in the air. To become accustomed to water and to become an expert swimmer requires training over an extended period of time. The same holds true to become at home and at ease in the air.

Third. To control and guide the enthusiasm of our youth in the field of aviation by offering flight training through high schools and colleges.

It has been recognized that our young people are definitely aviation-minded, and we believe that their spontaneous and lively interest should be channeled into the classroom. Continued and growing familiarity of our coming generations with aviation and its problems is of great importance to our national health and security. This would be encouraged and developed by the indoctrination of high school and college students for the air through controlled training in actual flight.

Fourth. The past record of civilian-pilot training justifies continuation of this worthy activity.

During the 5 years of its operation, about 400,000 trainees received approximately 11,250,000 hours of flight instruction. One hundred and eight thousand two hundred and ninety-nine of these trainees were given 3,897,085 hours of flight training as civilians during the first 3 years. This group of trainees comprised a large nucleus of the present combat pilots. The Army and Navy Air Forces also relied to a large extent on the men in this group to obtain the flight instructors necessary to expand their training.

During the past 2 years, approximately 290,000 trainees, on active duty or in the reserve, received about 7,350,000 hours of flight instruction. During the past year, each Army aviation cadet and each Naval aviation cadet received his first flight training from C. A. A. War Training Service.

Fifth. To enable civil aviation to be represented in post-war flight-training plans.

Sixth. To air-condition America—to keep it first on land, on sea, and in the air.

Now that young men are being called to active duty with the armed services on reaching their eighteenth birthday, it seems highly desirable that those showing aptitude for aviation should, in the period of their school training, be given an opportunity to obtain elementary flight instruction. It will reduce the attrition rate and give trainees more time to assimilate the vast amount of knowledge required to become proficient pilots. Since training under C. A. A. War Training Service will be decentralized, its effect in air-conditioning an already air-conscious Nation will be far reaching.

DEPARTMENT OF COMMERCE,
CIVIL AERONAUTICS ADMINISTRATION,
C. A. A. WAR TRAINING SERVICE,
March 30, 1944.

To: Executive Director of Training.

From: Chief, Evaluation, Trainee, and Material Accounting Section.

Subject: Disposition of men enlisted in the Army Air Corps Enlisted Reserve for the purpose of receiving pilot training under the supervision of C. A. A.-War Training Service.

1. From August 1942 to February 1943, the number of names submitted to the Military Personnel Division of the Army Air Forces for further training as glider pilots was 5,444.

2. From September 1942 to June 1943, the number of names submitted to the Military Personnel Division of the Army Air Forces for further flight training as liaison pilots was 2,158.

3. During August and September 1942, the number of names of cross-country course graduates submitted to the Military Personnel Division of the Army Air Forces for assignment as pilots to the air lines was 1,017.

4. In February 1943 the number of names of Link instrument course graduates submitted to the Military Personnel Division of the Army Air Forces for assignment as pilots with the air lines was 111.

5. From September 1942 to September 1943 the number of names of flight officer course graduates submitted to the Military Personnel Division of the Army Air Forces for assignment as pilots with the air lines was 251.

6. From October 1942 to October 1943, the number of names of secondary instructor course graduates submitted to the Training Command of the Army Air Forces for further training as Army instructors was 2,932.

7. From August 1942 to September 1943, the number of names submitted to the Military Personnel Division who were eliminated from further flight training by C. A. A.-War Training Service was 2,809.

8. During June 1943 the number of names submitted to the Military Personnel Division of the Army Air Forces who had not received flight training was 1,981.

9. During June 1943, the number of names submitted to the Military Personnel Division of the Army Air Forces as men who elected a discharge from the Army Enlisted Reserve rather than activation. The offer of discharge was contained in letters dated May 29, 1943 and June 11, 1943, 1,682.

10. During June 1943, the number of names submitted to the Military Personnel Division of the Army Air Forces who elected call to active duty rather than activation. This offer was contained in letter dated May 29, 1943, 303.

11. From May 1943 to July 1943, the number of names submitted to the Military Personnel Division of the Army Air Forces who had qualified as aviation cadets prior to activation. This offer was contained in the letters of May 29, 1943, and June 11, 1943, 995.

12. From July 1943 to September 1943, the number of names submitted to the Military Personnel Division of the Army Air Forces for activation was 8,121.

a. The number who elected and qualified as aviation cadets was 1,294.

b. The number found qualified only for ground duty in the Army Air Forces was, 1,049.

c. The number discharged from the Army Air Forces was 227.

d. The number unreported at the basic training centers of the Army Air Forces or unclassified by the Army Air Forces was 327.

e. The number found qualified for further flight training under the supervision of C. A. A.-War Training Service was 5,224.

13. Total Army Enlisted Reservists enrolled for pilot training under the supervision of C. A. A.-War Training Service was 27,804.

A. Number found qualified for further pilot training on active duty under the supervision of C. A. A.-War Training Service, 5,224.

1. The number of men on active duty who completed secondary instructor course and reported to the Flying Training Command of the Army Air Forces at Brooks Field, Tex., was 723.

2. Number of men on active duty eliminated from further pilot training was 301.

3. The number of men who were in training as of January 15, 1944, when the Army Air Forces discontinued the instructor program was 4,200.

B. Number of former students, as of March 15, 1944, for whom assignments had been made by the Army Air Forces (all offered air crew, glider, gunnery, and technical training if qualified), 4,687.

1. Qualified for aviation cadet training, 974.

2. Qualified for glider pilot training, 651.

3. Qualified for technical training, 2,618.

4. Assigned as specialists, 310.

5. Discharged, 5.

6. Deceased, 1.

7. Disposition undetermined (due to hospitalization, emergency furlough, physical examination. Further information will be furnished), 128.

A. D. HARVEY.

Civil Aeronautics Administration pilot training service (civilian pilot training—war training service), general statistics, July 1, 1939 to Mar. 31, 1944

	Fiscal 1940	Fiscal 1941	Fiscal 1942	Fiscal 1943	Fiscal 1944	Fiscal 1940 to 1944 inclusive
Appropriations:						
Civilian pilot training	$4,000,000	$37,000,000	$25,000,000	$72,000,000	$29,400,000	$167,400,000
Special funds from Congress			2,000,000	3,715,000	1,805,782	7,520,782
Army working funds				6,486,605	24,535,080	31,021,685
Navy working funds				26,027,818	40,659,940	66,687,758
Inter-American working funds					725,000	725,000
Total	4,000,000	37,000,000	27,000,000	108,229,423	97,125,802	273,355,225
Hours flown	371,000	2,168,725	1,857,860	3,648,950	[1] 3,192,458	[1] 11,238,993
Number of trainees [2]	10,231	57,972	40,096	111,140	[1] 178,323	[1] 348,962
Enrollment by courses:						
Civilian pilot training:						
Elementary	10,197	47,276	26,845			84,318
Secondary	84	8,019	9,394			17,497
Cross country			7,288			7,288
Commercial		3,565				3,565
Instructor		7,131	5,963			13,094
Total	10,281	65,991	49,490			125,762
Army Air Corps enlisted Reservists:						
Elementary				12,166		12,166
Secondary				10,345	[1] 2,329	[1] 12,674
Elementary cross country				1,101		1,101
Cross country				5,005	[1] 3,046	[1] 8,051
Link instrument				2,321	[1] 3,074	[1] 5,395
Flight officer				422		422
Elementary instructor				1,890		1,890
Enrollment by courses:						
Secondary instructor				2,855	[1] 2,431	[1] 5,286
Preglider				5,219		5,219
Liaison				2,720		2,720
Elementary instructor standardization				158		158
Secondary instructor standardization				12		12
Commercial pilot qualifying				120		120
Total				44,334	[1] 10,880	[1] 55,214
Naval officers, aviation cadets, and enlisted men (on active duty after Dec. 15, 1942):						
Elementary				33,904	[1] 25,879	[2] 52,908
Elementary extracurricular				556		556
Intermediate				5,703	[1] 20,726	[2] 20,795
Secondary				5,350		5,350
Secondary extracurricular				70		70
Cross country				395		395
Link instrument				14		14
Secondary instructor				532		532
Special flight officer				1,393	[1] 176	[1] 1,569
Marines				451		451
Total				48,368	[1] 46,771	95,139
Army Air Corps aviation cadet candidates (flight indoctrination program for air crew; all on active duty)				49,491	[1] 140,107	189,598
Grand total	10,281	65,991	49,490	142,193	[1] 197,758	465,713

[1] Fiscal year 1944 includes first 9 months only.
[2] Calendar year 1943, 207,233.
[3] On active duty after Sept. 1, 1943.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee that the bill be passed over without prejudice?

There was no objection.

STUDY OF MULTIPLE TAXATION OF AIR COMMERCE

The Clerk called the next bill, H. R. 4935, to provide for a study of multiple taxation of air commerce, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Civil Aeronautics Board shall consult with the appropriate authorities of the several States, Territories, and possessions, and subdivisions thereof, with a view to the development of means for eliminating and avoiding, as far as practicable, multiple taxation of persons engaged in air commerce and their employees, by States, Territories, and possessions, and subdivisions thereof, and other taxation by States, Territories, and possessions, and subdivisions thereof, which has the effect of unduly burdening or unduly impeding the development of air commerce. The Board shall report to Congress, within 180 days after the day on which this act is enacted, the results of its consultations with such authorities, together with such recommendations as it deems advisable, including recommendations for legislation by the Congress if such legislation appears necessary or appropriate.

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.

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BULWINKLE. Mr. Speaker, on account of the decision of the Supreme Court of the United States in the Northwest Airlines, Inc., against The State of Minnesota which was decided by the Supreme Court on the 15th day of May, 1944, I introduced in the House of Representatives the pending bill, H. R. 4985, which calls for a conference between the Civil Aeronautics Board and the appropriate authorities of the various States in regard to the subject of State and local taxation as affecting air commerce. This bill is identical with section 11 of H. R. 3420.

The bill H. R. 3420 was the result of almost 10 months' study by the House Interstate and Foreign Commerce Committee, and was reported by that committee late last October upon a vote of 17 to 9. The bill was then presented to the Rules Committee with a request for a rule which would permit full consideration by the House of the important issues involved in the legislation. Up to this time the Rules Committee has not granted a rule.

As time has passed since the request was first made of the Rules Committee, events have made the need for this legislation even more clear than it was when the bill was reported. The decision of the Supreme Court, handed down May 15, 1944, is the latest occurrence justifying the action of the majority of the committee in urging the passage of this important legislation. This decision, as stated, entitled "Northwest Airlines, Inc., against The State of Minnesota," involves the question as to whether the State of Minnesota has the constitutional power to levy a personal property tax upon all of the flying equipment owned by Northwest Airlines notwithstanding that the equipment is operated through seven other States. The Supreme Court held, speaking through Mr. Justice Frankfurter, that the State of Minnesota did have such power. Anyone who has studied our air transportation system and is thoroughly familiar with its operations will immediately recognize the tremendous significance of this decision. It points the way to the drastic impairment of the future air transportation in this country, by means of burdensome and multiple taxation by the States and other units of Government. In order that all Members of the House may see the significance of this opinion, I will explain it in full detail.

The litigation began in the year 1939. Northwest Airlines based its personal property tax return for 1939 on the number of its planes in Minnesota on tax day, May 1, 1939. As you know, Northwest Airlines' airplanes operate constantly through eight States, Illinois, Wisconsin, Minnesota, North Dakota, Montana, Idaho, Washington, and Oregon. The State taxing authorities of Minnesota disagreed with the tax return filed by Northwest and assessed a tax on the value of all the airplanes owned by the company. Northwest carried the matter to the Supreme Court of Minnesota, urging that any such attempt by Minnesota to tax all of its airplanes was a violation of the due process clause of the Federal Constitution, and constituted an unconstitutional burden upon interstate commerce.

In making this contention Northwest pointed out that it would be possible for every State into which Northwest operated to impose a personal-property tax upon its aircraft and argued that such burdensome, multiple taxation was clearly unconstitutional. The Minnesota Supreme Court disagreed and held that the tax levied was valid. The case was brought to the United States Supreme Court on certiorari, and the air line made the same contentions before that Court. On Monday, May 15, the decision of the United States Supreme Court was handed down. Four opinions were written by the Court. Mr. Justice Frankfurter wrote the majority opinion, Mr. Justice Black and Mr. Justice Jackson concurring in separate opinions. Chief Justice Stone filed a vigorous dissent and was joined by Justices Roberts, Reed, and Rutledge. Justice Frankfurter's decision held that all of Northwest's airplanes could be taxed in Minnesota but he did not hold that Minnesota had the exclusive power to tax Northwest's airplanes. Mr. Justice Jackson, who concurred in the majority decision, was fully cognizant of the effect upon interstate air transportation of this element in the Frankfurter opinion. In fact, Mr. Justice Jackson revealed in his opinion such a complete grasp of air transportation that I shall take the liberty of quoting to the House from his opinion. He pointed out:

> We are at a stage in development of air commerce roughly comparable to that of steamship navigation in 1824 when *Gibbons* v. *Ogden* (9 Wheat. 1) came before this Court. Any authorization of local burdens on our national air commerce will lead to their multiplication in this country. Moreover, such an example is not likely to be neglected by other revenue-needy nations as international air transport expands.
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> * * * * *
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> Students of our legal evolution know how this Court interpreted the commerce clause of the Constitution to lift navigable waters of the United States out of local controls and into the domain of Federal control. *Gibbons* v. *Ogden* (9 Wheat. 1) to *United States* v. *Appalachian Electric Power Co.* (311 U. S. 377). Air as an element in which to navigate is even more inevitably federalized by the commerce clause than is navigable water. Local exactions and barriers to free transit in the air would neutralize its indifference to space and its conquest of time.

In seeking to determine a proper basis for State taxation of these instrumentalities of interstate commerce, Justice Jackson analyzed the relationship between air transportation and the States. He said:

> Congress has recognized the national responsibility for regulating air commerce. Federal control is intensive and exclusive. Planes do not wander about in the sky like vagrant clouds. They move only by Federal permission, subject to Federal inspection, in the hands of federally certified personnel and under an intricate system of Federal commands. The moment a ship taxies onto a runway it is caught up in an elaborate and detailed system of controls. It takes off only by instruction from the control tower, it travels on prescribed beams, it may be diverted from its intended landing, and it obeys signals and orders. Its privileges, rights, and protection, so far as transit is concerned, it owes to the Federal Government alone and not to any State government.
>
> Congress has not extended its protection and control to the field of taxation, although I take it no one denies that constitutionally it may do so. It may exact a single uniform Federal tax on the property or the business to the exclusion of taxation by the States. It may subject the vehicles or other incidents to any type of State and local taxation, or it may declare them tax-free altogether. Our function is to determine what rule governs in the absence of such legislative enactment.

In reaching his final conclusion Justice Jackson reluctantly concurred with the majority but held that if Minnesota could tax all of Northwest's aircraft at their full value no other State could impose any property tax with respect to them.

Chief Justice Stone also pointed out that Justice Frankfurter's opinion would permit Minnesota to tax all of Northwest's aircraft and permit all of the other States through which Northwest operates to impose additional taxes with respect to the same aircraft. He took the position that any such taxation was clearly a burden upon interstate commerce and that the decision of the majority was not in any respect supported by previous decisions handed down by the Supreme Court.

As a result of this decision the situation of our air-transport system is critical. Chief Justice Stone has made it amply clear that under the majority decision Northwest's flying equipment can be taxed again and again by the States through which Northwest operates. Now let us consider what the application of that doctrine would do to the rest of our air-transportation system. As compared to others Northwest Airlines is a small air line. It operates through only 8 States. Thus its equipment may be taxed only 8 times. However, American Airlines operates through 23 States. Thus its equipment can be taxed 23 times. Transcontinental and Western Air, Inc., operates through 15 States and its equipment may be taxed 15 times. Eastern Airlines operates through 17 States and its equipment may be taxed 17 times. I am sure I do not have to elaborate on the effect of such destructive multiple taxation upon the financial integrity of our air lines.

Members of the House who are interested in the development of air transportation may inquire as to what steps the Federal Government can take to alleviate this situation. They may ask whether the Federal Government is powerless to protect the instrumentalities of interstate commerce from repeated State exactions. My answer is that the Congress does have power to protect interstate commerce. Moreover, if the Congress fails to take action in this

matter and see to it that no such multiple taxation takes place we will have shirked our responsibility under the commerce clause of the Constitution. We will be permitting interstate commerce to be subjected to enormous financial burdens without lifting a hand.

The Interstate and Foreign Commerce Committee has been fully aware of this problem for almost 2 years. I have personally been watching the progress of this litigation since it began. The Interstate and Foreign Commerce Committee tried to make plans to deal with this critical situation when it arose. Up to the present time we have been prevented by the Rules Committee from even presenting the matter to Congress. H. R. 4985, introduced on June 2, as well as section 11 of the Lea aviation bill, H. R. 3420, contains a provision which would require the Civil Aeronautics Commission to consult with the authorities of the States, Territories, and possessions with a view to the development of means for eliminating and avoiding, so far as practicable, the multiple taxation of air commerce. The Commission is required to report to Congress as soon as possible the result of its consultations, with recommendations for legislation if such legislation appears necessary or appropriate. The committee contemplates that through cooperative action between the Federal and State governments methods could be developed, and implemented by both Federal and State legislation, to prevent the multiple taxation which this decision of the Supreme Court makes possible. If this bill had not been placed on cold storage by the Rules Committee a study by the Civil Aeronautics Commission would undoubtedly have been under way and Congress could have looked forward to action on the subject within a short time.

The theory upon which the Constitution is based is that each State may legislate independently and not only with respect to purely local matters but also in a large number of instances with respect to interstate activities. The draftsmen of the Constitution were wise in anticipating that this independent action on the part of the States in dealing with matters of national concern would many times bring about results adverse to the national interest. Consequently, Congress was given the power to protect interstate commerce from such burdens. The Congress, however, has failed in its responsibility for many years. The courts have sometimes undertaken this responsibility, but in the past few years the Supreme Court in a number of decisions has refused to hold invalid burdensome State legislation and has said specifically that it is the responsibility of Congress to protect interstate commerce, not that of the courts. The court has said that if Congress wishes to proscribe particular State legislation it should do so specifically. In the tax decision handed down in the Northwest Airlines case, Mr. Justice Black in effect stated in a concurring opinion that the responsibility of protecting Northwest Airlines and others similarly situated against multiple taxation rested with Congress. His views on this subject should be quoted. He said:

The differing views of members of the Court in this and related cases illustrate the difficulties inherent in the judicial formulation of general rules to meet the national problems arising from State taxation which bears in incidence upon interstate commerce. These problems, it seems to me, call for congressional investigation, consideration, and action. The Constitution gives that branch of government the power to regulate commerce among the States, and until it acts I think we should enter the field with extreme caution.

Mr. Justice Frankfurter also mentioned this point in saying:

In response to arguments addressed also to us about the dangers of harassing State taxation affecting national transportation, the concurring judge below adverts to the power of Congress to incorporate air lines and to control their taxation. But insofar as these are matters that go beyond the constitutional issues which dispose of this case, they are not our concern.

Mr. Justice Jackson pointed to the difficulties of applying to this new form of transportation the old judicial theories applying to surface means and said:

It seems more than likely that no solution of the competition among States to tax this transportation agency can be devised by the judicial process without legislative help.

May I not say in closing that it is vitally necessary for the welfare of the Nation, both in national defense and in Congress, that commercial aviation and private flying be developed. This can only be done by legislation, and it is necessary, I say again, that both in the domestic as well as the international field that Congress consider aviation for the future.

ERADICATION OF THE MEDITERRANEAN FRUITFLY IN THE STATE OF FLORIDA

The Clerk called the next bill, H. R. 2542, for the relief of certain claimants who suffered losses and sustained damages as the result of the campaign carried out by the Federal Government for the eradication of the Mediterranean fruitfly in the State of Florida.

Mr. COLE of New York. Mr. Speaker, this bill involves the expenditure of $10,000,000, entirely too large a sum to be considered on the Consent Calendar. Therefore, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

COMPENSATION FOR USEFUL SUGGESTIONS OR INVENTIONS

The Clerk called the next bill, S. 1232, to provide equitable compensation for useful suggestions or inventions by personnel of the Department of the Interior.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to pay cash rewards, subject to such regulations as he shall prescribe, to officers and employees of the Department of the Interior, who, in the course of their employment, and subsequent to November 17, 1942, make suggestions or inventions which are of such a nature that their adoption would result in improved technological or scientific processes or methods, or in improvements in the administration or operations of the Department of the Interior. The amount expended for the payment of such rewards during any 1 fiscal year shall not exceed $20,000 in the aggregate and shall not exceed $1,000 to any one person, unless a greater amount is specifically appropriated for a named person in an exceptionally meritorious case. For the purposes of this act, the Secretary of the Interior is authorized and directed to set up in the Department a Board of Awards, the proceedings of which shall be available to the public.

With the following committee amendment:

At the end of the bill insert the following: "Nothing in this act shall be taken or construed as amending or modifying the present patent and trade-mark laws as they now exist or may hereafter be amended."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF SECOND WAR POWERS ACT, 1942

The Clerk called the next bill, H. R. 4949, to amend the Second War Powers Act, 1942.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 1501 of title XV of the Second War Powers Act, 1942, approved March 27, 1942 (56 Stat. 176), the provisions of section 901 of title IX of that act granting free mailing privileges to members of the military and naval forces of the United States shall continue in effect until the first day of the first month which begins at least 6 months after the termination of hostilities in the present war. "Termination of hostilities in the present war" shall mean the date proclaimed by the President as the date of such termination, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier.

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.

FIXING FEES FOR CERTAIN CLASSES OF MAIL

The Clerk called the next bill, H. R. 4780, to fix the fees for domestic insured and collect-on-delivery mail, special-delivery service, and for other purposes.

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

Mr. COLE of New York. Reserving the right to object, Mr. Speaker, this bill makes some rather substantial changes in the postal rate covering various types of mail matter. For the information of the House, I think the bill should be explained by some member of the committee so there will be no misapprehension or misunderstanding.

Mr. BURCH of Virginia. This bill does make changes in the postal fees on special postal services. I may say for the benefit of the gentleman that this entire bill is recommended by the Post Office Department, after the expert ac-

countants who were employed some months ago have given careful study to the matter. This bill has a unanimous report from the Committee on the Post Office and Post Roads, it has the recommendation of the Post Office Department, and it is also recommended by the special accountants.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield to the gentleman from Nebraska.

Mr. STEFAN. How much will this bill increase the special-delivery rate, which is now 10 cents?

Mr. BURCH of Virginia. The present rate on special delivery on not to exceed 2 pounds is 10 cents. This bill increases it to 13 cents.

Mr. STEFAN. Thirteen cents will then be the normal rate on all special-delivery articles over how many ounces?

Mr. BURCH of Virginia. All up to 2 pounds.

Mr. STEFAN. How much money will that bring in in additional revenue?

Mr. BURCH of Virginia. $3,286,000. The special-delivery carriers are now paid more than 10 cents for each article. The rate of 10 cents does not meet that expense.

Mr. STEFAN. Will this $3,000,000 go to the special-delivery carriers?

Mr. BURCH of Virginia. It is nothing more than trying to meet expenses.

Mr. STEFAN. Instead of collecting 10 cents, the special-delivery carrier will receive 13 cents for everything up to 2 pounds?

Mr. BURCH of Virginia. No. The special-delivery carrier now gets 10.35 cents, I believe. This bill is an effort to make the special-delivery service self-sustaining. As it is now, there is a deficit of $3,286,000.

Mr. COLE of New York. One of the provisions of this bill is to increase the postage on special-delivery from 10 cents to 13 cents on articles under 2 pounds.

Mr. BURCH of Virginia. Up to 2 pounds.

Mr. COLE of New York. It also makes a readjustment of the rates on insured mail.

Mr. BURCH of Virginia. Yes. The rates on insured mail have been decreased. The investigators decided that where we now have a 5-cent charge up to $5, to make that rate 3 cents would make it more attractive to the public and therefore considerably increase the business.

Mr. STEFAN. Mr. Speaker, will the gentleman yield further?

Mr. COLE of New York. I yield.

Mr. STEFAN. How is that going to affect parcels received by farmers who do a lot of mail-order business?

Mr. BURCH of Virginia. It reduces the expense. If you want to send anything of value up to $5, the rate will be 3 cents, whereas the regular fee now is 5 cents.

Mr. STEFAN. The gentleman's committee has gone into this matter very carefully. Will this be a burden on the farmer, who does a lot of mail-order business?

Mr. BURCH of Virginia. It will help him.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield to the gentleman from Iowa.

Mr. CUNNINGHAM. As I understand, the Revenue Act of 1943 increased the fees for indemnity on insured mail by 100 percent. The result of that has been that the Post Office Department has been losing business right along to private industry. The purpose of this bill is to recapture that business to the Post Office Department.

Mr. COLE of New York. Mr. Speaker, I withdraw the 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 paragraphs (a) and (b) of section 211 of title II of the Act entitled "An Act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925 (43 Stat. 1069), as amended, are further amended to read as follows:

"SEC. 211. (a) The fee for insurance shall be 3 cents for indemnification not to exceed $5, 10 cents for indemnification not to exceed $25, 15 cents for indemnification not to exceed $50, and 25 cents for indemnification not to exceed $200. Whenever the sender of an insured article of mail matter shall so request, and upon payment of a fee of 4 cents at the time of mailing, or of 7 cents subsequent to the time of mailing, a receipt shall be obtained for such insured mail matter, showing to whom and when the same was delivered, which receipt shall be returned to the sender and be received in the courts as prima facie evidence of such delivery: *Provided*, That upon payment of the additional sum of 27 cents at the time of mailing by the sender of an insured article of mail matter, a receipt shall be obtained for such insured mail matter, showing to whom, when, and the address where the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery: *Provided further*, That no refund shall be made of fees paid for return receipts for registered or insured mail where the failure to furnish the sender a return receipt or the equivalent is not due to the fault of the Postal Service.

"(b) The fee for collect-on-delivery service for domestic third- and fourth-class mail shall be 20 cents for collections and indemnity not to exceed $5, 30 cents for collections and indemnity not to exceed $25, 40 cents for collections and indemnity not to exceed $50, and 60 cents for collections and indemnity not exceeding $200. The fee for notifying the sender or his representative of inability to deliver a collect-on-delivery article shall be 5 cents."

SEC. 2. The fees for collect-on-delivery service for sealed domestic mail matter of any class bearing postage at the first-class rate shall be equal in each case to the fee charged for collect-on-delivery service for domestic third- and fourth-class mail.

SEC. 3. The fees for collect-on-delivery service for registered sealed domestic mail of any class bearing postage at the first-class rate and the limits of indemnity for the loss, rifling, or damage thereof in the mails, shall, in addition to postage and any other required additional fees, be as follows:

Amount collectible and limit of indemnity payable	*Fee, including registration*
From $0.01 to $10	40 cents
From $10.01 to $50	55 cents
From $50.01 to $100	75 cents
From $100.01 to $200	$1.00

When indemnity in excess of $200 is desired, the fees for domestic registered collect-on-delivery mail, shall, in addition to postage and any other required additional fees, be as follows:

Amount of indemnity	*Fee, including registration*
From $200.01 to $300	$1.05
From $300.01 to $400	1.10
From $400.01 to $500	1.15
From $500.01 to $600	1.20
From $600.01 to $700	1.25
From $700.01 to $800	1.30
From $800.01 to $1,000	1.40

SEC. 4. Section 2 of the act entitled "An act to provide for the special delivery and the special handling of mail matter" approved March 2, 1931, ch. 372 (46 Stat. 1469), is amended to read as follows:

"SEC. 2. To procure the most expeditious handling and transportation practicable and the immediate delivery of mail matter at the office of address, special-delivery stamps shall be affixed thereto, in addition to the regular postage, in accordance with the following schedule: Matter weighing not more than 2 pounds, if of the first class, 14 cents; if of any other class, 17 cents; matter weighing more than 2 but not more than 10 pounds, if of the first class, 20 cents, if of any other class, 25 cents; matter weighing more than 10 pounds, if of the first class, 25 cents, if of any other class, 35 cents: *Provided*, That under such regulations as the Postmaster General may prescribe, ordinary postage stamps of equivalent value may be accepted in lieu of the special-delivery stamps herein specified."

SEC. 5. Sections 404, 406, and 408 of the Revenue Act of 1943 are hereby repealed and section 407 of said act is amended to read as follows:

"SEC. 407. Receipts on registered mail.

"The fees for obtaining receipts for registered mail shall be increased by 33⅓ percent, computed, if the amount of such increase is not a multiple of 1 cent, to a multiple of 1 cent next above such amount."

With the following committee amendments:

Page 2, beginning in line 22, strike out the rest of the page and the first two lines on page 3 ending with "$200", and insert the following: "The fee for collect-on-delivery service for domestic third- and fourth-class mail shall be 15 cents for collections and indemnity not to exceed $2.50; 20 cents for collections and indemnity not to exceed $5; 30 cents for collections and indemnity not to exceed $25; 40 cents for collections and indemnity not to exceed $50; 50 cents for collections and indemnity not to exceed $100; 55 cents for collections and indemnity not to exceed $150; and 60 cents for collections and indemnity not exceeding $200."

Page 4, line 14, strike out "14" and insert "13."

At the end of the bill insert the following:

"SEC. 6. This act shall take effect on the 1st day of the second month following the month of its enactment."

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.

EMERGENCY OFFICERS' RETIREMENT BENEFITS

The Clerk called the next bill, H. R. 1948, to amend the act of July 15, 1940, pertaining to emergency officers' retirement benefits.

Mr. COLE of New York. Mr. Speaker, this bill has an adverse report from both the War Department and the Bureau of the Budget. Therefore, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PUBLIC HEALTH SERVICE

The Clerk called the next bill, H. R. 4615, to establish for the investigation and control of tuberculosis a division in the Public Health Service, and for other purposes.

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

Mr. PRIEST. Mr. Speaker, it is my understanding the gentleman from North Carolina [Mr. BULWINKLE] will ask to be recognized and move to suspend the rules and consider this bill later. Therefore, Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. PRIEST]?

Mr. COCHRAN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Tennessee whether the motion will be to move to suspend the rules and pass the bill as is, or with an amendment.

Mr. PRIEST. I am not sure. If the gentleman from North Carolina [Mr. BULWINKLE] makes the motion, I cannot speak for him as to what his motion will be. But I am certain it will be to suspend the rules and pass the bill.

Mr. COCHRAN. Mr. Speaker, this bill is very loosely drawn. It is wide open. It provides $10,000,000 for the first year and any amount deemed necessary thereafter.

Mr. PRIEST. Of course, that would be a subject, may I say to the gentleman, for the Appropriations Committee. We cannot decide exactly here how much might be necessary, but it will have to come before the Committee on Appropriations of the House and of the Senate.

Mr. COCHRAN. I agree with the gentleman as to the purpose. It is an excellent objective. But you are making a mistake in not limiting the amount after the first year.

Mr. PRIEST. I might say to the gentleman, in answer to that question, that the formula proposed in this bill for grants to States is identically the same as that in the present venereal-disease-control program and exactly the same formula as that in section 6 of the Social Security Act, and that it has the approval of the State Association of Public Health Offices.

Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. SMITH of Ohio. Mr. Speaker, reserving the right to object, as stated by the gentleman from Missouri [Mr. COCHRAN] this bill carries an initial $10,000,000 of appropriations and provides for additional appropriations each year. This is a very far-reaching and important measure, and I do not believe that it should be considered in the short time that is contemplated here. Therefore I will have to object to its present consideration.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

HOMESTEAD RIGHTS FOR VETERANS OF WORLD WAR NO. 2

The Clerk called the next bill, H. R. 5025, to allow credit in connection with certain homestead entries for military or naval service rendered during World War No. 2.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any person who has served or may serve in the military or naval forces of the United States for a period of at least 90 days during World War No. 2, and is honorably discharged, and who makes homestead entry subsequent to such discharge, shall have the period of his military or naval service, not exceeding 2 years, construed to be equivalent to residence and cultivation upon the land for the same length of time. Credit shall be allowed for 2 years' military or naval service (1) if such person is discharged on account of wounds received or disability incurred in the line of duty, or (2) if such person is regularly discharged and subsequently is furnished hospitalization or is awarded compensation by the Government on account of such wounds or disability. No patent shall issue to any such person who has not resided upon his homestead and otherwise omplied with the provisions of the homestead laws for a period of at least 1 year.

SEC. 2. In the case of any person who would be entitled to a homestead under the provisions of this act, his widow, if unmarried, or, in the case of her death or marriage, then his minor orphan children by a guardian duly appointed and officially accredited at the Department of the Interior, shall be entitled to all the benefits enumerated in section 1 of this act. An entry made by such widow or guardian shall be subject to the provisions contained in said section 1, respecting compliance with the provisions of the homestead laws for a period of at least 1 year.

SEC. 3. Where a person entitled to the benefits of section 1 or 2 of this act makes homestead entry and dies before completing title, leaving a minor orphan child, or minor orphan children, patent shall issue to such minor or minors upon proof showing such facts, without any proof as to compliance with the law in the matter of residence, cultivation, or improvements.

SEC. 4. For the period of 10 years following the date of the enactment of this act, on the revocation of any order of withdrawal, the order of revocation shall provide for a period of not less than 90 days before the date on which it otherwise becomes effective, in which persons of the classes entitled to credit for military or naval service, under the provisions of this act, shall have a preferred right of application under the homestead or desert-land laws, or the act of June 1, 1938 (52 Stat. 609; 43 U. S. C., sec. 682a), subject to the requirements of applicable law, except as against the prior existing valid settlement rights and preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation.

SEC. 5. The Secretary of the Interior is hereby authorized to make such rules and regulations as may be necessary to carry the provisions of this act into full force and effect.

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.

CLERKS OF UNITED STATES COURTS AND UNITED STATES MARSHALS

The Clerk called the next bill, H. R. 2969, to establish official checking accounts with the Treasurer of the United States for clerks of United States courts and United States marshals.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 23 of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1236; U. S. C., title 31, sec. 725v), approved June 26, 1934, be, and the same is, hereby amended to read as follows:

"(a) Moneys in, or payable into, the registry of any United States court, in the discretion of the court, may be deposited in official checking accounts with the Treasurer of the United States, subject to disbursement on order approved by the court.

"(b) All fees and other moneys other than moneys referred to in subsection (a) hereof, received by clerks of the United States courts and United States marshals shall be deposited in official checking accounts with the Treasurer of the United States, subject to disbursement by such clerks and marshals. At the close of each accounting period the earned portions of such fees and collections accruing to the United States shall be deposited into the Treasury of the United States to the credit of the appropriate receipt accounts. The provisions of this subsection shall not apply in the Territory of Alaska, or in the Virgin Islands, or to the United States Court for China."

SEC. 2. Section 19 of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1232; U. S. C., title 31, sec. 725r), approved June 26, 1934, is hereby amended by striking therefrom the parenthetical clause reading as follows: "(including clerks and marshals of the United States district courts)."

With the following committee amendments:

On page 2, line 3, strike out the word "moneys" and substitute in lieu "collections." On page 2, line 13 and line 14, after the word "Islands", strike out the comma, insert a period, and strike out "or to the United States Court for China." On page 2, line 18, strike out the words "striking therefrom" and insert in lieu the word "changing"; and after the word "clause" insert "in the proviso therein to" and strike out the word "reading" and insert the word "read." On page 2, line 19, strike out the word "including" and substitute in lieu the word "excluding."

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.

Mr. PRIEST. Mr. Speaker, that concludes the call of all bills eligible for consideration at this time.

DIEMER ADISON COULTER

Mr. SPARKMAN. Mr. Speaker, at the last call of the Private Calendar, H. R. 2150, a bill for the relief of Diemer Adison Coulter and Frances Andrews Coulter, was recommitted to the Committee on

Claims at the request of the gentleman from Indiana [Mr. SPRINGER].

Mr. Speaker, I ask unanimous consent that the bill H. R. 2150 be restored to the Private Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

NATIONAL DEFENSE ACT

Mr. ANDREWS of New York. Mr. Speaker, by direction of the Committee on Military Affairs and the majority and minority leaders I ask unanimous consent to take from the Speaker's desk, S. 1157, a bill to amend section 61 of the National Defense Act of June 3, 1916, as amended, for the purpose of providing such training of State and Territorial military forces as is deemed necessary to enable them to execute their internal security responsibilities within their respective States and Territories, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. HARNESS of Indiana. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from New York to explain what the bill purports to do.

Mr. ANDREWS of New York. Mr. Speaker, this bill simply authorizes the Secretary of War to extend to State Guard units and similar units in some Territories certain instructions having to do with the protection of vital installations.

Mr. HARNESS of Indiana. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. ANDREWS]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 61 of the National Defense Act of June 3, 1916, as amended, be further amended to read as follows:

"SEC. 61. (a) No State or Territory Puerto Rico or the Canal Zone shall maintain troops in time of peace other than as authorized in accordance with the organization prescribed under this act: *Provided*, That nothing contained in this act shall be construed as limiting the rights of the States and Territories and Puerto Rico and the Canal Zone in the use of the National Guard within their respective borders in time of peace: *Provided further*, That nothing contained in this act shall prevent the organization and maintenance of State or Territorial police or constabulary.

"(b) Under such regulations as the Secretary of War may prescribe for the organization, standards of training, instruction, and discipline, the organization by and maintenance within any State or Territory or Puerto Rico or the Canal Zone of such military forces other than a National Guard as may be provided by the laws of such State or Territory is hereby authorized while any part of the National Guard of the State or Territory or Puerto Rico or the Canal Zone concerned is in active Federal service: *Provided*, That under such regulations as the Secretary of War may prescribe for the organization, standards of training, instruction, and discipline, the organization by and maintenance within the Virgin Islands of the United States of such military forces as may be provided by the laws of the Legislative Assembly of the Virgin Islands is hereby authorized: *Provided further*, That such forces shall not be called, ordered, or in any manner drafted, as such, into the military services of the United States; however, no person shall, by reason of his membership in any such unit, be exempted from military service under any Federal law: *Provided further*, That the Secretary of War is authorized in his discretion and under such regulations as he may prescribe to use appropriations for the Military Establishment for any expenses of the United States incident to the training of the military forces authorized by this subsection except for pay, subsistence, medical care and treatment, and transportation of members of such military forces between their homes and the places of performance of such training: *And provided further*, That the Secretary of War, in his discretion and under regulations determined by him, is authorized to issue, from time to time, for the use of such military units, to any State or Territory or Puerto Rico or the Virgin Islands or the Canal Zone, upon requisition of the Governor thereof, such arms, ammunition, clothing, and equipment as he deems necessary. The provisions of this subsection shall terminate upon the expiration of 6 months after the termination of the present war, or at such earlier time as the Congress by concurrent resolution, or the President by proclamation, may designate."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. SAUTHOFF. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a resolution passed by the city of Manitowoc.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SAUTHOFF. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an analysis and tables of votes prepared by W. L. Forrest.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERSONAL EXPLANATION

Mr. MARCANTONIO. Mr. Speaker, on the roll call on the passage of the war contracts bill I was in the building, but did not hear the bells. Consequently, I am not recorded on that bill. If I had voted, I would have voted in the affirmative.

INCREASING PENSIONS FOR CERTAIN REGULAR ESTABLISHMENT VETERANS AND VETERANS OF WARS PRIOR TO WORLD WAR NO. 1

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4999) to increase the service-connected disability rates of pension for certain Regular Establishment veterans and veterans of wars prior to World War No. 1, and I ask that the same may be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. LESINSKI]?

Mr. FISH. Mr. Speaker, reserving the right to object, may we have an explanation of what this bill does?

Mr. LESINSKI. Mr. Speaker, the purpose of this legislation is to grant the same 15 percent increase of pension for service-connected disability to peacetime veterans and veterans of wars prior to World War No. 1 not included in Public Law No. 312, approved May 27, 1944, as was granted by that act to the service-connected disabled veterans of World War No. 1, World War No. 2, and veterans entitled to wartime rates under Public Law No. 359, Seventy-seventh Congress, approved December 19, 1941, for service on or after September 16, 1940.

The enactment of H. R. 4999 will maintain the former relationship between the wartime and peacetime service-connected disability rates, materially affected by the enactment of Public Law No. 312, and will establish uniformity between those entitled to wartime service-connected disability rates. All service-connected disabled veterans are uniformly in need of the increase, and denial to the groups included in this bill works an injustice.

HISTORY OF THE LEGISLATION

For the past two Congresses there have been several bills referred to your committee which have for their purposes the increasing of the rates of pensions of peacetime veterans to 80 percent and 100 percent of the rates of pensions received by wartime veterans for similar service-connected disabilities.

Your committee held hearings on June 8 and 14 on H. R. 919, H. R. 1005, H. R. 1014, and H. R. 4999. The bill, H. R. 4999, was introduced at the request of the Veterans of Foreign Wars, and when General Hines appeared before the committee on June 14 he reported favorably on H. R. 4999, as it will grant to peacetime service-connected disabled veterans and service-connected disabled veterans of wars prior to the World War the same increase of 15 percent granted to other service-connected disabled veterans as provided by Public Law No. 312, Seventy-eighth Congress, approved May 27, 1944.

COST OF THE BILL

The Veterans' Administration, in its report to your committee which is included in House Report No. 1677, states that it is estimated approximately 40,100 veterans of the Regular Establishment and 1,100 veterans of the Spanish-American War, including the Boxer Rebellion and Philippine Insurrection, or a total of 41,200 veterans, would be entitled to the increased rates provided by the bill at a cost of approximately $2,424,000 for the first year.

EXPLANATION OF THE AMENDMENTS

Both amendments were placed in the bill at the suggestion of the Veterans' Administration.

The first amendment was deemed advisable because identical language was used in section 1 of the act of May 27, 1944, Public Law 312, Seventy-eighth Congress, which increased by 15 percent the rates of compensation or pension payable for service-incurred disabilities to veterans of the World War and the Global War and certain veterans entitled to wartime rates under Public Law No. 359, Seventy-seventh Congress, approved

December 19, 1941, for service on or after September 16, 1940. This partcular amendment will insure interpretation of the particular restriction uniformly with the identical restriction in Public Law No. 312.

The second amendment has for its purpose the avoiding of injustices. Section 3 of Public Law No. 312 made the increases provided by that act effective the first day of the first month following the passage of the act. Public Law No. 312 was approved May 27, 1944, and the increases were effective June 1, 1944. The increases for the remaining service-connected disability group not covered by Public Law 312 and for whom this bill affords relief should be effective the same date and that is the purpose of this amendment.

Mr. FISH. Where did this bill come from?

Mr. LESINSKI. The bill comes from the Committee on Invalid Pensions.

Mr. FISH. It is now being considered direct on the floor of the House?

Mr. LESINSKI. No. I asked unanimous consent to take it from the Speaker's desk.

Mr. FISH. Did not a similar bill come from the other House committee?

Mr. LESINSKI. No. The other committee considered only World War No. 1 and World War No. 2. This is all prior to World War No. 1. It takes in 40,111 veterans of regular organizations, which means the Army and the Navy, and 1,100 veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, or a total of 41,200 men who were not under that 15-percent increase. All we are asking is to unify the pensions of all veterans prior to World War No. 1, and give them the same type of increase.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. LESINSKI. I yield.

Mr. ROBSION of Kentucky. The gentleman says it covers 40,000 or more veterans, granting them a 15-percent increase? Is that what the bill provides?

Mr. LESINSKI. A 15-percent increase; the same as World War veterans got, during this time of high cost of living.

Mr. ROBSION of Kentucky. Is this approved?

Mr. LESINSKI. It has the green light from General Hines.

Mr. ROBSION of Kentucky. Is it approved by the veterans' organizations of the Regular Establishments?

Mr. LESINSKI. Yes, sir.

Mr. ROBSION of Kentucky. And of the Boxer Rebellion?

Mr. LESINSKI. Yes, sir.

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 the monthly rates of pension for service-connected disability, exclusive of special awards and allowances, payable under laws administered by the Veterans' Administration to veterans not included in section 1 of Public Law No. 312, Seventy-eighth Congress, approved May 27, 1944, are hereby increased by 15 percent effective as of the 1st day of the month following the passage of this act.

With the following committee amendments:

On page 1, line 4, after the word "allowances" insert "fixed by law."

On page 2, line 2, after the word "of", strike out "the month following the passage of this act" and insert "June 1944."

The committee amendments were agreed to.

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ROBSION of Kentucky. Mr. Speaker, the Committee on Pensions of the House held hearings and investigated H. R. 4999 now before us for consideration, and which was unanimously reported favorably by the Pension Committee. This bill provides for an increase of 15 percent of the compensations or pensions now payable for service-incurred disabilities to soldiers and sailors of the Regular Establishment, and to soldiers and sailors of the Spanish-American War, Philippine Insurrection, and Boxer Rebellion. In fact, it includes veterans of the Regular Establishment and veterans of wars prior to World War No. 1, and applies solely and only to veterans who are drawing pensions or compensations by reason of service-connected disabilities received in line of duty.

The Veterans' Administration report to the committee states that it is estimated that approximately 40,100 veterans of the Regular Establishment and 1,100 of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, or a total of 41,200 veterans, would be entitled to the increases provided in this bill and at a cost of approximately $2,424,000 for the first year. This bill has been approved by the Veterans' Administration, by the organization of the veterans of the Regular Establishment, and by the United Spanish War Veterans. This increase is based upon the increased cost of living and the very great need of the veterans for this increase.

A motion has been made to suspend the rules and to pass this bill. This motion should be adopted by the unanimous vote of the House.

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.

AMENDING CIVIL SERVICE RETIREMENT ACT

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1475) to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended, with Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

After line 11 insert:

"SEC. —. Nothing contained in the second paragraph of section 2 of the act entitled "An act to extend the benefits of the Civil Service Retirement Act of May 29, 1930, as amended, to certain employees in the legislative and judicial branches of the Government", approved July 13, 1937, as amended, shall be construed to prevent the deduction and withholding from the basic salary, pay, or compensation of any employee with less than 7 years of service, whose salary or any part thereof is paid by the disbursing officer of the Senate, of sums required to be deducted and withheld by section 10 of the Civil Service Retirement Act, approved May 29, 1930, as amended, if such employee shall have given notice in accordance with section 3 of the Civil Service Retirement Act, approved May 29, 1930, as amended, of his desire to come within the purview of such act. This section shall take effect as of January 24, 1942."

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. RAMSPECK]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman make a brief explanation of the Senate amendment?

Mr. RAMSPECK. Yes; the amendment deals only with employees of the United States Senate. It removes the provision now in the Retirement Act, which requires Senate employees to wait 7 years before they can participate in the Retirement Act.

Mr. MARTIN of Massachusetts. The only change is relative to Senate employees?

Mr. RAMSPECK. That is correct. It has been passed on by the committee unanimously.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

NIGHT DIFFERENTIAL FOR CERTAIN EMPLOYEES

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3891) to provide night differential for certain employees, 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:

Line 6, after "paid", insert "in respect of their regular workweek of 40 hours and except when in leave status."

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain this amendment?

Mr. RAMSPECK. The effect of this amendment is to make certain that the night differential applies only to the basic pay for 40 hours, and does not apply to the overtime which is now being paid under the War Overtime Act.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. RAMSPECK]?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

PREFERENCE EMPLOYMENT FOR VETERANS

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4115) to give honorably discharged veterans, their widows, and the wives of disabled veterans, who themselves are not qualified, preference in employment where Federal funds are disbursed, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 7, strike out "honorably" and insert "on active duty."

Page 2, line 8, after "States", insert "and have been separated therefrom under honorable conditions and."

Page 2, lines 13 and 14, strike out "and the husbands of such service-connected disabled ex-servicewomen."

Page 2, line 17, strike out "honorably" and insert "on active duty."

Page 2, line 20, strike out all after "authorized)", down to and including "ex-servicewomen" in line 25 and insert "and who were separated therefrom under honorable condition."

Page 2, line 25, and page 3, line 1, strike out "honorably discharged."

Page 3, line 1, after "served", insert "on active duty."

Page 3, line 4, after "authorized)", insert ", and have been separated therefrom under honorable conditions."

Page 4, lines 14 and 15, strike out "in the service of the United States."

Page 5, line 5, after "of", insert "a."

Page 8, line 15, strike out "rating" and insert "ratings."

Page 11, line 11, after "eligibles", insert ", except of 10-point preference eligibles."

Page 12, line 19, after "apply", insert "to any position in or under the legislative or judicial branch of the Government or."

The SPEAKER. Is there objection to the request of the genteman from Georgia [Mr. RAMSPECK]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, this seems like rather extended Senate amendments. Will the gentleman please explain the effect of those amendments?

Mr. RAMSPECK. This is the veterans' preference bill, which was passed in the House and in the Senate without a dissenting vote, as far as I recall, except one vote in the House.

The only substantive amendment made by the Senate was to eliminate the provision of the bill which would have given preference to widowers of women who served in the armed services. The other amendments are technical amendments. Where the House bill read "honorably discharged" the Senate substitutes "served under honorable conditions."

Mr. MARTIN of Massachusetts. The Senate amendment eliminates the preference for widowers of women in the armed services?

Mr. RAMSPECK. Yes. These amendments were considered by the Civil Service Committee.

Mr. MARTIN of Massachusetts. Is that a proper amendment to consider the day after Father's Day?

Mr. RAMSPECK. There was some difference of opinion about that in the committee. The gentleman from Indiana [Mr. LAFOLLETTE] made very vigorous defense of his amendment. The majority of the committee thought we should get through with this bill and accept the Senate amendments.

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, is this an amendment to the bill that is supposed to give preference to returning veterans?

Mr. RAMSPECK. That is correct.

Mr. HOFFMAN. I notice the returning veterans have to get cards under these security-of-membership contracts in order to hold a job. They may have to pay the C. I. O. Political Action Committee that dollar for political purposes unless we take proper action. Is there anything in there that will exempt the boys from that?

Mr. RAMSPECK. This bill relates to Government service only. No Government employee is ever required to join a union or pay any dues to a union.

Mr. HOFFMAN. But where they have Government money on these war contracts they have to come across. Does not this apply to that at all?

Mr. RAMSPECK. This does not apply to that at all.

Mr. HOFFMAN. You mean you just give the veterans preference in Government jobs?

Mr. RAMSPECK. That is all this bill does.

Mr. HOFFMAN. How do you distinguish between Government jobs and jobs which have Government money?

Mr. RAMSPECK. The Civil Service Committee has no jurisdiction over the question the gentleman has raised.

Mr. HOFFMAN. The President has this railroad out there in Illinois. He has had it for a couple of years. Do the veterans have preference for jobs on that? They should have.

Mr. RAMSPECK. No; they are not civil-service employees.

Mr. HOFFMAN. I would like to know, if we can, who is contributing to that political fund.

The SPEAKER. Now, if these matters are going to take time they will simply have to go over.

Mr. HOFFMAN. Then I think we ought to take some time and consider them.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. HOFFMAN. I think I will object for the present. The veterans should be taken care of, not required to pay for jobs.

The SPEAKER. Objection is heard.

AMENDING SECTION 12 (b) OF THE ACT OF MAY 29, 1930

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4292), an act to amend section 12 (b) of the act of May 29, 1930, as amended, and consider the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Line 4, after "following" insert "the word 'employees' where it appears at the end of."

Line 5, strike out "except that" and insert ": *Provided further*, That."

Mr. RAMSPECK. I also offer an amendment.

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

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. RAMSPECK. This is only a technical amendment. The Senate put in the word "employees", instead of "employee"; and I am offering the amendment to change that.

The other Senate amendment makes no change in the substance of the act at all; it is just language.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the Senate amendments, as follows:

Line 4, after "following", insert "the word 'employees' where it appears at the end of."

Line 5, strike out "except that" and insert ": *Provided further*, That."

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Georgia.

The Clerk read as follows:

Amendment offered by Mr. RAMSPECK: Amend the amendment of the Senate No. 1 by striking out the word "employees" and inserting in lieu thereof the word "employee."

The amendment was agreed to.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

COMPUTATION OF INTEREST ON CONTRIBUTIONS TO CIVIL-SERVICE RETIREMENT FUND RETURNED TO EMPLOYEES UPON THEIR SEPARATION FROM THE SERVICE

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4320) relating to the computation of interest on contributions to the civil-service retirement fund returned to employees upon their separation from the service, with Senate amendments, and agree to the Senate amendments.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, may we have an explanation?

Mr. RAMSPECK. These amendments do not change the effect of the bill at all.

Mr. MARTIN of Massachusetts. They make no change in the text?

Mr. RAMSPECK. No.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the Senate amendments, as follows:

Line 7, after "month", insert "in the total service of an officer or employee."

Line 7, strike out all after "disregarded" down to and including "month" in line 9.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

AMENDMENT OF MISSING PERSONS ACT OF MARCH 7, 1942

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 4405) to amend the act approved March

7, 1942 (Public Law 490, 77th Cong.), as amended, so as to more specifically provide for pay, allotments, and administration pertaining to war casualties, and for other purposes.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, do I understand this is the bill that provides that the pay of persons missing in action shall be continued until their fate is determined?

Mr. VINSON of Georgia. Mr. Speaker, this is an administrative amendment clarifying the Missing Persons Act.

Mr. MARTIN of Massachusetts. How does it clarify it?

Mr. VINSON of Georgia. It clarifies it in a great many respects; for instance, in reference to civil employees of a department, it defines what constitutes a civil employee of the department instead of a temporary employee or an hourly employee. It also permits a department to determine that the death of an employee occurred on the day it happened instead of the date on which they get the report of the death.

The bill is unanimously recommended by the Navy Department, the War Department, and is reported by the Naval Affairs Committee with a very magnificent report prepared by the gentleman from Massachusetts [Mr. BATES].

Mr. MARTIN of Massachusetts. Was the action of the committee unanimous?

Mr. VINSON of Georgia. It was reported unanimously. If there are any questions, I ask that the gentleman from Massachusetts [Mr. BATES] explain them.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman from Massachusetts yield that I may ask a question?

Mr. MARTIN of Massachusetts. I yield.

Mr. ROBSION of Kentucky. I have a number of people from my district who have been carried as missing in action for more than 2 years in this war. They get the same report all the time, with nothing done about it. Their parents are carrying insurance, and so on, and supporting the dependents. Is there anything in this bill that would bring about a quicker determination so that persons, such as I refer to, who are lost in battles at sea in the Pacific will not be just carried as "missing in action"?

Mr. BATES of Massachusetts. Mr. Speaker, the very purpose of the bill, of course, is more specifically to provide for pay, allotments, and administration pertaining to war casualties. It has no direct relation to the question raised by the gentleman from Kentucky except to provide that where a man is missing for more than a year the Department, unless they have some evidence that the man may be alive, determines that he is dead. If, however, there is some doubt in the mind of the Department that the man be dead—and that may be the case to which the gentleman from Kentucky [Mr. ROBSION] refers—they continue him on the pay roll until such time as they reasonably feel that the man is dead. A finding of presumptive death is then entered.

The War Department and the Navy Department have received reports of men who have been prisoners in Japan for a period as long as 24 months.

Mr. ROBSION of Kentucky. But in these cases where the men were killed in actual battle, at Guadalcanal and other places in the Pacific——

Mr. BATES of Massachusetts. I can speak with some knowledge of that situation because I had a member of my own family killed at Guadalcanal. It was several months after he and some of his comrades were killed before actual notice of his death came to the Navy Department.

Mr. ROBSION of Kentucky. The men I have in mind were killed in 1942, and no action has been taken yet.

Mr. BATES of Massachusetts. Where the determination can be made by the Department it is being made as rapidly as possible. Where there is doubt about a man's death they continue him in a missing status.

The purpose of this bill is to amend Public Law 490 of the Seventy-seventh Congress so as to more specifically provide for pay allotments and administration pertaining to war casualties.

The object of these amendments is to clearly define and prescribe more equitable periods of entitlement to pay and allowances of persons within the purview of the act; adjustment of accounts of such persons in connection with their pay and alowances and allotments; to eliminate questions of inequitable recoveries; and to confer and clarify departmental authority to make conclusive determinations required for effective and equitable administration.

More than 2 years have now passed since the basic act was passed by Congress, and during this period of 2 years there have been unusual developments in the extent and character of land, sea, and air operations. There have been unanticipated situations and circumstances surrounding the absences of personnel and pertaining to the fiscal entitlements of absent and deceased personnel and their dependents.

To meet the present anticipated conditions during the war and post-war period, there is a need of a more definite fixing of responsibility upon the War and Navy Departments, along with authority to meet these responsibilities by prompt and conclusive determinations. There is also a need for clear and equitable provisions for the guidance of the Departments and of the accounting officers in such matters as entitlement to pay and allowances, payment of allotments, collection of overpayments, preparation and settlement of accounts.

This bill is designed to meet such needs as have arisen and as are anticipated in such manner as to insure the considerate and equitable treatment by their Government of those citizens who, as either members of the armed forces or as dependents of such members, suffer the hazards of war conveyed by now familiar terms, such as missing in action, prisoner of war, killed in action.

The basic act has been very effective in wartime casualty administration. It was to a large extent based upon more or less normal war experiences, and upon the expectation that our enemies would observe international agreements and conditions. It was enacted in the early days of the war; the Battle of the Java Sea had just been fought; Bataan and Corregidor were still holding.

With more than 2 years of experience in the administration of the basic act the departments have had ample opportunity to consider desirable and necessary changes based upon unusual developments in the extent and character of the present war. The departments are now fully cognizant of the changing problems involved in casualty administration. Long delays must be expected in receiving reports of prisoners of war. Belated reports of casualties will arise in many cases.

H. R. 4405, if enacted, would do away with certain inequities which have arisen; would enable the departments effectively and equitably to meet the conditions of the war which have developed. In general, this bill amends the Missing Persons Act by making certain necessary clarifications; by more definitely prescribing entitlements in regard to pay and allowances, allotments of pay, and the accounts of missing or deceased persons. It confers the necessary authority for the administrative and conclusive departmental determinations which are required for effective and equitable administration.

Section 1 of the bill amends section 1 of the act by redefining the term "civilian employee" of a department for the purposes of the act, by adding to the present definition the clause "exclusive of part-time or intermittent employees, or native labor casually hired on an hourly or per diem basis."

Section 1 of the bill also restates the meaning of the term "dependent" as used in the basic act. The amended definition of dependent is clarifying without changing the substance of the present law which has proved satisfactory. The present law refers to a section of the United States Code which has now been repealed. This is remedied in the amendment by a direct enumeration of the individuals embraced in the term "dependent."

Section 2 of the bill amends section 2 of the act. This section contains the basic provision of H. R. 4405. It removes the doubt which has risen in regard to entitlement to pay and allowances in the case of the death of a person missing, missing in action, interned in a neutral country, or captured by the enemy. This section provides entitlement to pay and allowances from the date of death up to the date of receipt of evidence of death in the department concerned.

This provision would abolish certain discriminations existent under the present law which are detrimental to morale. Under the present law it has been held that when evidence of death is received, no pay and allowances can be credited for any period subsequent to the actual date of death. A and B are reported as missing in action April 1, 1943. On January 1, 1944, the department concerned receives word that A in fact died on April 1, 1943. In the case of B, no report of death is received, with the result that he is found presumptively to have died as of April 2, 1944. In regard to A's widow, a holding that there can be no

credit of pay and allowance subsequent to April 1, 1943, and that allotments for her support paid between April 1, 1943, and January 1, 1944, will be charged against any balance in A's account as of April 1, 1943, may well encumber her with serious financial problems. But B's widow has been vested by action under section 5 with the right to accrued pay and allowances up to April 2, 1944, because under the present law in findings of presumptive death made under section 5, determination of pay credits and of allotments is as of the day following the expiration of an absence of 12 months. This is without reference to any date on which the death may have occurred. This discrimination must not continue.

Section 3 of the bill amends section 3 of the act. Under the present law only voluntary allotments for the support of dependents and for the payment of insurance premiums are continued when word is received that a person is missing. Furthermore, it is only for these purposes that increases in allotments or new allotments can be registered in the case of a missing person. Experience has proved that allotments for War bonds and for savings should in many cases be continued. Section 3 provides for the increased authority to continue worthwhile allotments and for the registration of new allotments.

Section 4 of the bill amends section 4 of the act and provides the needed flexibility by adding the necessary authority to initiate, discontinue, increase, or decrease allotment payments in the case of persons in an absent status.

Section 5 of the bill amends section 9 of the act. This section adds a number of provisions which are designed to permit a more efficient, equitable, and expeditious administration. The experience to date has demonstrated the need for many determinations of administrative and fiscal matters arising in the broad field of casualty administration. In order to facilitate good administration these determinations must be prompt, equitable, and conclusive. Section 5, if enacted, would permit such an administration.

The second provision of this section is of considerable importance. The first part of this provision deals with allotments paid for periods between death and the receipt of a report thereof in those cases in which section 2 extends entitlement to pay and allowances to such interim, that is, in regard to persons in an absent status. Inasmuch as pay is credited for the interim, it might reasonably be concluded that allotments from such pay would not be collectible as overpayments. It is highly desirable that this be so, and the proposed amendment would insure it. Under such circumstances it is equitable and proper that allotment payments be charged against the pay between death and receipt of report thereof. Hence, the provision contains no provision against such a charge.

The second part of this provision deals with all other death cases in which allotment payments are made for any period subsequent to the termination of pay credit, the payments being due to delays in receipt of evidence of death. It will generally apply to cases of some delay in getting a report of death with no prior missing status. Section 2 of the bill does extend credit of pay and allowances to such interim. It is believed more practicable and equitable to make the allotment payments for such an interim noncollectible and to insure against their being charged to the account of the deceased person, thereby depriving the heirs of the amounts so paid. The provision has been drawn to accomplish this.

Section 6 of the bill amends section 10 of the basic act. It makes no change other than to give the authority to the department concerned to determine the fact of dependency in all 6 months' death gratuity cases. Under the existing law authority exists for conclusive determinations for dependents not designated by the serviceman, but does not do so for those designated by him. Uniformity is highly desirable.

Section 7 of the bill adds a new section 16 to the basic act and provides a short title, "The Missing Persons Act."

Section 8 of the bill fixes the effective date of the amendments which is the same as the effective date of the basic act, September 8, 1939. Such retroactive effectiveness is deemed necessary.

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 the act entitled "An act to provide for continuing payment of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and reserve components thereof; the Coast and Geodetic Survey and the Public Health Service, and civilian employees of the executive departments, independent establishments, and agencies, during periods of absence from post of duty, and for other purposes," approved March 7, 1942 (56 Stat. 143; 50 U. S. C., Supp. 1001), as amended Dec. 24, 1942 (56 Stat. 1092; 50 U. S. C., Supp. 1001), is amended by striking out section 1 (c) thereof and substituting the following:

"(c) the term 'dependent' as used in this act includes a lawful wife, unmarried child under 21 years of age. It includes also a dependent mother, father, stepchild, adopted child, or such dependent as has been designated in official records, or an individual determined to be dependent by the head of the department concerned, or subordinate designated by him."

SEC. 2. That section 2 of such act is amended to read as follows:

"SEC. 2. Any person who is in active service and who is officially determined to be absent in a status of missing, missing in action, interned in a neutral country, captured by any enemy, beleaguered or besieged shall, for the period he is officially carried or determined to be in any such status, be entitled to receive or to have credit to his account the same pay and allowances to which he was entitled at the beginning of such period of absence or may become entitled thereafter, and the entitlement to pay and allowances shall terminate upon the date of receipt by the department concerned of evidence that the person is dead or upon the date of death prescribed or determined under provisions of section 5 of this act: *Provided*, That such entitlement to pay and allowances shall not terminate upon expiration of term of service during absence and in case of death during absence shall not terminate earlier than the dates herein prescribed: *Provided further*, That there shall be no entitlement to pay and allowances for any period during which such person may be officially determined absent from his post of duty without authority and he shall be indebted to the Government for any payments from amounts credited to his account for such period."

SEC. 3. That section 4 of such act is amended to read as follows:

"SEC. 4. When circumstances are deemed to justify such action in the interests of a person entitled to receive or be credited with pay and allowances under section 2 of this act, in the interests of the dependents of such person, or in the interests of the Government, the head of the department concerned, or such subordinates as he may designate, may direct the initiation, continuance, discontinuance, increase, decrease, suspension, or resumption of payments of allotments from the pay and allowances of such person, subject to the provisions of section 6 of this act."

SEC. 4. That section 9 of such act is amended to read as follows:

"SEC. 9. The head of the department concerned, or such subordinate as he may designate, shall have authority to make all determinations necessary in the administration of this act, and determinations so made shall be conclusive as to death or finding of death, as to any other status dealt with by this act, and as to any essential date including that upon which evidence or information is received in such department or by the head thereof. The determination of the head of the department concerned, or of such subordinate as he may designate, shall be conclusive as to whether information received concerning any person is to be construed and acted upon as an official report of death. When any information deemed to establish conclusively the death of any person is received in the department concerned, action shall be taken thereon as an official report of death, notwithstanding any prior action relating to death or other status of such person. If the 12 months' absence prescribed in section 5 of this act has expired a finding of death shall be made whenever information received, or a lapse of time without information, shall be deemed to establish a reasonable presumption that any person in a missing or other status is no longer alive. Payment or settlement of an account made pursuant to a report, determination, or finding of death shall not be recovered or reopened by reason of a subsequent report or determination which fixes a date of death except that an account shall be reopened and settled upon the basis of any date of death so fixed which is later than that used as a basis for prior settlement. Determinations are authorized to be made by the head of the department concerned, or by such subordinates as he may designate, of entitlement of any person, under provisions of this act, to pay and allowances, including credits and charges in his account, and all such determinations shall be conclusive: *Provided*, That such accounts shall not be charged or debited with any amount that any person in the hands of an enemy may receive or be entitled to receive from, or have placed to his credit by, such enemy as pay, wages, allowances, or other compensation. When circumstances warrant reconsideration of any determination authorized to be made by this act the head of department concerned, or such subordinate as he may designate, may change or modify a previous determination. The period of entitlement of a payee to allotments paid from pay and allowances of any person shall be the period of the person's entitlement under the provisions of section 2 of this act to receive

or have credited such pay and allowances except to allotments for unearned insurance premiums. The head of the department concerned, or such subordinate as he may designate, may waive the recovery of erroneous payments or overpayments of allotments to dependents when recovery is deemed to be against equity and good conscience. In the settlement of the accounts of any disbursing officer credit shall be allowed for any erroneous payment or overpayment made by him in carrying out the provisions of this act, except sections 13, 16, 17, and 18, in the absence of fraud or criminality on the part of the disbursing officer involved, and no recovery shall be made from any officer or employee authorizing any payment under such provisions in the absence of fraud or criminality on his part."

SEC. 5. That section 10 of such act is amended to read as follows:

"SEC. 10. The determination of the fact of dependency under the provisions of this act, the determination of the fact of dependency for the purpose of payment of all death gratuities as authorized by law, and the determination of the fact of dependency under the provisions of any and all other laws providing for the payment of pay, allowances, or other emoluments to enlisted men of the Army, Navy, Marine Corps, and Coast Guard of the United States where such payments are contingent upon dependency, shall be made by the head of the department concerned, or by such subordinate as he may designate, and such determination so made shall be final and conclusive: *Provided*, That the act of June 4, 1920 (41 Stat. 824), as amended (U. S. C., title 34, sec. 943), is hereby amended by deleting the word 'actually' in the first proviso."

SEC. 6. This act shall be effective in all respects as provided in section 15 of the act of March 7, 1942 (Public Law 490, Seventy-seventh Congress).

With the following committee amendment:

The Clerk read as follows:

Strike out all after the enacting clause and insert the following:

"That the act entitled 'An act to provide for continuing payment of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and Reserve components thereof; the Coast and Geodetic Survey and the Public Health Service, and civilian employees of the executive departments, independent establishments, and agencies, during periods of absence from post of duty, and for other purposes,' approved March 7, 1942 (56 Stat. 143), as amended December 24, 1942 (56 Stat. 1092; 50 App. U. S. C., Supp. III, 1001-1017, inclusive), is amended by changing subsection (a) (3) of section 1 thereof to read as follows: '(3) civilian officers and employees of departments during such time as they may be assigned for duty or serving outside the continental limits of the United States or in Alaska, exclusive of part-time or intermittent employees or native labor casually hired on an hourly or per diem basis'; and by changing subsection (c) of section 1 thereof to read as follows:

" '(c) the term "dependent" as used in this act includes a lawful wife, unmarried child under 21 years of age. It includes also a dependent mother, father, stepchild, adopted child, or such dependent as has been designated in official records, or an individual determined to be dependent by the head of the department concerned, or subordinate designated by him.'

"SEC. 2. That section 2 of such act is amended to read as follows:

" 'SEC. 2. Any person who is in active service and who is officially determined to be absent in a status of missing, missing in action, interned in a neutral country, captured by an enemy, beleaguered or besieged shall, for the period he is officially carried or determined to be in any such status, be entitled to receive or to have credited to his account the same pay and allowances to which he was entitled at the beginning of such period of absence or may become entitled thereafter, and entitlement to pay and allowances shall terminate upon the date of receipt by the department concerned of evidence that the person is dead or upon the date of death prescribed or determined under provisions of section 5 of this act: *Provided*, That such entitlement to pay and allowances shall not terminate upon expiration of term of service during absence and in case of death during absence shall not terminate earlier than the dates herein prescribed: *Provided further*, That there shall be no entitlement to pay and allowances for any period during which such person may be officially determined absent from his post of duty without authority and he shall be indebted to the Government for any payments from amounts credited to his account for such period.'

"SEC. 3. That section 3 of such act is amended to read as follows:

" 'SEC. 3. For the period that any person is entitled under section 2 of this act to receive or be credited with pay and allowances, such allotments as may have been executed prior to the beginning of his absence, including allotments for the purchase of United States savings bonds, may be continued, except as otherwise herein provided, and notwithstanding any expiration of a period for which an allotment had been executed. In the absence of an allotment or when an allotment is insufficient for any purpose authorized by the head of the department concerned, such new allotments or increases as circumstances are deemed to warrant may be authorized by the head of the department concerned, or such subordinate as he may designate, payable during any period of the absent person's entitlement to pay and allowances under section 2 of this act: *Provided*, That the aggregate of all allotments in effect, from pay and allowances of an absent person, does not exceed the amount of pay and allowances such absent person would be permitted to allot under regulations of the department concerned: *Provided further*, That any premium paid by the Government on insurance issued on the life of a person, which is unearned by reason of being for a period subsequent to the date of death of such person, shall revert to the appropriation of the department concerned.'

"SEC. 4. That section 4 of such act is amended to read as follows:

" 'SEC. 4. When circumstances are deemed to justify such action in the interests of a person entitled to receive or be credited with pay and allowances under section 2 of this act, in the interests of the dependents of such person, or in the interests of the Government, the head of the department concerned, or such subordinates as he may designate, may direct the initiation, continuance, discontinuance, increase, decrease, suspension, or resumption of payments of allotments from the pay and allowances of such person, subject to the provisions of section 6 of this act.'

"SEC. 5. Section 9 of such act is amended to read as follows:

" 'SEC. 9. The head of the department concerned, or such subordinate as he may designate, shall have authority to make all determinations necessary in the administration of this act, and for the purposes of this act determinations so made shall be conclusive as to death or finding of death, as to any other status dealt with by this act, and as to any essential date including that upon which evidence or information is received in such department or by the head thereof. The determination of the head of the department concerned, or of such subordinate as he may designate, shall be conclusive as to whether information received concerning any person is to be construed and acted upon as an official report of death. When any information deemed to establish conclusively the death of any person is received in the department concerned, action shall be taken thereon as an official report of death, notwithstanding any prior action relating to death or other status of such person. If the 12 months' absence prescribed in section 5 of this act has expired, a finding of death shall be made whenever information received, or a lapse of time without information, shall be deemed to establish a reasonable presumption that any person in a missing or other status is no longer alive. Payment or settlement of an account made pursuant to a report, determination, or finding of death shall not be recovered or reopened by reason of a subsequent report or determination which fixes a date of death except that an account shall be reopened and settled upon the basis of any date of death so fixed which is later than that used as a basis for prior settlement. Determinations are authorized to be made by the head of the department concerned, or by such subordinate as he may designate, of entitlement of any person, under provisions of this act, to pay and allowances, including credits and charges in his account, and all such determinations shall be conclusive: *Provided*, That no such account shall be charged or debited with any amount that any person in the lands of an enemy may receive or be entitled to receive from, or have placed to his credit by, such enemy as pay, wages, allowances, or other compensation: *Provided further*, That where the account of any person has been charged or debited with allotments paid pursuant to this act any amount so charged or debited shall be recredited to such person's account in any case in which it is determined by the head of the department concerned, or such subordinate as he may designate, that payment of such amount was induced by fraud or misrepresentation to which such person was not a party. When circumstances warrant reconsideration of any determination authorized to be made by this act the head of the department concerned, of such subordinate as he may designate, may change or modify a previous determination. Excepting allotments for unearned insurance premiums, any allotments paid from pay and allowances of any person for the period of the person's entitlement under the provisions of section 2 of this act to receive or have credited such pay and allowances shall not be subject to collection from the allottee as overpayments when payment thereof has been occasioned by delay in receipt of evidence of death, and any allotment overpayments subsequent to such period, the payment of which has been occasioned by delay in receipt of evidence of death, shall not be subject to collection from the allottee or charged against the pay of the deceased person. The head of the department concerned, or such subordinate as he may designate, may waive the recovery of erroneous payments or overpayments of allotments to dependents when recovery is deemed to be against equity and good conscience. In the settlement of the accounts of any disbursing officer credit shall be allowed for any erroneous payment or overpayment made by him in carrying out the provisions of this act, except sections 13, 16, 17, and 18, in the absence of fraud or criminality on the part of the disbursing officer involved, and no recovery shall be made from any officer or employee authorizing any payment under such provisions in the absence of fraud or criminality on his part."

"SEC. 6. That section 10 of such act is amended to read as follows:

" 'SEC. 10. The determination of the fact of dependency under the provisions of this act, the determination of the fact of dependency for the purpose of payment of all 6 months' death gratuities as authorized by law, and the determination of the fact of

dependency under the provisions of any and all other laws providing for the payment of pay, allowances, or other emoluments to enlisted personnel in the Army, Navy, Marine Corps, and Coast Guard of the United States where such payments are contingent upon dependency, shall be made by the head of the department concerned, or by such subordinate as he may designate, and any such determination so made shall be final and conclusive."

"'SEC. 7. That such act is amended by adding at the end thereof a new section to read as follows:

"'SEC. 19. This act may be cited as the "Missing Persons Act'."

"SEC 8. The foregoing amendments to such act shall be effective in all respects as provided in section 15 of the act of March 7, 1942 (56 Stat. 147), as amended (56 Stat. 1093; 50 App., U. S. C., Supp. III, 1015), and payments under the retroactive provisions of such amendments are authorized to be paid from appropriations currently available."

Amend the title so as to read: "A bill to amend the act approved March 7, 1942 (56 Stat. 143), as amended (56 Stat. 1092; 50 App., U. S. C., Supp. III, 1001-1017 inclusive), so as to more specifically provide for pay, allotments, and administration pertaining to war casualties, and for other purposes."

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.

REMOVING RESTRICTIONS ON TRANSFERS OF SMALL CRAFT TO OTHER AMERICAN REPUBLICS IN FURTHERANCE OF THE WAR EFFORT

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 4991) to remove restrictions on transfers of small craft to other American republics in furtherance of the war effort.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman explain what the bill does?

Mr. VINSON of Georgia. Mr. Speaker, this bill provides for the transfer to South American republics of ships of a thousand tons and under as compensation.

Mr. MARTIN of Massachusetts. As a sale or gift?

Mr. VINSON of Georgia. For compensation.

Mr. BATES of Massachusetts. Mr. Speaker, will the gentleman from Massachusetts yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. BATES of Massachusetts. But only after such time as our own people have had the right and opportunity to purchase the vessels by auction or sale.

Mr. VINSON of Georgia. If any ship has been turned back by our own Government provision is made that the original owners or American citizens may have the right to repurchase before they are transferred.

Mr. MARTIN of Massachusetts. Is the bill unanimously reported?

Mr. VINSON of Georgia. Yes.

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 every act heretofore enacted providing for lease of vessels in accordance with the act of March 11, 1941 (55 Stat. 31), as amended, notwithstanding any provision thereof which would permit disposal in accordance with the act of March 11, 1941, only by temporary lease or would require title to remain in the United States, shall be construed as if also specifically authorizing the sale, transfer of title to, exchange, lease, or loan of small vessels within its purview to other American republics for the purpose of aiding the war effort and the defense of the Americas.

SEC. 2. As used in this act, the term "small vessel" means a vessel of not more than 1,000 gross tons (determined in accordance with the provisions of sec. 77, title 46, of the United States Code) and includes, among other small vessels, patrol craft, mine craft, and other vessels and boats of the Navy, but shall not include any vessel whose use or conversion for use as a commercial vessel for the transportation of passengers or freight for hire is, in the opinion of the Secretary of the Navy, feasible in view of customary commercial practices in the United States.

With the following committee amendments:

Page 2, line 5, insert the following proviso: "*Provided*, That no vessel within the purview of such act of April 29, 1943, as amended, formerly used in the commercial fisheries or industries related thereto, shall be disposed of under this act until offered first to the owner from whom acquired and then at public bid, for use in the fisheries or in industries related thereto, as provided in such act."

Page 2, add a new section 3 as follows:

"SEC. 3. No sale or transfer of title to any vessel under this act shall be made by the Secretary of the Navy without prior consultation in regard thereto with the Naval Affairs Committees of the Congress."

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.

PHILIPPINE INDEPENDENCE

The SPEAKER. The Chair recognizes the gentleman from Missouri [Mr. BELL].

Mr. BELL. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 93 declaring the policy of the Congress with respect to the independence of the Philippine Islands, and for other purposes, and I send to the desk a suggested amendment.

The Clerk read the title of the bill.

The SPEAKER. The Clerk will report the suggested amendment for information.

The Clerk read as follows:

Page 4, line 7, after the word "authorized", insert "after proclaiming that constitutional processes and normal functions of government had been restored in the Philippine Islands and."

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman from Missouri explain just what this legislation does?

Mr. BELL. Mr. Speaker, this bill was passed by the Senate some time ago. As is sometimes done, the resolution carries several whereas clauses setting forth reasons supporting the action.

Mr. MARTIN of Massachusetts. The gentleman will strike out the "whereases"?

Mr. BELL. It provides further that the President of the United States may have authority to advance the day of independence to an earlier date than July 4, 1946, as provided in a previous act.

It also provides that the President shall have the right to retain and acquire such bases in the Philippines as are necessary for the mutual defense of the Philippines and the United States.

Mr. MARTIN of Massachusetts. Is there any outline as to how those bases will be established?

Mr. BELL. The Tydings-McDuffie Act provided that military and naval bases might be acquired. At that time air power had not developed in the way it has now and it was felt that the language of the original act was not quite broad enough to meet this need of modern warfare. It was for the purpose of broadening the law to meet that need that this bill was drawn.

Mr. MARTIN of Massachusetts. Are you going to make these agreements before we let the Philippines go or afterward?

Mr. BELL. The act provides that, after consultation with the President of the Philippines, the President of the United States may select these bases, acquire them, and retain them.

Mr. MARTIN of Massachusetts. What I am trying to get at is this. It is probably a good idea to get them before you let the Philippines go rather than try to get the bases afterward.

Mr. BELL. That is what the act provides.

Mr. MARTIN of Massachusetts. I understand one reason for this legislation is that it might combat the Japanese propaganda that they are giving liberty to the Philippine people at this time?

Mr. BELL. Already the Japanese Government has set up a puppet government over there and has proclaimed the independence of the Philippines. Of course, we all know that is not genuine and that it is not for the benefit of the Philippines but is merely war propaganda on the part of Japan. This bill will let the Filipino people know that just as soon as we are able to drive the Japs out they will have their complete independence.

Mr. FISH. Mr. Speaker, reserving the right to object, may I ask the gentleman if there is anything in this bill that will help the American prisoners in the Philippines who have been suffering barbarous treatment at the hands of the Japanese in the deplorable prison camps there?

Mr. BELL. I think it will be beneficial in that respect, for it will clarify in the minds of the whole Philippine people that our purpose is to give them complete independence just as soon as possible. It will mean that when our troops invade any part of the Philippine Islands we will have the united support, we hope, of all the Filipinos instead of having possibly

some of the puppet government's people fight us.

Mr. FISH. All of the American people are united in hoping for a day of retribution of justice against the inhumane treatment of American prisoners in the Philippines. It might help if we can put the fear of God into Japanese officials and let them know we are on our way to the Philippines and intend to punish those who are guilty of murdering American soldiers.

Mr. BELL. I think the bill will shorten the war. It should save thousands of American lives, and it will give us bases that will be needed for the mutual protection of the United States and the Philippine Islands.

Mr. BATES of Massachusetts. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. How does the Delegate from the Philippine Islands feel about this?

Mr. BELL. He is in favor of it. Vice President Osmeña, of the Philippines, called me on the telephone stating he, too, is satisfied with this bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. BELL]?

There being no objection, the Clerk read the Senate joint resolution, as follows:

Whereas, on December 7, 1941, while the people of the Philippine Islands were peacefully engaged in achieving for themselves their complete political independence in the manner mutually agreed upon by the Government of the United States and the people of the Philippine Islands, which independence was to become fully effective July 4, 1946, the Japanese in a wholly unprovoked, wantonly treacherous, and surprise attack on the people of the Philippines and of the United States, did by military invasion interrupt these orderly and mutually agreeable processes for complete independence of the Philippines; and

Whereas the American and Filipino troops made a valiant and courageous defense to the aggression of the Japanese invader and were overwhelmed only by the surprise and superior numbers and equipment of the enemy; and

Whereas the Japanese are now in possession and control of the land, peoples, business, communication, and institutions of the Commonwealth of the Philippines, and because of these circumstances the Filipino people are denied the free use and employment of the processes and political institutions jointly established by the Government of the United States and the Commonwealth of the Philippines for the transaction of private and public business and for the maintenance of liberty, law and order, and justice in the Philippine Islands; and

Whereas by this possession and invasion the Japanese have attempted to frustrate the free processses to independence in the Philippines by substituting therefor their own puppet government which was conceived in intrigue, born in coercion, and reared primarily for the purpose of Japanese selfishness and aggrandizement and not to achieve the independence and freedom of the Filipino people; and

Whereas the Government of the United States has solemnly guaranteed to the people of the Philippine Islands the right to be completely free and independent and to select by a free ballot, without any kind of inducement or coercion whatsoever, those who shall hold the elective offices in such government and exercise the power and authority thereof, which solemn guaranties have been temporarily made impossible of fullfillment due to the wantonly treacherous and surprise attack on the free people of the Philippine Islands; and

Whereas, because of the valiant resistance by the Philippine people, which is even now continuing while the invader occupies parts of the Philippines, and because of the long and unbroken record of loyalty of the Filipino people, both to the cause of complete independence for themselves and to the sovereignty of the United States while they have been under our flag, and because they have abundantly demonstrated their will to independence through the processes mutually agreed upon by the people of the Philippines and the Government of the United States, and their will to resist all outside invasion and encroachment, which seek to destroy or set aside their march to independence, and because they have abundantly proved their capacity to govern themselves in an enlightened, progressive, and democratic manner: Now, therefore, be it

Resolved, etc., That it is hereby declared to be the policy of the Congress that the United States shall drive the treacherous, invading Japanese from the Philippine Islands, restore as quickly as possible the orderly and free democratic processes of government to the Filipino people, and thereupon establish the complete independence of the Philippine Islands as a separate and self-governing nation.

SEC. 2. After negotiation with the President of the Commonwealth of the Philippines, or the President of the Filipino Republic, the President of the United States is hereby authorized by such means as he finds appropriate to withhold or to acquire and to retain such bases, necessary appurtenances to such bases, and the rights incident thereto, in addition to any provided for by the act of March 24, 1934, as he may deem necessary for the full and mutual protection of the Philippine Islands and of the United States.

SEC. 3. In order speedily to effectuate the policy declared in section 1, the President of the United States is hereby authorized, after consultation with the President of the Commonwealth of the Philippines, to advance the date of the independence of the Philippine Islands by proclaiming their independence as a separate and self-governing nation prior to July 4, 1946.

SEC. 4. Meanwhile the resources of the United States, both of men and materials, are pledged for continued use to redeem the Philippines from the invader and to speed the day of ultimate and complete independence for the people of the Philippine Islands.

With the following committee amendment:

Page 4, line 3, strike out the words "full and."

The committee amendment was agreed to.

Mr. BELL. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. BELL: After the word "authorized", page 4, line 3, insert the following: "after proclaiming that constitutional processes and normal functions of government have been restored in the Philippine Islands and."

The amendment was agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

House Resolution 590 was laid on the table.

A motion to reconsider was laid on the table.

FILIPINO REHABILITATION COMMISSION

Mr. BELL. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Joint Resolution 94, establishing the Filipino Rehabilitation Commission, defining its powers and duties, and for other purposes.

The Clerk read the title of the resolution:

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. BELL]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain this resolution?

Mr. BELL. Mr. Speaker, the purpose of Senate Joint Resolution 94 is to amend the Tydings-McDuffie Act of 1934 in order to broaden the powers of the Filipino Rehabilitation Commission which was created at that time.

Mr. MARTIN of Massachusetts. The Commission mentioned is now in existence?

Mr. BELL. The members of the Commission have not yet been appointed. They must be appointed under the terms of that act between now and July 4 of this year. The purpose of this act is to broaden the powers of that Commission, which is to consist on the American side of three Members of the House, three Members of the Senate, and three to be appointed by the President. Then nine members are to be appointed by the President of the Philippine Islands, which will make it an 18-man Commission.

Mr. MARTIN of Massachusetts. Just how are these powers broadened?

Mr. BELL. At the time the Tydings-McDuffie Act was passed in 1934 we did not at that time expect the present war. During the war there will be much damage done in the Philippine Islands and there many changes will take place. The purpose for broadening the powers of the Commission is so that it may consider all phases of the problems in returning the Philippines to normalcy and recommend to the Congress legislation to work out those questions arising out of the war. In other words, the act provides that the Commission may investigate matters affecting post-war economy, trade, finance, economic stability, and rehabilitation of the Philippine Islands, including matters regarding damage to private property and to persons caused by the enemy's attack and occupation.

Mr. MARTIN of Massachusetts. It is just simply to take care of extra war problems and to study the whole situation?

Mr. BELL. The gentleman is correct.

Mr. McCORMACK. Mr. Speaker, reserving the right to object, I may say that the Vice President of the Philippines, Mr. Sergio Osmeña, has spoken to me on two occasions and he has conveyed to me very strongly the necessity for passage of the resolution which was agreed to a few minutes ago and this one.

I have a press release of Mr. Osmeña which reads as follows:

There are pending before this committee two Senate Joint Resolutions—Nos. 93 and 94. While this committee is actually considering Senate Joint Resolution No. 93, I will, in the course of my statement, also make references to Senate Joint Resolution No. 94, because these two resolutions are closely related and constitute a single program.

These two resolutions amend the Philippine independence law of March 24, 1934, in order to achieve the following objectives: (a) Permit the advancement of the date of independence prior to July 4, 1946, and provide for the security of the Philippines and the mutual protection of the United States and the Philippines; and (b) enlarge the scope of the Philippine-America Commission provided for in section 13 of the Independence Act, so as to include relief, rehabilitation, and other post-war problems. These amendments are necessary, timely, just, and beneficent.

Forty-five years of association with the United States made it possible for the Filipino people, thanks to America's liberal Philippine policy, to develop and prove their capacity for self-government. Not only did America foster self-government in the Islands, but, in 1934, in accordance with her commitments, she granted them independence, to be effective on July 4, 1946. The 10-year transition period was provided for to enable the Filipino people to orderly prepare themselves for the responsibilities of complete independence. It was while we were peacefully engaged in these preparations that Japan struck suddenly and without warning.

Japan attacked the Philippines because the American flag was there, and the Filipino people resisted the invasion in defense of that flag and of their country. They knew that the legal responsibility for defending the islands was America's alone as the sovereign power. Nevertheless, they willingly bore the brunt of the bloody defense, discharging their obligations to America, to themselves, and to the entire freedom-loving world. They were aware of the overwhelming power of the enemy, yet they fought side by side with their American comrades in arms to the bitter end, because they knew that any nation that aspires to freedom, however weak, must show its readiness and fitness to fight, suffer, and die for it.

It is in recognition of this heroism and gallantry, of the sacrifices which the Filipino people have made and until now are making for the cause of freedom and out of loyalty to America that Senate Joint Resolution 93 has been presented to the Congress. In substance it authorizes the advancement of independence prior to July 4, 1946, and provides for the security of that independence and the mutual protection of the United States and the Philippines. If it is passed, as I hope it will be passed, there will be no need for the Filipino people to wait for 1946. The President of the United States, under the provisions of this resolution, may proclaim and recognize Philippine independence as soon as the enemy is expelled from Philippine soil.

Senate Joint Resolution 94, on the other hand, is a sister resolution which must be passed in order to help a war-ravaged Philippines regain strength and establish an economic foundation that will contribute to the stability of the independence that is being advanced by Senate Joint Resolution 93. The manifold problems caused by this war were not in existence when the Philippine independence law of 1934 was passed. Necessarily, the scope of activity of the Philippine-American Commission has to be enlarged, and so enlarged as to include matters "affecting post-war economy, trade, finance, economic stabilization, and rehabilitation of the Philippines." In the solution of these post-war problems vitally affecting the welfare both of the United States and of the Philippines, it is only fitting that Filipino representatives should sit in conference with representatives not only from the executive branch of the United States Government but also from Congress.

As to how this proposed legislation will affect the conduct of the war may be determined by appraising its effect on the mind of the Filipino people. To ascertain this, we have to trace not only the history of this legislation but also the background of Philippine-American relationship.

It is interesting to note that in the development of American policies in the Philippines, whether under a Republican or a Democratic administration, the usual procedure has been for the Executive to first make the pronouncements and then for Congress to approve them.

While America, in declaring war against Spain in 1898, went to Cuba with a definite purpose, as announced in the Teller resolution, she went to the Philippines, however, only as an incident to the Cuban War with no definite objective except to destroy the power of the enemy in the Far East. Only when the question arose as to what to do with the Philippines did President McKinley decide to send the Schurman Commission to investigate conditions in the Philippines and to submit recommendations.

With the Filipinos in arms against the United States, the initial government in the occupied area necessarily had to be a military one. This did not continue for long, however. Upon the return of the Schurman Commission to the United States and the submission of its report, the President appointed a second commission, presided over by Judge Taft, for the purpose of substituting civil government for military administration as soon as conditions in the islands permitted. Thus, even while military operations were still going on throughout the Philippines, the legislative power of the government was already in civilian hands—the commission—although the Executive power continued to be exercised by the military Governor until July 4, 1901, when a civil regime was inaugurated.

For almost 3 years (1898–1901) the American regime was essentially of a military character, not only because the head was for some time a military officer but also because the powers of government, even after the installation of Mr. Taft as the first civil governor, were drawn from the President of the United States as Commander in Chief of the Army and Navy.

Congress did not pass the first organic act for the Philippines, the Cooper law, until July 1, 1902. But when Congress acted, not only did it incorporate in the law the recommendations of the Executive based on the reports of the first and second Philippine Commissions but it also specifically confirmed and ratified the actions and policies of the Executive.

The promise contained in the Cooper law—that an elective assembly as the lower house of the legislature was to be established upon the completion of the first census and the restoration of public order—was fulfilled in 1907, and McKinley's pronouncements that America had come to the Philippines as a trustee, not for the purpose of self-aggrandizement but for the benefit and freedom of the Philippines, was faithfully kept by the succeeeding Presidents—Theodore Roosevelt and William H. Taft.

When Woodrow Wilson became President in 1913, he not only followed the course laid down by his predecessors but, considering the time opportune, went further in the policy of Filipinization of the government and came out openly for Philippine independence. He then went to Congress for authorization and confirmation of his policies. Here again the Executive pronouncements were confirmed by Congress with the passage of our second organic law, the Jones law, which promised independence to the Philippines, and provided for the abolition of the American Commission and the establishment in its place of an elective senate.

Having promised self-government and freedom to the Philippines, America permitted the Filipinos, step by step, to assume the responsibilities of government until, in the language of Secretary Baker, "only the tenuous connection of the Governor General" as "the connecting link between the American people and the Filipino people" remained. Congress, after being satisfied that the Filipino people had developed through practice and experience in self-government not only national unity but also political capacity and responsibility, passed in 1934 the Independence Act granting the promised independence to the Philippines, effective July 4, 1946.

When on December 8, 1941, Japan attacked the Philippines, the Filipino people, who were already in control of their government under the Commonwealth regime, spontaneously rising as one man, fought by the side of the United States to ward off and resist the invasion. It was in the midst of our valiant struggle on Bataan and Corregidor when the President, as the head of the American Government and as the Commander in Chief of the Army and Navy, publicly acknowledged the bravery and loyalty of the Filipino people and made this solemn promise: "I give to the people of the Philippines my solemn pledge that their freedom will be redeemed and their independence established and protected." The President of the Philippines, who led our people so resolutely throughout the whole struggle, upon receiving this proclamation and accepting it for the Filipino people, caused its distribution throughout the islands.

The American people know how the Filipino soldiers and the Filipino people in general responded to this appeal of the Commander in Chief; how bravely, heroically, and loyally they fought under the Stars and Stripes in spite of overwhelming odds. Even now, almost 2 years after the fall of Bataan and Corregidor the Filipinos are still resisting the enemy in the mountains of Luzon, Visayas, and Mindanao.

Keenly aware of this continuing loyal stand of the Filipino people, the President of the United States, on the forty-fifth anniversary of the first landing of the American forces in the Philippines, reiterated to them the pledge he made on December 28, 1941, when the Commonwealth Government was still in Corregidor. Significantly he added: "We shall keep this promise just as we have kept every promise which America has made to the Filipino people—I give to the Filipino people my word that the Republic of the Philippines will be established the moment the power of the Japanese enemy is destroyed. You will soon be redeemed from the Japanese yoke and you will be assisted in the full repair of the ravages caused by the war." And he ended his address with this appeal: "I call upon you, the heroic people of the Philippines, to stand firm in your effort—to stand firm against the false promises of the Japanese just as your fighting men and our fighting men stood firm against their barbaric attacks."

These addresses of the President to the Filipino people were reported by him in a message to Congress, dated October 6, 1943, wherein he recommended the enactment of such legislation as, in the judgment of Congress, may fulfill the pledges made to the Filipino people.

With this unbroken chain of well-established precedents, the Filipino people expect with reason that the measures recommended by the President will be approved by Congress. The difference, if any between the

situation now and that prevailing when the Cooper bill and the Jones bill were under consideration is that in the latter the policies initiated by the Executive were new. Nevertheless, the Congress gave to those policies legislative sanction. In this case, nothing entirely new is proposed. The basic policy of freedom and collaboration established by Congress in the Independence Act and accepted by the Filipino people is maintained intact in the pending legislation, and the changes suggested to meet the present situation will have only the effect of supplementing what Congress, in its wisdom and in the exercise of its constitutional authority, has already decided upon.

There is still another point which will lead the Filipinos to believe that Congress will not withhold its approval to the pending measures. These measure amend the independence law which was originally recommended to Congress by the President himself. There were some misgivings in the minds of the Filipino people when the law was passed, but they accepted it because of the promise made by the President that if there were any inequalities in the law they would be duly corrected later. Some economic provisions to which those inequalities refer have already been adjusted by Congress. It was my privilege to be here at that time as the head of a mission that presented to Congress the views of the Philippine Commonwealth. It is now my hope and the hope of the Filipino people that these amendments to the independence law which have a direct bearing on the effective prosecution of the war will be approved by Congress. When this legislation is approved by Congress, the Executive pronouncements will acquire added strength and the policies embodied therein will achieve legal efficacy and permanence.

What effect will the approval of this legislation have on the Filipino people? Without hesitation, I say that it will have a most salutary effect. It will give the Filipino people added reason for renewed faith in America. It will reassure them that America's purpose in this war is not only to free the Philippines of the enemy, and advance the date of independence as soon as possible, but also to provide for the permanence of their independence. Such a policy cannot be taken as a departure from the policy to which Congress has already been committed under the provisions of the Philippine Independence Act of 1934. The proposed legislation is simply a reaffirmation of the grant of Philippine independence and a just reward to the Filipinos for their bravery and loyalty and a public recognition of their fitness and readiness for independent nationhood. It is not a backstep; it is a forward step toward the goal already agreed upon between the American and the Filipino peoples.

The Filipino people are informed of the pronouncements made by the President of the United States, including his message to Congress recommending the advancement of the date of independence, and of the addresses by the President of the Philippines. They are also informed of the passage by the Senate of the resolutions now pending in the House. There is in the preamble of the Senate Joint Resolution 93 a very significant statement which reads: "Whereas because of the valiant resistance by the Philippine people, which is even now continuing while the invader occupies parts of the Philippines, and because of the long and unbroken record of loyalty of the Filipino people, both to the cause of complete independence for themselves and to the sovereignty of the United States while they have been under our flag, and because they have abundantly demonstrated their will to independence through the processes mutually agreed upon by the people of the Philippines and the Government of the United States, and their will to resist all outside invasion and encroachment, which seek to destroy or set aside their march to independence, and because they have abundantly proved their capacity to govern themselves in an enlightened, progressive, and democratic manner." The concurrence of the House to this statement already made by the Senate will place Congress on record, for the first time in this war, as giving recognition to the bravery and loyalty of the Filipino people and "to their capacity to govern themselves in an enlightened, progressive, and democratic manner."

But this is not all. Throughout the world, especially in Asia and in Central and South America, this legislation will likewise have a far-reaching effect. At a time when conflicting ideologies are fighting for survival it is essential that the United States, as one of the leading nations in the United Nations group, come out now with something unequivocal and definite in the direction of freedom. The peoples of Asia, who have been searching for justice and freedom, will find consolation, hope, and encouragement in this noble action of the American people. To the 21 Central and South American republics, who have once and again expressed deep sympathy and affection for their sister nation in the Far East, the advancement of Philippine independence and the assurance that its blessings will be lasting will prove to them once again America's sincerity and good faith and the workability of the principles of the Atlantic Charter and of the good-neighbor policy.

As a war measure, the pending legislation is of transcendental importance. It will not only bring hope and encouragement to the 18,000,000 Filipinos who are now under the heel of the invaders, but also strengthen the foundation of American solidarity and of international peace and good will.

In closing, I would like to express my sincere thanks to the chairman and members of this committee for the opportunity afforded me to express my view on Senate Joint Resolutions, 93 and 94. I touched upon Senate Joint Resolution 94 only slightly and I did not discuss the administrative and other phases of Senate Joint Resolution 93 because other witnesses here present will discuss those subjects. I consider the passage of these two resolutions of vital importance to the welfare of our two peoples, and I respectfully urge the committee to report them favorably.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. BELL]?

There being no objection, the Clerk read the Senate joint resolution, as follows:

Resolved, etc., That the first paragraph of section 13 of the act of March 24, 1934, as amended, is amended to read as follows:

"SEC. 13. There shall promptly be held a conference of representatives of the Government of the United States and the Government of the Commonwealth of the Philippines, such representatives on the part of the Government of the United States to consist of three United States Senators appointed by the President of the Senate, three Members of the House of Representatives appointed by the Speaker of the House, and three persons appointed by the President of the United States, and on the part of the Philippines to consist of nine representatives to be appointed by the President of the Commonwealth of the Philippines; the said Commission to be known as the Filipino Rehabilitation Commission, subject to the following conditions and with the following powers and duties:

(a) The members of the Commission shall be appointed not later than 15 days after the passage of this act. Within 10 days thereafter the ranking member of the Senate appointees and the ranking member of the Filipino appointees shall jointly call a meeting of the Commission to be held in the Capitol of the United States for the purpose of organization. In case of death or resignation of a member, such vacancy shall be filled by the original appointing power.

(b) The Commission shall investigate all matters affecting post-war economy, trade, finance, economic stability, and rehabilitation of the Philippine Islands, including the matter of damages to public and private property and to persons occasioned by enemy attack and occupation.

(c) To formulate recommendations based upon such investigations and for future trade relations between the United States and the independent Philippine Republic when established and to consider the extension of the present trade relations or otherwise for a period of years to replace the period of occupancy by the Japanese of heretofore agreed on trade relations, and to consider if in addition thereto other time for trade adjustments is required for the reestablishment of trade relations as provided for in the original Independence Act.

(d) The Commission is authorized to employ expert legal and clerical assistance, to establish offices in the Philippine Islands and in the United States, and to make rules and regulations for the transaction of its business pertinent to the provisions of this act.

(e) The Commission shall make annual reports to the President of the United States and to the Congress, and to the President and the Congress of the Philippines, and more frequently if so desired, and make such recommendations from time to time as it deems necessary to carry out the purposes and intents of this act.

(f) The Commission is authorized to fix the salary of all necessary expert and clerical assistance, to provide for travel and other expenses incident to its labor, and to do all other things pertinent to this act. The annual compensation of the United States members of this Commission, other than those holding official positions under the United States Government, shall be $10,000 per annum. The compensation of the Philippine members of the Commission shall be determined by the Government of the Philippine Commonwealth. The United States, as herein provided, shall compensate the members of the Commission who represent it, and the Commonwealth of the Philippines, or the Filipino Republic, as the case may be, shall compensate the members of the Commission appointed by it or them. Otherwise, the expenses of the Commission shall be equally borne by the United States and the Commonwealth of the Philippines, or the Filipino Republic, as the case may be.

SEC. 2. For the purpose of carrying on its duties, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary.

With the following committee amendments:

Page 1, strike out lines 3 and 4 and insert in lieu thereof the following: "That section 13 of the act of March 24, 1934, as amended, is hereby further amended by striking out the proviso and inserting in lieu thereof the following."

Page 1, line 8, strike out "Sec. 13."

Page 2, line 7, after the word "Philippines;", insert the following: "Each appointee shall serve at the pleasure of his appropriate appointing authority."

Page 3, line 4, after the word "present," insert "or hereafter agreed upon."

Page 3, line 6, strike out "replace" and insert "make adjustments for."

Page 3, line 7, after the word "Japanese", strike out the balance of line 7 and all of lines 8 and 9 and insert "in order to establish."

The committee amendments were agreed to.

Mr. COLE of New York. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. COLE of New York: Page 4, line 4, after the words "shall be", insert the words "on a per diem basis at the rate of."

Mr. COLE of New York. Mr. Speaker, the effect of my amendment is this: The three civilian members of the commission instead of being paid an annual salary of $10,000 a year will be paid at the per diem rate of $10,000 a year.

Mr. WELCH. Will the gentleman yield?

Mr. COLE of New York. I yield to the gentleman from California.

Mr. WELCH. The Committee on Insular Affairs has carefully considered the amendment just offered by the gentleman from New York [Mr. COLE] and it was approved by the committee.

The SPEAKER. The question is on the amendment offered by the gentleman from New York [Mr. COLE].

The amendment was agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "Joint resolution to amend section 13 of Philippine Independence Act, as amended, establishing the Philippine Rehabilitation Commission, defining its powers and duties, and for other purposes."

House Joint Resolution 591 was laid on the table.

A motion to reconsider was laid on the table.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I just made and to include therein a statement given by the Honorable Sergio Osmeña, Vice President of the Philippines, before the House Committee on Insular Affairs on March 22, 1944.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

Mr. WELCH. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD with reference to the two resolutions just passed.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. WELCH]?

There was no objection.

Mr. WELCH. Mr. Speaker, these resolutions were reported unanimously by the Senate Committee on Insular Affairs and Territories, and they were also passed unanimously by the Senate. They have also been approved by the two departments of government involved—the War Department and the Navy Department.

We should approve legislation of this nature which has been recommended by these departments, which are no doubt in close collaboration with General MacArthur, Admiral Nimitz, and other Pacific commanders on such matters.

The Filipinos themselves, as a whole, are good people, but they are highly emotional and are therefore more subject to propaganda influences. This is their history over a long period of time. When Admiral Dewey destroyed the Spanish Fleet in Manila Bay, before departing for Cuba to complete the job, he left arms and ammunition with the Filipinos with which to protect themselves against the Spaniards. Through Aguinaldo's influence they were brought to believe that the American people intended to subjugate and enslave them. This brought about the uprising when the very guns left by Dewey were used against American soldiers. Many lives were lost, and some of those men suffer to this day from tropical diseases incurred in that campaign. Many more would have been lost were it not for the daring feat of General Funston which brought about the capture of Aguinaldo.

I refer to the fact that the Japanese are a cunning and resourceful people. It will be recalled that it was only a short time after they overran the Philippine Islands that they were successful in setting up a puppet government which is, no doubt, spreading the same type of propaganda Aguinaldo and his followers fostered 46 years ago. Undoubtedly these facts played an important part in the basis for the departments' recommendations. General MacArthur and Admiral Nimitz do not want to be placed in the position of having to struggle through the same conditions again and put down another insurrection.

If legislation as set forth in these resolutions will minimize that possibility, we should speedily enact them and give the responsibility to the State, War, and Navy Departments, which have all the facts.

EXTENSION OF REMARKS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BATES of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two instances, in one to include a radio speech delivered by me on Sunday, and in the other an article on the subject of maternity aid in the State of Pennsylvania.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two instances, in one to include an article from the New York Times, and in the other a letter from the Governor of the State of California as well as a resolution of the State legislature.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. D'ALESANDRO. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial from the Baltimore News.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two instances, in one to include an address by Judge Marvin Jones, recently made in Boston, Mass., and in the other a letter recently received from Chester Bowles.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that tomorrow, after the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF CIVILIAN PILOT TRAINING ACT OF 1939

Mr. BULWINKLE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1432) to extend the Civilian Pilot Training Act of 1939, as amended.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 7 of the Civilian Pilot Training Act of 1939, as amended, is amended by striking out the date "July 1, 1944" in the second sentence of such section and inserting in lieu thereof the date "July 1, 1945."

The SPEAKER. Is a second demanded?

Mr. WOLVERTON of New Jersey. Mr. Speaker, I demand a second.

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BULWINKLE. Mr. Speaker, this bill extends the Civilian Pilot Training Act for 1 year. The Committee on Interstate and Foreign Commerce received the bill from the Senate and struck out all after the enacting clause which extended the period for 5 years and also provided for a $30,000,000 appropriation. We felt since this was a civilian pilot training program we should have at least 1 more year to consider what should be done as to the continuation of this very worthy program.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from New York.

Mr. TABER. This is the picture, as I understand. The civilian pilot training program was merged with the military training a year or two ago, and it has been going along on that basis. The Civil Aeronautics Administration came before

the Deficiency Appropriation Subcommittee on the 6th of June and asked for an appropriation of $560,000 to liquidate that activity. No funds were carried in the regular State, Justice, and Commerce bill for any activity beyond July 1.

In the bill that was passed on Saturday we provided $560,000 for the liquidation of that activity, nothing being said in any way about anything being contingent. I understand they came before the gentleman's committee a day or two afterward and asked for this extension without going into the other situation. I understand also that no money is asked for next year.

I just do not understand that way of doing business. I do not understand why there would be any point in extending it as long as there is to be no money. It looks to me like an awfully funny performance. I wonder if the gentleman could explain it.

Mr. BULWINKLE. I may say to the gentleman, after reading the hearings, which I knew nothing about, and I do not think any member of our committee knew about, they asked for $560,000 or $570,000, whatever it was, for liquidation of the War Training Service program.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Nebraska.

Mr. STEFAN. In explanation to the gentleman from New York, the $560,000 the C. A. A. asked for in the deficiency committee was for the purpose of liquidating the W. T. S. program, which terminates at the end of this fiscal year. That does not affect the C. P. T. Act. It is true that everything in C. A. A. went to war when we entered war. On June 30 of this year all the civilian training program, in the Army, so far as the C. P. T. is concerned, is liquidated except some advisory program with schools. That liquidation work will perhaps run over the fiscal year. While the program ends June 30, it will take perhaps 2 or 3 months to liquidate the program.

Before Pearl Harbor, the Army and the Navy did not have sufficient pilots. The C. P. T. had ready then a large reservoir of pilots from which the Army and Navy drew. That program was justified as proven in the time of our need. Let us continue the act under which this proved program operated.

It would be a mistake to wipe out the C. P. T. Act right now. It will be necessary in the post-war period when aviation will become so important. Civilian aviation is being fought, I know, in certain circles for the purpose of destroying civilian aviation in our country. We cannot afford to allow this to happen. I believe this House will make a mistake if it will not continue the C. P. T. Act. In this act we provide no money, but we keep the framework of the civilian pilot training program. I would like to see it extended 5 years instead of 1 year.

Mr. BULWINKLE. I, for one, Mr. Speaker, would not be willing to cut this program out entirely until further study is made. The civilian pilot training program was one of the greatest that we passed, as far as aviation is concerned, in this House. As the gentleman has just now stated, if it had not been done, I do not see how our civilian air force could have succeeded as it did in this war. I sincerely hope that the House will not be willing to cut it off entirely.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, this situation presents a rather peculiar picture. This civilian pilot training program was merged entirely with the war picture. They came before us and asked for $560,000 to liquidate it, just a couple of weeks ago, and only Saturday that money was provided.

We are told that we ought to extend that proposition but that it will not cost any money. That is what they come and tell me. If we do not provide any money, there will be no set-up for it. If we do provide money, it is going to be a different proposition, perhaps.

On the other hand, there are going to be hundreds of thousands of pilots coming back from the war, and a great many of them are going to want to go to work flying airplanes. A great many of them have been flying transport planes, and they are fully qualified to go right ahead with civilian aviation, wherever it is.

Just how an extension of this proposition is going to work any good without any money being provided to carry it along is beyond me. It looks to me just like an extension of life without any life. I do not like that way of approaching the problem, nor do I like that way of handling the Government's business. I want to see aviation in its proper place in days to come, but I want to remind the House that that kind of a front extension does not amount to anything and does not get anywhere. It is just window dressing, and I do not believe in window dressing in Government.

Mr. LEA. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from California.

Mr. LEA. Is it not true that without this legislation there will be no authority for an appropriation for this purpose?

Mr. TABER. That is true; but if it is not going to cost anything, why should we extend this and authorize an appropriation, if there is not going to be one asked?

Mr. LEA. Because we have a post-war program that the Nation will probably want to take care of. We have institutions in the country prepared to give these courses. It seems to me it would be very unfortunate to cut off the authorization before we determine our post-war program.

Mr. TABER. We could not go ahead with such a program until after the war is over.

Mr. LEA. Congress might see fit, of course, to resume it earlier.

Mr. TABER. What would the gentleman have us do? The Army and the Navy are doing all of the pilot training that is being done right now. The schedule of this organization calls for liquidation of the Army operation the 1st day of July and the Navy operation the middle of August.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Nebraska.

Mr. STEFAN. I am afraid the gentleman does not know the full details regarding the civilian aviation program.

Mr. TABER. I am afraid the gentleman is not telling it exactly right, because I do know about it. The gentleman told me today that this would not cost anything. How is there going to be anything if it does not?

Mr. STEFAN. In the first place, the approximately $500,000 is for the liquidation of the W. T. S. program and has nothing to do with the C. P. T. Act as such.

Mr. TABER. The gentleman knows that the war activity is all the civilian pilot training that is going on presently.

Mr. STEFAN. No. The House has already passed a bill providing C. A. A. with funds to advise colleges and schools in civilian aviation. That appropriation was passed here only a short time ago. It was in the regular supply bill for the Department of Commerce.

Mr. TABER. That is all merged with the military and naval operations.

Mr. STEFAN. No; it absolutely is not. It is for advisory aviation work in our schools and colleges.

Mr. TABER. That is going on under these people at this time.

Mr. STEFAN. The gentleman knows of this appropriation because he keeps well posted on all appropriation bills.

Mr. TABER. That is all they have.

Mr. STEFAN. In the bill making appropriations for the State, Justice, and Commerce Departments, passed by this House, is money for advisory service to the C. A. A. to be used to help schools and colleges in civilian aviation.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield 2 additional minutes to the gentleman from New York.

Mr. TABER. How much money is there for that? I could not find it in the report.

Mr. STEFAN. I do not have the bill before me.

Mr. TABER. I have the report here. I could not find anything.

Mr. STEFAN. Has the gentleman the report for the appropriations for the State, Justice, and Commerce Departments?

Mr. TABER. I have that right in front of me, and there is nothing there for that particular purpose.

Mr. STEFAN. The gentleman will find in there money for the development of landing areas, also money for the C. A. A., which is to be used for advisory work with schools in civilian-aviation studies in the schools of the country.

Mr. TABER. That operation is all covered without this bill.

Mr. STEFAN. It is not in the deficiency bill.

Mr. TABER. It is not in the deficiency bill.

Mr. STEFAN. It is in a bill which was reported by a Subcommittee on Appropriations which has been working on

Department of Commerce appropriations.

Mr. TABER. The gentleman is getting the thing mixed a little bit.

Mr. STEFAN. I do not feel that is the case. I am referring to two separate appropriations.

Mr. TABER. All there is to it is that this civilian pilot training program goes out the 1st of July. On the other hand, there seems to have been $60,000 appropriated for advisory service to schools and colleges. That is all right. But none of us knows what is going to be desirable for a program after the war is over. We do not know how we are going to approach it. We do not have the slightest idea. If we extend this act on that basis, we are making a false motion, that is all.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Speaker, I think if there is one thing of high importance that this Congress and any committee can take credit for in connection with preparation for war, long in advance of the Pearl Harbor disaster, it is the institution of the civilian pilot training courses in the schools and colleges of the United States. Way back in 1939 we originated and passed the Civilian Pilot Training Act, and in 1940 we were training these young men to become pilots, giving them preliminary training which enabled the Civil Aeronautics Administration to have available, already selected, those who were able to fly when war came.

We are told that the wash-outs in the C. P. T. courses averaged between 10 and 15 percent, perhaps 13 percent. Then when war was declared and as war came on many, many, many of these young men, tens of thousands of them, went on into the Army and the Naval Air Forces of the United States. The wash-out of those who came into the Army and Naval Air Forces from the C. P. T. courses averaged about 10 percent. In contrast to that, those whom the Army took in directly from civil life and gave training to from the very beginning washed out as high as 40 percent. Hence, the C. P. T. program proved to be a great saving of both manpower and money.

All of this indicates two items of significance. First, that perhaps greater care and more patience was taken with these young men when they were in the C. P. T. course, and, second, that they were not pushed quite so hard in primary training. Hence, through C. P. T. many young men were saved from being washed out, and many of those saved became some of our very best flyers.

As time has gone on the War Department and the Navy Department have built up training facilities and have at the same time decreased the numbers of those training. Consequently, they feel that they now have enough space available to carry on the program without utilizing further the C. P. T. facilities.

We believe this C. P. T. program should be continued for 1 year in order that we may find out where we are to go from here. Post-war we may need to train young men who are able to become pilots on short order, and train many of them. We do not know about that today. We hope that will not be necessary. On the other hand, everyone knows that the Army Air Forces will not take on pilots for combat purposes who are over 26 years of age, and consequently we may need to maintain a continuing pool of partly trained young flyers. We think it will be necessary, perhaps, to carry this C. P. T. program on into the future. To throw it over now, until we know something of what the future will bring, would be unwise. The majority of the Committee on Interstate and Foreign Commerce, and I believe a very large majority, feel that this undertaking should be carried on.

WAR DEPARTMENT CIVIL FUNCTIONS APPROPRIATIONS—1945

Mr. SNYDER. Mr. Speaker, I ask unanimous consent that the conferees on the bill (H. R. 4183) making appropriations for the fiscal year ended June 30, 1945, for civil functions administered by the War Department, and for other purposes, may have until midnight to file a conference report.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, is there a minority report to be filed?

Mr. SNYDER. No; there is not.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. SNYDER]?

There was no objection.

EXTENSION OF CIVILIAN PILOT TRAINING ACT OF 1939

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. O'HARA].

Mr. O'HARA. Mr. Speaker, I think it would be a serious mistake not to extend the life of the civilian pilot training program for at least the time which has been recommended by the committee. It happens that I was a member of the subcommittee which considered the matter of the extension and I believe I can say it is the unanimous feeling of the subcommittee that this program should be extended at least 1 year. There were some who felt it should be extended for 2 years, and some who felt it should be extended for even a longer period of time. But the importance of the situation is that the civilian pilot training program has done a tremendous amount of good in its lifetime. The good that it has done cannot be measured, particularly in this war situation. We would not be properly considering the needs for the future if we were to cut it off now simply because the Army and Navy say they have their own program. It would be giving very little thought and very poor consideration to matters of future national defense. We would be giving very poor consideration to the matter of future needs of civilian aviation if we were to cut it off now.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. O'HARA. I yield.

Mrs. ROGERS of Massachusetts. Is it not true that the United States had the finest commercial civilian pilots and commercial aviation of any country in the world before the war?

Mr. O'HARA. I have always understood they were so considered.

Mrs. ROGERS of Massachusetts. I think they were the finest. Also it was very important to develop these airports all over the country.

Mr. O'HARA. That is true.

Mr. BREHM. Mr. Speaker, will the gentleman yield?

Mr. O'HARA. I yield.

Mr. BREHM. I know it was also true that the percentage of boys who had received this training and then washed out was almost nil.

Mr. O'HARA. I thank the gentleman for his contribution.

I would like to say in connection with the statement of the gentleman from Ohio that if many of these boys who have been washed out in such large numbers, particularly by the Army Air Corps, had had some of the civilian pilot training before they went in, they would have unquestionably qualified for pilot training. But under the policy of the Army of washing them out when they were very new in their training or very new in certain phases of the training, it resulted in many of them being rather recklessly eliminated.

Mr. BREHM. That is very definitely true.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. O'HARA. I yield, gladly.

Mr. STEFAN. Mr. Speaker, I thank the gentleman for yielding to me for an observation. I have put in the RECORD another table and some additional information regarding the present status of the civilian pilot training program and also the record of what civilian pilot trainees have done. Previously I put in the RECORD nearly 1,000 names of graduates of these schools who have been decorated from one to six times in the present war. I believe that the membership of the House should know and should be on notice that the money being appropriated in the deficiency appropriation bill for the liquidation of one particular service, in my opinion, has nothing to do with the civilian pilot training because it liquidates a program of the Army and the Navy, which is absolutely foreign to the civilian pilot training program.

Mr. O'HARA. I want to say to the gentleman I agree with him entirely in his statement that the eliminated program he speaks of has nothing to do with this program. Neither does the extension of this bill mean an appropriation. That is up to the Committee on Appropriations.

Mr. STEFAN. That is correct. Mr. Speaker, I want to qualify another statement I have made in connection with another appropriation bill which came from a subcommittee of which I happen to be a member. That appropriation bill makes appropriation for the State, Justice, and Commerce Departments and contains an appropriation for the C. A. A. In that appropriation was a certain amount of money some of which was to be and is to be used for civilian pilot training in an advisory capacity to advise schools and colleges that are now

setting up programs for civilian pilot training for the post-war period.

Mr. HARNESS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Indiana.

Mr. HARNESS of Indiana. Mr. Speaker, I would like to ask the gentleman from Nebraska if it is not a fact that this civilian pilot training that was originally set up was the basis for the W. P. C. program which now is being liquidated?

Mr. STEFAN. Partially.

Mr. HARNESS of Indiana. Thousands of the pilots now in combat service were trained by the instructors who were working under this program in the W. P. C.

Mr. STEFAN. There is no question about that.

Mr. O'HARA. I think over 100,000 pilots were trained by this training instructor nucleus that we had.

Mr. HARNESS of Indiana. Yes, and this is the same organization which the War Department and the Navy Department now is abolishing and there are some 5,000 or 6,000 instructors and trainees that are being let out.

Mr. STEFAN. They will be taken care of then in another bill that is coming up later on?

Mr. HARNESS of Indiana. I hope so, when the WASP bill comes up.

Mr. WHITTINGTON. Mr. Speaker, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. Mr. Speaker, for what purpose would the civilian pilot training program be continued? What does the committee contemplate in recommending its continuance?

Mr. O'HARA. Mr. Speaker, we do not know what may be the needs in the future, may I say to the gentleman from Mississippi. I certainly do not want to be in a position where we are shutting the door on our civilian pilot training program and just saying that we have no need for it. I do not know whether we will need it. But we felt there had not been sufficient information before the committee to justify us in taking the position of saying that we do not need it. In the interest of safety we do not think that would be wise.

Mr. WHITTINGTON. Then it is the sentiment of the committee to leave it to the Committee on Appropriations?

Mr. O'HARA. That is right.

The SPEAKER. The time of the gentleman has again expired.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield to myself such time as may remain.

The SPEAKER. The gentleman from New Jersey is recognized for 1 minute.

Mr. WOLVERTON of New Jersey. Mr. Speaker, the purpose of this bill is to extend for 1 year the Civilian Pilot Training Act of 1939. Without the passage of this bill the activities under the existing act must cease on June 30, 1944.

In my opinion the results that have been attained during the years that this program has been in existence are too important to be suddenly cut off. No one will deny that the pilot training, given under the civil pilot training program, was of tremendous help to the Army and Navy upon the outbreak of this war. Deserved commendations have been extended to those in charge of the program, by both Army and Navy officials.

Now, that these service branches have taken over the training of pilots, and, on account of the great number of pilots that will be available when the war is over, it may be that there will be no real need to justify a civilian pilot training program.

At the present time conditions are not normal. What may, or may not, be necessary will be more clearly developed within the next year. The extension of the act for that length of time can do no harm and it may be helpful in providing for a sensible liquidation of the activity or to enable it to be taken over entirely by the military services or to otherwise continue. However, the service that has been rendered in the past has been so important that I am not willing by my vote to entirely eliminate it at this time.

The Appropriations Committee can, by its study of the subject, ascertain whether there is need for its operation this coming year and can act accordingly. This bill merely permits the program to continue if the Appropriations Committee finds it is advisable to appropriate funds. I urge support of the bill.

Mr. BULWINKLE. Mr. Speaker, I yield such time as he may desire to the gentleman from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. Speaker, one of the most constructive measures which Congress passed for preparing ourselves for the actual prosecution of this terrible air war was the enactment in 1939 of the Civilian Pilot Training Act.

Personally I believe the act, beyond its expiration date of June 30, should be continued for 5 years. This committee, having heard the witnesses who came before it, recommends an extension of 1 year. The measure will, of course, go to conference with the Senate, which has made it 5 years. An equitable measure of 2 or 3 years is hoped for by those who sincerely believe in this vital C. P. T. work.

Mr. Speaker, I ask unanimous consent to extend at this point in the RECORD my statement, or parts of it, made before the Subcommittee on Aviation of the Interstate and Foreign Commerce Committee, June 6, 1944.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANDOLPH. Mr. Chairman and members of the subcommittee, you are properly hearing this morning the reasons to be advanced why it is believed advisable to continue the Civilian Pilot Training Act of 1939 beyond the expiration date of that measure, which closes its legislative authority on July 1.

There are several bills pending before your committee which attempt in one way or another to bring about a continuation of that program. H. R. 4181 is a measure which I have sponsored which would continue the act, but would in addition use the language you will find on line 5 of the first paragraph, which sets forth the fact, as I see it, that it be necessary to select at least 25 percent of those to be trained who come from the age bracket of 16 and 17.

I believe that feature is highly important, and for that reason the bill which I would present is different in that respect from these others which are pending before your committee.

I believe that it would be unwise to allow the Civilian Pilot Training Act to lapse without the Congress of the United States giving most careful attention to what has been done under civilian pilot training and what can be done in the future under this program.

You gentlemen are well aware that the Senate has already passed a 5-year extension of the act, and I believe that even now to stop this program might injure the war effort.

Some one might say, "We have enough pilots," and our Army forces have indicated that there is no reservoir needed from civil training, but I do not believe that during this period of war that proper pilot training should be discontinued. I believe that even during this time of war it might be harmful, in fact, I believe it would be tragic to scuttle the act, the authority by Congress, at least, to carry on the program. It would have a bad effect on peacetime aviation development, around which I think the future growth of America will revolve to a great extent.

I have no desire to continue a lengthy statement, Mr. Chairman, before your committee, but I will ask the privilege of revising and extending my remarks. I know the limitations under which you are working. I express only my personal appreciation for the courtesy which you have given me this morning.

Mr. BULWINKLE. Are there any questions?

Mr. WOLVERTON. Mr. RANDOLPH, when you extend your remarks, I think it would be very helpful if you would amplify on the statement that you have made that to stop this program might injure the war effort, or, as you otherwise stated it, that it would be harmful to stop the program. This committee certainly would not want to do anything that would be harmful to the war effort. On the other hand, I would be very much interested in knowing in what particular you think the stopping of this particular program would be harmful to the war effort.

Mr. RANDOLPH. I will be glad, Mr. WOLVERTON, to do that. I think your observation is a good one, and I will extend my remarks on that particular point.

Mr. LEA. Why do you suggest that 25 percent should be within the age limit 16 and 17 in your bill?

Mr. RANDOLPH. I believe, Mr. Chairman, that this age bracket, 16 and 17, is not being called into service in the Army or the Navy, or any of the armed branches of the United States. Enlistments, of course, by 17-year-olds are going forward, but under our selective-service system we do not dip lower than 18 years. I do feel that the age bracket of 16 and 17 is a very important reservoir for pilots, and I believe that this period of 16½ years of age, with proper ground-school instruction, can make it possible at the age of 17 or slightly under to give training to a segment of our youth certainly forming a backlog of pilots for the actual war which is going now into its more crucial stages. Certainly, as I said, these lads will be important to the aviation development and the future of the United States.

I believe that group, sir, contains this reservoir of pilots, and I think we ought to state within the bill itself, in extending the life of the C. P. T., that at least 25 percent of those trained should come from this age group.

Mr. LEA. Looking at it from the long-time peace viewpoint, what would you say was the importance, if any, of this age limitation?

Mr. RANDOLPH. I would apply what I have said for the war period to the peacetime era. I believe that we have a responsibility in the air age, if you desire to call it that, in

which we are to live, that certainly the instruction, if it is to be carried on by the Government of the United States, should give special attention to this age bracket of which I have just spoken. We can train much more easily the youth of our land in the theory and actual practice of flight than we can train older men and women. That has been proven over and over again—that this group, 16, 17, 18, and 19, took to this subject of aviation; they embraced it, it becomes a part of them, and I think we ought to give at least partial emphasis by law to the training of this group.

The CHAIRMAN. Well, it would give the advantage of a longer period of usefulness?

Mr. RANDOLPH. Yes, sir; that is correct. It would prepare him earlier, and I believe he is the type of person who, doing it at that age, will stay with it. In other words, the investment which the Federal Government might make in his training, will be returned as a dividend in the years ahead, possibly from the standpoint of being useful in time of conflict.

Mr. HINSHAW. May I ask, Mr. Randolph, whether you agree with the idea that the civilian pilot-training program has been a screen through which has passed thousands of those who have thereby proved themselves eligible for further training in the military effort?

Mr. RANDOLPH. I am glad you make that observation, because I certainly agree with you very, very much. We know that in 1938 when General Arnold assumed command of our armed Air Forces, there were only about 1,300 officers in that entire organization. We do know it has grown repeatedly, and we certainly know where the C. P. T. got those thousands and thousands of pilots who have certainly proven their worth in the bombing of Tokyo itself, and in all the engagements and missions which have taken place before and since that time.

Mr. HINSHAW. Thousands of them had been screened through before the war effort began in earnest and were available?

Mr. RANDOLPH. Yes, sir. I think in the over-all history of this war, when it is written, and when people look at it objectively, that we shall pay a great tribute to those who administered and carried forward the C. P. T. program, and I think this Congress, and especially this committee, which originated and brought to passsage the act of 1939, will have on the credit side of the sheet something for which it can well be proud.

Mr. HINSHAW. I take it you also agree with the idea that for the defense of our country in the future it may be necessary to have a reserve of young pilots ready to be trained in the military, if not already trained?

Mr. RANDOLPH. I do, and I believe the C. P. T. has done a magnificent, a safe and efficient job of training, and I do not believe now, in a war that is spearheaded by air attack, we should discontinue this program. I believe it would be harmful to the war effort and would certainly not be in keeping with the planning of America for peace and for possible fighting in the future.

Mr. HINSHAW. You agree that the C. P. T. has been in the past one of the greatest contributions to the war effort we have had?

Mr. RANDOLPH. I do; and when you have the training of pilots only in a concentration of large Army Air Force schools or contract schools aviation knowledge is restricted. But on the other hand, when we had the C. P. T. we were using hundreds of smaller fields and communities all over America. We diffused aviation and brought it close home to the people of all this country. That is something of value which we cannot adequately evaluate today. We spread this training, this development of pilot instruction, and I think the people of America are for a continuing program. They like to see their dollars spent fairly close to home, and I think they have a right to expect it to be used where they can see it actually at work. I think that is one of the greatest contributions of the C. P. T.—the diffusion of the program.

Mr. HARLESS. It stimulated aviation and made our youth anxious to go into it before the war and during the war, because they had received this instruction?

Mr. RANDOLPH. I think your observation is correct. I think that has been a noteworthy contribution of C. P. T.

Mr. BULWINKLE. We thank you, Mr. RANDOLPH.

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD by inserting a memorandum from the Assistant Secretary of Commerce, together with my other remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The matter referred to is as follows:

OFFICE MEMORANDUM

UNITED STATES GOVERNMENT,
June 19, 1944.

To: Hon. ALFRED L. BULWINKLE.
From: William A. M. Burden.
Subject: Appropriation for liquidation of present C. P. T. organization and extension of C. P. T. Act.

The $562,000 item, approved by Budget and presented to the Appropriations Committee, is designed to liquidate the present training program being conducted by C. P. T. for the military and is a distinct and separate matter from the extension of the C. P. T. Act.

The extension of the C. P. T. Act is purely an enabling measure so that congressional approval of civilian training as a policy may be on the statute books. The authorization of a new civilian-pilot-training program when conditions permit would, of course, have to receive congressional approval through the Appropriations Committees. There is, therefore, nothing inconsistent in providing for using a small portion of the unexpended balance of the 1944 C. P. T. appropriation for the liquidation of the present program being carried out for the military and at the same time extending the enabling act permitting civilian training in principle.

W. A. M. B.

The SPEAKER. The question is on the motion to suspend the rules and pass the Senate bill as amended.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

PUBLIC HEALTH SERVICE

Mr. BULWINKLE. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 4615) to establish, for the investigation and control of tuberculosis, a division in the Public Health Service, and for other purposes, as amended.

The Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby established in the Public Health Service a Division of Tuberculosis Control, to be under the charge of a commissioned officer of the Public Health Service to be detailed for such purpose by the Surgeon General of the Public Health Service. The powers and functions granted by this Act shall be exercised through the Division of Tuberculosis Control.

SEC. 2. To enable the Surgeon General of the Public Health Service (1) to make studies, investigations, and demonstrations with respect to developing more effective measures of prevention, treatment, and control of tuberculosis; (2) to assist, through State health authorities, by grants and as otherwise provided in this act, States, counties, health districts, and other political subdivisions of States in establishing and maintaining adequate measures for the prevention, treatment, and control of tuberculosis, including construction, maintenance, and operation, and the training of personnel for State and local health work; (3) to control the spread of tuberculosis in interstate traffic; and (4) to meet the cost of pay, allowances, and traveling expenses of commissioned officers and other personnel of the Public Health Service detailed to assist in carrying out the purposes of this act, and for the administration of this act, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1945, the sum of $10,000,000 and for each fiscal year thereafter a sum sufficient to carry out the purposes of this act.

SEC. 3. (a) For each fiscal year, the Surgeon General of the Public Health Service, with the approval of the Federal Security Administrator, shall determine the total sum from the appropriations made pursuant to section 2 which shall be available for allotment among the several States. He shall, in accordance with regulations, from time to time make allotments from such sums to the several States on the basis of (1) the population, (2) the size of the tuberculosis problem, and (3) the financial need of the respective States. Upon making such allotments the Surgeon General shall notify the Secretary of the Treasury of the amounts thereof.

(b) The Surgeon General, with the approval of the Federal Security Administrator, shall from time to time determine the amounts to be paid to each State from the allotments to such State, and shall certify to the Secretary of the Treasury the amounts so determined, reduced, or increased, as the case may be, by the amounts by which he finds that estimates of required expenditures with respect to any prior period were greater or less than the actual expenditures for such period. Upon receipt of such certification, the Secretary of the Treasury shall, through the Division of Disbursement of the Treasury Department and prior to audit or settlement by the General Accounting Office, make payment in accordance with such certification.

(c) The moneys so paid to any State shall be expended solely in carrying out the purposes specified in section 2, as the case may be, and in accordance with plans presented by the health authority of such State and approved by the Surgeon General.

(d) Money so paid shall be paid upon the condition that there shall be spent in such State for the same general purpose, from funds of such State and its political subdivisions, an amount determined in accordance with regulations.

(e) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the health authority of the State, finds that, with respect to money paid to the State out of any appropriation under section 2, there is a failure to comply substantially with either (1) the provisions of this Act, (2) the plan submitted under subsection (c), or (3) applicable regulations, the Surgeon General shall notify such State health authority either that further payments will not be made to the State from appropriations under such section or, in his discretion, that further payments will not be made to the State from such appropriations for activities in which there is such failure, until he is satisfied that there will no longer be any such failure. Until he is so satisfied the Surgeon General shall make no further certification for payment to such

State (or limit payment to activities in which there is no such failure) from appropriations under such section.

(f) All regulations and amendments thereto with respect to grants to States under this Act shall be made after consultation with a conference of the State health authorities.

(g) Funds appropriated under section 2, in addition to being available for payments to States, shall also be available for expenditure by the Surgeon General in otherwise carrying out this Act, including expenditures for printing and binding of the findings of investigations.

SEC. 4. As used in this Act, the term "State" means a State or the District of Columbia, Hawaii, Alaska, Puerto Rico, or the Virgin Islands; and the term "regulations" means regulations prescribed by the Surgeon General of the Public Health Service with the approval of the Federal Security Administrator.

The SPEAKER. Is a second demanded?

Mr. WOLVERTON of New Jersey. Mr. Speaker, I demand a second.

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BULWINKLE. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee [Mr. PRIEST].

Mr. PRIEST. Mr. Speaker, before going into a brief presentation of this bill I would like to express my very deep personal appreciation, an appreciation which I believe is shared by the full membership of this House, for the very fine work done by the gentleman from North Carolina [Mr. BULWINKLE] in the field of public health. He has been very diligent in looking into legislation of that sort and I am sure we all appreciate it.

Mr. Speaker, the bill now before us provides that the Surgeon General of the Public Health Service be enabled to make certain studies, investigations, and demonstrations with respect to developing some more effective measures of preventing and of treating tuberculosis. Fifty years ago tuberculosis was the leading cause of death in the United States. Fifty years ago 200 people per each 100,000 of our population died annually as a result of this disease. Today that figure has been reduced to 42 persons per 100,000 annually. That has been brought about, as we know, as a result of continued studies in methods of controlling the spread of this disease, and in treating the disease itself. There is still much room for improvement. We look at the situation today with some little alarm because recent statistics indicate that since we went to war there has been a gradual increase in some sections in the death rate, and certainly the declining death rate has come to a stop or has leveled off. It is not declining any further.

We learned also in subcommittee hearings on this bill that the Army is now discharging 500 soldiers per month with tuberculosis in one stage or another. We learned that 57,000 people died last year in this country as a result of this disease.

Briefly, the bill before us would authorize the office of Public Health, with the approval of the Federal Security Administrator, to conduct surveys, to conduct experiments, to gather information through those experiments that would be of great assistance not only to the Public Health Service but which, in turn, might be passed on to State, county, and city health services throughout the Nation.

The Public Health Service is authorized to do that service for the States. It is authorized further to make certain grants-in-aid to the States under the same formula that now exists with reference to the venereal-disease program, and under the same formula that has prevailed largely with reference to funds under title VI of the Social Security Act. This bill carries an appropriation of $10,000,000 for the fiscal year ending June 30 next year, and it provides for authorization of appropriation thereafter as may be needed.

Mr. JENSEN. Will the gentleman yield?

Mr. PRIEST. I yield to the gentleman from Iowa.

Mr. JENSEN. Is it proposed by this bill that the Federal agencies who handled this program will cooperate with the American Medical Association and its members in carrying on these experimentations?

Mr. PRIEST. It is not written into the bill that they shall cooperate, but the American Medical Association, through its house of delegates, approved this bill in subcommittee hearing. They are strongly for it. The entire record of their association in tuberculosis work over the years, with the Public Health Service, has been one of very fine cooperation.

Mr. JENSEN. According to that, then, there must not be any danger that there is any socialization of medicine mixed up in this legislation?

Mr. PRIEST. I can assure the gentleman from Iowa that there is no semblance of socialized medicine mixed up in this legislation. It has the approval, as I previously stated, of the American Medical Association. It has been approved by the State Association of Public Health Officers, whose witness appeared before the committee and approved it without any reservation or any suggestion of amendment. It was approved by the National Tuberculosis Association and various other State and local associations, medical associations, and antituberculosis associations. I am sure there is nothing in it that tends in any degree toward socialized medicine.

The SPEAKER pro tempore (Mr. COOPER). The time of the gentleman from Tennessee has expired.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, this bill has been given unanimous support by the various public health agencies and interests of the country, all of whom have been helpful in preparing this legislation. Perhaps this measure has the most universal approval of any bill that has come before this session of Congress.

As was so ably stated by the gentleman from Tennessee [Mr. PRIEST] this bill has the endorsement of the Public Health Service. It has the endorsement of the various State and local health authorities, such as the State health boards and municipal health officials. It has the endorsement of the American Medical Association. It provides for the type of service the great central government in Washington should render for the people, because it will furnish to the great masses of our citizenship, and also to the medical practitioners of the country, information and assistance that will mean much in the fight to stamp out tuberculosis in America.

This measure calls for a primary appropriation of $10,000,000 for the first year. Thereafter the annual expenditure will be fixed by the Appropriations Committee of this House in the first instance, later, of course, subject to the approval of the House. The appropriation has been set at $10,000,000 for the first year for the reason that during that time it will be necessary to set up the system and the machinery, as it were, for the operation of this new service. It will be necessary to purchase certain equipment. For instance, today, as a result of recent inventions and scientific developments, a portable machine can now be taken from place to place and as many as a hundred different individuals X-rayed for tuberculosis each hour. Just think of it. A hundred an hour. The machine is almost automatic in the way it operates. It is not necessary to have highly skilled technicians to adjust it for each individual, but almost automatically a perfect photograph of each patient's chest is taken so that it can easily be ascertained whether or not any incipient tuberculosis is present.

Each of these machines for this service costs about $6,000. Already some industries are using this machine to a great extent. Every individual called for induction into our armed forces is X-rayed by one of these machines. Once this work is carried out so every school child in America is properly X-rayed and diagnosed, it will be possible to catch tuberculosis in the incipient stage, cure it, and practically stamp it out. This, in my opinion, will be one of the best investments ever made by the Congress of the United States. Certainly such an investment in public health and in disease prevention will pay returns of a hundred, yes, a thousand fold. I am strong in my support of this measure. I am hoping it will be endorsed and passed by this House by a unanimous vote.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. BULWINKLE. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Speaker, just a few weeks ago we passed about two dozen authorization bills for the eradication of all kinds of pests and to cure diseases of cattle and hogs. Certainly if we can pass legislation of that sort we can pass this bill. I asked a few questions when this bill was considered on the

Consent Calendar. I have always objected to legislation drawn as this bill is drawn. I do not believe the House should pass this bill without putting a limitation upon the amount of appropriations. The first year's limitation is $10,000,000 in this bill but thereafter there is no limitation whatsoever. The committee should have limited the appropriation in future years; that is the proper way to legislate. This thing of saying it is up to the Appropriations Committee does not take care of a matter of this character at all. That is the way I view it. In reading over the report it is very evident we are going to be required to stimulate the States to activity. At least 26 States in this Union according to this report have practically no tuberculosis-control organization. Just think of that. Twenty-six States of the Union according to the report.

The State of California according to this report, a State that I believe has made more money out of this war than any other State in the Union and I have said so before—just think of the great State of California having 600 persons waiting for sanitarium care and yet they have 350 vacant beds but are not going to use those vacant beds to take care of these people until this legislation passes. Have not the States any responsibility any more? I have heard from my State in reference to this bill. Whenever we have any kind of Federal-aid bill I will hear from my State, I will hear from the State organization that is going to get some part of the money.

I am going to vote for the bill but I hope in the future when bills of this character come in a limitation will be placed on the money that can be appropriated and not make the sky the limit as is done in this bill.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. COCHRAN. I will yield if the gentleman will get me time.

Mr. BROWN of Ohio. I have no time.

Mr. BULWINKLE. Mr. Speaker, I yield 1 additional minute to the gentleman from Missouri.

Mr. COCHRAN. I yield.

Mr. BROWN of Ohio. Is it not true that the Congress could change the limit at any time?

Mr. COCHRAN. Yes; it is very true, but let me tell you that in my nearly 20 years of service here I have never seen a limit changed except to be changed upward.

Mr. BROWN of Ohio. If the gentleman has been here for the last 20 years, he has seen many strange things happen.

Mr. COCHRAN. I certainly have. I have heard many people here on the floor preach about States' rights and "let me alone." I have heard the gentleman from Ohio do so, too, but in this instance the gentleman says, "Give me, give me, give me."

Mr. BROWN of Ohio. We are still chanting States' rights and expect to take care of the gentleman's State of Missouri if this legislation is passed.

Mr. COCHRAN. And if the Bureau does not administer this law to the satisfaction of the gentleman from Ohio [Mr. BROWN], he will be the first one to yell "Bureaucrats."

The SPEAKER pro tempore. The time of the gentleman from Missouri has again expired.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Speaker, I should like to say to the gentleman from Missouri that the 350 vacant beds, of course, must be filled by charity patients. We have a number of sanatoria in California, and I am sure that many people from Missouri are occupying beds in California sanatoria because California is one of the best places in the world for one to be cured of this dread disease, tuberculosis. I am sure that the gentleman himself, were he ever to acquire this dread disease, would want to come to California immediately, as so many from his State have already done.

Mr. Speaker, at this moment, a trio of distinguished gentlemen, Mr. Lloyd W. Brooke, Capt. E. Crawford May, and Dr. Carl R. Howson, trustees of the Hastings Foundation, are preparing a scientific research project to be instituted in my own congressional district, for the purpose of studying tuberculosis control. Two lines along which increased research appears needed are:

(a) Nutrition in relation to resistance.

(b) Improved drug and similar methods of treatment.

One of the experiments which the Hastings Foundation intends to make is in the nature of studying two groups of patients—one receiving a standard, well-balanced sanatorium diet, and the other the same diet, supplemented with vitamins and other accessory food substances in accordance with careful study of the nutritional status of the patient.

It is expected that this research project will yield valuable results. It will be under the watchful eye of the scientific research staffs of the California Institute of Technology and the physicians of the Huntington Memorial Hospital, while no doubt the Veterans' Administration, the Public Health Service, and military establishments will be keenly interested.

Mr. Speaker, the problem of tuberculosis control throughout the world has increased greatly in importance, due to the terrible ravages of the war upon the populations of the world, particularly in Europe and Asia. Tuberculosis is so easily transmitted to children, and awareness of that transmission may not come for many years afterward. I trust that the projects which will be conducted under the bill presently before us will assist in finding tuberculosis cases early, and in the prevention of the transmission of this disease to children. May God speed the day when tuberculosis is eradicated completely.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield 4 minutes to the gentleman from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Speaker, there are many States in the Union that spend more money for the eradication of tuberculosis in animals than they do for the eradication of the same disease in human beings. In most of the States if they find a dairy cow with tuberculosis they kill the cow, but you cannot very well do that with a human being. I think this legislation is a step in the right direction. Some 57,000 die each year in the United States from tuberculosis. We know the cause of the disease, we know the treatment for it, we know how to prevent it. It is a wonder to me that the communities have not recognized long before this the importance of preventing tuberculosis. I have the feeling that no one with an active open case of tuberculosis has a right to broadcast infection to others, yet that is being done all over the United States.

In the earlier days the Army in inducting men into military service took miniature X-ray film of their chests. I do not know whether they still continue to do it or not, but a continuation of this work will uncover many cases of tuberculosis that can be isolated and the disease cured.

Tuberculosis is more than a health problem, it is an economic problem. After every war tuberculosis has increased and great numbers of new cases show up. It is a great burden to the States. Many States now have their sanitaria filled with tuberculosis cases and it is a great economic burden upon them. I am also convinced that tuberculosis can be eliminated in the next 50 years if it is properly handled under the United States Public Health Service, the people who fill these sanitaria cured, and the sanitaria no longer needed for this purpose.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield.

Mr. MASON. The gentleman says it has been a great burden on the States to take care of tubercular patients. I ask the gentleman whether or not when Uncle Sam takes care of them he does not reach right back into the States to get the taxes to take care of it, and if the burden does not rest on the States in its ultimate aspect in any event.

Mr. MILLER of Nebraska. I think that is correct; on the other hand we must realize that we are still a long way from having effective control of tuberculosis with 26 States not having organizations for that purpose. Operations under this bill will uncover thousands of cases of tuberculosis that we do not know exist. It is going to fill these 350 vacant beds in California, and fill her sanitaria also, and they may need many more beds; but even so the bill will be well worth the cost if we finally eradicate this dread disease for today it is claiming 57,000 lives a year in this country, causing an untold amount of misery and suffering and expense.

Mr. HINSHAW. Will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from California.

Mr. HINSHAW. The gentleman is a very distinguished physician. I am sure he will tell the House that persons who contract tuberculosis generally contract it before becoming 14 years of age, but

it may not show up until years afterwards.

Mr. MILLER of Nebraska. That is correct. Most of the disease of tuberculosis comes in the younger life and the problems of tuberculosis and its cure must be completely understood. When you start out to eradicate disease it may take years to accomplish. You do not do it overnight.

Mr. DONDERO. Will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from Michigan.

Mr. DONDERO. How many States in the Union have a program to take care of their people who become afflicted with tuberculosis?

Mr. MILLER of Nebraska. I do not know.

Mr. DONDERO. The State of Michigan does take care of its tubercular patients.

Mr. MILLER of Nebraska. There is one thing in the bill that may happen. I notice an amendment whereby the Virgin Islands and Puerto Rico are taken in, as well as some other Territories. I do not know whether the House realizes or not, but the tuberculosis rate in those Territories is very high.

Mr. BULWINKLE. That was in the House bill.

Mr. MILLER of Nebraska. The incidence of tuberculosis in those areas is very high. The money involved in this bill is going to be appropriated to certain Territories on the basis of the number of tuberculosis cases and the incidence of the disease in those Territories. Some of the Territories are going to get more money than some of the States which might need help.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr KEEFE. Mr. Speaker I want to record myself as vigorously in favor of the adoption of the pending legislation. The program submitted in H. R. 4615 is similar in all of its aspects to the present program carried on by the Public Health Service in its venereal disease control program. Anyone who is familiar with the work of the Public Health Service and that program I am sure will realize that with the same force applied to the eradication of tuberculosis in the United States of America we will soon have that dread disease under control.

Mr. Speaker, this is a Federal-State program, administered entirely by the State health service. It is not a Federal program, and it is not a socialization of medicine. It is the splendid outline of a program by which if the States themselves meet a fair share of the burden the Federal Government steps into the picture in cooperation with them to carry on a coordinated program to fight tuberculosis. Tuberculosis cannot be isolated in the States of Wisconsin, Illinois, Minnesota, or North Dakota. These germs and the carriers of those germs go from State to State and from place to place. It is a Federal program and it is a thing which all of us are concerned with.

I am glad that the Committee on Interstate and Foreign Commerce has seen fit to bring to the Congress of the United States this authorization legislation which when the appropriation is provided by the Appropriations Committee will make it possible to intensify and carry on the work which is now being done under a little appropriation of $250,000.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BULWINKLE. Mr. Speaker, I yield 1 minute to the gentleman from Oregon [Mr. ANGELL].

Mr. ANGELL. Mr. Speaker, I desire to be recorded in favor of the pending bill. It is a move in the right direction and, as the gentleman who just preceded me stated, it is a Nation-wide matter, one that cannot be handled individually by the various States.

While I was a member of the State Legislature of Oregon I sponsored a program of this sort in my own State. From the study I made at that time and from the study I have made since I know it is a Nation-wide problem, one which the Federal Government certainly can enter into with propriety, one that can be endorsed even by those of us who are insistent on cutting down Federal activities where the States are in position to handle them. The white plague which this bill seeks to stamp out is no respecter of State lines. When the men and women in our armed forces return there will be need for renewed efforts in saving them from the inroads of this dread disease from contacts in the tropics.

Mr. BULWINKLE. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Speaker, whenever I go into the small clinic in my home town of Tyler, Minn., I see there a small plaque which calls attention to the fact that Lincoln County, Minn., was the first tuberculosis free county out of the 3,072 counties in the United States. I am deeply interested in seeing that this worth-while work continues and feel that this bill is one of the most humane suggestions brought forward by this session of the Congress. I have urged in the Subcommittee on Labor and Federal Security of the Committee on Appropriations that sufficient money be provided to eradicate tuberculosis once and for all time. Tens of thousands of people will be alive 20 years from now because of the eradication of tuberculosis and we cannot measure that in terms of dollars. I hope that this bill will pass unanimously.

Mr. BULWINKLE. Mr. Speaker, I yield such time as he may desire to the chairman of the Committee on Interstate and Foreign Commerce [Mr. LEA].

Mr. LEA. Mr. Speaker, I am very much in favor of this bill. All over the span of the younger portion of life in this country tuberculosis is the greatest hazard even at the present time. It is a curable disease now in most cases, yet there are several hundred thousand people in the United States who die annually from tuberculosis and whose lives could be saved by proper administrations.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield 1 minute to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, I am heartily in favor of this bill because I realize that proper attention and care means the saving of a life in many cases involving tuberculosis.

Mr. Speaker, I hope the House will pass more legislation also having to do with the attempted control of cancer. The death rate from cancer is second only to that of heart disease in this country. Federal legislation becomes a necessity. Because I realized this necessity I introduced a bill to provide for grants to States in connection with the eradication of cancer.

The gentleman from North Carolina [Mr. BULWINKLE] and the members of the Interstate and Foreign Commerce Committee have done a very marvelous work in connection with cancer and they realize that in many instances cancer can be cured. It is a matter of education, early diagnosis, and treatment. I hope there will be early consideration and passage of my bill, H. R. 661. The death rate of heart disease cases is 324 per 100,000 persons, the death rate of cancer cases is 125 per 100,000 persons, and the death rate of tuberculosis cases is 41 per 100,000 persons. The yearly average of persons dying of cancer is 150,000. Many of these cases could be saved with prompt and adequate care.

Mr. BULWINKLE. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Speaker, not only do I heartily favor this bill but I am particularly gratified that the benefits of the bill are extended to Puerto Rico.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES of Massachusetts. Mr. Speaker, while I am in favor of this bill, I note under section 2 some of this money may be used for construction purposes. Having been interested in the subject of tuberculosis for over a quarter of a century and realizing the very splendid hospital and sanitarium facilities we have in Massachusetts, I hope that not too much of this money will be spent for construction but will be used to educate the authorities of the various States in their responsibility to construct these sanitariums, then let the Federal Government assist in the maintenance of those sanitariums.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. MURRAY].

Mr. MURRAY of Wisconsin. Mr. Speaker, this disease must be attacked on a broad base, and every effort made to eradicate the disease from our country. Local and State support of eradication measures have shown results, but this is a national problem and must be so considered. I wish to be recorded in support of this legislation and look forward to the day when this plague is abolished from the face of the earth.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield such time as he may

desire to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Speaker, a motion has been made to suspend the rules and pass H. R. 4615, providing a division in the Public Health Services for the investigation and control of tuberculosis, and for the Federal Government to cooperate with the States in the prevention, treatment, and control of TB. I rise in support of the motion. This is one activity in which the Federal Government can and should take a leading part in cooperation with the States. This disease has been called the great white plague. While we have in the years reduced the number afflicted with this disease, we have not yet controlled it. Many thousands of our soldiers and sailors of the present war have been discharged on account of TB, and many more thousands have been rejected for service in our armed forces because of the presence of TB. TB is not a disease of local concern or even State-wide concern. The Nation, as a whole, is interested in the control of the spread of this disease. The TB germ and the spread of these germs cannot be controlled by local prevention alone. Our people are on the move and those with TB are thrown in contact daily in places far removed from their own localities and their own States. In order to eradicate this disease, we must pool the knowledge, experience, and the funds of the Federal Government, the State, county, and city governments.

The children and the youth of the land are the main targets for this dread disease. Our Government, in cooperation with the States, expends millions in an effort to control and eradicate TB in our livestock. What excuse can we find for the Federal Government failing to give like help to the babies, the youth, and the men and women of our country. This proposal meets the hearty approval of the American Medical Association, the medical associations of the States, and the public-health officers of the Nation, the States, counties, and cities. I doubt if we could expend Federal funds for any purpose that would meet more general popular approval than the expenditure of these funds in an organized effort to control, and, in the course of years, eradicate tuberculosis. It has been made perfectly clear that this action has no relation whatsoever to the so-called movement for socialized medicine. While the Federal Government will aid in this great movement, these activities will be under the direction and control of the respective States. Feeling that this is a step that will greatly benefit the American people generally, I am happy to give it my support.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. SCOTT].

Mr. SCOTT. Mr. Speaker, every community in this country is very much concerned over the number of traffic deaths that are occurring. Tuberculosis annually kills a great many more of our people than occurs in traffic accidents. Fifty years ago tuberculosis was the greatest cause of death in this country, the rate being 200 per 100,000. The rate of death today is 42 per 100,000 people living in the country who die as the result of an attack of tuberculosis.

It is now the second highest cause of death. We are advised that if this program is enacted into law and followed through, in the opinion of the Surgeon General, it will be possible not merely to diminish and to continue to diminish the effects of tuberculosis but to eradicate entirely, within the course of one generation, the ravages of the white plague.

I hope that the distinguished chairman of the subcommittee, with whom I have the honor to serve, the gentleman from North Carolina, in cooperation with the Surgeon General, for whom we all have so high regard, will carry out the proposal which I know has been under discussion, and that is that an opportunity will be given to all Members of Congress to have an X-ray taken with this marvelous machine so as to publicize throughout the country that the way to end tuberculosis is to catch it early and to have everybody examined. We believe, and the Surgeon General believes, that if the people of this country can be educated to have a prompt and early examination, the fight to end tuberculosis will be very much expedited.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois [Miss SUMNER].

Miss SUMNER of Illinois. Mr. Speaker, I have not had time to read the hearings. I suppose all of us realize the necessity for eradicating tuberculosis or we would not be giving money every Christmas toward that cause. However, I do not believe it has been explained in this debate why we need all this expenditure. We all give money at Christmas time. Has that program fallen down?

Mr. BULWINKLE. Mr. Speaker, will the gentlewoman yield?

Miss SUMNER of Illinois. I yield to the gentleman from North Carolina.

Mr. BULWINKLE. May I say to the gentlewoman from Illinois that the money which is given at Christmas does not nearly begin to take care of this situation. With over a million cases of tuberculosis in the United States and with over 57,000 deaths every year, they do not receive enough money and they do not get down to the roots of it. They do not have sufficient funds to go down into the counties and photograph people's lungs to see whether they have tuberculosis or not.

Mr. MASON. Mr. Speaker, will the gentlewoman yield?

Miss SUMNER of Illinois. I yield to the gentleman from Illinois.

Mr. MASON. They do go down into the counties. They do take these X-rays in the schools of our county, and they have been doing it for 10 years.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield 1 minute to the gentleman from Indiana [Mr. GILLIE].

Mr. GILLIE. Mr. Speaker, I am pleased to hear the prediction made here on the floor that tuberculosis will be completely conquered within the next 50 years. In view of the great progress made during recent years against this and other diseases and plagues which formerly cut into our livestock production, I find this statement easy to believe. This prediction will not come true, however, unless we meet our responsibilities in the fight against animal diseases. Today we have an opportunity to meet one of these responsibilities by providing an appropriation for the reclassification of employees in the Bureau of Animal Industry. Such provision will go a long way toward ensuring the continued efficient functioning of our Bureau of Animal Industry which has contributed in such large measure to the record against animal diseases which has been made. Not many years ago it was hazardous for any country to accumulate livestock enough to serve as a dependable balance wheel for the total food supply. Animal plagues almost invariably appeared to destroy the surplus. Discoveries of cures and preventive measures against diseases, coupled with international quarantines, however, have resulted in our ability to raise even the vast quantities of livestock necessary to meet the needs of our country at war.

Our research scientists and veterinarians in the Bureau of Animal Industry have worked ceaselessly and under difficult conditions to bring this country up to its present level of disease-free livestock production. Their efforts have prevented the importation of diseased animals and have made it possible for us to gain control over such dread diseases as contagious pleuropneumonia, the tick disease, paraplasmosis, foot-and-mouth disease, and many others. When the war is over, it will be possible for us to provide the rest of the world with the best bloodlines for the reestablishment of disease-free herds and flocks in other countries.

No small part of the credit for our progress against these diseases and in building up our tremendous livestock production goes to those veterinarians and lay inspectors in the Bureau of Animal Industry, for whose reclassification we are today seeking the necessary appropriation. As I have said before, if we are to keep up our record in the fight against disease, it is essential that we see to it that the Bureau of Animal Industry is able to retain the highly trained and skilled personnel necessary to the efficient functioning of the Bureau. Only by such means can we successfully accomplish the goal of complete eradication of tuberculosis from our country.

Mr. BULWINKLE. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, I think it is important that this legislation be passed at this time, because we face an emergency. Tuberculosis is one of the diseases that always runs rampant in time of war. We will have five to eight million war veterans returning from countries where tuberculosis is raging. There will be a high incidence among them. They will be scattered all over the United States, members of their families will become infected. During and

after a war there is extensive moving about of populations with increased opportunity for spreading the disease. At the present time we have no way in most States of quarantining tuberculosis patients and bringing them under strict control, whether they be ex-soldiers or civilians. This is an economic measure as well as a humanitarian and public health neasure. Now is the time to deal with it when an ounce of prevention can save the expenditure later of pounds for cure. In the long run we will save the Nation money by authorizing this appropriation today.

Mr. WOLVERTON of New Jersey. Mr. Speaker, the purpose of the bill is to enable the Surgeon General of the Public Health Service, first, to make studies, investigations, and demonstrations with respect to developing more effective measures of prevention, treatment, and control of tuberculosis; second, to assist States, counties, health districts, and other political subdivisions of States through State health authorities, in establishing and maintaining adequate measures for the prevention, treatment, and control of tuberculosis; third, to control the spread of tuberculosis in interstate traffic.

The bill would establish a Division of Tuberculosis Control in the Public Health Service. It would authorize an annual appropriation of $10,000,000 for studies in tuberculosis control, grants to States, control of tuberculosis in interstate traffic, and administrative expenses of the division.

Payment to the States would be made on the basis of population, the size of the tuberculosis problem and financial need. State contributions would be required in accordance with the regulations of the Surgeon General. Approval of State plans would be required.

The problem of tuberculosis control is acute. Sixty thousand tuberculosis deaths occur each year in this country, one-half of which are among persons between 20 and 45 years of age. In the age group 15 to 35, tuberculosis is the principal cause of death. In the age group 20 to 34, 1 in every 6 deaths among white persons and 1 in every 3 deaths among Negroes is due to tuberculosis.

The facilities and personnel of local tuberculosis clinics are overtaxed. The armed forces' induction and examining stations have refused and reported back to local health departments over 100,000 young men and women between 21 and 35 years of age. Over half of the States are unable to provide the necessary expert medical care and supervision for the treatment of these cases. Unless something is done to protect these persons against this insidious disease, young mothers and fathers and industrial workers will continue to contribute the major share of the deaths from tuberculosis each year.

If this bill were enacted, a real attack could be made on tuberculosis by, first, expanding small-film X-ray case finding on a Nation-wide scale to the entire adult population; second, by providing facilities and professional personnel throughout the country which are accessible to the major part of our population for supervision and treatment of ambulatory patients with early tuberculosis; and, third, by studies and investigations into newer methods of control of the disease. There is in particular an urgent need to study the effect on tuberculosis of some of the new chemotherapeutic agents, such as the sulphone derivatives. It will also be possible to make special studies of the application of electronics to the newly developed small-film equipment in order to still further simplify the method and increase its efficiency and decrease its already low cost.

Funds would be granted to State health authorities to assist them in establishing and improving local tuberculosis control offices. At the present time 26 of the 48 States have no full-time tuberculosis control officer and scarcely any professional personnel, clinic facilities, or field nursing services. Other States need to have their case-finding and follow-up programs greatly augmented in order to meet their local problems. Professional personnel will have to be trained for State and local work. Whenever possible, attempts would be made to use qualified persons who have recovered from tuberculosis and are ready to be rehabilitated. Graduates from the Cadet Nurse Corps will be a valuable source of new workers in the nursing aspects of the program.

The major share of the appropriation requested would be used to control the spread of tuberculosis among war workers and their families who have migrated from one community to another, and are not eligible, because of State residence requirements, for clinic and sanatorium care. The States have requested Federal assistance for the care and hospital treatment of these tuberculous workers and their family members who have broken down on the job. It is estimated that from six to seven millions dollars will be needed during the coming year to meet this special problem.

Tuberculosis is one of those diseases which are important not only from a public-health standpoint, but also from an economic view. Once the disease has become actively advanced, the patient is disabled either continuously for a long period of time, or death intervenes. Early diagnosis and treatment is an economy to the family in which the disease occurs and to the community which must bear the burden of support if the family is broken up for long periods by disability, or permanently by death.

Tuberculosis is a preventable cause of death. Recent developments now make it possible within a few years' time to locate at a moderate cost practically every case of tuberculosis in the population. The importance of widespread use of mass radiography everywhere in the country cannot be overemphasized. Having found the cases, careful clinical study, medical supervision, and treatment must be provided for those needing such care. By these means we can stop the human and economic waste of chronic disability and premature and unnecessary deaths from tuberculosis in the United States.

I strongly recommend the enactment of the proposed legislation.

I would like to bring to the attention of the House at this time what I consider a very worth while, as well as strong, endorsement of this legislation. I consider it important enough to bring to the attention of the House because of the experience and ability of the person who expresses the views. It is in the form of a letter addressed to the Committee on Interstate and Foreign Commerce, which has jurisdiction of the subject matter, by J. Lynn Mahaffey, M. D., director of health of the State of New Jersey. In endorsing the pending legislation, he said:

I write to seek your vigorous and wholehearted support of H. R. 4815, to establish, for the investigation and control of tuberculosis, a division in the Public Health Service, and for other purposes.

Since the discovery of the tubercle bacillus as the causative agent of tuberculosis, much has been accomplished to eradicate this disease, which, since the beginning of time, has probably been the greatest killer of mankind. When it is considered that today our tuberculosis death rate approximates 44 per 100,000 population, as compared with 200 per 100,000 at the beginning of the century, and that for the past 15 or 16 years this disease has lost first place as a destroyer of human life and now takes seventh place, we realize how much has been accomplished. However, much still remains to be done.

There are over 50,000 tuberculosis deaths in these United States every year and for every death it is estimated that there are about 10 active cases of the disease, or approximately 500,000 cases. When we consider that at least 50 percent of these cases are to be found between the ages of 15 and 49—probably the most productive years of the average individual's life—some small idea is obtained of the magnitude of the problem that remains. Today it must also be realized that in wartime we are faced with all of the unfavorable circumstances, such as overcrowding, overwork, and concentration of workers, which tend to increase the spread of infection, and that the last world conflict sent tuberculosis rates soaring in the nations of Europe and brought about a slight rise even in this country. Alarming increases are again noted throughout Europe and no one can predict how extensive the damage will be.

Another problem will be the return of our troops from abroad. We are hearing a great deal about the danger from tropical diseases. Actually, the most common disease in most tropical regions is tuberculosis, because of the lack of elementary hygiene, poor housing, inadequate diet, contaminated food, and swarming flies. Our fighting men will return and will bring back tuberculosis. The problem of the tuberculous veteran is also concerned in this legislation for which I seek your support.

With the rapid advances in X-ray technique for discovering the unknown cases, with our modern methods of diagnosis and treatment, and our most complete knowledge of this disease, we hopefully look to the future as an era in which we can forecast its eventual eradication. For some time those who are engaged in the field of public health have realized that in order to broaden the attack to bring about that happy day of eradication, we have been sorely in need of more funds and a central bureau to coordinate and direct our efforts on a national level.

The bill for which favorable action is sought proposes just that, and, in my opin-

ion, if enacted, would have an inestimable and lasting benefit to the citizens of this country.

In conclusion, permit me to say that endorsements of similar character have come from numerous medical associations, medical practitioners, welfare groups, and public authorities, both State and local.

As a member of the Committee on Interstate and Foreign Commerce, which conducted hearings on the bill and unanimously recommended its passage, I urge the membership of the House to likewise approve it.

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent that all Members who so desire may have 5 legislative days in which to extend their remarks in the RECORD on this bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The SPEAKER. The question is on the suspension of the rules and the passage of the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

EXTENSION OF CIVILIAN PILOT TRAINING ACT OF 1939

Mr. BULWINKLE. Mr. Speaker, I move that the House insist on its amendment to the bill (S. 1432) to extend the Civilian Pilot Training Act of 1939, ask for a conference with the Senate and appoint conferees.

The motion was agreed to.

The SPEAKER appointed the following conferees: Messrs. BULWINKLE, LEA, BECKWORTH, WOLVERTON of New Jersey, and HOLMES of Massachusetts.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1945

The SPEAKER. The unfinished business is the conference report on the Department of Agriculture appropriation bill, 1945. The gentleman from Georgia [Mr. TARVER] asked and received unanimous consent that amendments 9 to 14, inclusive, be considered en bloc, and moved that the House insist on its disagreement to those amendments. The gentleman from Indiana [Mr. GILLIE] has a motion pending that the House recede and concur.

Mr. TARVER. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas [Mr. CARLSON].

Mr. CARLSON of Kansas. Mr. Speaker, I sincerely hope that I may have the attention of the House for just 2 minutes. The House has just passed, practically unanimously, a bill authorizing $10,000,000 for the study and, I might add, the beginning of a federally supported program for the elimination of tuberculosis in this Nation. Let us remember that the first and basic step in this elimination is the stamping out of bovine tuberculosis. During the past few years we have made great progress in arresting this disease. Much credit is due the veterinarians in our animal-husbandry departments, both State and National.

We have now before us a motion offered by the gentleman from Indiana [Mr. GILLIE] which, if approved, will increase the salary of a few veterinarians and inspectors in the Bureau of Animal Industry and the Meat Inspection Service. This increase has been approved by the Bureau of the Budget. The classification has been approved by the Civil Service Commission. It will benefit a group of individuals—3,349, to be exact—that did not have the benefits of increase in pay when other classified employees received higher classifications.

I sincerely hope this committee will vote for this increase. It is only fair, and if it were not for the fact that it has the approval of these groups, I would not be here pleading for it today. We should vote this additional money to a group of individuals who protect the health of our citizens through animal and meat inspection. It is a fair amendment and should be adopted.

Mr. LANHAM. Mr. Speaker, will the gentleman yield?

Mr. CARLSON of Kansas. I yield to the gentleman from Texas.

Mr. LANHAM. In view of the great importance of the health of the people in peacetimes and the peculiar qualifications of these men who tentatively have been promised this classification, and in view of the necessity of keeping them in the service, is it not simply a matter of economy to recede and concur and grant these classifications as proposed in the Senate amendment?

Mr. CARLSON of Kansas. I share the views just expressed by the gentleman from Texas. It is a matter of economy. The present average pay of these 3,449 officials is $2,573. If we adopt the Senate amendment, and I sincerely believe it should be approved, their average pay will be $2,862, the average increase being $289. The persons affected have been underpaid for many years. They are the lowest paid large professional group in the Department of Agriculture. In the interest of the health and well-being of this Nation I urge you to support the motion offered by the gentleman from Indiana [Mr. GILLIE].

Mr. TARVER. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, here we are not passing upon just this question as to whether or not these people should be given a raise in pay, we are passing upon the question of whether or not the Classification Act should be amended. If these people are to have an increase in pay, they should be allowed to appeal to the Civil Service Commission from the classification they are in and ask for a change in grade, have it allowed by the Civil Service Commission, as provided in the Classification Act, and then they would be entitled to the money.

Mr. RAMSPECK. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Georgia.

Mr. RAMSPECK. I understood that that is what had happened. Am I wrong in that?

Mr. TABER. I did not understand that they had done anything like that. The gentleman from Georgia can tell us about that.

Mr. CARLSON of Kansas. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Kansas.

Mr. CARLSON of Kansas. As I understand, the Civil Service Commission has approved this classification. I sincerely hope it will be adopted.

Mr. DIRKSEN. If the gentleman will yield, may I answer the gentleman from Georgia by saying that the gentleman is right. We have not made provision by way of funds to carry out this classification.

Mr. RAMSPECK. But the Classification Division, acting under the Classification Act, has approved it.

Mr. MASON. Yes; but we have not furnished the funds to do it.

Mr. TARVER. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Georgia.

Mr. TARVER. The Civil Service Commission has no jurisdiction over the salaries of these field employees. It has submitted some recommendation with reference to the reclassification of such employees, and has done that recently. The statement which has been circulated among the Members of the House by some of the Members with reference to that reclassification having been in effect for years and the Congress having failed to appropriate the money is incorrect.

Mr. TABER. Then there has not been a reclassification of these people?

Mr. TARVER. The Civil Service Commission has no authority by reclassifying field employees to bring about an increase in their salaries.

Mr. TABER. It is a straight operation of a raise on the part of the Congress.

Mr. TARVER. That is right.

Mr. TABER. If we do that, we have to go down the line and give a raise to overybody else that comes along.

Mr. RAMSPECK. Mr. Speaker, will the gentleman yield further?

Mr. TABER. I yield.

Mr. RAMSPECK. I think we ought to get this straight.

Mr. TABER. I think so.

Mr. RAMSPECK. The gentleman from Georgia is correct in that the Classification Act does not apply to field employees. Although the Congress has passed an act authorizing the President to extend it to the field service, he has not yet acted under that authority. But I do not think it is fair to say that this is just a raise of salaries, because it is an effort to apply the Classification Act to these employees.

Mr. TABER. This is a case of Congress taking it upon itself to go ahead and grant a raise. If we grant a raise there, we have to grant one all the way down the line, and we cannot stop with any of them. All of them are just as much entitled to a raise as this group. If we are going to do that, there will not be any end to raises as far as the field

employees are concerned. I do not think that ought to be done in any such a way. I think we ought not to have a mass raise of salary, and that is what this will result in because these people are not in any different position than the rest of the field employees of the Government. So I hope the motion will not be agreed to.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. TARVER. Mr. Speaker, there was some discussion of this proposal a few days ago. It is not my purpose to undertake to repeat the arguments which I undertook to advance on behalf of the conferees at that time. There are, however, many Members of the House now present who were not on the floor at that time.

This is a proposal to increase the salaries of 2,472 employees of the Bureau of Animal Industry beyond the level which was fixed by the Overtime Pay Act of 1943. Under that act these employees received salary increases amounting on the average to $452 per annum per employee.

There is no substantial difference between this proposal and several other salary raise proposals which have been recently rejected. The House on last Friday rejected a proposal for increases in the salaries of the law clerks of the district and circuit Federal judges. The Deficiency Committee in a bill that was brought in and passed by the House on Saturday refused to approve the applications for increases in salary of some two or three other organizations of Government employees.

So far the House has held the line. The House has not embarked upon the policy of raising the salaries of any particular group or groups of Federal employees beyond the levels provided by the Overtime Pay Act of 1943. But if you should adopt the motion offered by the gentleman from Indiana [Mr. GILLIE] and approve this increase of practically a million dollars, $996,000, for the purpose of affording increases which will average about $400 each to all of these field employees of the Bureau of Animal Industry, according to simple calculation you will have established a precedent which, in my judgment, will rise to plague you in the not very distant future. I do not see how you can do that and refuse the applications of these various other groups of employees for similar treatment.

Remember that not all of these employees by any means are the professional veterinarian class in whose behalf the appeals have been made strongly to each of the Members of the House through propaganda from throughout the United States and through petitions of lobbyists who have been buttonholing you and me around the Capitol. Only about 800 of these 2,472 employees are veterinarians. The remainder of the employees are unskilled employees. They have had no professional training. Their requirements for qualification from the standpoint of ability are not higher than those of many scores of thousands of other employees in the Federal service. Yet it is proposed here to grant all these employees this very substantial increase, as well as the veterinarians.

The appeal has been very largely based on the idea that these men are going to leave the Government service and desert the important work of meat inspection for our armed forces unless their salaries are raised. It seems to me inconceivable that men who are being paid from $2,000 to $4,800 a year, which is true in the cases of these veterinarians, and who are carrying on very vital and essential work in the war program, and who have had a raise of $452 each on the average during the last year or so, should say, "We are not going to carry on this essential work unless we are given a still further salary increase beyond the increases which have been granted to all types of Federal employees."

As I sought to point out the other day, the men who are in the armed services, who are fighting in France today at $50 a month, cannot quit their work in an effort to secure further compensation from the Federal Government. They are not threatening or desiring to do it. Why should not these men have the same rule applied to them that is sought to be applied by the War Manpower Commission to all other types of labor in the United States? They are trying to keep that labor in occupations where it is most essential, where it is most greatly needed. When men seek to leave an occupation which is regarded as essential in order to transfer to another where they can secure greater compensation they are not permitted to do it unless they get a certificate of availability from the United States Employment Service. But here it is said that these men are going to retire from the work in which they are engaged, willy-nilly, without anybody's consent, and go to other jobs which will pay them more, unless the Congress raises their salaries.

I do not believe they will do it. So far as leaving the Federal service is concerned, I pointed out the other day that in the Social Security Board, out of 10,000 employees, they have lost 6,600 employees. You will find these facts set out in the hearings on the Labor-Federal Security Agency appropriation bill. Two thousand five hundred of them were lost to the armed services. They did not secure any salary raise. Four thousand one hundred of them were lost to other jobs where their compensation was greater than they were being paid by the Social Security Board. Now are we going to embark upon a policy of saying that in order to retain these employees in the Federal service we are going to raise everybody's salary to the point where they will be induced to remain in the Government work which they are carrying on? If we are not going to do that, then we had better not adopt this motion of the gentleman from Indiana because the effect of it, as I have said, will be to establish a precedent. It will make it very difficult for us to refuse other demands of like character. I certainly hope that the Congress in the consideration of this matter, despite the personal appeals which have been made to them from their own States, and I know they have been made because they have been made to me, by letters, telegrams, long-distance telephone calls, and lobbyists coming around and interviewing you at your office and elsewhere and urging that this class of employees receive special consideration.

I hope that despite these appeals you may apply the same treatment to these men that you applied to the law clerks in the Federal district and circuit courts, the same treatment that was applied by the Deficiency Committee to two or three different types of Government organizations which came before them seeking salary raises, and that you may say that until Congress considers raising all salary levels in the Federal Government by further legislation, which, in my opinion, ought not to be done, at least not during the period of this war, we are not going to take care of a particular class, notwithstanding the insistency of their appeals. Nothing has happened since you rejected this proposal overwhelmingly when this bill passed the House except the steady, insistent, and selfish lobbying that has been going on. Have you changed your minds on that account?

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Pennsylvania.

Mr. WRIGHT. Mr. Speaker, I have been impressed by the argument of the gentleman. But the thing that makes me doubt his position is that the Office of Personnel of the Department of Agriculture has felt these men have been improperly and unfairly classified. In connection with this statement, I wish to call attention to a memorandum upon the subject which has been brought to my attention:

From: James B. Burns, national president, American Federation of Government Employees.

Subject: Reclassification of veterinarians and meat inspectors of the Food Distribution Administration and Bureau of Animal Industry.

This memorandum is handed to you at the suggestion of Mr. William C. Hushing, chairman of the legislative committee of the American Federation of Labor.

Under date of March 23, 1944, I telegraphed you, urging that you support the proposal to restore the budget item which was included in the Department of Agriculture appropriation bill, providing funds for reclassification of the positions of veterinarians and meat inspectors under the Bureau of Animal Industry and Food Distribution Administration.

The effort which was made on the floor of the House to have the item restored resulted in a refusal to restore it by the small vote of 50 to 32.

The matter then went to the Senate. There both the Appropriations Committee and the Senate itself voted unanimously to restore the item. The bill then went to conference, and it is my understanding that at a preliminary meeting of the conferees, with several absentees, an agreement was reached that this matter would remain in disagreement and be reported to the House for further action. It is also my understanding that at a meeting of the conferees held yesterday, a poll of the conferees was not

taken because of the previous agreement. The conference report was filed in the House yesterday.

For years these employees have been improperly and unfairly classified, and the proposed reclassification is based on careful studies by the Office of Personnel of the Department of Agriculture, which Department, as well as the Civil Service Commission and the Bureau of the Budget, have fully approved the proposal, because they recognized that years of experience, study, and training have combined to give these employees capability and efficiency that have won world-wide praise; that the food supply of the people must be in safe hands. These employees must be retained on their jobs and meat-inspection positions must be made attractive enough to bring into the service the type of men needed to maintain present standards. As you well know, these inspectors and veterinarians are responsible for safeguarding the quality of meat products shipped to our fighting forces and to our allies, as well as those available for home consumption.

The Department advises that there are many vacancies in this force, which cannot be filled because of the inability of the Department to persuade qualified people and graduates of the different veterinarian colleges to accept positions under their present classification.

All of the above, including the Department's views concerning the necessity for this reclassification is fully set forth in the presentation made to the Senate Appropriations Committee by the representatives of the Department of Agriculture and the War Food Administration. Particular reference is made to the communication sent to the Senate committee by War Food Administrator Marvin Jones.

In view of the foregoing, we earnestly and respectfully urge you to support the effort which will be made on the floor of the House to restore this budget item by receding and concurring in the Senate amendment.

JAMES B. BURNS.

Mr. TARVER. The Office of Personnel of the Department of Agriculture has had before them for 10 years and more the question of reclassifying these men in the field service in the Bureau of Animal Industry and they have not done anything about it until within the last few months. Now, reclassification is just a dodge. It is nothing in the world but camouflaged effort to bring about an increase in salary. That is all it amounts to. If you adopt the motion to recede and concur in the Senate amendment you are simply voting for an increase in salary amounting to a million dollars a year to one particular group of employees of the Federal Government who have been able to bring pressure to bear upon the Congress to have their salaries raised.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Indiana [Mr. GILLIE] that the House recede and concur in the Senate amendment.

The question was taken; and on a division (demanded by Mr. TARVER) there were—ayes 78, noes 31.

Mr. TARVER. Mr. Speaker, I object to the vote on the ground there is no quorum present and I make the point of order that there is no quorum present.

The SPEAKER. Evidently no quorum is present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 255, nays 80, not voting 95, as follows:

[Roll No. 97]

YEAS—255

Allen, Ill.	Goodwin	Murphy
Allen, La.	Gordon	Murray, Wis.
Andersen, H. Carl	Gorski	Myers
Anderson, Calif.	Gossett	Newsome
Anderson, N. Mex.	Grant, Ala.	Norman
Andresen, August H.	Grant, Ind.	O'Brien, Ill.
Andrews, Ala.	Green	O'Brien, Mich.
Andrews, N. Y.	Griffiths	O'Brien, N. Y.
Angell	Gross	O'Hara
Arends	Gwynne	Outland
Barrett	Halleck	Patton
Barry	Hancock	Peterson, Fla.
Bates, Ky.	Harness, Ind.	Philbin
Beckworth	Harris, Ark.	Phillips
Bender	Hart	Pittenger
Bennett, Mich.	Hays	Poage
Bennett, Mo.	Hébert	Poulson
Bishop	Hendricks	Pracht, C. Frederick
Bloom	Hess	Pratt, Joseph M.
Bolton	Hill	Price
Bradley, Pa.	Hinshaw	Ramey
Brehm	Hobbs	Ramspeck
Brooks	Hoch	Rankin
Brown, Ga.	Hoeven	Reed, Ill.
Brown, Ohio	Holifield	Rees, Kans.
Bryson	Holmes, Mass.	Rivers
Buffett	Holmes, Wash.	Rizley
Bulwinkle	Hope	Robinson, Utah
Busbey	Horan	Rockwell
Butler	Howell	Rodgers, Pa.
Byrne	Hull	Rogers, Mass.
Camp	Izac	Rolph
Canfield	Jackson	Rowan
Carlson, Kans.	Jarman	Sabath
Carrier	Jenkins	Sadowski
Carson, Ohio	Jennings	Sasscer
Carter	Johnson, Anton, J.	Sauthoff
Case	Johnson, J. Leroy	Scanlon
Celler	Johnson, Lyndon B.	Schiffler
Chapman	Johnson, Ward	Schwabe
Chenoweth	Jones	Scott
Church	Jonkman	Scrivner
Clason	Judd	Sheppard
Clevenger	Kearney	Short
Cochran	Keefe	Sikes
Coffee	Kelley	Simpson, Ill.
Cole, Mo.	Kilday	Slaughter
Compton	King	Smith, Maine
Costello	Kinzer	Smith, Wis.
Cravens	Kirwan	Snyder
Cunningam	Kleberg	Sparkman
Curley	Knutson	Spence
Curtis	Kunkel	Springer
D'Alesandro	LaFollette	Stanley
Davis	Lambertson	Starnes, Ala.
Day	Landis	Stefan
Dliweg	Lanham	Stevenson
Dingell	Larcade	Stockman
Dirksen	LeCompte	Sullivan
Dworsnak	LeFevre	Talbot
Eberharter	Lesinski	Talle
Elliott	Ludlow	Thomas, Tex.
Ellis	Lynch	Thomason
Ellison, Md.	McConnell	Tibbott
Ellsworth	McCormack	Tolan
Elston, Ohio	McCowen	Troutman
Engle, Calif.	McGehee	Vincent, Ky.
Feighan	McGregor	Voorhis, Calif.
Fellows	McKenzie	Vursell
Fenton	McWilliams	Wadsworth
Fernandez	Maas	Weaver
Fisher	Madden	Weichel, Ohio
Fitzpatrick	Manasco	Weiss
Flannagan	Mansfield, Mont	Welch
Fogarty	Marcantonio	Wene
Gale	Martin, Iowa	West
Gallagher	Martin, Mass.	Wickersham
Gamble	Mason	Willey
Gavin	Michener	Wilson
Gearhart	Miller, Nebr.	Winter
Gerlach	Morrison, La.	Wolfenden, Pa.
Gilchrist	Mott	Wolverton, N. J.
Gillespie	Mruk	Woodruff, Mich.
Gillette	Mundt	Worley
Gillie		Wright
		Zimmerman

NAYS—80

Abernethy	Baldwin, N. Y.	Beall
Auchincloss	Barden	Bland
Baldwin, Md.	Bates, Mass.	Bonner
Buck	Jeffrey	Robsion, Ky.
Burch, Va.	Johnson, Ind.	Rohrbough
Burgin	Johnson, Okla.	Russell
Clark	Kean	Satterfield
Colmer	Kee	Smith, Ohio
Cooley	Kerr	Smith, W. Va.
Cooper	McLean	Stigler
Courtney	Mahon	Sumner, Ill.
Crawford	Maloney	Sundstrom
Dewey	May	Taber
Dondero	Miller, Conn.	Tarver
Doughton	Miller, Pa.	Taylor
Drewry	Monkiewicz	Vinson, Ga.
Durham	Monroney	Vorys, Ohio
Engel, Mich.	Murray, Tenn.	Walter
Folger	Norrell	Ward
Forand	O'Konski	Wasielewski
Gathings	O'Neal	White
Gore	Pace	Whittington
Graham	Ploeser	Wigglesworth
Gregory	Powers	Winstead
Hare	Priest	Wolcott
Herter	Randolph	Woodrum, Va.
Hoffman	Robertson	

NOT VOTING—95

Arnold	Gifford	Merritt
Bell	Granger	Merrow
Blackney	Hagen	Miller, Mo.
Boren	Hale	Mills
Boykin	Hall, Edwin Arthur	Morrison, N. C.
Bradley, Mich.	Hall, Leonard W.	Murdock
Brumbaugh	Harless, Ariz.	Norton
Buckley	Harris, Va.	O'Connor
Burchill, N. Y.	Hartley	O'Toole
Burdick	Heffernan	Patman
Cannon, Fla.	Heidinger	Peterson, Ga.
Cannon, Mo.	Jensen	Pfeifer
Capozzoli	Johnson, Calvin D.	Plumley
Chiperfield	Johnson, Luther A.	Rabaut
Cole, N. Y.	Kefauver	Reece, Tenn.
Cox	Kennedy	Reed, N. Y.
Crosser	Keogh	Richards
Dawson	Kilburn	Rooney
Delaney	Klein	Rowe
Dickstein	Lane	Shafer
Dies	Lea	Sheridan
Disney	Lemke	Simpson, Pa.
Douglas	Lewis	Smith, Va.
Eaton	Luce	Somers, N. Y.
Elmer	McCord	Stearns, N. H.
Fay	McMillan	Stewart
Fish	McMurray	Sumners, Tex.
Ford	Magnuson	Thomas, N. J.
Fulbright	Mansfield, Tex.	Torrens
Fuller	Merritt	Towe
Fulmer	Merrow	Treadway
Furlong	Miller, Mo.	Weichel, Ga.
Gibson	Mills	Whitten

So the motion to recede and concur was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Arnold for, with Mr. Reed of New York against.

Mr. O'Connor for, with Mr. Miller of Missouri against.

Mr. Elmer for, with Mr. Whitten against.

General pairs:

Until further notice:

Mr. Peterson of Georgia with Mr. Plumley.

Mr. Kennedy with Mr. Kilburn.

Mr. Rabaut with Mr. Treadway.

Mr. Heffernan with Mr. Rowe.

Mr. Mansfield of Texas with Mr. Lewis.

Mr. Lane with Mr. Hale.

Mr. Harless of Arizona with Mr. Fuller.

Mr. Fay with Mr. Simpson of Pennsylvania.

Mr. Fulbright with Mr. Merrow.

Mr. Klein with Mr. Gifford.

Mr. Mills with Mrs. Luce.

Mr. Capozzoli with Mr. Thomas of New Jersey.

Mr. Dickstein with Mr. Douglas.

Mr. Burchill of New York with Mr. Edwin Arthur Hall.

Mr. Sheridan with Mr. Bradley of Michigan.

Mr. Torrens with Mr. Lemke.

Mr. Cannon of Florida with Mr. Stearns of New Hampshire.

Mr. Rooney with Mr. Heidinger.

Mr. Gibson with Mr. Leonard W. Hall.

Mr. Cox with Mr. Chiperfield.

Mr. McCord with Mr. Calvin D. Johnson.

Mr. Buckley with Mr. Shafer.
Mr. McMurray with Mr. Eaton.
Mr. Delaney with Mr. Fish.
Mr. Magnuson with Mr. Hartley.
Mr. Keogh with Mr. Blackney.
Mr. Bell with Mr. Cole of New York.
Mr. Merritt with Mr. Towe.
Mrs. Norton with Mr. Jensen.
Mr. O'Toole with Mr. Brumbaugh.
Mr. Disney with Mr. Reece of Tennessee.
Mr. Pfeifer with Mr. Hagen.
Mr. Somers of New York with Mr. Burdick.

The doors were opened.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. PRIEST). The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 17: Page 29, line 2, after "639", insert the following: "of which (notwithstanding the above limitation upon buildings) not to exceed $10,000 may be expended for the construction of a building at the Houma (La.) station."

Mr. TARVER. Mr. Speaker, I move that the House recede and concur in Senate amendment No. 17.

The motion was agreed to.

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to extend my remarks at a point just before the roll call vote on the first amendment and include therein a statement from the American Federation of Government Employees.

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

There was no objection.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 25: Page 25, line 38, strike out "258,470" and insert in lieu thereof "$283,470."

Mr. TARVER. Mr. Speaker, I move that the House insist on its disagreement to Senate amendment No. 25.

Mr. HOLMES of Washington. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. HOLMES of Washington moves that the House recede and concur in Senate amendment No. 25.

Mr. TARVER. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. HOLMES].

Mr. HOLMES of Washington. Mr. Speaker, I make this preferential motion to recede and concur in the Senate amendment raising the appropriation for the eradication of barberry from $258,470 to $283,470.

I make this preferential motion on the basis that there is a heavy infestation of barberry in the eastern section of the State of Washington, one of the greatest wheat-growing sections of the United States.

Barberry comes into this picture in a very important way because it acts as a host plant for the creation and growth of spore of the fungi that causes black stem rust in wheat. In the present Federal program there are already 17 States included. We are asking for this money to bring the State of Washington into the program. These spores are windborne. They respect no geographic boundaries. They are spreading rapidly.

Mr. JENNINGS. Mr. Speaker, will the gentleman yield?

Mr. HOLMES of Washington. I yield to the gentleman from Tennessee.

Mr. JENNINGS. How much acreage is there in Washington in this affected area?

Mr. HOLMES of Washington. Several hundred thousand acres of wheat are located in this affected area. One county alone this last year lost anywhere from 140,000 to 200,000 bushels of wheat. We have lost in eastern Washington, throughout the Palouse country in the past 5 years, through the infestation of black-stem rust, more than a million bushels.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. HOLMES of Washington. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. I might say to the gentleman that this barberry eradication should go in all spring wheat areas as well as the areas to which the gentleman has referred.

Mr. HOLMES of Washington. I appreciate the gentleman's contribution, because out in our State, if we would start this particular program now, we would not be penny-wise and pound-foolish.

Mr. JENNINGS. Mr. Speaker, if the gentleman will yield further, how much does the gentleman estimate would be saved in production in bushels of wheat if he gets this small item he is asking for?

Mr. HOLMES of Washington. It would contribute to the saving of at least 300,000 bushels of wheat annually in the eastern section of the State. I think that the wisdom of granting this $25,000 increase to the appropriation would be a piece of money that would be very well spent in view of the food program.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. HOLMES of Washington. I yield to the gentleman from New York.

Mr. TABER. I understand that this is a cooperative program in which the States contribute a certain amount. Can the gentleman tell us whether or not the State of Washington is prepared and ready to contribute its quota to match this $25,000 requested here?

Mr. HOLMES of Washington. The director of agriculture, Mr. Arthur Cox, wired in that the State of Washington is in a position to appropriate matching funds for this $25,000 appropriation and to carry it out along with the other States that are in this program to further the eradication of barberry infestation in that section of the State.

Mr. TARVER. Mr. Speaker, the Congress has always made provision for programs of this type in general terms applicable to the country as a whole. We have the Dutch elm disease eradication program. We have numerous other programs for the eradication of various pests throughout the country. But this is the first time, so far as I have observed, where the Senate has added an appropriation for one particular county in one particular State. This appropriation of $25,000, in addition to the Budget estimate, you may observe from the report of the Senate committee, is intended for application in Whitman County, Wash.

It seemed to our subcommittee that it would be an extremely bad precedent to begin making appropriations for particular counties in a program of this sort. We may reasonably anticipate if we do this that there will be a great number of counties in various parts of the United States that will come in and ask for special appropriations for their counties only.

We gave the full Budget estimate for barberry eradication; every dollar that the Budget said was necessary to carry on the national program. That money is available for use in Whitman County, Wash., just as it is available for use in any county in Idaho or Montana or anywhere else where the barberry pest may flourish. It seems to us that it would be an extremely bad precedent to undertake to deal with one specific county in a particular State and say that as to that particular county we would go $25,000 above the Budget and direct that that expenditure be made in Whitman County, Wash.

Mr. HOLMES of Washington. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Washington.

Mr. HOLMES of Washington. The reason the gentleman mentions Whitman County in the State of Washington is that that county was named as having the highest degree of infestation in the eastern part of the State.

Mr. TARVER. No. The Senate committee said that $25,000 was intended for expenditure in Whitman County. The gentleman did not present this matter to the department and request that it be presented to the Budget. That of course is the regular procedure. If there is an emergency condition in the county of Whitman in the State of Washington, it ought to have special consideration. The gentleman may still present the facts to the Budget, and, if justified, an estimate can be procured and sent over to deal with the situation before the season for the eradication of barberry in the early part of next year begins. I trust the gentleman will pardon me for quoting him. I am sure he will recall his statement to me this morning, that the reason he had not presented it to the Budget and had not requested the department to present the matter to the Budget for consideration was that his State had only decided some 2 or 3 weeks ago that it would match the appropriation if made. That is right, is it not?

Mr. HOLMES of Washington. Partially. The State some time before that had made the arrangements for the matching of the funds; I will admit not at the time I appeared at the hearings before the House Committee on Appropriations.

Mr. TARVER. The gentleman explained to me the failure to present it to the Budget by saying that the State had decided only some 2 or 3 weeks ago to match the money. Is not that right?

Mr. HOLMES of Washington. I did not say that the State had decided only 2 or 3 weeks ago to match the money.

Mr. TARVER. When did the State decide it?

Mr. HOLMES of Washington. It was in the interim between my appearance before the House committee and my appearance before the Senate committee.

Mr. TARVER. That was only some short while ago.

Mr. HOLMES of Washington. About 2 months ago.

Mr. TARVER. Yes. So, if there has been a failure to present the matter through the regular channels to the Budget, that failure has been occasioned by the failure of the State of Washington to take action in the matter itself. The gentleman can now go to the Department and ask the Department to go to the Budget and ask that it send over a special estimate, if one be necessary in its judgment, for the special work desired in Whitman County, Wash.

Mr. DIRKSEN. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Illinois.

Mr. DIRKSEN. I think in fairness to the gentleman from Washington it ought to be said that the Department of Agriculture when commenting on the Senate increase said that this was an infested area, that there was a real menace to wheat culture at the present time.

Mr. TARVER. There is no question about that. The Department can use any part of this money which is carried in the bill, $258,000 plus, that they want to in Whitman County, Wash. There is no reason why they should not do it. Here we are asked to appropriate one-tenth as much money for Whitman County, Wash., as is made available by the bill to the entire 17 States, I think it is, in the United States where the barberry pest exists. It seems to me that would be an exceedingly bad precedent to set.

Mr. HOLMES of Washington. I call the attention of the gentleman to the statement of the Department of Agriculture at the House hearing that the two-hundred-and-fifty-eight-thousand-odd dollars was not sufficient to expand the program to additional geographical territories.

Mr. TARVER. Yet they have a perfect right to use any part of that money they may desire in that territory, and they have the right to go to the Budget and ask for more money. We gave them all they said they wanted.

Mr. HORAN. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Washington.

Mr. HORAN. The State of Washington was not in that list of 17 States that have this eradication program. Would the committee accept a deficiency appropriation request later on?

Mr. TARVER. My committee does not handle deficiency appropriations, but, as I say, all Budget requests for dealing with this pest have been granted heretofore. If the gentleman from Washington and his colleague will go through the regular course and present the matter to the Budget, I think they may be assured of a sympathetic hearing according to their needs.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from New York.

Mr. TABER. Is it not true that this $258,000 is allocated to the various States which had prior to the time of the submission of the Budget estimate arranged to cooperate with the Department of Agriculture, and that a new State coming in with an emergency situation, unprepared to contribute, would be out of luck? That is the picture that is presented.

Mr. TARVER. No, it is not allocated to any particular State or section by law. If it has been allocated by the Department, the Department has a perfect right to change its allocations. There is nothing obligatory in the allocations which have been made by the Department.

Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Mr. Speaker, it is possible that the Members of the House may be interested in the administration of this fund—in the Department's procedure in the eradication of this pest, the modus operandi, as reported at first hand by a farmer in my State. This farmer, who owns a farm in northern Missouri, reports on the method of handling this work, and incidentally the method of spending the money which we are appropriating for this purpose, as follows: He said that one day a Government man drove up in an automobile and introduced himself as an employee of the United States Department of Agriculture engaged in the eradication of barberry. He asked if the farmer had any barberry on his farm. The farmer replied that he believed there was a bush up in the west pasture and directed him to the field. The Government man went up and found it and looked it over. The farmer took for granted that as he was engaged in barberry eradication and this was a small bush, he would dig it up. But he took no action except to make a notation in a book he carried and got in his automobile, and drove away.

The farmer had forgotten about the matter until about 2 weeks later when a pick-up truck drove up with a driver and two other men and told him they had a report that there was a barberry bush on his farm and they had come to dispose of it. The farmer was by this time so interested in the bush that had caused so much attention that he walked up through the pasture and showed them the bush, supposing they would dig it up this time and get rid of it. But they had brought along a bag of salt and salted the bush and wrote down some kind of a report and got back in the truck and drove away. The treatment was effective. At least the bush died, the farmer was certain he had heard the last of his now famous barberry bush.

But about a month later another Government man drove into his place and said he understood a barberry bush had been destroyed on the farm, and he was there to check up on it. He directed the man up to the pasture, and presently he came back and said yes, the bush had been destroyed, and sat down on a bench under the shade of a tree in the yard and wrote out a report and then got in his automobile and drove away. When asked if the bush had ever done any damage the farmer said he did not know; that he had never heard of it doing any damage, but it was certainly dead now and had been written up three times.

It took five men, two automobiles, and one pick-up truck, and an unestimated amount of Government money to get that one bush, and with highly problematical advantages, if any, although the farmer seemed to be much impressed with the efficiency of the Department of Agriculture. As he said, when they did anything, they did it right.

I received a letter last year from a constituent who wrote that he had been up in Montana to visit a cousin who lived up there. He wrote that his cousin had a wonderful job with the Government driving over the country looking for barberry bushes. He wanted me to get him the same kind of a job. He said it was a grand job, as all his cousin had to do was drive around and look for barberry bushes, and the Government paid his expenses and a good salary. He was so certain that I could get him a job like that which would permit him to quit farm work and take to the road, that it was with real regret that I had to write and disillusion him.

All the men who hold these jobs, and the office men who direct them, seem to be strongly in favor of large appropriations for this purpose, and, in view of their enthusiasm, it is to be regretted that conditions and results secured do not warrant increased appropriations for the purpose. We have a war on our hands and our funds for local and nonmilitary purposes are more limited than they were when this campaign was undertaken some 8 or 10 years ago. We have the greatest public debt in the history of this or any other country Every dollar of the money provided by this amendment must be borrowed and adds to that debt. It must be taken out of the money we are asking the people to pay for bonds in the Fifth War Loan drive. I am a farmer and I favor every legitimate farm appropriation that will help win the war. But such an appropriation as this is absolutely unjustifiable from any point of view.

After years of study of the situation on the part of the committee there is no ground on which to base a belief that the expenditure of this additional money will add a bushel of wheat to next year's crop. But even if it did it is inexpedient at this time. Happily, there is no prospect of a shortage in wheat production. We had a report from the Department of Agriculture last week estimating a wheat crop for 1944 in excess of 1,000,000,000 bushels. We are growing the greatest crop of wheat this year ever produced in the United States. Under the circumstances, with the greatest wheat supply in prospect ever

produced, and the war nearing its concluding phase, I cannot conceive of anyone asking the House to override the committee in its carefully considered opposition to the expenditure of further funds for such a purpose.

Mr. Speaker, this amendment is an astonishing proposal. It is for a single county in the United States, an unheard of appropriation. It is extravagance and waste pure and simple. There is no Budget estimate for it. The entire committee and the subcommittee which has studied this subject for years reported against it unanimously. No agronomist will testify that its expenditure will produce a single additional bushel of wheat during the war. We are already so deep in dept it will take generations to pay us out, and we are borrowing money from every conceivable source to support our expenditure of $7,000,000,000 a month to win the war. I trust the House will support the committee against all such unprecedented, unwarranted, and untenable expenditures.

Mr. TARVER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington.

The question was taken; and on a division (demanded by Mr. HOLMES of Washington) there were—ayes 93, noes 71.

Mr. CANNON of Missouri. Mr. Speaker, I object to the vote on the ground no quorum is present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] Two hundred and two Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members and the Clerk will call the roll.

The question was taken; and there were—yeas 189, nays 132, not voting 109, as follows:

[Roll No. 98]

YEAS—189

Allen, Ill.	Coffee	Gross
Andersen, H. Carl	Cole, Mo.	Gwynne
	Compton	Hancock
Anderson, Calif.	Cunningham	Harness, Ind.
Andresen, August H.	Curtis	Hart
	Day	Hendricks
Angell	Dewey	Herter
Arends	Dilweg	Hess
Auchincloss	Dingell	Hill
Baldwin, N. Y.	Dirksen	Hinshaw
Barrett	Dworshak	Hoeven
Beall	Elliott	Hoffman
Bender	Ellis	Holmes, Mass.
Bennett, Mich.	Ellison, Md.	Holmes, Wash.
Bennett, Mo.	Ellsworth	Hope
Bishop	Elston, Ohio	Horan
Bolton	Engel, Mich.	Howell
Brehm	Engle, Calif.	Hull
Brown, Ohio	Fellows	Izac
Buck	Fenton	Jackson
Buffett	Fish	Jeffrey
Busbey	Gale	Jenkins
Butler	Gallagher	Jennings
Canfield	Gamble	Johnson, Anton J.
Carlson, Kans.	Gavin	
Carrier	Gearhart	Johnson, Ind.
Carson, Ohio	Gerlach	Johnson, J. Leroy
Carter	Gilchrist	
Case	Gillespie	Johnson, Ward
Chapman	Gillette	Jonkman
Chenoweth	Gillie	Judd
Church	Goodwin	Kearney
Clason	Grant, Ind.	Keefe
Clevenger	Griffiths	King
Kinzer	O'Brien, N. Y.	Smith, Wis.
Kirwan	O'Hara	Snyder
Kleberg	O'Konski	Sparkman
Knutson	Patton	Springer
LaFollette	Peterson, Fla.	Stanley
Landis	Phillips	Starnes, Ala.
Larcade	Pittenger	Stefan
LeCompte	Poulson	Stevenson
LeFevre	Powers	Stockman
Lesinski	Pratt, Joseph M.	Sumner, Ill.
McConnell		Taber
McCowen	Price	Talbot
McGregor	Ramey	Talle
McKenzie	Rankin	Tibbott
McWilliams	Reed, Ill.	Troutman
Maas	Rees, Kans.	Vorys, Ohio
Mansfield, Mont.	Rivers	Vursell
	Rizley	Wadsworth
Marcantonio	Robsion, Ky.	Wasielewski
Martin, Iowa	Rockwell	Welchel, Ohio
Martin, Mass.	Rodgers, Pa.	West
Michener	Rogers, Mass.	White
Miller, Nebr.	Rolph	Wickersham
Miller, Pa.	Sauthoff	Wigglesworth
Morrison, La.	Schiffler	Willey
Mott	Schwabe	Wilson
Mruk	Scott	Winter
Mundt	Scrivner	Wolcott
Murray, Wis.	Short	Wolfenden, Pa.
Norman	Simpson, Ill.	Wolverton, N. J.
O'Brien, Mich.	Smith, Maine	Woodruff, Mich.

NAYS—132

Abernethy	Gathings	Newsome
Allen, La.	Gordon	Norrell
Anderson, N. Mex.	Gore	O'Brien, Ill.
	Gorski	O'Neal
Andrews, Ala.	Gossett	Outland
Baldwin, Md.	Graham	Philbin
Barden	Grant, Ala.	Ploeser
Barry	Green	Poage
Bates, Mass.	Gregory	Priest
Beckworth	Hare	Ramspeck
Bland	Harris, Ark.	Randolph
Bloom	Hays	Robertson
Bonner	Hébert	Rohrbough
Bradley, Pa.	Hobbs	Rowan
Brooks	Hoch	Russell
Brown, Ga.	Holifield	Sadowski
Bryson	Jarman	Sasscer
Bulwinkle	Johnson, Lyndon B.	Satterfield
Burch, Va.		Scanlon
Burgin	Johnson, Okla.	Sheppard
Camp	Jones	Smith, Ohio
Cannon, Mo.	Kean	Smith, W. Va.
Celler	Kee	Spence
Clark	Kelley	Stigler
Cochran	Kerr	Sullivan
Colmer	Kilday	Sumners, Tex.
Cooley	Kunkel	Sundstrom
Cooper	Lambertson	Tarver
Costello	Lanham	Thomas, Tex.
Courtney	Ludlow	Thomason
Cox	McCormack	Tolan
Cravens	McGehee	Vincent, Ky.
Crawford	McLean	Voorhis, Calif.
Curley	McMillan	Walter
D'Alesandro	Madden	Ward
Drewry	Mahon	Weaver
Durham	Maloney	Weiss
Eberharter	Manasco	Wene
Feighan	May	Whittington
Fernandez	Miller, Conn.	Winstead
Fisher	Monkiewicz	Woodrum, Va.
Fitzpatrick	Monroney	Worley
Flannagan	Murphy	Wright
Folger	Murray, Tenn.	Zimmerman
Forand	Myers	

NOT VOTING—109

Andrews, N. Y.	Dondero	Hartley
Arnold	Doughton	Heffernan
Bates, Ky.	Douglas	Heidinger
Bell	Eaton	Jensen
Blackney	Elmer	Johnson, Calvin D.
Boren	Fay	
Boykin	Fogarty	Johnson, Luther A.
Bradley, Mich.	Ford	
Brumbaugh	Fulbright	Kefauver
Buckley	Fuller	Kennedy
Burchill, N. Y.	Fulmer	Keogh
Burdick	Furlong	Kilburn
Byrne	Gibson	Klein
Cannon, Fla.	Gifford	Lane
Capozzoli	Granger	Lea
Chiperfield	Hagen	Lemke
Cole, N. Y.	Hale	Lewis
Crosser	Hall, Edwin Arthur	Luce
Davis		Lynch
Dawson	Hall, Leonard W.	McCord
Delaney		McMurray
Dickstein	Halleck	Magnuson
Dies	Harless, Ariz.	Mansfield, Tex.
Disney	Harris, Va.	Mason
Merritt	Pracht, C. Frederick	Slaughter
Merrow		Smith, Va.
Miller, Mo.	Rabaut	Somers, N. Y.
Mills	Reece, Tenn.	Stearns, N. H.
Morrison, N. C.	Reed, N. Y.	Stewart
Murdock	Richards	Taylor
Norton	Robinson, Utah	Thomas, N. J.
O'Connor	Rooney	Torrens
O'Toole	Rowe	Towe
Pace	Sabath	Treadway
Patman	Shafer	Vinson, Ga.
Peterson, Ga.	Sheridan	Welch
Pfeifer	Sikes	Whelchel, Ga.
Plumley	Simpson, Pa.	Whitten

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Reed of New York for, with Mr. Peterson of Georgia against.

Mr. Fuller for, with Mr. Keogh against.

Mr. Taylor for, with Mr. McMurray against.

Mr. Burdick for, with Mr. Pfeifer against.

Mr. Douglas for, with Mr. Lane against.

Mr. Magnuson for, with Mr. Kennedy against.

Mr. Kilburn for, with Mr. Byrne against.

Mr. Calvin Johnson for, with Mr. Heffernan against.

Mr. Elmer for, with Mr. Buckley against.

Mr. Merrow for, with Mr. Capozzoli against.

Mr. Miller of Missouri for, with Mr. Dickstein against.

Mr. Hale for, with Mr. Rooney against.

Mr. Arnold for, with Mr. Fay against.

Mr. Rowe for, with Mr. Delaney against.

Mr. Halleck for, with Mr. Lynch against.

General pairs:

Mr. Somers of New York with Mr. Dondero.

Mr. Vinson of Georgia with Mr. Eaton.

Mr. Robinson of Utah with Mr. Andrews of New York.

Mr. Harless of Arizona with Mr. Blackney

Mr. Fulbright with Mr. Heidinger.

Mr. McCord with Mr. Mason.

Mr. Fogarty with Mr. Welch.

Mr. Smith of Virginia with Mr. Plumley.

Mr. Doughton with Mr. Chiperfield.

Mr. Bates of Kentucky with Mr. C. Frederick Pracht.

Mr. Crosser with Mr. Shafer.

Mr. Pace with Mr. Simpson of Pennsylvania.

Mr. Boykin with Mr. Thomas of New Jersey.

Mr. Fulmer with Mr. Hagen.

The doors were opened.

The result of the vote was announced as above recorded.

COMMITTEE ON MILITARY AFFAIRS

Mr. MAY. Mr. Speaker, I ask unanimous consent that the Committee on Military Affairs of the House may sit during the sessions of the House on tomorrow and the day following. In explanation of this request, may I say that we have two or three small bills which the war Department is urging to be considered before recess. We are not quite through the hearings. It is my purpose to sit while the House is in session for just a few minutes.

The SPEAKER. Usually objection has been made to committees sitting while bills are being read for amendment or while conference reports are being considered by the House. But the Chair will put the gentleman's request. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

Mr. McCORMACK. Mr. Speaker, reserving the right to object, in view of the statement made by the Speaker, which represents the policy of the House, may I ask the gentleman if he will amend his request and ask that the committee may

sit while general debate on any bill is going on in Committee of the Whole? That would be more agreeable and would conserve the practice that has been consistently adhered to.

Mr. MAY. Mr. Speaker, I would be very happy to do that except for one thing. The committee is called to meet at 10 o'clock tomorrow morning and the House will meet at the same hour. I am hopeful that we can get through with General White's testimony in about 15 minutes. If I should agree that the committee would sit only during general debate that might not take place on a bill for an hour and a half after we met.

Mr. McCORMACK. There are reasons why we have this practice which has been strictly adhered to that no committee be given permission to sit while the House is considering a bill in the amendment stage or while a conference report is before the House. There are sound, practical reasons why that practice exists and has been strictly adhered to. Could not the committee meet at 9:30?

Mr. MAY. The members have been notified that the committee will meet at 10 o'clock, in the belief that we would have an hour before the House met. I may say to the gentleman that if my request is not granted, and even if it is, it may happen that the bills will have to go over until after the recess. One of them is vitally important in the respect that General White is urging it as a morale builder for the infantry forces on the battle front.

Mr. McCORMACK. I appreciate that the gentleman did not know that the House was going to meet tomorrow morning at 10 o'clock when he made arrangements for his committee meeting. We are hopeful, however, that we will be able to dispose of all business and take a recess the latter part of the week. I do not want to agree to anything which will constitute a precedent. I have no objection, if it is agreeable to the gentleman from Massachusetts, and it is not to be considered as a precedent. Would not the gentleman modify his unanimous consent request for the committee to sit between 10 and 11 o'clock tomorrow?

Mr. MAY. I will agree to that.

Mr. McCORMACK. I do not want that to be considered as a precedent for the future insofar as unanimous-consent requests may be made for committees to sit while the House is considering a bill in its important stages, or a conference report.

Mr. MAY. Personally, I do not want to be captious or contentious. I will modify my request that the committee may sit between 10 and 11 o'clock tomorrow morning.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, has the gentleman consulted the ranking minority member of that committee?

Mr. MAY. No; I have not been able to find him.

Mr. MARTIN of Massachusetts. The gentleman has not consulted any of the minority members of the committee?

Mr. MAY. No. There are several of them present. If any one of them objects, I shall withdraw the request.

Mr. MARTIN of Massachusetts. Mr. Speaker, I do not feel that I can permit the request to go through under the circumstances.

Mr. MAY. Mr. Speaker, I withdraw the request.

DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE APPROPRIATION BILL—1945

Mr. KERR. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4204) making appropriations for the Departments of State, Justice, and Commerce, for the fiscal year ending June 30, 1945, and for other purposes, further insist on disagreement to Senate amendment No. 10, and agree to a further conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. KERR]?

There was no objection, and the Speaker appointed the following conferees on the part of the House: Messrs. RABAUT, KERR, HARE, O'BRIEN of Illinois, CARTER, STEFAN, and JONES.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL—1945

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 27: Page 42, line 15, strike out "at a total cost not to exceed $15,000" and insert the following: ": *Provided*, That the cost of erecting any one building shall not exceed $7,500, and the cost of alterations to any one building in a fiscal year shall not exceed $500 or 2 percent of the cost of the building as certified by the Secretary, whichever is greater."

Mr. TARVER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Mr. TARVER moves that the House recede from its disagreement to the amendment of the Senate No. 27, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by said amendment, insert the following: ": *Provided*, That the cost of erecting any one building shall not exceed $7,500, and the cost of alterations to any one building shall not exceed $500 or 2 percent of the cost of the building as certified by the Secretary, whichever is greater."

The SPEAKER. The question is on the motion offered by the gentleman from Georgia [Mr. TARVER].

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Page 54, line 25, after the word "Columbia" insert a colon and the following: "*Provided*, That the Secretary may authorize expenditures not to exceed $1,000,000 from this appropriation for preventing and suppressing forest fires on critical areas of national importance without requiring an equal expenditure by the State and private owners."

Mr. TARVER. Mr. Speaker, I move that the House recede and concur in Senate amendment No. 40 with an amendment.

The Clerk read as follows:

Mr. TARVER moves that the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment, as follows: In the fourth line of the matter proposed to be inserted by said amendment before the word "critical" insert the word "extremely."

The motion was agreed to.

Mr. TARVER. Mr. Speaker, I ask unanimous consent that consideration of Senate amendment 41 be postponed until tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 43: Page 59, line 18, after the figures "$200,000; insert upon authorization or approval of the War Food Administrator, travel expenses to and from their homes or regular places of business in accordance with the Standardized Government Travel Regulations not to exceed $20,000, including travel in privately owned automobiles of persons employed intermittently away from their homes or regular places of business as consultants and receiving compensation on a per diem when actually employed basis."

Mr. TARVER. Mr. Speaker, I move that the House recede and concur in Senate amendment No. 43.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 48: Page 62, line 10, after the parentheses, insert "; and the method that is now used for the purposes of Commodity Credit Corporation loans for determining the parity price or its equivalent for ⅞-inch Middling cotton at the average location used in fixing the base loan rate for cotton shall also be used for determining the parity price for ⅞-inch Middling cotton at such average location for the purposes of this proviso: *Provided further.*"

Mr. TARVER. Mr. Speaker, I move that the House recede and concur in Senate amendment No. 48.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 52: Page 64, line 5, after the word "inclusive", insert ", and, in addition, $12,500,000 for making additional payments on an acreage and pound basis for harvesting seeds of grasses and legumes determined by the War Food Administrator to be necessary for an adequate supply of such seeds."

Mr. TARVER. Mr. Speaker, I move that the House recede and concur in Senate amendment No. 52.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 53: Page 64, line 9, after the word "Provided" strike out down to and including the word "further" in line 17, as follows: "That no part of said appropriation or any other appropriation in this act

shall be used for incentive or production adjustment payments, except for soil-conservation and water-conservation payments and payment of acreage allotment commitments on commodities as defined in the Agricultural Adjustment Act of 1938, as amended, and as enumerated and set forth in the '1944 Agricultural Conservation Program' bulletin, dated February 9, 1944."

Mr. TARVER. Mr. Speaker, I move that the House recede and concur in Senate amendment No. 53 with an amendment.

The Clerk read as follows:

Mr. Tarver moves that the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows:

"Restore the matter stricken out by said amendment, amended to read as follows:

" 'That, excepting the foregoing item of $12,500,000, no part of said appropriation or any other appropriation in this act shall be used for incentive or production adjustment payments, except for soil-conservation and water-conservation payments and payment of acreage allotment commitments on commodities as defined in the Agricultural Adjustment Act of 1938, as amended, and as enumerated and set forth in the "1944 Agricultural Conservation Program" bulletin, dated February 9, 1944: *Provided further,* "

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 59: Page 67, line 5, after the word "producers" insert "*Provided further,* That the War Food Administrator is authorized and directed to make payments on Irish potatoes and commercial truck crops for fresh consumption under the 1943 agricultural conservation program with respect to any farm if the War Food Administration determines that the producer would have been eligible for such payments except for the failure of such producer, because of negligence of an officer or agent of the Federal Government, to file on or before June 30, 1943, Form ACP-140, and such payments shall be made out of funds appropriated for the purposes of section 32 of the act entitled 'An act to amend the Agricultural Adjustment Act, and for other purposes,' approved August 24, 1935 (49 Stat. 774)."

Mr. TARVER. Mr. Speaker, I move that the House recede and concur in Senate amendment No. 59.

The motion was agreed to.

Mr. TARVER. Mr. Speaker, I ask unanimous consent that consideration of Senate amendment No. 60 be postponed until tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 63: Page 72, line 22, insert the following:

"EXPORTATION AND DOMESTIC CONSUMPTION OF AGRICULTURAL COMMODITIES

"To enable the Secretary to further carry out the provisions of section 32, as amended, of the act entitled 'An act to amend the Agricultural Adjustment Act, and for other purposes,' approved August 24, 1935, and subject to all provisions of law relating to the expenditure of funds appropriated by such section, during the fiscal year ending June 30, 1945, funds appropriated by or for the purposes of section 32 of said act shall be available to the Secretary for the maintenance and operation of a school milk and lunch program under clause (2) of said section 32 in a sum not exceeding $50,000,000: *Provided,* That such funds shall be available for such purposes during the fiscal year 1945 without regard to the requirement therein relating to the encouragement of domestic consumption but no part of such funds shall be available to defray the expenses of any activity heretofore carried on by the Work Projects Administration."

Mr. TARVER. Mr. Speaker, I move that the House recede and concur in Senate amendment No. 63 with an amendment.

The Clerk read as follows:

Mr. TARVER moves that the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

"EXPORTATION AND DOMESTIC CONSUMPTION OF AGRICULTURAL COMMODITIES

"Not exceeding $50,000,000 of the funds appropriated by and pursuant to this section may also be used during the fiscal year ending June 30, 1945, to provide food for consumption by children in nonprofit schools of high-school grade or under and for child-care centers through (a) the purchase, processing, and exchange, and the distribution of agricultural commodities and products thereof; or (b) the making of payments to such schools and centers or agencies having control thereof in connection with the purchase and distribution of agricultural commodities in fresh or processed form and, when desirable, for the processing and exchange of such commodities and their products; or (c) by such other means as the Secretary may determine: *Provided,* That funds appropriated for the purposes of this program shall be apportioned for expenditure in the States, Territories, possessions, and the District of Columbia in accordance with school enrollment and need, as determined by the Secretary, except that if program participation in any State does not require all funds so apportioned, the Secretary may reapportion such excess funds to such other States in consideration of need, as he may determine: *Provided further,* That benefits under this section to schools or child-care centers shall in no case exceed the cost of the agricultural commodities or products thereof delivered to the school or child-care center as established by certificates executed by the authorized representative of the sponsoring agency: *Provided further,* That such sponsoring agency shall maintain accounts and records clearly establishing costs of agricultural commodities or products furnished in the program and that such accounts and records shall be available for audit by representatives of the Department of Agriculture: *Provided further,* That these funds may be used for, or to make payments in connection with, the purchase of such agricultural commodities and for exchanging, distributing, disposing, transporting, storing, processing, inspection, commission, and other incidental costs and expenses without regard to the provisions of section 3709 of the Revised Statutes and without regard to the 25 percent limitation contained in this section: *Provided further,* That not more than 2 percent of the funds made available under this amendment shall be used to provide food for children in child-care centers. The amount of funds used in any State during any fiscal year under this paragraph shall not exceed the total amount otherwise furnished for the same purpose by or on behalf of the State and local school authorities and other sponsoring agencies in such State including the value of donated services and supplies, as certified by the respective schools, care centers or agencies having control thereof."

Mr. TARVER (interrupting the reading of the amendment). Mr. Speaker, in view of the fact that the language is practically the same as that contained in the Pace bill, H. R. 4278, relating to the school-lunch program, as amended by the House on June 1, 1944, I ask unanimous consent that the further reading of the amendment may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Georgia.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read, as follows:

Senate amendment No. 65: Page 79, line 22, insert the following:

"LOANS, GRANTS, AND RURAL REHABILITATION

"To enable the Secretary through the War Food Administration to continue to provide assistance through rural rehabilitation and grants to needy farmers in the United States, its Territories, and possessions, including (1) farm debt adjustment service, and making and servicing of loans and grants under this and prior laws, (2) loans to needy individual farmers, (3) grants, and (4) liquidation as expeditiously as possible of Federal rural rehabilitation projects under the supervision of the War Food Administration, $28,265,000, which sum shall be also available for necessary administrative expenses incident to the foregoing, including personal services in the District of Columbia and elsewhere; not to exceed $57,000 for compensation of experts without regard to the Classification Act of 1923, as amended; purchase of lawbooks, books of reference, periodicals, and newspapers; purchase, operation, and maintenance of motor-propelled passenger-carrying vehicles; and printing and binding: *Provided,* That the War Food Administrator shall transmit to the Congress semiannually a progress report with respect to the liquidation of Federal rural rehabilitation projects, under his supervision, showing by name and by States all dispositions of such projects, or parts thereof, together with the amounts of Federal funds expended in the process of liquidation, and any losses incurred in the use of such funds.

"In making any grant payments under this act the Secretary is authorized to require with respect to such payments the performance of work on useful public projects, Federal and non-Federal, including work on private or public land in furtherance of the conservation of natural resources, and the provisions of the act of February 15, 1934 (5 U. S. C. 796), as amended, relating to disability or death compensation, and benefits shall apply to those persons performing such work: *Provided,* That this section shall not apply to any case coming within the purview of the workmen's compensation law of any State, Territory, or possession, or in which the claimant has received or is entitled to receive similar benefits for injury or death.

"For additional funds for the purpose of making rural rehabilitation loans to needy individual farmers, who are unable to obtain credit elsewhere at comparable rates for the area where such loan is proposed to be made, the Reconstruction Finance Corporation is authorized and directed to make advances to

the Secretary upon his request in an aggregate amount of not to exceed $96,710,000. Such advances shall be made (1) with interest at not to exceed the rate of 3 percent per annum payable semiannually; (2) upon the security of obligations acceptable to the Corporation heretofore or hereafter acquired by the Secretary pursuant to law; (3) in amounts which shall not exceed 75 percent of the then unpaid principal amount of the obligations securing such advances; and (4) upon such other terms and conditions, and with such maturities, as the Corporation may determine. The Secretary shall pay to the Corporation, currently as received by him, all moneys collected as payments of principal and interest on the loans made from the amounts so advanced or collected upon any obligations held by the Corporation as security for such advances, until such amounts are fully repaid. The amount of notes, debentures, bonds, or other such obligations which the Corporation is authorized and empowered to issue and to have outstanding at any one time under the provisions of law in force on the date this act takes effect is hereby increased by an amount sufficient to carry out the provisions of this paragraph.

"None of the moneys appropriated or otherwise authorized under this caption ('Loans, grants, and rural rehabilitation') shall be used for (1) the purchase or leasing of land or for the carrying on of any land-purchase or land-leasing program; (2) the carrying on of any operations in collective farming, or cooperative farming, or the organization, promotion, or management of homestead associations, land-leasing associations, land-purchasing associations, or cooperative land purchasing for colonies of rehabilitants or tenant purchasers, except for the liquidation as expeditiously as possible of any such projects heretofore initiated; or (3) the making of loans to any individual farmer in excess of $2,500; or (4) the making of loans to any cooperative association; or (5) the making of loans for the payment of dues to or the purchase of any share or stock interest in any cooperative association (except for medical, dental, or hospital services) or for any expenditure other than that deemed necessary, in the discretion of the Administrator, for the production of agricultural commodities.

"The Secretary of Agriculture may expend funds administered by him as trustee under the various transfer agreements with the several State rural rehabilitation corporations only for purposes for which funds made available under this caption may be expended, and the limitations applicable to such funds shall also be applicable to the expenditure of such trust funds by the Secretary of Agriculture.

"The appropriation and authorizations herein made under the heading 'Loans, grants, and rural rehabilitation, shall constitute the total amount to be available for obligation under this heading during the fiscal year 1945 and shall not be supplemented by funds from any source.

"No part of the appropriation herein made under the heading 'Loans, grants, and rural rehabilitation' shall be available to pay the compensation of any person appointed in accordance with the civil-service laws."

Mr. TARVER. Mr. Speaker, I move the House recede and concur in Senate amendment No. 65 with an amendment.

Mr. TABER. Mr. Speaker, that amendment is highly controversial.

Mr. TARVER. If the gentleman thinks it is controversial, I should be glad to ask unanimous consent that it be passed over.

Mr. TABER. I think the next one is also controversial.

Mr. TARVER. In that case, Mr. Speaker, I think perhaps we had better desist from further efforts today and take these matters up tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, if I may take just a minute to remind the House, tomorrow, when action on this conference report is resumed, we will take up the guayule amendment, and the Farm Security, Farm Tenant, and Farm Utilities amendments; is that correct?

Mr. TARVER. Yes; I think that is correct.

EXTENSION OF REMARKS

Mr. MORRISON of Louisiana. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. MORRISON of Louisiana. Mr. Speaker, since only 1 hour will be alloted to debate on the WASP bill I think that Members of this House are entitled to know the real facts concerning the controversy between the WASPS and the C. A. A.-W. T. S. programs. Every man that was taken in the C. P. T.-C. A. A.-W. T. S. program was given the understanding that he would receive a commission in the Army Air Forces. Whereas most of these promises were made by the C. A. A., the Army acquiesced in them and these men at considerable self-sacrifice trained and instructed thousands of the flyers who are now being decorated for their outstanding acts of bravery in combat zones all over the world. Had these men chosen some other branch of the armed forces at the time they started in this program, all would be officers today with the rank of lieutenant up. Many were offered commissions in the Navy.

A. A. F. officials say the Air Force is now large enough and instead of the Army Air Forces taking these men in, the A. A. F. has decided to let these thousands go into the walking army and thereby lose the value of the skill and experience of these men who have anywhere from 200 hours to 4,000 hours of flying time. Instead of utilizing these men, which number approximately 7,500, the A. A. F. plan to spend $100,000,000 in the training of 5,000 WASPS, who when finished will not be able to perform as many services of flying in the Air Forces as the C. A. A.-W. T. S. instructors and trainees can do at this time, or could do with very little additional training. In other words, it is a duplication that will cost the taxpayers over $100,000,000.

The WAC's, WAVES, SPARS, and MARINES were given military status by Congress, who authorized their mobilization. However, 1,000 WASPS are in the process of being trained without any authorization from Congress. It has been a glamorous but unnecessary duplication and many men with ability have been sitting idle for weeks, while some with 1,000 hours or more are existing on unemployment insurance.

The Army is very concerned for some reason about this WASP program. Miss Cochran recently stated, "If the war lasts long enough we will probably use women pilots for noncombat duties in some theaters of war." Not that those in the WASP program are not sincere and patriotic, because the girls really think there is a job for them to do and most of them are very conscientious about it.

The program for women flyers as originally started by the WAFS, where approximately 100 of the finest women flyers in America were utilized for ferrying, did a wonderful job. These were experienced and the cream of the crop, having 500 hours or more of flying time. At one time General Arnold made the statement, "I am not going to gum up the Air Forces with 200 women pilots." But evidently he has done an about face as he is now pressing for the mobilization of not 200 women flyers but 5,000. The flying requirements for women when the program was first started was 500 hours and this has gradually been dropped until today the WASPS have as their requirement only 35 hours of either solo or dual time, with age limit from 18½ years to 35. The WASPS are perhaps the most super-duper and glamorous of all programs. Magazines have played them up and even the movies contributed a picture in their behalf. Their natty and stylish uniforms were tailored on Fifth Avenue in New York and cost over $500 for each WASP. Not long ago several news writers traveled to Camp Davis, N. C., to see the WASPS at work towing targets for anti-aircraft forces. Two girls, one of whom burned to death, were killed at this work.

There is absolutely no need for girl pilots in the Army at this time and there are thousands of men pilots at this moment unacceptable for combat who are begging for an opportunity to fly in the ferry command. When one of the WASPS were told they were to receive a commission as major, she promptly said, "Not me. What would my brother think who is bombing Berlin each night? He is only a lieutenant and yet you are trying to make me a major. I prefer not to have the commission."

At one flying field some of the officers of the A. A. F. always cracked a smile whenever a WASP's name was called for flying and they refused to take more than five WASPS in this airport, giving as their reason that they were oversupplied.

If the WASPS themselves knew the situation as it actually exists there would be no more WASP program. Only 30 percent of the WASPS want to be actually militarized, but here is the catch—when they were questioned by the A. A. F. they were given the choice of being militarized or resign, so naturally they were forced to agree to militarization and the Army assumes therefore that 93 percent want militarization. One WASP is quoted as saying that Jacqueline Cochran openly brags that she has General

Arnold behind her in anything she wants as far as the WASPS are concerned. There are at least 10,000 C. A. A.-W. T. S. pilots who would require little or no training to do any kind of ferry work. Today many of the W. T. S. trainees are peeling potatoes in the Regular Army and some are existing on unemployment insurance.

At present the WASPS have two fears, both of them are very hush-hush. One, that they will be militarized, and the other that they will be forced to work as instructors. That is the one great fear and the one thing that the WASPS would despise the most; as one WASP put it—there is no glamour sitting in a plane for 6 hours a day trying to teach some inexperienced kid how to fly a ship. However, women instructors like Irene Crum with 2,500 hours, Ruth Chalmers with 3,500 hours, and Dot Lemon with 5,000 hours, who are as skilled as any women pilots in the world, have done a great job in instructing and training men pilots.

One thing unusual about the WASP is that unlike the WAVES or WAC's there is no noncommissioned personnel and it is understood that the WASP is to be an elite corps with no privates, no corporals, and no sergeants. It is very unusual that the Army should train civilian employees as there has been no legal authority given the A. A. F. for the training of these WASPS. The reason given is the fact that the high command of the A. A. F. consider the WASPS as professionals and the comparison has been made to such professional people as doctors who require 7 years of schooling, nurses who require 4 years of training, and WASPS by comparison who require only 27 weeks.

There is a ruling that no woman is eligible to join the WAC if she has any children under 18, yet there is no provision in this connection as far as the WASPS are concerned. If a WASP washes out 2 weeks before graduation she is a complete loss. However, if a WAC does not get a commission she goes back to her place as a sergeant, corporal, or private and her use to the armed service is continued. The area in which the WASPS can serve has never been defined. General Arnold in his testimony before the Military Affairs Committee of the House stated:

> We haven't as yet sent any women in active combat theater and there is no intention that we will.

However, the Secretary of War in a letter to the Comptroller General stated:

> It is also contemplated that the (WASP) services may be required in foreign countries in the near future.

Perhaps the irony of the whole WASP program is that many instructors of the W. T. S. program with 2,000 hours or more in the air who have now been relegated to the unimportant position as members of the air crew, may probably clean the windshield and service the plane for a glamorous WASP who has only 35 hours of actual flying time. The C. A. A.-W. T. S. trainees say they have been given a raw deal as they were all promised a commission and expected to fly in the Army Air Forces. Gen. Henry H. Arnold in his testimony before a congressional committee stated that these men had the C. A. A. brand on them. From that it can evidently be taken that a C. A. A. brand is something that is undesirable and not wanted. However, General Arnold stated:

> The Army Air Forces did not have sufficient instructors to train 2,400 pilots a year. To build another Randolph Field to handle 500 pilots a year would take 5 years.
>
> The idea was criticized as being against precedence, but heads of our civilian flying schools were called in by the Army Air Forces. They were to get ready to teach huge classes in primary flight. The Army Air Forces could offer them no contracts at the time to justify change-overs of their programs, but the flying schools immediately prepared to help handle the pilots. The figure was raised to 12,000 pilots a year, and later to 30,000.
>
> We could not possibly have trained so many airmen so quickly without these schools. Today, our pilot training rate has left these earlier goals far behind.
>
> The classes which they have started as part of the C. A. A.'s peacetime program to build up a large number of civil pilots became the prime supply for air cadets. They were also called upon to train the instructors, and later in the program they furnished a 10-hour flying indoctrination course for air-crew students. In all, the program has cost some $288,000,000. It has turned out 373,956 pilots—108,349 civilians and 265,607 for the armed forces. Since 1941, when its name was changed to War Training Service, it has been devoted exclusively to the training of military and naval personnel.

Continuing further, General Arnold states:

> In the 19 years prior to 1941 the Army Air Forces trained less than 7,000 pilots.

And General Arnold tells us that when the Japanese hit us—

> Our combat aircraft strength was little better than a corporal's guard of some 3,000 planes, of which only 1,157 were actually suited for combat service.

A prominent author in a leading aviation article states:

> Months before the Nazis fell on Poland the civilian pilot-training program was under way, turning out pilots, not military pilots, but skilled airmen ready to be taught the tricks of fighting in the air.
>
> By Pearl Harbor, within less than 3 years the number of licensed civilian pilots in this country had jumped from less than 25,000 to more than 100,000. At the same time the number of civilian planes more than doubled, rising from 12,000 to almost 25,000, with a corresponding stimulus to the aircraft manufacturing industry.
>
> More than 65,000 of these pilots were graduates of the civilian pilot-training (W. T. S.) courses offered at more than 600 colleges and flying schools throughout the country.
>
> By the summer of 1941, 6 months before Pearl Harbor, they (civilian pilot-training graduates) were streaming into the armed forces at the rate of 1,000 a month. Bear in mind that at the beginning of 1941 the Army Air Forces had approximately 6,000 pilots, with some 7,000 cadets in training.
>
> By the end of the year the Army had perhaps 20,000 flyers who had reached or passed the training received by the 65,000 civilian pilot-training graduates. The Navy had perhaps 10,000 such pilots * * *; this great reservoir of civilian pilot-training graduates immeasurably speeded up the building of our now incomparable air forces.

There are some who I am sure will agree that the C. A. A. is not such a bad brand, as Maj. Joe Foss, who shot down 26 Jap planes, Capt. Richard Bong, who shot down 21 Jap planes, and Capt. Walker Mahurin, who shot down 12 Nazi planes, all were C. P. T.-C. A. A. trained men.

Three-fourths of the famous American Eagle Squadron which fought with the R. A. F. in winning the crucial Battle of Britain were American boys whose first taste of flying came from small civilian flying schools.

Nineteen of the seventy-nine men who slashed at Tokyo with General Jimmy Doolittle were products of the C. A. A. contract schools.

Six of the nineteen members of the Navy squadron in the Battle of Midway that shot down 27 enemy planes were C. P. T. graduates. So were 5 of the 12 crew members on the 3 ships that recently came back to Washington after the amazing raid of the Ploesti oil fields.

Talking about medals:

The total is 672, broken down as follows: 5 Medals of Honor, the highest and most rarely awarded decoration conferred by the United States; 10 Distinguished Service Crosses, 51 Navy Crosses, 121 Silver Stars, 250 Distinguished Flying Crosses, 30 Purple Hearts, 4 Navy and Marine Corps Medals, and 354 Air Medals, all awarded to C. A. A.-W. T. S.-C. P. T. trained men. The only member of the WASPS to receive a medal was taught by a C. P. T. instructor.

That is a partial record of the role that these trainees have played in the war.

Here is a statement of General Arnold before the House Military Affairs Committee:

> Gentlemen, for some time it has been apparent that there is a serious manpower shortage.
>
> Right at this moment the Army is short over 200,000 men; in spite of the fact that certain of our fighting units have been demobilized, that we made savings wherever possible in our overhead, we have replaced older men wherever we could for younger men.
>
> There is still a shortage of men in certain key industries.
>
> So this problem that we are facing today is more than just a local problem for the Air Forces. It is a problem that affects the fighting forces of the United States, and we must provide fighting men wherever we can, replacing them by women wherever we can; whether that be in the factories, ferrying aircraft across the country, towing targets for ground troops to shoot at, or any place where we can release men and make available the younger men to actually do the fighting.

Now read what the Ramspeck committee says:

> 5. The alleged manpower shortage given as a reason for the recruiting and training of inexperienced personnel was not, as claimed, being alleviated, but instead was being further confused and aggravated.
>
> If it is necessary at this stage of the war to embark upon this costly and experimental program, then this Nation, insofar as manpower is concerned, is in worse position than any of our allies, and apparently any of our enemies. Fortunately, the evidence presented during this inquiry demonstrates that the implied condition is neither actual nor probable.

Since these 3,713 pilot-instructor trainees are now military personnel, their disposition and utilization is not within the jurisdiction of the Committee on the Civil Service. However, the dispersal and assignment of this group is of interest for the reason that these pilots are not now being used for the purpose for which they were trained. There has been considerable complaint that the assignment of these men has been negative. Information has been submitted that in many cases duties assigned are trivial and demoralizing. This is not in accordance with the expressed policies of the War Department as to utilization of personnel.

It is a matter of resolute obligation for this committee to point out that proper utilization of the training and skills of these 5,882 civilian pilot instructors alone would ameliorate the need for the recruiting and training of additional WASPS, and to suggest that in the group of 3,713 pilot instructor trainees will be found additional potential service pilots.

The inquiry and the consideration of this committee were not concerned with and do not resolve any question pertaining to the use of women as aviators.

It is definitely the concern of this committee that the current proposal contemplates the recruiting of inexperienced personnel. It is also definitely the concern of this committee that this inexperienced personnel must be trained at great outlay of public funds at a time when there is already available a sufficient supply of potential service pilots. This available personnel consists of civilian pilot instructors, who for several years have been training pilots for the armed forces. These men have had thousands of air-hours and a wealth of experience. The experience and capabilities of these instructors should be fully utilized before any consideration is given to the recruiting and training of inexperienced personnel.

This is not a question of the utilization of male or female personnel, but is a question of the utilization of experience and capabilities before resorting to the use of inexperience and costly training. If a supply of trained women pilots presently existed, and there was a shortage of men pilots, this committee would unhesitatingly insist that the trained women pilots be fully utilized before inexperienced men were recruited for training.

The reasons advanced for this diversion and dissipation of manpower trained for a specialized purpose is not acceptable to this committee. Army Air Forces is now requesting that additional millions be spent on recruiting and training inexperienced personnel to perform the functions for which these men are now, or could quickly be qualified. It is stated by the War Department that the transitional training necessary to further qualify these men for the hotter and heavier ships can be accomplished at a fraction of the cost contemplated in the proposed program.

If the number of WASPS were increased, as proposed, to 2,500, the estimated training cost alone would be $50,000,000.

If, as indicated the WASP program were ultimately increased to 5,000, the cost would be $100,000,000 of public funds.

Public funds are made up of the war stamps of school children, the taxes of the farmer, the savings of the wage earner, deductions from the pay envelope of the laborer, and the earnings of industry.

Congress is the custodian of these public funds, and it is with the full realization of this responsibility that the Committee on the Civil Service presents the following:

CONCLUSIONS AND RECOMMENDATIONS

The proposal to expand the WASPS has not been justified. Therefore, it is recommended that the recruiting of inexperienced personnel and their training for the WASPS be immediately terminated.

Here again I quote General Arnold when testifying in behalf of the WASP program:

At the present time we have 534 women pilots.

We use them in our Air Transport Command where they can fly all types of airplanes from the factories to the modification centers, to all the depots, and to other destinations within the United States.

These women fliers are of the caliber such that they can fly, some of them, all types of airplanes. Others are working up to that category.

The numbers that can fly all types of aircraft will, in my opinion, vary, just the same as it does with men pilots.

For instance, we have very few men pilots who can fly all types of airplanes.

We are also using the WASPS to tow targets for the ground troops to shoot at, for airplanes to shoot at. And there is an ever-increasing demand for operations of that character.

We are using them in our weather wing as utility pilots.

We have started tests to see to what extent we can use them to replace men in our training command to replace the young men that we have as instructors in the training command and make them available to our fighting units.

It is not beyond all reason to expect that someday all of our Air Transport Command ferrying within the United States will be done by women.

Now here is what the Ramspeck committee says:

The young women being recruited for training at public expense as WASPS are civilians, graduate WASPS are civilians and operate under the protection of the civil service, and, finally, to a major extent, the overwhelming protest registered with the Congress is from civilians and taxpayers.

(a) After a year of operations, only 3 of the 285 WASP pilots with Air Transport Command are qualified in class 5 (4-engine bombers and transports). It is our information that all 3 of the top-flight WASPS were qualified aviators with more than a thousand hours each before they joined the original WAFS. It is understood that another WASP pilot of long experience is eligible for this class 5 rating. Of the 532 WASP pilots, apparently less than 1 percent are qualified to handle this type of equipment.

(b) An additional 11 WASPS are qualified in class 4; five of these are original WASPS and the other six had 200 or more hours of flying before they joined the WASPS.

(c) While 96 WASP pilots can handle the twin-engine transport and cargo ships in class 3, this group is said to be in varying stages of proficiency, inasmuch as a number only recently qualified and admittedly need more flying hours.

(d) One hundred and seventy-five of the 285, or 60 percent, are in classes 1 and 2, and are qualified to handle only relatively light planes. It is said to take 30 to 60 days for transition from class 1 to class 2, and 3 to 4 months, or longer, to successfully complete transition from class 1 to class 3. A substantial number of candidates for the higher ratings experience difficulties in making the transition, and officers in charge of WASP operations state that there is a lack of sufficient experience upon which to base an estimate of probable results.

ELIMINATES TOTAL LOSS

Authoritative sources are definite in their opinion that a large percentage of the WASPS will never qualify to pilot the faster of heavier class 3, 4, or 5 ships. Increasing apprehension over this situation was expressed.

It was also called to the attention of the committee that any elimination of WASPS or trainees represents a total loss to the taxpayer. Army Air Forces cadets found not qualified as pilots are given an opportunity to qualify in other capacities. Eliminees in the WASP program do not qualify for other services.

In the Army Air Forces' estimate of $12,150.70 for each WASP graduated there has been provided $1,703.44 for eliminees. On this basis, with 541 graduates, taxpayers in this country have paid to date $860,237.04 for eliminees alone. No part of this loss is retrievable. It is a total loss.

For 2,500 graduates this figure becomes $3,553,600. Whether the program is civilian or an elite officers' corps, this loss is the same—a total loss.

The statement was repeatedly made that if the fast-fighter and heavy-bomber load increased it would be necessay to depend upon already qualified male-pilot personnel. It was bluntly stated by operation officers that with the exception of the few WASPS pilots in class 4 and class 5, and a relatively few additional WASP eligibles, or soon to be, for upgrading to these classes, no great confidence was felt in the ability of hastily trained girls to successfully withstand this strain. It was pointed out that under present plans only 75 WASP graduates could be expected from Sweetwater a month; that a substantial number of these would never qualify for the hotter ships; and that, because of lack of confidence and reluctance to impose too heavy a burden upon inexperienced air personnel, there was a tendency to overwork the more experienced WASP pilots or to shift the assignments to seasoned male pilots. This was not an isolated viewpoint, but the directly stated or strongly implied opinion of officers who have had immediate contact with the problem and who express grave doubt as to the outcome of an expanded WASP program with its inevitable product of less-experienced pilots.

Before the Military Affairs Committee, Congressman ELSTON of Ohio asked the following question:

General, you do not intend to lower the standards for the WASPS any below the same standard you require of men.

General Arnold said:

That is correct. And to show you why we are sticking to those standards and that the girls can meet them I will give you a case of one of our WASPS who quite recently was awarded the first Air Medal that any woman pilot has received. The award was for flying during a period of 5 days a P–51, two P–47's, a C–47, delivering all of them to their destination, covering distances in excess of 8,000 miles, which involved flying from Long Beach, Calif., to Evansville, Ind., to San Pedro, Calif., back to Fort Wayne, Ind., and back to San Pedro, Calif., all in 5 days.

This medal corresponds with the same medal that is given Army fliers who have completed 25 missions in combat in the Mediterranean and Pacific and 50 missions in the European theater. Only 2,000 have been given out. This WASP who received this medal does not even like to talk about it and refuses to wear it. Evidently she feels that she did not deserve it and that it was for publicity and glamour purposes only.

Here is what the Ramspeck committee said in their report.

QUALIFICATION DISCRIMINATIONS

The training and operations of WASPS brings into focus a related situation of

definite interest to this committee. The standards for acceptance for training as service pilots differ for men and women.

In the case of the WASP recruit, the standards have been lowered to 35 air hours (dual or solo). Accepted WASP recruits are given 6 months' training of approximately only 200 hours. The graduate WASP is qualified to operate a class 1 plane. It should be kept in mind that the WASP graduate has approximately only 235 air hours.

In view of the above scant requirements, it cannot be understood why a qualification of 1,000 or more hours, 200 of which must be in planes of 200 or more horsepower, is required and insisted upon as a prerequisite to acceptance of the now available male instructors.

This situation becomes more confused when it is understood that many of these civilian instructors could be qualified to fly the heavier and hotter ships with a minimum of transitional training and a significant saving in expense and, more importantly, time. The average civilian instructor can be fully qualified to operate the class 4 and 5 planes months ahead of the WASP recruits now available.

It is not understood why the qualification for both men and women should not be identical, and why the proven experience of this available male personnel is not being utilized. It is impossible to escape the conclusion that this discrimination attempts to demonstrate that the millions of dollars of public funds, spent with the approval and at the insistence of the War Department, to train these civilian instructors has been unwise and unavailing. This committee must reject such reasoning.

Further quoting General Arnold:

The military control (of the WASP) is essential as we increase numbers. I expect, if I can, to get enough to replace every man qualified for overseas service whose permanent duty is flying in the United States and get all of these qualified men out of the United States and get them overseas.

This is what the Ramspeck committee says:

It is suggested to the Army Air Forces that there may be found the required additional personnel given as the need for expanding the WASP program, through a careful analysis and proper utilization of the following available groups of trained and partially trained air personnel:

1. Civilian instructors now released, or to be released, through curtailment of the Army Air Forces primary training schools.

2. Civilian instructors now released, or to be released, through the liquidation of the Civil Aeronautics Administration War Training Service program.

3. Instructor-trainees of the Army Air Forces, either wholly or partially trained for the Army Air Forces by the Civil Aeronautics Administration War Training Service training program, who, notwithstanding this costly and highly technical training, have been returned to the walking army or to ground crews or assigned other duties having no relation to the training for which millions of dollars of public funds have been spent.

4. Student trainees of the Civil Aeronautics Administration War Training Service program who, at varying stages of their training, have been returned to other duties not connected with the purposes for which they were trained, and who, with transitional training, would be more quickly made available than new recruits.

5. Army Air Forces commissioned instructor personnel of the Air Forces Training Command now released for other assignments because of the curtailment of the cadet training program. Many of these instructors, because of over age, or for other reasons, will not be assigned to combat duty.

6. Commissioned personnel of the Army Air Forces returning from combat areas who have either completed their missions or, having been wounded or otherwise battle-marked, are nevertheless qualified for service pilot duties.

7. Noncommissioned personnel of the Army Air Forces whose experience and performance merits consideration for pilot or transitional training, and whose services would be more quickly available than those of new recruits.

8. Recently commissioned Army Air Forces pilot personnel who desire and need further air hours and experience before being sent to combat or foreign operational duty.

9. Army Air Forces personnel now assigned to administrative duties in the United States and elsewhere who, although in flight pay status, are actually engaged in administrative, consulting, liaison, and contact duties for which payment of flight pay was not contemplated and which, in many cases, could well be done by nonflying officers, Air-WAC's, or civil-service personnel. It is the opinion of the committee that the above categories contain an abundance of pilot personnel susceptible to immediate utilization at less expense than would be possible under the contemplated expansion of the WASP program.

Further quoting General Arnold:

We don't consider we owe them (instructors) anything, because they were offered a chance to join the Reserve and did not take advantage of it. And now when they see they are likely to be drafted, they want to come in, and it is too late.

Further quoted from General Arnold:

Because the fundamental principle on which we are working is that we are trying to take care of every man for whom we have any obligation whatsoever, and in that way we will put them into our Air Force machine wherever they will fit.

But the Ramspeck committee says that the screening was prejudicial and I quote from page 11 of committee report, which is entitled "Techniques Used in Screening Instructors."

Reports received by the staff indicated that the approach made by 45 boards set up to screen civilian instructors of discontinued programs did not consider the experience of those being "screened." A study of the certificate of acceptance reveals that the civilian instructors and reservists were given three major opportunities:

(a) Discharge from enlisted Reserve Corps.
(b) Continuance in the Reserve Corps for training and duty with the Army Training Command.
(c) Called to active duty in the Army Air Forces.

The staff stated that this is an elimination technique and does not give proper consideration to training, ability, or experience. Any figure purportedly gathered from this technique invites careful scrutiny. The chance to qualify appears prejudicial. The results of this classification should be reviewed in detail on the basis of House Resolution 16, directing investigation of the effects of such policies and practices upon the war effort.

General Arnold further stated:

In connection with the WASP bill we are waiting now, holding over certain of our decisions pending the passage or nonpassage of this bill. From our point of view with the present terrific manpower shortage we should use every means we can to put women in where they can replace men. This bill will help not only to do that but will also make far more effective the employment of the present WASPS that we have in our service.

Chairman MAY. In other words, the legislation is an emergency proposition?

General ARNOLD. It is an emergency proposition as far as I am concerned.

Ramspeck committee report:

If it is necessary at this stage of the war to embark upon this costly and experimental program, then this Nation, insofar as manpower is concerned, is in worse position than any of our allies, and apparently any of our enemies. Fortunately, the evidence presented during this inquiry demonstrates that the implied condition is neither actual nor probable.

1. The proposal to expand the WASPS has not been justified. Therefore, it is recommended that the recruiting of inexperienced personnel and their training for the WASPS be immediately terminated.

2. That the use of the WASPS already trained and in training be continued, and provision be made for hospitalization.

3. There exist several surpluses of experienced pilot personnel available for utilization as service pilots. Therefore, it is recommended that the service of these several groups of experienced air personnel be immediately utilized.

The certificate of acceptance makes no provisions for the experience of these instructors and trainees as would pertain to transitional training and it is further to be noted that these instructors and trainees were not organized so that they might pool their abilities and make a positive suggestion to the A. A. F. as they did in the beginning of the C. A. A. program.

When one considers that the Navy had a similar program to the Army Air Forces C. A. A.-W. T. S. program, it is very strange that the Navy gave a commission to every instructor and trainee as agreed upon, whereas the Army Air Forces has done just the opposite.

There is bound to be a reason. One official stated as a basis of his reason the following:

The Navy is not interested in anything but building a powerful air force to win the war, but some individuals in the Army are not only interested in building a powerful air force to win the war but they evidently intend to try to take over civilian aviation when this war is over.

PERMISSION TO ADDRESS THE HOUSE

Mr. SADOWSKI. Mr. Speaker, I ask unanimous consent that on Wednesday next, at the conclusion of the legislative program of the day and following any special orders heretofore granted, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. ANDERSON of New Mexico. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an address delivered at a testimonial dinner tendered to Senator GUY M. GILLETTE and Representative Will Rogers, Jr.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

ELECTION TO COMMITTEE

Mr. MARTIN of Massachusetts. Mr. Speaker, I offer a resolution (H. Res. 604) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That ELLSWORTH BUCK, of New York, is hereby elected to the Committee on Merchant Marine and Fisheries.

The resolution was agreed to.

EXTENSION OF REMARKS

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two instances and to include therein a letter and a table from the Department of Agriculture.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and further to extend my remarks and include therein a magazine article.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

(Mr. POULSON asked and was given permission to extend his remarks in the RECORD.)

Mr. SHORT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an address I recently delivered before the Executives Club in Chicago.

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

There was no objection.

PROGRESS OF RANGE CONSERVATION

Mr. ROCKWELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROCKWELL. Mr. Speaker, during recent years it has been my privilege annually to report to this House on the progress of range conservation conducted by the Grazing Service in the 10 Western States. I desire to continue that custom.

On June 28, 1934, the President approved an act of Congress:

To stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes.

This act placed the unregulated public domain under Federal control and authorized the Secretary of the Interior to establish grazing districts out of the unreserved public domain, regulate their occupancy and use, establish a service to administer grazing districts, issue or cause to be issued grazing permits to qualified applicants, and do any and all things necessary to accomplish its purpose.

Secretary Ickes chose as first Director of Grazing, Farrington R. Carpenter, of Hayden, Colo. Carpenter with characteristic enthusiasm threw his energies into the job and outlined a plan of local policy-forming advisory boards to assist the Government in its multiple objective. His successor, Richard H. Rutledge, very ably carried on these fundamental principles of democracy on the range. In May 1944 the third Director of Grazing, Clarence L. Forsling, of Ogden, Utah, assumed the stewardship of the Grazing Service. Under his direction, I am sure that the Grazing Service will continue, in the future, as an outstanding conservation agency to render service to the stock industry of the West. In my opinion, the success of the Grazing Service in bringing order and stability to the public domain is due in large part to the advisory board system. Congress included this policy as a fundamental part of grazing district administration by amendment of the act of 1939. The advisory boards furnish the contact between the range users and the administration and recommend action based on common knowledge and years of livestock experience. In these 10 years, through such cooperation, a number of far-reaching adjustments and sound policies have been developed.

The main objectives of the Grazing Act are to protect, develop, and use the range for the benefit of the land itself, as well as for those who are dependent upon it. Since the public range is a vital part of the ranching business, as well as of the economy of the entire West, its rehabilitation and use are integral parts of a long-time program.

The Taylor Grazing Act is based on the fundamental principle of cooperation. It brought an end to range wars in the West and devised ways and means of settling range difficulties around the council table. I think it is fitting that we should celebrate this tenth anniversary of range conservation by paying tribute to those who visualized its possibilities and carried on in the face of strong opposition in many quarters. To those who labored for it in Congress, other public officials, livestock producers, and those who have been charged with carrying out the intent of Congress on the ground, much credit is due.

There is no State in the West more keenly alive to the need for range control than is my own State of Colorado. For many years prior to this act the stockmen of my district worked for some kind of public-domain regulation. We attempted to stop overgrazing and waste of the public range by enactment of an adjudication law. Our efforts were ineffective because legally the State had no control over the public lands. Despite our Colorado law, a citizen could exercise his Federal homestead right and file on 640 acres in the heart of a choice grazing area. As a consequence, range abuse continued. The migratory practices that an open range encouraged could not be stopped by local legislation. But in the end our efforts were rewarded, for we succeeded in focusing wide attention on the public-domain question.

The Hoover committee studied the public-domain problem and in 1931 recommended that all portions of the unreserved and unappropriated public domain be placed under responsible administration or regulation for the conservation and beneficial use of its resources. The many years of effort on the part of stockmen, State officials, and other public men who understood the West, resulted in the Taylor Grazing Act of 1934.

There is a spot near my home called American Flats, lying high in the shadow of the Rocky Mountains. It is a paradise of summer grazing land, with clover, grass, and flowers in profusion during the short growing period. Before the Taylor Act became law, it seemed that half of the sheep herds from the winter deserts of eastern Utah and western Colorado would make a spring race for this area. The competition was so keen that certain men would employ strong-arm methods to gain a foothold. Some even would send advance guards to pitch camps and hold the range until the sheep arrived. It was not unusual to find a band of sheep on each square mile, aggregating about 60,000 head, to grub the forage from an area smaller than the District of Columbia. Here they stayed until snow drove them back to the lower valleys. A few years of this and the natural thing happened. Sheep came off the range in poor condition. Some died from poisonous weeds. This land was included within a grazing district in 1935. The advisory board recommended that a reasonable number of livestock be grazed on this land, and the Grazing Service began to make adjustments. At the present time, only about half the former number are allowed to graze this area. I have been told that, despite this reduction in numbers, it produces more pounds of fat lambs now than formerly.

I have cited one extreme example of the adjustments being made on the 142,000,000 acres of public range in 10 Western States. This Federal range is now in 60 grazing districts, each with an advisory board to counsel with and assist the district grazier, and many of the former practices of abuse and waste have been corrected.

One of the principal aims of the Taylor Grazing Act is to keep the range on a high level of production. So the old-time policy of free homesteads, irrespective of whether the land was suitable for building a home, the period of free range, and unrestricted use came to an end in 1934, and a period of reconstruction was underway.

As a cornerstone of proper land use, the Taylor Grazing Act recognizes the relationship between public and private

lands as a basis for an all-inclusive land-use program in which the users themselves have a voice. As a result, the 22,000 licensees and permittees on the Federal range comprise a tremendous force in range conservation. At the same time, they continue to push production of food and fiber to the full extent of their ability, consistent with wise use of ranch and range.

One of America's chief war problems is that of food production for our military and civilian needs and for our allies. Meat is a food item which gives nourishment and strength in comparatively compact amounts. Successful war is waged by young strong men with husky appetites. They must be warmly and adequately clothed. The livestock producers on the western ranges are alive to their responsibility for producing meat and wool. With many of their top hands riding jeeps and flying bombers instead of riding broncos, the oldtimers and the young folks of the range country are carrying on without overtime pay. There are no headlines telling about strikes and the 40-hour week on the range.

Recently one of the advisory boards expressed the position of the livestock industry in these words:

Be it resolved, That as the progress and duration of the war make necessary additional and greater sacrifices in the lives of all, we stand ready to subordinate all to the prosecution and winning of the war, and with this high resolve we pledge full cooperation.

Ten years ago it was said by many in high places that the complex land pattern of the public-land States would operate to defeat a sensible administration of the Taylor Grazing Act. Today we hear nothing of that sort. With the cooperation of States and private land owners, these problems are being overcome by exchange of land, exchange of use, and many other means, for proper land use.

The western stockmen know that it is wise to keep more grass than stock on the range. They are aiding the Grazing Service to avoid the errors of range abuse made during the first World War. There can be no stronger testimony for the future of the public range. When the time comes for our boys to return and resume peaceful work, they will find that the public lands have been taken care of and that the natural resources have been managed well to contribute an important share to better living conditions in our western communities.

The SPEAKER. Under a previous order of the House, the gentleman from Connecticut [Mr. MILLER] is recognized for 40 minutes.

PROPOSED MODIFICATION OF H. R. 4915

Mr. MILLER of Connecticut. Mr. Speaker, last August, during the summer recess, the highway commissioner for the State of Connecticut, Mr. William J. Cox, arranged for a meeting of the Connecticut delegation in Congress. At this meeting Commissioner Cox discussed at quite some length the highway needs for the State of Connecticut, but more particularly the suggested four-billion-dollar-road-building program being considered by the National Association of Highway Officials. Also a good deal of time was devoted to a discussion of section 21 of the Federal Highway Act of 1921.

The section 21 formula apportioned Federal aid on the basis of one-third population, one-third according to area, and one-third according to post road mileage. It was soon apparent to those attending this meeting that, to put it mildly, the section 21 formula was not an equitable one by which Federal aid should be distributed.

Since last August I have spent every possible minute studying the road needs of the country, and in trying to work out a fair and equitable formula for the distribution of Federal funds, a formula that would distribute the money where the road needs were the greatest. During the past 8 months I have conferred with State highway officials, with members of the House Committee on Roads, and with Member of the House from those States which have an acute highway problem. During this study my attention was directed to the report of a committee or commission composed of some of the most competent men in the field of highway construction, appointed by President Roosevelt some time ago. This commission's recommendations may be found in the report on Interregional Highways, House Document No. 379, Seventy-eighth Congress, second session. I urge every Member of the House interested in this problem to secure a copy of this document.

This interregional highway report represents, so far as I know, the only comprehensive, Nation-wide, factual analysis of our highway problems. The report is a fair and well-balanced evaluation of the important facts that have been developed by the various highway departments through their Statewide highway planning surveys, and the vision shown in the straightforward approach to, and courageous attack on, the great problems we face in providing adequate highway facilities, form the sort of accomplishment to have been expected from the able and experienced men who served on the Interregional Highway Committee and on its staff.

Any post-war highway program that does not face squarely the highway needs so forcefully brought out in the report, would be short-sighted, inadequate, and wasteful of public funds. The report represents years of study by capable, practical men. It bears the signatures of men in the soundness of whose views we all have—and are entitled to have—confidence.

When Federal aid was initiated by the act of 1916, it was recognized that the essential need was—to use an overworked expression—to "get the motorists out of the mud." It was not immediately recognized, but it soon was, that efforts in this direction, to be effective, must be selective. It was recognized that the essential need of the country, at that time, was the development of an integrated system of surfaced main highways, connecting our States, cities, and counties with passable roads. This job, by and large, has been done and done well. The main interstate and intercounty routes throughout the country, comprising the Federal-aid primary system, are now pretty largely surfaced roads. Only 6 percent of the mileage remains unsurfaced, and this 6 percent undoubtedly carries but a small fraction of 1 percent of the traffic served by the Federal-aid system.

However, while the development of this integrated system of surfaced roads has been accomplished over the years since 1916, the motor transportation picture has changed tremendously. Motor-vehicle registrations have increased tenfold, and motor-vehicle travel in even greater—much greater—ratio. As a result, there have been great changes in the nature of the most urgent problems connected with the provision of adequate highway facilities.

I will not take the time of the House this afternoon to quote further from this report, but I again urge all those interested to take the time necessary to read this report.

After further conferences with interested groups, I had prepared and introduced H. R. 4170 in the House—a bill to implement the interregional report. About this same time, the House Committee on Roads commenced hearings on H. R. 2426 which authorized the appropriation of $3,000,000,000 to become available at the rate of $1,000,000,000 a year for each three successive post-war years. This bill provided that the Federal share, payable on account of any project provided for by the funds made available by this act, should not exceed 75 percent of the cost; the remaining 25 percent to be paid by the several States.

This was a new departure as, in the past, the Federal Government had provided only 50 percent of the cost of building Federal-aid highways. I have yet to hear any good reason advanced for departing from the 50–50 formula. Certainly, when this war comes to an end, the treasuries of the 48 States are going to be in better shape than is the Federal Treasury. In addition to that, it is a well-known fact that whoever pays 75 percent of the cost of any given program is going to be in a pretty strong position to dictate all the terms of the program.

The bill, H. R. 2426, continued the old formula for distribution of funds, that is, one-third on population, one-third on area, and one-third on post-road mileage. In the bill which I introduced on February 10, H. R. 4170, I proposed that we retain the old 50–50 matching provision. By retaining that provision, we could authorize the appropriation of $2,000,000,000 of Federal funds and, with the 50–50 matching provision, still have a $4,000,000,000 program as proposed in H. R. 2426. Instead of the one-third, one-third, one-third provision, it was provided in H. R. 4170 that the $2,000,000,000 should be distributed as follows: $600,000,000 a year for the 3-year total of $1,800,000,000 on the basis of the ratio which the estimated number of persons that will be demobilized from the military and industrial service in each State bears to the total estimated number of

persons to be demobilized in all of the States. Such estimates of demobilization to be based on the figures reported in the July 1943 issue of the Monthly Labor Review of the Bureau of Labor Statistics, United States Department of Labor.

Further, $200,000,000 a year for a 3-year total of $600,000,000 in accordance with the provisions of section 21 of the Federal Highway Act of 1921, and finally, $200,000,000 a year for a 3-year total of $600,000,000 on the basis of the ratio that the total motor-vehicle registration in each State bears to the total motor-vehicle registration in all of the States.

For the next few minutes I would like to discuss the old section 21 formula contained in H. R. 2426 and, with a little different weighting, the formula contained in the bill recently reported by the House Committee on Roads; namely, H. R. 4915. You will recall the factors that make up the section 21 formula are area, population, and post-road mileage.

Most people recognize that area, in itself, has no significance even in relation to road mileage, except as the area is densely covered with roads or sparsely covered with roads, which in the end can be measured—if you will—by the road mileage itself.

There are, however, some persons who have stoutly maintained that area is a valid factor in measuring road needs. It is interesting, therefore, to take two regions of equal area in order to see what variation they show in respect to factors which are obviously and admittedly related to road needs. There are 8 States in the Rocky Mountain census area which have about 29 percent of the area of the United States and consequently would get 29 percent of such part of any Federal authorization as is based on area. There are 26 States in the census, east of the Mississippi River, which, by chance, have an area almost identical with that of the 8 States in the Rocky Mountain region. To the extent that a formula is based on area, these 26 States would receive the same amount of Federal aid as would the 8 States in the Rocky Mountain region. How do other characteristics of the two regions compare?

Only 4 percent of the motor-vehicle traffic in the United States is developed on the road systems of the 8 States. According to the States' own estimates of immediate road needs, the 8 States have but 6 percent of the total needs of the country. It is further significant that they have been contributing but 4 percent of the motor-vehicle imposts that are drawn from the motorists of the country. On the other hand, the equal area from the Mississippi River east develops 62 percent of the motor-vehicle traffic, claims 59 percent of the highway needs, and provides 64 percent of the Federal motor-vehicle imposts.

So much for area as far as being the basis of distributing Federal funds for road-building purposes is concerned.

At first glance, road mileage would seem to be a reasonably fair measure of road need. Examination shows that this is not the case, however. According to the section 21 formula—a mile of road is a mile of road. There are great differences in the cost of a mile of road. Now what causes these differences? It is not that New Jersey, Massachusetts, and Connecticut are more extravagant than South Dakota, Wyoming, and Nebraska, where reports indicate highway costs are much lower. Various factors account for the difference in cost. Ruggedness of terrain, severity of climate, unit costs of labor and materials—all play a part. Much the greatest factor in producing the cost differences, however, is the different job that different roads have to do. As an illustration, the annual average daily traffic on an average mile of the New Jersey State highway system, as determined by the planning survey, was 6,300 vehicles a day. The annual average daily traffic on an average mile of the New Mexico system was approximately 160 vehicles a day.

The road that has to be built to carry even the average New Jersey traffic is an entirely different sort of facility than that required to carry less than 200 vehicles a day. The differences are even more extreme in the case of a road that carried an annual average daily traffic of 40,000 vehicles a day, as some miles of New Jersey roads do. This explains the difference in Federal aid per mile costs and reveals the weakness of using road mileage as a fair basis for the apportionment of Federal-aid funds.

Population is probably a closer measure of road needs than area or road mileage, but it is not a direct measure or even a very close measure. It is my understanding that the alleged justification for using population as a basis for allocating Federal funds is the supposed correspondence between population and the amount of road use. There are, however, much more accurate measures of road use than population. Gasoline consumption is one, and perhaps the most accurate. Automobile registration is another. Again considering Statewide areas, road need—which we may define as the potential usefulness of correcting road deficiencies—is probably as well measured by road use as in any other way. But population is a very uncertain measure of road use, certainly far from the best available measure and therefore a poor factor in inclusion of an apportionment formula.

For a few minutes let us consider two other bills introduced during the present session of Congress in an effort to secure legislation that would provide a sound post-war road-building program. On April 18 of this year, the gentleman from New Jersey [Mr. WENE] introduced H. R. 4628, which was referred to the Committee on Roads. Mr. WENE's bill modified H. R. 4170 because of certain testimony brought out in the hearings on H. R. 2426, but his bill was still introduced to implement the interregional highway report. In addition to continuing the 50–50 matching provision, this bill authorized an appropriation of $2,010,000,000 to become available at the rate of $670,000,000 a year for each 3 successive post-war years. After making deductions for administration, research, and investigations, as provided by the Federal Highway Act of 1921, the sums authorized were to be apportioned among the States in two parts. Part I, $400,000,000 yearly on the basis of the ratio which the motor vehicle registrations in the counties traversed by the interregional highway system in each State bears to the total motor vehicle registrations in the counties traversed by the interregional highway system in all States. Such motor vehicle registrations to be taken from table numbered 7 on pages 29, 30, and 31 of the Interregional Highway Report, House Document No. 379, Seventy-eighth Congress, second session. Part II, $270,000,000 a year in accordance with the basis of apportionment provided in section 21 of the Federal Highway Act of 1921.

After lengthy hearings on H. R. 2426, the House Committee on Roads finally reported out H. R. 4915, introduced on June 1, by the chairman of the Committee on Roads, the distinguished gentleman from Utah [Mr. ROBINSON]. This bill authorized an appropriation of $1,500,000,000 to become available at the rate of $500,000,000 a year for each 3 successive post-war fiscal years. The sums authorized for each 3 successive post-war years to be apportioned are as follows: (a) $225,000,000 for projects on the Federal-aid highway system, either inside or outside of municipalities; and (b) $125,000,000 for projects on the principal secondary and feeder roads, including farm-to-market roads, rural free delivery mail and public school bus routes, either outside of municipalities or inside of municipalities of less than 10,000 population; and (c) $150,000,000 for projects on the principal highways in urban areas on the Federal-aid highway system.

In addition to the sums I have mentioned, this bill also authorized an appropriation for, first, for forest highways the sum of $25,000,000 for the first post-war year and a like amount for each of the second and third post-war years; and second, for forest development roads and trails the sum of $12,500,000 for the first post-war year and a like amount for each of the second and third post-war years.

And in another section—section 10—there is authorized to be appropriated the sum of $12,750,000 to become available at the rate of $4,250,000 a year for each 3 successive years for the construction and maintenance of parkways, to give access to national parks and national monuments, or to become connecting sections of a national parkway plan, over lands to which title has been transferred to the United States by the States or by private individuals. Needless to say, there are no matching provisions involved in these latest authorizations.

It appears to many Members of the House and some State highway commissioners with whom I have talked that the distribution of Federal funds, as provided for in H. R. 4915, is decidedly unfair. From a purely selfish viewpoint, the taxpayers of such States as Massachusetts, New Jersey, Connecticut, New York,

Pennsylvania, Michigan, Illinois, California, and others would be better off to build their own roads and do away with the whole Federal-aid program. However, these same people are perfectly willing to make a reasonable contribution toward building good roads in other parts of the country where the road needs are greater than the ability of the various State treasuries to meet the need.

We also see the value in preparing a sound road building program now that will provide millions of men with jobs during the demobilizing period. If such a program is adopted at this time, the various States can make the necessary survey and plans and be ready to put it into operation on very short notice. Manpower will be available in abundance and I am told that road-building machinery and necessary material will also be available upon cessation of hostilities.

In an effort to bring the various schools of thought together, we propose a modification of H. R. 4915. In the interest of avoiding confusion insofar as possible, it will be proposed that the provisions of H. R. 4915 be adopted, except as follows:

First. The Federal authorization is made to total $2,010,000 for the 3-year period—exclusive of $140,250,000 additional provided for forests and post roads and trails. This, with the basis provided for matching Federal funds with State funds, reestablishes the $4,000,000,000 road construction program that was originally proposed. All the testimony before the committee indicated the need of at least that amount of road improvements, and developed the ample ability of the highway departments and of road contractors and equipment producers to execute such a program.

Second. The funds allocated for urban improvements are apportioned to the States on the basis of their urban populations, as recommended to the committee by the Public Roads Administration, the American Association of State Highway Officials, the American Road Builders Association, the American Municipal Association, the New York Port Authority, and many other witnesses before the committee.

Third. The formula established in 1916 for rural road improvements is recognized as having been well adapted to meeting the road needs of that day. Therefore, it is recognized that neither it, nor any minor modification of it, can properly meet the very different rural road deficiencies of today, as these deficiencies were reported to the committee by the Public Roads Administration and other agencies. A part of today's needed improvements is the continued surfacing of unimproved roads, but another important rural road need is the reconstruction or supplementation of existing routes to give them adequate capacity in keeping with the great increase in their use since they were built. It is proposed to meet the first of these rural needs by apportioning to the States 40 percent of the total authorization according to the historic section 21 formula, while meeting the second rural road need by apportioning 30 percent of the total authorization according to the use made of the road systems of the several States as measured by the motor vehicle registrations of the States.

Therefore, the provision of H. R. 4915 that the total authorization be apportioned one-half according to population; one-fourth according to area, and one-fourth according to post-road mileage is replaced by a provision that 30 percent of the authorization be apportioned according to urban populations, while 40 percent be apportioned according to section 21, and 30 percent according to the motor vehicle registrations of the different States.

The table attached shows the comparative apportionments to the States—exclusive of forest and park funds—as would be obtained under H. R. 4915, as now written, and as would obtain under the proposed modification.

Post-war highway program—Proposed Federal apportionments to States

[Total dollars in 3 years]

State	Under bill H. R. 4915	Under proposed modification, H. R. 4915 [1]
Alabama	31,905,000	30,360,000
Arizona	17,970,000	15,320,000
Arkansas	25,140,000	21,380,000
California	65,190,000	125,370,000
Colorado	23,835,000	25,660,000
Connecticut	11,895,000	25,240,000
Delaware	7,500,000	6,380,000
Florida	21,780,000	29,080,000
Georgia	37,725,000	38,100,000
Idaho	15,765,000	14,140,000
Illinois	67,440,000	115,900,000
Indiana	37,320,000	53,420,000
Iowa	35,835,000	42,180,000
Kansas	34,155,000	36,620,000
Kentucky	29,280,000	29,860,000
Louisiana	23,625,000	26,920,000
Maine	12,345,000	13,420,000
Maryland	14,640,000	25,000,000
Massachusetts	27,060,000	61,200,000
Michigan	49,530,000	83,180,000
Minnesota	38,955,000	48,120,000
Mississippi	26,610,000	22,360,000
Missouri	44,715,000	57,220,000
Montana	24,900,000	21,400,000
Nebraska	26,655,000	27,480,000
Nevada	15,045,000	11,500,000
New Hampshire	7,500,000	8,720,000
New Jersey	26,205,000	57,480,000
New Mexico	20,220,000	16,440,000
New York	92,940,000	189,300,000
North Carolina	37,455,000	38,300,000
North Dakota	19,095,000	16,460,000
Ohio	59,700,000	101,140,000
Oklahoma	32,715,000	35,100,000
Oregon	22,065,000	24,720,000
Pennsylvania	74,595,000	123,580,000
Rhode Island	7,500,000	13,420,000
South Carolina	20,805,000	20,640,000
South Dakota	20,010,000	17,460,000
Tennessee	32,475,000	34,080,000
Texas	90,660,000	104,100,000
Utah	14,505,000	13,980,000
Vermont	7,500,000	6,200,000
Virginia	28,710,000	32,440,000
Washington	23,115,000	31,500,000
West Virginia	17,925,000	18,500,000
Wisconsin	36,420,000	49,960,000
Wyoming	15,090,000	12,420,000
Hawaii	7,500,000	27,020,000
District of Columbia	7,500,000	
Puerto Rico	10,860,000	
Total	1,500,000,000	2,000,000,000

[1] Modified by increasing total appropriation to $2,000,000,000 and apportioning to the States as follows: 40 percent according to sec. 21 of Federal Highway Act, 30 percent according to urban populations, and 30 percent according to motor vehicle registrations of the States.

Further, to show the unequitable provisions of H. R. 4915, I have had a few charts prepared showing the different treatment cities of the same size in different parts of the country will receive under the language of the committee bill.

Let us compare Bakersfield, Calif., with Reno, Nev. According to the 1940 census, Bakersfield had a population of 29,252, whereas the population of Reno was 21,317. Reno is the only city in Nevada that would qualify for Nevada's share of funds to be appropriated in urban areas. Therefore, Reno would receive $4,400,000, while Bakersfield's share of the urban funds would be only $130,000.

Norwich, Conn., with a population of 23,652, would have available its share amounting to $74,000, while Cheyenne, Wyo., with a population of 22,474, would receive $1,610,000.

I will run through 10 or 12 other illustrations on the charts I have had prepared, as follows:

Bakersfield, Calif. (population, 29,252), $130,000, versus Reno, Nev. (population 21,317), $4,400,000.

Norwich, Conn. (population 23,652), $74,000, versus Cheyenne, Wyo. (population 22,474), $1,610,000.

Moline, Ill. (population, 34,608), $135,000, versus Fargo, N. Dak. (population, 32,580), $2,130,000.

Hagerstown, Md. (population, 32,491), $135,000, versus Boise, Idaho (population, 26,130), $1,160,000.

Medford, Mass. (population, 63,083), $140,000, versus Jackson, Miss. (population, 62,107), $1,780,000.

Saginaw, Mich. (population, 82,794), $395,000, versus Little Rock, Ark. (population, 88,039), $2,720,000.

Perth Amboy, N. J. (population, 41,242), $113,000, versus Sioux Falls, S. Dak. (population, 40,832), $2,290,000.

Auburn, N. Y. (population, 35,763), $92,000, versus Albuquerque, N. Mex. (population, 35,449), $2,320,000.

Mansfield, Ohio (population, 37,154), $164,000, versus Butte, Mont. (population, 37,081), $2,000,000.

Johnstown, Pa. (population, 66,688), $274,000, versus Phoenix, Ariz. (population, 65,414), $3,370,000.

Warwick, R. I. (population, 28,757), $101,000, versus Burlington, Vt. (population, 27,686), $1,090,000.

At this point I am including a chart showing the Federal post-war highway program on the basis of dollars per demobilized person under H. R. 4915; the proposed modification, as well as under H. R. 4628:

Federal post-war highway program: dollars per demobilized person under various proposals

State	H. R. 4915	Proposed modification	H. R. 4628
Nevada	1,504	1,150	760
Wyoming	848	608	478
Montana	642	552	387
New Mexico	604	491	356
Arizona	538	459	423
South Dakota	509	444	298
Idaho	461	414	354
North Dakota	476	410	304
Nebraska	272	281	204
Colorado	256	276	241
Utah	270	260	234
Vermont	288	238	192
Minnesota	183	226	222
Iowa	184	217	188
Oregon	171	191	209
Florida	140	187	218
Texas	161	184	172
Oklahoma	171	183	170
Delaware	213	181	151
New Hampshire	156	181	164
Kansas	155	167	148
Missouri	126	161	158
Arkansas	188	159	119
Maine	146	159	176
Georgia	153	155	126

Federal post-war highway program: dollars per demobilized person under various proposals—Continued

State	H. R. 4915	Proposed modification	H. R. 4628
North Carolina	151	155	138
Kentucky	150	153	134
South Carolina	154	152	135
Wisconsin	110	120	132
Mississippi	178	149	107
Tennessee	140	147	139
Rhode Island	80	142	142
New York	66	134	120
Louisiana	115	131	121
Illinois	74	127	143
Massachusetts	55	125	134
Virginia	108	121	113
California	62	118	169
West Virginia	114	118	91
Alabama	122	116	96
Washington	83	115	133
Ohio	63	107	122
Indiana	72	103	117
Pennsylvania	61	101	108
New Jersey	43	94	107
Maryland	50	86	93
Michigan	46	78	98
Connecticut	36	76	103

NOTE.—This shows the total allocation of funds to each State in relation to the estimated military and industrial demobilization as reported in July 1943 Monthly Labor Review.

And, finally, I am attaching a chart showing the relation of apportionments under various proposals to motor-vehicle usage in the several States. It will be noted that under H. R. 4915, Nevada's ratio is practically 7 to 1, while in the case of California, the ratio is about one-half to 1:

Federal post-war highway program: Relation of apportionments under various proposals to motor-vehicle usage in the several States[1]

State	H. R. 4915	Proposed modification	H. R. 4628
Nevada	6.97	3.96	2.62
Wyoming	3.74	2.31	1.57
New Mexico	3.53	2.15	1.55
Montana	2.83	1.82	1.27
Arizona	2.78	1.78	1.63
Utah	2.19	1.58	1.41
South Dakota	2.25	1.47	.93
North Dakota	2.27	1.47	1.00
Delaware	2.24	1.43	1.19
Idaho	2.09	1.41	1.19
Mississippi	2.66	1.30	.92
Alabama	1.78	1.27	1.05
Arkansas	1.96	1.26	.94
Colorado	1.49	1.20	1.05
Georgia	1.54	1.17	.95
Rhode Island	.87	1.16	1.15
Tennessee	1.45	1.14	1.07
New York	.74	1.14	1.01
Nebraska	1.44	1.11	.81
Massachusetts	.65	1.10	1.18
Vermont	1.78	1.10	.89
Louisiana	1.25	1.07	.98
New Hampshire	1.22	1.06	.95
Maine	1.27	1.04	1.14
Kentucky	1.35	1.03	.89
Kansas	1.28	1.03	.91
Oklahoma	1.26	1.02	.94
Missouri	1.04	1.00	.98
Texas	1.15	.99	.91
Oregon	1.17	.99	1.07
North Carolina	1.28	.98	.87
Illinois	.76	.98	1.12
Virginia	1.15	.97	.90
West Virginia	1.22	.94	.73
Pennsylvania	.75	.93	.99
Minnesota	.89	.92	.89
Florida	.91	.91	1.06
South Carolina	1.22	.91	.89
Wisconsin	.86	.89	.78
Iowa	1.00	.88	.76
Maryland	.68	.87	.93
Washington	.85	.87	1.00
Ohio	.69	.87	.99
Indiana	.80	.85	.96
New Jersey	.52	.85	.96
Michigan	.67	.85	1.06
Connecticut	.50	.79	1.06
California	.50	.73	1.03

[1] Based on motor-vehicle registrations for 1941 as reported by the Public Roads Administration.

In closing, may I comment on the appropriations carried in H. R. 4915 for the building of forest highways, roads, trails, et cetera. I am convinced the situation with regard to funds for forest highways and the significance of other public lands are not recognized in their proper perspective in the proposed Federal post-war highway program.

H. R. 4915 provides $25,000,000 a year for forest highways and $12,500,000 for forest-development roads. The average over the past 8 years has been $7,750,000 and $3,625,000, respectively. But, the big question, What is it for?

The conception is general, I believe, both among highway officials and members of the Roads Committee, that forest highways and forest-development roads are tied up intimately and almost solely with the Federal interest in our national forests. However, while this may be true of forest-development roads, it is not true of forest highways. In the western region of the country, 41.4 percent of the forest highways are also on the Federal-aid system. Thus 78.8 percent are important highways.

Mr. C. F. Granger, Assistant Chief of the United States Forest Service, said, in hearings before the Roads Committee in 1940:

The forest highway system is that part which, while necessary to the forests, is of greater value for general public travel or local public travel; the forest development system includes the roads and trails needed primarily for the protection, development, and utilization of the forest resources.

In the Federal Highway Act of 1921, forest highways were defined as "of primary importance to the State, counties, or communities within, adjoining, or adjacent to the national forests." From the foregoing, it is obvious that, whereas the forest-development funds—$12,500,000 a year—may be primarily for the Federal interest in our national forests, the forest highway authorization—$25,000,000 a year—is in large part an expansion of the Federal-aid program on a 100-percent basis, no matching with States or local funds being required. And, it represents a real expansion for many States.

The following shows how important an extra aid is to several States:

Annual totals, Federal funds under H. R. 4915

State	Federal aid apportionment	Forest highway	Total
Arizona	$5,844,000	$1,458,500	$7,302,500
California	21,245,000	3,573,000	24,818,000
Colorado	7,757,000	1,836,250	9,593,260
Idaho	5,114,000	2,577,000	7,691,000
Montana	8,093,000	2,008,750	10,101,750
Nevada	4,895,000	455,750	5,350,750
New Mexico	6,542,000	1,025,750	7,567,750
Oregon	7,204,000	3,369,250	10,573,250
Utah	4,720,000	841,750	5,561,750
Washington	7,471,000	1,722,500	9,193,500
Wyoming	4,898,000	1,109,250	6,007,250
Total	83,783,000	19,977,750	103,760,750

Idaho gets a 50-percent increase over its basic Federal-aid apportionment. Oregon gets almost as much.

A few States get an extra $20,000,000 a year, as shown in the table above, under the guise of the development of our national forests. This they get on a 100-percent basis, there being no requirement for matching with State funds. They are not required to match regular Federal-aid apportionments dollar for dollar, when other States do, because of the proviso "that in the case of any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 percent of the total area of all lands therein, the Federal share shall be increased in each of the 3 post-war years by a percentage equal to the percentage that the area of all such lands in such State is of its total area." The most striking example under this provision is Nevada, which will put up just less than 15 cents of State funds for each dollar of Federal funds when most other States are matching dollar for dollar. Utah will match 31 cents on the dollar, Arizona 39 cents, and other Western States in increasing amounts.

There have been special authorizations for highways through public lands. The significance of these may be shown by a quotation from the 1939 Annual Report of the then Bureau of Public Roads, now Public Roads Administration:

Special authorizations and appropriations have been made by Congress for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, and Federal reservations other than the forest reservations, where such land is more than 5 percent of the total area of the State. There are 14 of these Federal-land States, all of them west of the Mississippi River. The percentage of such lands in the several States varies considerably and reaches a maximum of approximately 73 percent in Nevada.

The construction of highways across these relatively large areas that do not contribute to State revenues imposes a serious burden on State highway funds.

The Federal-land highways differ from the forest highways and the Federal-aid highways system. Federal-land funds may be expended on roads which are on the Federal-aid system or on main roads not on the Federal-aid system. Contributions from the States are not required to be used in conjunction with Federal-land funds, but cooperative funds from the States may be used. Federal-land funds are sometimes expended under the supervision of State highway departments, following Federal-aid procedure, and sometimes under the detailed supervision of this organization.

Authorizations for the construction of roads in public lands have been made by eight congressional acts, passed up to the end of the fiscal year 1939. Authorizations have been made available for each fiscal year from 1931 through 1941, with the exception of 1932 and 1937, and total $23,000,000. The authorization for 1939 was $2,500,000; for 1940, $1,000,000; and for 1941, $2,000,000.

As indicated in the above, these funds are for main roads, Federal-aid or otherwise. While it may be noted that "cooperative funds from the States may be used," the reports of Public Roads indicate that less than 10 percent of the cost of projects has been paid from other than public lands funds.

The character of the routes upon which these funds are expended and their importance to the States is indicated by the following description in the 1938 Public Roads Annual Report:

The Flagstaff-Fredonia Highway is 73 miles in length, and is a part of the U. S. Route No. 89, a heavily traveled north-south highway.

A bituminous surfacing was placed on this route for a distance of 46 miles. At the close of the fiscal year 26 miles of the route were being improved with bituminous surfacing.

The Ely-Tonopah Highway, in Nevada, a Federal-land route 102 miles in length, is part of U. S. Route No. 6, which carries traffic directly across the State. Three Federal-land projects on this route were completed. A gravel surfacing was converted to bituminous surfacing for a distance of 37 miles, and 9 miles were graded and gravel surfacing placed preparatory to constructing a bituminous surface.

In the apportionment of regular Federal-aid funds to the States, area has been a factor and will be a factor under H. R. 4915. Thus, forest areas do double or treble duty for the States in which they are located. They draw forest development funds—12½ million dollars a year—as they probably should. They draw forest highway funds of $25,000,000 a year to be used primarily for the "State, counties, or communities within, adjoining, or adjacent to the national forests." And the forest areas provide a basis through their area for allocation of regular Federal-aid funds to the States in which they are located.

Other public land will likewise do double duty. Funds have been and possibly will continue to be authorized directly for Federal aid and other main highways within their confines. Yet, these areas draw huge amounts of Federal-aid funds under any formula for apportionment which includes area. For example, Utah, with 53 percent of its area coming under the unappropriated public lands, and so forth, classification, gets $1,850,000 a year under H. R. 4915, for regular Federal aid as a direct result of the inclusion of this public-lands area in the formula for apportionment. Nevada gets $3,370,000 and Arizona gets $2,080,000.

All of the above ignores the national-park areas which are a responsibility of the Federal Government. It might be mentioned that the States in which they are located have not suffered roadwise from having the parks. Not only has the Federal Government built the roads within the parks, but it has financed approach roads outside of the park areas.

Mr. MILLER of Connecticut. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein certain tables.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

EXTENSION OF REMARKS

Mr. MILLER of Connecticut. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a report of the American Legion foreign relations committee to the national executive committee of the American Legion.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein certain correspondence on the money question.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

The SPEAKER. Under a previous order of the House, the gentleman from New Jersey [Mr. CANFIELD] is recognized for 10 minutes.

CREATION OF OFFICE OF SENATOR AT LARGE IN THE SENATE OF THE UNITED STATES FOR EX-PRESIDENTS OF THE UNITED STATES

Mr. CANFIELD. Mr. Speaker, "They managed things better at Rome, gathering into their senate all the fame and experience, all the wisdom and skill, of those who had ruled and fought as consuls and praetors at home and abroad." Thus wrote James Bryce 50 years ago of the failure of the American people to take advantage of the peculiar abilities of their ex-Presidents.

From time to time there has been discussion about this subject but little has been done. I rise now to introduce a simple bill "to create the office of Senator at Large in the Senate of the United States for ex-Presidents of the United States." I had thought that a constitutional amendment might be necessary to accomplish this purpose, but House legislative counsel who has explored the problem most fully for me advises that the bill I have introduced will accomplish my purpose, namely, to provide that every person who has served—whether before or aften enactment of this act—as President of the United States shall thereafter during the remainder of his life, except during any period in which he holds an office which would make him ineligible to serve as a Member of either House of Congress, be eligible to hold an office of Senator at Large in the Senate of the United States, which office is hereby created for that purpose.

The bill provides that such persons shall qualify for such office by taking the oath of office prescribed for Senators, and shall have, with respect to the Senate, rights, privileges, salary, and allowances accorded by law to the Delegates from the Territories of the United States with respect to the House of Representatices, except that he first shall be entitled to the same number of clerical assistants at the same rates of compensation as a Senator would be entitled to who is not chairman of a standing committee of the Senate and is from the most populous State and, second, shall have the same mileage allowance as a Senator.

The House legislative counsel advises that the Congress has the power to create this office as it had the power to create the office of Delegate from Alaska and Delegate from Hawaii.

John Albert Vieg, assistant professor of government at Iowa State, recalls that Bryce thought that State pride would place an insuperable barrier to the idea of giving ex-Presidents a seat in the Senate. Occasionally, he went on to say, other writers have remarked on the unhappy contrast between the majesty of the chief magistracy and the unstateliness of the position of a former Executive.

Presidents are in the nature of things outstanding leaders of public opinion. They rate high in their ability to voice with force and accuracy the views and aspirations of a great number of their fellow citizens. Congress is itself the Nation's official sounding board of public opinion.

Twice we have been entirely without retired Executives—from 1799 to 1801 and from 1875 to 1877. There have never been more than four except in the year 1861–62 when Van Buren, Fillmore, Tyler, Pierce, and Buchanan "stood around unable to be of use to a nation that had never been in a worse way for sound advice." This is quoted from Milton S. Mayer in the March 1933 issue of the Forum.

The average number of living ex-Presidents in the first half of the Republic's existence was under three. The average for the past 75 years is well below two. It is a fact that our ex-Presidents do not live long. Back in 1908, Dr. Woodrow Wilson, of Princeton, referred to a President as "the most heavily burdened officer in the world." Emerson spoke well when he said that a President pays dearly for a White House. It is a tough job, and tough as it has always been, it is a tougher job today than it ever was before. "But its brutality succeeds in killing outright only a few of the men who undertake it." Except for William H. Harrison, Polk, Taylor, Lincoln, Garfield, Arthur, McKinley, Wilson, and Harding, every President has survived his term long enough to have to face the problem of "And now what?"—and without any help from the people.

"There is no place in the United States for an ex-President" Mr. Hayes told a friend shortly after the inauguration of his successor. "If I could go into any of the great business enterprises of the country I would hardly fit, and the country would not think it proper, so I am devoting my life to delivering lectures before schools, academies, and colleges."

John Quincy Adams was the only man who has been able to forget that he was once President. When his friends came to him and asked him if he would be willing to go to the lower House of Congress as Representative from the old Plymouth District, he was able to also forget that he had been United States Senator, Minister to the Court of St. James's, and Secretary of State, and he replied that he would serve as selectman of the town of Quincy if he could be useful. For 12 of his 18 years in Congress he was the only ex-President alive; yet that period remains the golden age of ex-Presidents. He stood alone, without a party and without a friend—"Old Man Eloquent"—and battled for abolition. On a single day in 1840, while the House roared for his expulsion and threats of assassination poured in on him from his enemies, the 73-year-old warrior insisted that more than 500 petitions be read into the RECORD. And 8 years later the man who had spent 55 years in the service of his country dropped dead on the floor of the House—still serving.

When Grover Cleveland and Benjamin Harrison went back to the practice of law, the people were shocked that Presidents should wrangle for a living. When Jefferson, Madison, Monroe, Jackson, and Grant died in dignity and poverty the people did not complain.

The Nation owes its ex-Presidents something just as it owes, and pays, its ex-soldiers something.

In 1906 Charles Francis Adams wrote to John Bigelow:

> The plan of graduating ex-Presidents directly into the Federal Senate for life is one that has long been a favorite theory of mine. We have lost absolutely the value of the ripe experience, the great abilities and strong sense of patriotism of such men as Washington, John Adams, Jefferson, Madison, Monroe, Jackson, Van Buren, Grover Cleveland, and Benjamin Harrison. In more than one instance, too, these eminent citizens were cut off from public utility at the maturity of their powers and during the best years of their lives as counselors; while, in more than one case, they themselves have been not only without occupation, but practically without means—objects, almost, of public charity; in the cases of Jefferson and Monroe, indeed, actually so.

Reporting for the Christian Science Monitor, October 22, 1943, Roscoe Drummond wrote that Governor Dewey, of New York, then attending the Mackinac meeting of the Republican Post-war Advisory Council expressed himself as favoring a constitutional amendment providing that ex-Presidents be made Senators at Large without a vote, as my bill provides. The Governor, however, would go further than my bill and would include Vice Presidents as well as candidates for President who have received the second highest number of votes in the electoral college in any Presidential election. According to Mr. Drummond, Governor Dewey cited the arresting fact that if the British system were the same as ours, Winston Churchill would probably have disappeared from public life 20 years ago. "For 150 years," Mr. Drummond quoted Governor Dewey, "men have discussed the necessity of bringing into the Government the ablest men in the country, and yet we have ignored the most obvious means to that end."

It is to be noted that in the bill I present the Senators at Large would not have a vote, thus assuring every State equal voting representation in the Senate. Governor Dewey was described as saying that this would not diminish their great influence in any way.

The SPEAKER. Under a previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

LIBERATION OR CONQUEST

Mr. HOFFMAN. Mr. Speaker, are we fighting a war to preserve the American Government; to enable people throughout the world to choose their own form of government? Or is this a war of conquest? Some folks are beginning to wonder just what it is all about.

Long ago, we were told by the President that our frontier was on the Rhine, meaning that, in order to defend our own country, we would be required to fight battles across the sea.

Then came the statement that we were fighting for the "four freedoms" to liberate subject people. That was followed by Churchill's statement that the British were fighting to preserve the British Empire and, inferentially, his thought was to extend it.

We know now that, after our troops—and I do not mean the troops of the Allied Nations, but I mean American fighting men—drive the Japs out of the former British and Dutch possessions in the South Pacific islands and military bases which the Japs had taken from the British and the Dutch, the British and the Dutch move in and reestablish themselves on their former possessions won for them by American blood.

We are beginning to wonder, when we see the Finnish diplomatic representatives handed their passports right after Russia has renewed her offensive to overrun Finland, as Americans went in on the western front at her demand, whether Russia is not using the opportunity to bring within her domain territory which she desires for the extension of her empire.

The diplomats of Finland, the only nation in the world which has attempted wholeheartedly to pay her obligation incurred to us in the former war, are told to get out of America and we furnish the nation which is overrunning her muntions of war, while, at the same time, other people, victims of the war, designated as refugees, are given safe haven here in the United States.

Some 5,000,000 of our men are fighting or supporting the fighting in other lands. Some 800,000 refugees have been admitted to this country. Just how far are we to go in exchanging fine young Americans for refugees?

With Sidney Hillman's Committee for Political Action of the C. I. O. meeting here in Washington, forming a national organization and announcing that the President must have a fourth term, and with the administration using its power to further the interests of the C. I. O. and its political cohorts, we are also wondering whether the frontier is on the Rhine, or whether the battle for the preservation of American independence, for a constitutional form of government, is being fought here on the banks of the Potomac.

Is this war a war to establish the freedom of subject peoples throughout the world? Is it a war for the preservation of the independence of America? Or is the war being fought to, as was advocated by Henry Wallace, remake America; establish a form of government advocated by Sidney Hillman, still apparently clinging to and bent upon grafting here upon the American system the destructive ideologies of Russia, the land of his birth?

Until the coming of the New Deal, Americans have always been free, but Hillman's idea is that no one should be permitted to hold a job until he pays tribute to the C. I. O.

It is time that Americans teach Hillman and his crew that New York City is not the Capital of America; that the rest of the country will not be ruled by him and his communistic associates.

It is time that we do have a little lend-lease of refugees. It might not be such a bad idea, if those who want to establish here in America a new Russia, were sent back to Russia, to the land from which they came.

If Americans believing in the independence of our country must fight a battle here at home, the best thing that could happen to us is that we begin it without further delay.

Sidney Hillman and his C. I. O. political action committee have thrown down the gauntlet. The people's Representatives here in Congress should pick it up and carry the fight to a bitter end. No quarter should be asked and none should be given, as this country cannot be half republic, half dictatorship, no more than it could remain half free, half slave.

It is time that Congress assert itself, compel the executive department to tell us what has been going on.

An article from the Washington Times-Herald of this morning, which is attached hereto and marked "Exhibit A," tells in news form the story which was related to me by Mrs. Kent more than 2 years ago, when her son was imprisoned in Great Britain because she said he disclosed information which she alleged showed that President Roosevelt and Winston Churchill were then carrying on a correspondence, the purport of which was to involve us in the present war.

I was unable at that time to get accurate information as to the fact, but, if the story is false, the facts should be spread upon the record. No harm could possibly be done to the military effort. But, if the story is true, if the facts substantiate it, it might blast the New Deal, the fourth term campaign, out of existence.

EXHIBIT A

WAR INTRIGUE CHARGE FACES SENATE PROBE—ROOSEVELT-CHURCHILL "DEALINGS" DUE AIRING

(By Walter Trohan)

Charges in the British House of Commons that President Roosevelt was dealing with Winston Churchill behind the back of Prime Minister Chamberlain are expected to be aired in Congress during the week.

Senator SHIPSTEAD (Republican), of Minnesota, said he was aware of the debate in the House of Commons which disclosed Mr. Roosevelt's purported promise to Churchill, then First Lord of the Admiralty, that the United States would come to the aid of Britain.

STUDY PROMISED

The Senator said the Senate should study the report that the Chief Executive and the British leader were dealing unofficially 4 years ago.

Senator WHEELER (Democrat), of Montana, said he was aware of the 4-year fight Mrs. Anne H. P. Kent, a resident of Washington, and mother of Tyler Kent, a clerk in the American Embassy at London, has been making for the release of her son.

Kent, although an American citizen of diplomatic status, was sentenced to 7 years' imprisonment by a British court on a mysterious charge. He was a code clerk and allegedly had access to communications exchanged between President Roosevelt and Churchill.

CAPTAIN ALSO ARRESTED

According to the story unfolded in the House of Commons, Capt. A. H. M. Ramsay, a member of Parliament, was also arrested and imprisoned. John McGovern, an Independent Laborite member of Parliament, said that Ramsay was being held because he might make sensational disclosures of prewar negotiations between Mr. Roosevelt and Churchill.

Mrs. Kent explained at her home here yesterday that she had positive evidence from her son that he intercepted communications between the President and Churchill, as charged in Parliament.

She displayed a cryptic cablegram from her son, which, she said, showed beyond doubt that he had intercepted code messages in the interests of keeping America at peace.

LETTER DISCLOSED

Mrs. Kent disclosed that she had written to President Roosevelt and Members of Congress demanding justice for her son. She released a letter to Senator DANAHER, Republican of Connecticut, in which she detailed her son's story. The letter read, in part:

"October 1939, contrary to all custom, courtesy of American embassy codes was extended to Winston Churchill, the then First Lord of the British Admiralty, in order that he might send his first cable to President Roosevelt, which read, in effect:

"'I am half American, and the natural person to work with you. It is evident we see eye to eye. Were I to become Prime Minister of Britain we could control the world.'

MANY NOTES EXCHANGED

"Six weeks later Mr. Roosevelt cabled through our embassy code to Mr. Churchill for more particulars. Then during the winter of 1939–40 several hundred cables were exchanged between these two. These cables were all decoded by Tyler Kent, clerk in the American Embassy in London. Young Kent's patriotism was so thoroughly aroused he determined to return to America and place before the Senate evidence of this shocking intrigue. However, his youth and inexperience led to easy frustration of his plans.

"For 2 years I have been endeavoring to learn the truth of my son's case in which I was hampered and misled in every possible way by the State Department officials. A passport to leave this country was refused me, but I was finally able to send someone in my place. This man recently returned after interviewing my son, his London attorney, and many other parties."

Mrs. Kent said she is thoroughly convinced that her son was railroaded to prison to hide behind the scenes dickering between the President and Churchill which neither the American nor the British people would have tolerated. She said she is prepared to so testify before Congress.

PROBE NOW SOUGHT

In her search for justice for her son she said that she had received many sympathetic hearings from Members of Congress, but all said they preferred not to imperil friendly relations at this time. Now that the British have made the matter public, she said, she has hopes Congress will probe the matter thoroughly.

Young Kent is a descendant of Americans who made their home in this country before the Revolution. Men of his family fought in the Revolution, the War of 1812, the Civil War and the Spanish-American War. His father was in the consular service for 20 years, and the son followed his father's footsteps.

WANTS AMERICAN LAW

"There is no shadow of a doubt of his Americanism," Mrs. Kent declared. "If he were not serving the best interests of his country as he saw them, a mother would know. I am asking merely for justice.

"It is most amazing that an American should be tried in British courts for an offense which was not against American law. As I see it he was tried only because he loved America more than his career or the country in which he is stationed. I have no wish to get bitter, because the question is so close to my heart, but I do think that as an American I have a right to plead for due process of law—American law."

EXTENSION OF REMARKS

Mr. ROWAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two instances.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. DILWEG, for June 20, 21, and 22, on account of official business.

To Mr. WASIELEWSKI, for June 20, 21, and 22, on account of official business.

To Mr. ROONEY (at the request of Mr. BYRNE), to attend a funeral.

ENROLLED BILLS SIGNED

Mr. KLEIN, 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. 4070. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1945, and for other purposes.

H. R. 4559. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1945, and additional appropriations therefor for the fiscal year 1944, and for other purposes.

ADJOURNMENT

Mr. COSTELLO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 55 minutes p. m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 20, 1944, at 10 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will meet on Wednesday, June 21, 1944, at 10:30 a. m., on all resolutions providing for temporary admission of political and religious refugees.

COMMITTEE ON THE PUBLIC LANDS

There will be an executive session of the Committee on the Public Lands on Wednesday, June 21, 1944, at 10: 30 a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1669. A letter from the Attorney General transmitting a report stating all of the facts and pertinent provisions of law in the cases of 133 individuals whose deportation has been suspended for more than 6 months under the authority vested in him, together with a statement of the reason for such suspension; to the Committee on Immigration and Naturalization.

1670. A letter from the Executive Secretary, Office of Scientific Research and Development, Office for Emergency Management, transmitting a copy of the estimate of personnel requirements for the Office of Scientific Research and Development during the quarter ending September 30, 1944; to the Committee on the Civil Service.

1671. A letter from the Director, Office of Strategic Services, transmitting a quarterly estimate of personnel requirements for the Office of Strategic Services; to the Committee on the Civil Service.

1672. A letter from the third vice president, Panama Railroad Company, transmitting on behalf of the United States offices of the Panama Railroad Company, quarterly estimate of personnel requirements for the quarter ending September 30, 1944; to the Committee on the Civil Service.

1673. A letter from the Chief of Office, the Panama Canal, transmitting data in connection with the presonnel requirements of the Washington office of the Panama Canal for the quarter ending September 30, 1944; to the Committee on the Civil Service.

1674. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

1675. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal by various Government agencies; to the Committee on Disposition of Executive Papers.

1676. A letter from the Secretary of War, transmitting a draft of a proposed bill to provide that temporary appointments as commissioned or warrant officers in the Army of the United States of enlisted men or warrant officers of the Army of the United States on active duty shall be deemed to have been accepted upon the dates such appointments are made, and for other purposes; to the Committee on Military Affairs.

1677. A letter from the Chairman, War Production Board, transmitting the twelfth bimonthly report of the Smaller War Plants Corporation for the period from April 1, 1944, through May 31, 1944; to the Committee on Banking and Currency.

1678. A letter from the Comptroller, Near East Relief, transmitting a report of the Near East Relief, for the year ending December 31, 1943; to the Committee on the Judiciary.

1679. A letter from the Attorney General, transmitting a draft of a proposed bill to amend the Federal Firearms Act; to the Committee on Interstate and Foreign Commerce.

1680. A letter from the Chairman, Reconstruction Finance Corporation, transmitting the report of the Reconstruction Finance Corporation for the month of March 1944; to the Committee on Banking and Currency.

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. VINSON of Georgia: Committee on Naval Affairs. S. 1173. A bill to provide for staying judicial proceedings against the United States in time of war, on claims for damages caused by vessels of the Navy, or

for towage or salvage services to such vessels, when the Secretary of the Navy certifies that the prosecution of such proceedings would endanger the security of naval operations or interfere therewith, and to authorize the settlement and payment of such claims, and for other purposes; with amendment (Rept. No. 1681). Referred to the Committee of the Whole House on the state of the Union.

Mrs. SMITH of Maine: Committee on Naval Affairs. S. 1894. An act to provide for the transportation to their homes of persons discharged from the naval service because of under age at time of enlistment; with amendment (Rept. No. 1682). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 4968. A bill to amend section 511 (c) of the Merchant Marine Act of 1936, as amended, relative to deposit of vessel proceeds received from the United States in certain cases, and for other purposes; with amendment (Rept. No. 1683). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 593. Resolution providing for the consideration of H. R. 4901, a bill to authorize and direct the sale of Moore Air Field; without amendment (Rept. No. 1679). Referred to the House Calendar.

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. ABERNETHY: Committee on Claims, H. R. 2150. A bill for the relief of Diemer Adison Coulter and Frances Andrews Coulter; with amendment (Rept. No. 1684). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. CANFIELD:

H. R. 5055. A bill to create the office of Senator at Large in the Senate of the United States for ex-Presidents of the United States; to the Committee on the Judiciary.

By Miss STANLEY:

H. R. 5056. A bill to amend the National Labor Relations Act, so as to make it an unfair labor practice to discriminate against any employee, in the rate of compensation paid, on account of sex; to the Committee on Labor.

By Mr. KEFAUVER:

H. R. 5057. A bill to authorize the continued operation of certain airport traffic-control towers by the Civil Aeronautics Administration; to the Committee on Interstate and Foreign Commerce.

By Mr. ENGLE of California:

H. R. 5058. A bill to provide for the issuance of grazing permits for livestock in the national parks and national monuments; to the Committee on the Public Lands.

By Mr. VINSON of Georgia:

H. Res. 599. Resolution providing for the consideration of H. R. 4991, a bill to remove restrictions on transfers of small craft to other American republics in furtherance of the war effort; to the Committee on Rules.

By Mr. COFFEE:

H. Res. 600. Resolution urging on behalf of the United States House of Representatives a diplomatic break with Franco (Fascist) Spain, and extension of lend-lease to the guerrilla armies of the Spanish Republic underground; to the Committee on Foreign Affairs.

By Mr. VINSON of Georgia:

H. Res. 601. Resolution providing for the consideration of H. R. 4405, a bill to amend the act approved March 7, 1942 (Public Law 490, 77th Cong.), as amended, so as to more specifically provide for pay, allotments, and administration pertaining to war casualties, and for other purposes; to the Committee on Rules.

H. Res. 602. Resolution providing for the consideration of S. 1173, a bill to provide for staying judicial proceedings against the United States in time of war, on claims for damages caused by vessels of the Navy, or for towage or salvage services to such vessels, when the Secretary of the Navy certifies that the prosecution of such proceedings would endanger the security of naval operations or interfere therewith, and to authorize the settlement and payment of such claims, and for other purposes; to the Committee on Rules.

By Mr. JARMAN:

H. Res. 603. Resolution authorizing the printing of a revised edition of the Rules and Manual of the House of Representatives for the Seventy-ninth Congress; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. DOUGHTON:

H. R. 5059. A bill for the relief of Mrs. Zelma Inez Cheek; to the Committee on Claims.

By Mr. GEARHART:

H. R. 5060. A bill for the relief of Clyde H. Palmer; to the Committee on Claims.

By Mr. MORRISON of Louisiana:

H. R. 5061. A bill for the relief of James Leon Keaton; to the Committee on Claims.

PETITIONS, ETC.

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

5871. By Mr. ANDREWS of New York: Resolution, adopted by the Bailey-Delavan Businessmen and Taxpayers Association, Inc., protesting against the enactment of legislation for the development of the St. Lawrence seaway and power project; to the Committee on Rivers and Harbors.

5872. By Mr. FITZPATRICK: Petition of Teamsters, Chauffeurs, and Helpers Union, Local No. 816, New York City, urging the passage of the Fay bill (H. R. 4319) and Weiss bill (H. R. 4501) which measures provide time and a half overtime for postal employees; to the Committee on the Post Office and Post Roads.

5873. By Mr. GRAHAM: Petition of the Pomona Grange, No. 65, of Lawrence County, Pa., favoring the removal of sugar from the rationing list; to the Committee on Agriculture.

5874. Also, petition of the Economy Grange, No. 2013, of Beaver County, Pa., urging the enactment of Senate bill 1882 and House bill 4715, to advance postal salaries to conform to the increased cost of living; to the Committee on the Post Office and Post Roads.

5875. By Mrs. NORTON: New Jersey State Senate resolution, proposing an amendment to the Constitution of the United States relative to taxes on incomes, inheritances, and gifts; to the Committee on Ways and Means.

5876. By Mr. ROLPH: California Senate Resolution No. 4, urging that the Colorado River treaty be not ratified by the Senate Committee on Foreign Relations; to the Committee on Foreign Affairs.

5877. Also, California Senate Resolution No. 5, in reference to access road to Golden Gate Bridge; to the Committee on Interstate and Foreign Commerce.

5878. Also, California Senate Resolution No. 7, in reference to, and urging passage of, House bill 4184, land-grant railroads; to the Committee on Interstate and Foreign Commerce.

5879. By the SPEAKER: Petition of the Central Labor Union of Orange County, Santa Ana, Calif., petitioning consideration of their resolution with reference to the renewal of the Emergency Price Control Act; to the Committee on Banking and Currency.

5880. Also, petition of the secretary, Potomac Synod of the Evangelical and Reformed Church, petitioning consideration of their resolution with reference to repeal of the Asiatic Exclusion Act; to the Committee on Immigration and Naturalization.

5881. Also, petition of various real-estate owners, banks, and agents of New York City, petitioning consideration of their resolution with reference to the inequities in the rent-control section of the present Emergency Price Control Act; to the Committee on Banking and Currency.

5882. Also, petition of the fifty-third continental congress of the National Society of the Daughters of the American Revolution petitioning consideration of their resolution with reference to enforcement of immigration and naturalization qualifications, etc., to the Committee on Immigration and Naturalization.

SENATE

TUESDAY, JUNE 20, 1944

(Legislative day of Tuesday, May 9, 1944)

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

Rev. Edward Hughes Pruden, D. D., pastor, First Baptist Church, Washington, D. C., offered the following prayer:

Our gracious Heavenly Father, God of our fathers and our God, we thank Thee that from one generation to another Thou hast been revealing Thy power and love to all the sons of men, and that as we stand today confronted by all the uncertainty and tragedy of this hour we do not stand alone, for we have put our trust in Thee.

We are grateful that the Presiding Officer of this body has landed safely at his destination in China, and we would pray Thy richest blessings upon him as he engages in his important mission. Wilt Thou give the leadership and wisdom of Thy Holy Spirit to this body today as they face the significant issues before them. Bless our Nation and all the nations of the earth, that in due season every heart and every mind may be brought into subjection to the will of Jesus Christ, our Lord, through whom we pray. Amen.

THE JOURNAL

On request of Mr. GEORGE, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, June 19, 1944, was dispensed with, and the Journal was approved.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore (Mr. GILLETTE) laid before the