By Mr. CURLEY:

H. R. 4104. A bill to direct the Secretary of War to arrange for the policing of Japan and other territory in the Far East by Chinese military forces under supervision of United States Army officers; to the Committee on Military Affairs.

By Mr. SMITH of Ohio:

H. R. 4105. A bill to direct the discharge of certain members of the armed forces, and for other purposes; to the Committee on Military Affairs.

H. R. 4106. A bill to stop inductions under the Selective Training and Service Act of 1940, as amended; to the Committee on Military Affairs.

By Mr. TRAYNOR:

H. R. 4107. A bill to prohibit the transportation of obscene literature in interstate or foreign commerce; to the Committee on the Judiciary.

By Mr. CHURCH:

H. R. 4108. A bill to increase the pension of certain totally disabled veterans of the war with Spain, the Philippine Insurrection, or the China Relief Expedition; to the Committee on Pensions.

By Mrs. DOUGLAS of California:

H. R. 4109. A bill to provide for the admission to the United States of alien Chinese wives of American citizens who are admissible under the provisions of the immigration laws other than those authorizing exclusion on grounds of race or birth in a defined geographical area; to the Committee on Immigration and Naturalization.

By Mr. PRIEST:

H. R. 4110. A bill to amend the act of June 15, 1943, relating to the training of nurses, to prohibit the admission of any person for training under such act after October 15, 1945, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STIGLER:

H. R. 4111. A bill relating to the Board of Parole; to the Committee on the Judiciary.

By Mr. COCHRAN:

H. J. Res. 241. Joint resolution to provide for designation of the Veterans' Administration hospital at Jefferson Barracks, Mo., as "Edward H. O'Hare Hospital"; to the Committee on World War Veterans' Legislation.

By Mr. BARRY:

H. Res. 347. Resolution to create a special committee of the House of Representatives to investigate all court-martial and other sentences by the Navy Department since December 7, 1941; to the Committee on Rules.

By Mr. PRICE of Florida:

H. Res. 351. Resolution directing the Secretary of War to furnish the House of Representatives certain information relative to surplus aircraft; to the Committee on Military Affairs.

H. Res. 352. Resolution directing the Secretary of the Navy to furnish the House of Representatives certain information relative to surplus aircraft; to the Committee on Naval Affairs.

By Mr. NEELY:

H. Res. 353. Resolution to amend clause 4 of rule XXVII of the Rules of the House; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ALLEN of Louisiana:

H. R. 4112. A bill for the relief of Donald D. Kelly; to the Committee on Claims.

By Mr. BUNKER:

H. R. 4113. A bill to authorize and direct the Secretary of the Interior to issue a patent for certain land to Mrs. Estelle M. Wilbourn; to the Committee on the Public Lands.

By Mr. D'EWART:

H. R. 4114. A bill to authorize and direct the Secretary of the Interior to issue to Alice Scott White a patent in fee to certain land; to the Committee on Indian Affairs.

By Mr. EARTHMAN:

H. R. 4115. A bill for the relief of the estate of Eleanor Doris Barrett; to the Committee on Claims.

By Mr. ELLIS:

H. R. 4116. A bill for the relief of M. R. Stone; to the Committee on Claims.

H. R. 4117. A bill for the relief of Franklin P. Radcliffe; to the Committee on Claims.

By Mr. GAMBLE:

H. R. 4118. A bill for the relief of Axel H. Peterson; to the Committee on Claims.

By Mr. GOSSETT:

H. R. 4119. A bill for the relief of Charles D. Butts; to the Committee on Claims.

By Mr. GRANGER:

H. R. 4120. A bill for the relief of Charles J. Smith; to the Committee on Claims.

By Mrs. SMITH of Maine:

H. R. 4121. A bill for the relief of Augusta Board of Education; to the Committee on Claims.

By Mr. SMITH of Ohio:

H. R. 4122. A bill for the relief of Guy B. Slater; to the Committee on Claims.

By Mr. VORYS of Ohio:

H. R. 4123. A bill conferring jurisdiction upon the United States District Court for the Southern District of Ohio to hear, determine, and render judgment upon the claim of Everett V. Lawrence; 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:

1163. By Mr. HANCOCK: Petition of Frank G. Harrington and other residents of Baldwinsville, N. Y., protesting against the enactment of any prohibition legislation; to the Committee on the Judiciary.

1164. By Mr. LANE: Memorials of the One Hundred and First Infantry Veterans' Association of Massachusetts; to the Committee on Military Affairs.

1165. Also, memorials of the One Hundred and First Infantry Veterans' Association of Massachusetts; to the Committee on Rules.

1166. Also, memorials of the One Hundred and First Infantry Veterans' Association of Massachusetts; to the Committee on Rules.

1167. Also, memorials of the One Hundred and First Infantry Veterans' Association of Massachusetts; to the Committee on Military Affairs.

1168. Also, memorials of the One Hundred and First Infantry Veterans' Association of Massachusetts; to the Committee on Military Affairs.

1169. By Mrs. SMITH of Maine: Petition signed by Mrs. Jessie M. Stewart and other citizens of Thomaston, Maine, deploring the shipping of malt beverages and other liquors into our fighting areas; to the Committee on the Judiciary.

1170. Also, petition signed by Charles F. Kimball and other citizens of Androscoggin County, asking for a quick and complete hearing on the Townsend measures by the Ways and Means Committee and then by the Congress as a whole; to the Committee on Ways and Means.

1171. By Mr. SUNDSTROM: A resolution protesting the permanent appointment of temporary civil-service employees in Federal jobs without due regard to the rights of veterans, submitted by the membership of Post No. 302, American Legion, Newark, N. J.; to the Committee on the Civil Service.

1172. By the SPEAKER: Petition of the City Council of the City of Oakland, Calif., petitioning consideration of their resolution with reference to request for continuance of child-care centers provided for under the Lanham Act; to the Committee on Appropriations.

1173. Also, petition of the City Council of the City of Hammond, Ind., petitioning consideration of their resolution with reference to reconversion; to the Committee on Ways and Means.

SENATE

WEDNESDAY, SEPTEMBER 19, 1945

(Legislative day of Monday, September 10, 1945)

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:

O Thou who art the light of man's mind, with eyes of wonder we have greeted again the eternal miracle as dawn has conquered the darkness; so rise with the morning upon our souls. Let the effulgent noontide of Thy enlightening grace make clear our paths. Lead us along these treacherous and tortuous ways by Thy unfailing love into more abundant life for all the world until it shall be daylight everywhere. In the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, September 18, 1945, was dispensed with, and the Journal was approved.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States submitting a nomination was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 374. An act to amend the act of October 29, 1919, entitled "An act to punish the transportation of stolen motor vehicles in interstate or foreign commerce";

S. 397. An act to provide for the presentation of medals to members of the United States Antarctic Expedition of 1939–41; and

S. 1045. An act to provide for pay and allowances and transportation and subsistence of personnel discharged or released from the Navy, Marine Corps, and Coast Guard because of under age at the time of enlistment, and for other purposes.

The message also announced that the House had passed the joint resolution (S. J. Res. 78) to provide for designation of the Veterans' Administration hospital at Crugers Park, Peekskill, N. Y., as Franklin Delano Roosevelt Hospital, with amendments in which it requested the concurrence of the Senate.

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

H. R. 1123. An act to provide for a temporary increase in the age limit for appointees to the United States Military Academy;

H. R. 1128. An act to incorporate the Regular Veterans' Association;

H. R. 1591. An act to provide for the appointment of additional cadets at the United States Military Academy, and additional midshipmen at the United States Naval Academy, from among the sons of officers, soldiers, sailors, and marines who have been awarded the Congressional Medal of Honor;

H. R. 1645. An act to preserve the reemployment preferences of members of the armed forces who after discharge therefrom become employed in essential activities;

H. R. 1868. An act authorizing appointments to the United States Military Academy and the United States Naval Academy of sons of members of the land or naval forces of the United States who were killed in action or have died of wounds or injuries received, or disease contracted, in active service during the present war, and for other purposes;

H. R. 2525. An act to include step parents among those persons with respect to whom allowances may be paid under the Pay Readjustment Act of 1942, and for other purposes;

H. R. 2842. An act for the relief of Montgomery County, Miss., districts 2 and 3;

H. R 2851. An act to provide for investigating the matter of the establishment of a national park in the old part of the city of Philadelphia, for the purpose of conserving the historical objects and buildings therein;

H. R. 3195. An act for the relief of Grenada County, Miss.;

H. R. 3466. An act to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad;

H. R. 3686. An act to authorize the Commissioner of the General Land Office and the registers of the land offices in Alaska to perform functions under the Alaska real property ownership declaration law;

H. R. 3755. An act to establish an Optometry Corps in the Medical Department of the United States Army; and

H. R. 3951. An act to stimulate volunteer enlistments in the Regular Military and Naval Establishments of the United States.

HOUSE BILLS REFERRED

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

H. R. 1123. An act to provide for a temporary increase in the age limit for appointees to the United States Military Academy;

H. R. 1591. An act to provide for the appointment of additional cadets at the United States Military Academy and additional midshipmen at the United States Naval Academy from among the sons of officers, soldiers, sailors, and marines who have been awarded the Congressional Medal of Honor;

H. R. 1645. An act to preserve the reemployment preferences of members of the armed forces who after discharge therefrom become employed in essential activities;

H. R. 1868. An act authorizing appointments to the United States Military Academy and the United States Naval Academy of sons of members of the land or naval forces of the United States who were killed in action or have died of wounds or injuries received or disease contracted in active service during the present war, and for other purposes;

H. R. 2525. An act to include stepparents among those persons with respect to whom allowances may be paid under the Pay Readjustment Act of 1942, and for other purposes;

H. R. 3755. An act to establish an Optometry Corps in the Medical Department of the United States Army; and

H. R. 3951. An act to stimulate volunteer enlistments in the Regular Military and Naval Establishments of the United States; to the Committee on Military Affairs.

H. R. 1128. An act to incorporate the Regular Veterans' Association; to the Committee on the Judiciary.

H. R. 2842. An act for the relief of Montgomery County, Miss., districts 2 and 3; and

H. R. 3195. An act for the relief of Grenada County, Miss.; to the Committee on Claims.

H. R. 2851. An act to provide for investigating the matter of the establishment of a national park in the old part of the city of Philadelphia for the purpose of conserving the historical objects and buildings therein; and

H. R. 3686. An act to authorize the Commissioner of the General Land Office and the registers of the land offices in Alaska to perform functions under the Alaska real property ownership declaration law; to the Committee on Public Lands and Surveys.

H. R. 3466. An act to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad; to the Committee on Immigration.

EXECUTIVE COMMUNICATIONS, ETC.

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

THE ALUMINUM INDUSTRY

A letter from the Attorney General transmitting, pursuant to section 205 of the War Mobilization and Reconversion Act of 1944, Public Law 458, Seventy-eighth Congress, approved October 3, 1944, a survey entitled "The Aluminum Industry" (with accompanying papers); to the Committee on Military Affairs.

REPORT OF THE FARM CREDIT ADMINISTRATION

A letter from the Secretary of Agriculture, transmitting, pursuant to law, the twelfth annual report of the Farm Credit Administration for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on Agriculture and Forestry.

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 several departments and agencies of the Government 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 the Joint Select Committee on the Disposition of Papers in the Executive Departments.

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

PETITIONS

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

A petition of sundry citizens of Cleveland, Ohio, requesting that the results of the investigation of the naval board of inquiry with reference to the attack on Pearl Harbor be made public; to the Committee on Naval Affairs.

A resolution adopted by Federal Employees' Union, No. 1, National Federation of Federal Employees, of San Francisco, Calif., paying tribute to the memory of the late Senator Hiram W. Johnson, of California, for his public service; ordered to lie on the table.

FEDERAL FINANCES

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter sent to me by Mr. R. M. McDill, teacher of mathematics at Hastings College, Hastings, Nebr., relating to Federal finances. While I have the floor, I wish to call attention of the Senate particularly to the following statements in Mr. McDill's letter:

I do not believe 1 person in 2,000 realizes the seriousnc 3 of the public debt. For 12 years borrow, borrow, spend, spend, spend has been the idea. In wartime, thrift and economy are considered unpatriotic. To pay the debt with dollars of the present value will be a terrible load. To repudiate directly seems unthinkable for a government which can print legal tender. An inflated currency really is a repudiation, but it looks as though that is what we are coming to. Yet there are many would continue to borrow.

I agree with Mr. McDill that it might be a very good idea for the Congress to shut its ears to some of those who would have the Federal Government continue to spend and borrow, borrow and spend, without any regard to the consequences. This reckless spending program should be stopped.

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

HASTINGS COLLEGE,
Hastings, Nebr., September 3, 1945.

Senator CAPPER,
Washington, D. C.

DEAR SENATOR CAPPER: While I do not live in Kansas I do frequently hear your radio addresses. I like particularly what you have to say along the line of Federal finance. I do not believe one person in 2,000 realizes the seriousness of the public debt. For 12 years borrow, borrow, spend, spend, spend has been the idea. In wartime thrift and economy are considered unpatriotic. To pay the debt with dollars of present value will be a terrible load for a generation. To directly repudiate seems unthinkable for a government which can print legal tender. An inflated currency is really a repudiation, but it looks as though that is what we are coming to. Yet there are many who would continue to borrow.

What work there is should be divided up among all and monopoly crushed. Short hours of labor may be a partial solution. Temperance of all kinds would be a help, but the tide seems to be going the other way.

Keep up the good work.

Most sincerely,

R. M. MCDILL.

PEACETIME CONSCRIPTION

Mr. CAPPER. Mr. President, I have received a very interesting letter from the Reverend S. Ben Finley, of Luray, Kans., in which he calls my attention to a letter he has written to Maj. Gen. Edward F. Witsell, of the War Department, in opposition to peacetime conscription. I ask unanimous consent to have the letters printed in the RECORD.

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

SEPTEMBER 10, 1945.

MR. ARTHUR CAPPER,
Washington, D. C.

DEAR MR. CAPPER: Enclosed is a copy of a reply to a letter received from the War Department. I believe that it explains my position and feeling toward peacetime military conscription. I am a veteran of the present war, and I think I speak the mind of most of the men of this section of the country. I know there are a few industrialists who are sponsoring peacetime conscription, and it is obvious for their doing so. Viz: Fleecing their pockets at the cost of the lives of our young men. I am sure that you are not in accord with peacetime conscription and am hoping that you will do all you can to prevent any such catastrophe to come to our

Nation, so I am asking you as a friend, and a representative of the enlisted man, to not only vote against peacetime military conscription, but that you will raise your voice in opposition to it on the Senate floor.

Very truly yours,

S. BEN FINLEY.

SEPTEMBER 7, 1945.

To the WAR DEPARTMENT,
Adjutant General's Office,
Washington, D. C.
(Attention Edward F. Witsell, Major General.)

GENTLEMEN: I'm not surprised, in your thought, that voluntary enlistment cannot meet the Nation's need for an adequate military establishment, for two reasons. First of all, because you are a militarist and have made that your career, and so you would like to see a larger military establishment. Secondly, because you are an officer and being an officer, receive an adequate living wage and you have little conception of the meagerness of the enlisted man's wage, as well as knowing very little about the requirements of the enlisted man. If you would consent to give the enlisted man your salary, your sustenance, and your standing in the military establishment that you speak about, I'm sure that you would have all the volunteers that you need for an adequate Army and Navy.

Neither the Army, nor the Navy enlisted man receives an adequate living wage that will support themselves and a family in peacetime. Likewise the enlisted man is counted by the officers as just another piece of property belonging to the Government. Our national military academies, during peacetime, refuse to accept a great percent of their applications to enter. If our enlisted men were paid an adequate living wage, as they should be paid and not spend it all on the officers, we would have an adequate number of men volunteering for military duty. I don't blame any young man for not entering military service until he is forced to as an enlisted man.

In the third paragraph of your letter you spoke about maintaining the peace which we had secured at so great a cost. I know something of that cost, as I have served time in the Navy, in the Medical Corps, and have seen the real cost of the war in the wreckage of human lives. And there is no one that hates war more than I do. But you cannot educate patriotism, nor drill into our younger generation loyalty to the American flag and our country in the Army camps. When compulsory military training is enacted in our Nation we have lost "the peace which we have secured at so great a cost."

In your third paragraph, as well, I note that you say, "For the future, universal military training is considered desirable." The only ones that I know of that consider it desirable is the War Department and the officers who make military their career. One year of military training for an 18-year-old for future military service is the most absurd thing I can think of. It is not only a waste of Government money, but is likewise a waste of the 18-year-old's time and money. For you know better than anyone else how often military tactics change and how soon present-day tactics become obsolete. A boy taking 1 year of military training this year would have it all to learn over again 6 or 7 years hence.

It only takes from 30 to 90 days to train a young man in basic and fundamental military tactics so that they may be efficient soldiers. If we have a good skeleton military force that is adequately paid, we will have men who are interested in military tactics and will do more than the young man who is conscripted and forced into military duty against his consent.

Very few officers know the mind of the enlisted man and the handicaps under which they work. Likewise very few of them care very much. When it comes to the place where enlisted men and officers are put on the same level as far as understanding is concerned, we will have an adequate volunteer Army to maintain the peace that we have bought.

You can rest assured that not only my vote will be cast against peacetime conscription, but I will also do all in my power to hinder the enactment of any such bill.

Very truly yours,

S. BEN FINLEY.

DEMOBILIZATION

Mr. BROOKS. Mr. President, I request unanimous consent to have printed in the RECORD, following my remarks, a plea by 38 enlisted servicemen now assigned to Fort Sheridan.

It will be noted that none of these men has been able to accumulate sufficient points to authorize his discharge under the point system. Many of them, according to their recorded sight, should not have been inducted into the service in the first place. Few of them are beyond the age of 38 and, therefore, they are unlikely to be discharged on account of age. Some of them were volunteers. They feel that in view of their inability to accumulate sufficient points to justify their discharge, because they have been stationed in this country the greater part of the time, some provision should be made by which their service can be recognized and an opportunity be given them to obtain their discharge.

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

FORT SHERIDAN, ILL., *September 10, 1945.*

Hon. C. WAYLAND BROOKS,
United States Senate,
Washington, D. C.

DEAR MR. BROOKS: In the many discussions Congress, the War Department, radio commentators, and newspapers have recently had concerning discharges of servicemen, little or nothing has yet been said of releasing limited-service men, who, despite three or more years' service, have been unable to gather points toward discharge because their disabilities prevented them from going overseas.

Furthermore, several thousand of these so-called limited-service men, among them the undersigned, never qualified under Army induction standards in the first place, but were accepted back in the grim days of 1942 and 1943 to do clerical and other noncombatant work because of the crying need the Army then had for manpower. A notable example of such men are those who, with 20/800 or even 20/1000 vision, were erroneously inducted and listed on the Form 221 (Army induction physical examination) as having 20/400 vision, which was the standard set by the Army as minimum requirement for eyesight.

Most of us never complained about this "erroneous induction," because we knew that a man with 20/1000 vision, corrected to 20/20 or 20/40, could perform as efficiently behind a desk as one with 20/400 vision properly corrected. We knew that the Army needed men, and that it was only manpower needs which forced induction centers to falsify our eyesight tests. Now, however, when the war is over, and the War Department is hurriedly making plans to drastically cut the number of men and women in the armed forces, we feel that there is no longer a need for holding men who, according to medical-department standards, never should have been in service in the first place. We feel, in fact, that we cannot look forward to separation in the near future, because through no fault of our own, few of us have been able to acquire more than 30 or 40 points toward discharge, for whether we wanted to go overseas or not, we never were given the opportunity to do so. Under the present plan of 80 points required for discharge, a limited-service man without dependents would have to serve 6⅔ years in the Army.

If a check were made of the personnel of this post, it would undoubtedly be found that a large percentage of men here are below minimum physical standards for induction. Are we to be penalized on the point system for not going overseas, when we weren't given a chance to go overseas? Are we to be left to rot here, while others, better equipped for jobs through their own physical superiority, are discharged to accept the limited number of positions left open in reconversion employment?

We suggest that some consideration be granted what might be called the limited-service man in the War Department's priority-for-discharge schedule: A limit of 2 years or 3 years be placed on length of service required of men who, by War Department standards, should never have been in uniform in the first place—men who are not physically qualified for officers' candidate schools, had no opportunity for earning awards or decoration, and who were given few or no promotions.

Very truly yours,

FORT SHERIDAN LIMITED-SERVICE MEN.

Soldier	Length of service (months)	Demobilization points
Bryon H. Sistler	38	38
Louis G. Geannporler	29	29
Edward J. Proppi	31	31
Earl McMunn	39	39
Nels W. Swanson	37	37
Robert F. Scott	38	38
Norman J. Buechaer	27	27
Gilbert T. Le Tourneau	26	26
Bruce W. Barker	38	38
Lewis F. Caruso	32	32
Sherrill C. Passage	38	38
Charman N. Seifert	38	38
Alan J. Walker	20	20
Egan A. Ringwall	37	37
William V. Walsh	30	42
Eldon R. Wax	22	34
William H. Byrne	27	27
Frank J. Powers	30	30
Edgar F. Runnim, Jr	38	50
Kennedy E. Carker	30	42
Richard J. McGinn	30	30
Rex L. Hendrix	30	30
Alvin W. Trenpey	30	30
C. R. Nordbuy	33	45
Norman A. Johnson	40	51
Harold C. Shank	21	33
Leland B. Hill	18	36
Myron Susser	32	32
Raymond H. Karsten	35	35
Donald A. Nelson	32	44
Richard G. Forton	23	23
John I. Fitzsimmons	27	27
William J. Griffin	31	31
Robert J. McKinsey	27	27
Ralph E. Tanzer	34	34
William E. Bartz	27	27
Claude G. Metzler	36	36

REPORT OF A COMMITTEE

Mr. HATCH, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 3686) to authorize the Commissioner of the General Land Office and the registers of the land offices in Alaska to perform functions under the Alaska real property ownership declaration law, reported it without amendment and submitted a report (No. 568) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. CAPPER:

S. 1409. A bill granting a pension to Mrs. Cynthia Hartman; to the Committee on Pensions.

By Mr. SHIPSTEAD:

S. 1410. A bill to provide for the release of all fathers from the armed forces; to the Committee on Military Affairs.

By Mr. BROOKS:

S. 1411. A bill for the relief of Alfred Osterhoff, doing business as Illini Reefer Transit, Champaign, Ill.; to the Committee on Claims.

By Mr. McFARLAND:

S. 1412. A bill to amend the Pay Readjustment Act of 1942, as amended; to the Committee on Military Affairs.

By Mr. THOMAS of Oklahoma:

S. 1413. A bill to exempt veterans from certain provisions of the Act entitled "An Act to prevent pernicious political activities" approved August 2, 1939, as amended; to the Committee on Privileges and Elections.

(Mr. McKELLAR introduced Senate bill 1414, which was referred to the Committee on Agriculture and Forestry, and appears under a separate heading.)

By Mr. THOMAS of Utah:

S. J. Res. 96. Joint resolution tendering the thanks of Congress to General of the Army George Catlett Marshall and to the officers and men of the Army who served under him during World War II; and providing for the procurement of a gold medal to be presented to General Marshall in the name of the people of the United States; to the Committee on Military Affairs.

PRINTING OF REVIEW OF REPORTS ON THE COLUMBIA AND SNAKE RIVERS, OREG., WASH., AND IDAHO

Mr. MAGNUSON. Mr. President, I present a letter from the Secretary of War, transmitting a report dated December 2, 1944, from the Chief of Engineers, United States Army, together with accompanying papers and an illustration, on a review of reports on the Columbia and Snake Rivers, Oreg., Wash., and Idaho, for further improvement of the river in the vicinity of The Dalles, Oreg., and I ask unanimous consent that it may be printed as a Senate document, with illustrations.

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

EMERGENCY UNEMPLOYMENT COMPENSATION—AMENDMENTS

Mr. KILGORE submitted amendments intended to be proposed by him to the bill (S. 1274) to amend the War Mobilization and Reconversion Act of 1944 to provide for an orderly transition from a war to a peacetime economy through supplementation of unemployment compensation payable under State laws, and for other purposes, which were ordered to lie on the table and to be printed.

JOINT COMMITTEE ON ADJUSTMENT OF GOVERNMENTAL SALARIES

Mr. WHERRY. Mr. President, I ask unanimous consent to submit for proper reference a concurrent resolution calling for the appointment of a joint committee, to be composed of 15 Members of the Senate and 15 Members of the House of Representatives, to make a full and complete study and investigation regarding the adequacy of the salaries paid under existing law to civilian officers and employees in or under the executive, legislative, and judicial branches of the Government. In my work upon the Appropriations Committee it has become my conviction that an over-all committee which will cut across the various committees in studying the salaries now being paid is most necessary. I believe the appointment of such a committee is a step in the right direction. We have coming to the Committee on the Judiciary resolutions requesting increases in salaries in the judiciary. We have other measures requesting increases in congressional salaries. We have requests for increases in the salaries of civilian employees. We have many resolutions and bills along that line. I have a list of them before me. I shall not take the time to read it into the RECORD at this time, but I ask unanimous consent to have it printed at this point in the RECORD as a part of my remarks. It bears the title "Bills Relating to the Compensation of Civilian Officers and Employees of the Federal Government," and it relates to the compensation paid in both the executive, legislative, and judicial branches.

The PRESIDENT pro tempore. Without objection, the list presented by the Senator from Nebraska will be printed in the RECORD, and the concurrent resolution will be received and appropriately referred.

The list presented by Mr. WHERRY is as follows:

BILLS RELATING TO COMPENSATION OF CIVILIAN OFFICERS AND EMPLOYEES OF THE FEDERAL GOVERNMENT

S. 1125. Messrs. OVERTON and BRIDGES; June 8, 1945 (Appropriations). Increases salaries of Vice President and Speaker of the House to $25,000 and of Cabinet Members and Members of Congress to $20,000.

S. 1222. Mr. LANGER; July 3, 1945 (Civil Service). Maintains salaries of wage board employees at rates in effect on June 1, 1945, plus amounts equal to overtime which would be payable on a 48-hour week.

H. R. 174. Mr. CELLER; January 3, 1945 (Judiciary). Increases compensation of President to $100,000; Vice President, Speaker, and Cabinet members to $20,000, and Members of Congress to $15,000.

H. R. 620. Mr. VINSON; January 3, 1945 (Judiciary). Increases compensation of President to $100,000; Vice President, Speaker, and Cabinet members to $20,000, and Members of Congress to $15,000.

H. R. 2353. Mr. VINSON; February 26, 1945 (Judiciary). Increases compensation of President to $100,000; Vice President, Speaker, and Cabinet members to $20,000, and Members of Congress to $15,000.

H. R. 176. Mr. CELLER; January 3, 1945 (Judiciary). Increases salaries of Members of Congress to $12,500.

H. R. 397. Mr. DIRKSEN; January 3, 1945 (Judiciary). Creates a commission to determine salaries of Members of Congress, to be composed of 18 members to be appointed as follows: 3 by the Speaker, 3 by the President of the Senate, 6 by the President of the United States, 6 by the Chief Justice of the United States, each appointing officer to select his appointees in equal numbers from outstanding leaders in each of 3 groups; viz, labor, business, and professional. There would also be 6 advisory members who would be selected from among Members or former Members of Congress, 3 to be appointed by the Speaker and 3 to be appointed by the President of the Senate.

H. R. 3582. Mr. EBERHARTER; June 25, 1945 (Judiciary). Authorizes appointment of a committee of outstanding citizens who are not officers or employees of the Government to make recommendations with respect to compensation of the President, Vice President, Members of Congress, and Cabinet members.

H. R. 1520. Mr. LANE; January 6, 1945 (Civil Service). Provides a system of longevity pay for Federal employees.

In addition to the above bills, which are pending at the present time, the following statutes relating to salaries of Federal officers and employees have been enacted during the Seventy-ninth Congress:

Public Law 2, approved February 13, 1945, provided for increasing the compensation of telephone operators on the United States Capitol telephone exchange.

Public Law 106, approved June 30, 1945, provided overtime compensation and increases in basic pay for Federal employees generally.

Public Law 122, approved July 3, 1945, provided increases in salaries of members of the District of Columbia Fire Department.

Puclic Law 151, approved July 14, 1945, provided increases in the compensation of members of the Police and Fire Departments of the District of Columbia.

Public Law 158, approved July 21, 1945, provided increases in the pay of teachers in the public schools of the District of Columbia.

Public Law 134, approved July 6, 1945, provided for increases in the pay of postal employees.

The concurrent resolution (S. Con. Res. 33), submitted by Mr. WHERRY, was referred to the Committee on Appropriations, as follows:

Resolved by the Senate (the House of Representatives concurring), That there is hereby established a joint committee to be composed of 15 Members of the Senate (not more than 9 of whom shall be members of the same political party) to be appointed by the President of the Senate, and 15 Members of the House of Representatives (not more than 9 of whom shall be members of the same political party) to be appointed by the Speaker of the House of Representatives. Vacancies in the membership of the committee shall not affect the power of the remaining members to execute the functions of the committee, and shall be filled in the same manner as in the case of the original selection. The committee shall select a chairman and a vice chairman from among its members.

SEC. 2. The committee shall (1) make a full and complete study and investigation with respect to the adequacy of salaries paid under existing law to civilian officers and employees in or under the legislative, executive, and judicial branches of the Government, including elected officials and judges, (2) shall consider all measures pending in either House, which provide for increasing the compensation of such officers and employees, and (3) shall report to the Senate and the House of Representatives at the earliest practicable date the results of its study and investigation together with such recommendations as to necessary legislation as it may deem desirable.

SEC. 3. (a) The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, and clerical and stenographic assistants as it deems necessary and advisable, but the compensation so fixed shall not exceed the compensation prescribed under the Classification Act of 1923, as amended, for comparable duties.

(c) The expenses of the committee, which shall not exceed $10,000, shall be paid one-

half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers signed by the chairman.

APPOINTMENT OF LESLIE R. GROVES A MAJOR GENERAL IN THE REGULAR ARMY

Mr. STEWART submitted the following resolution (S. Res. 175), which was referred to the Committee on Military Affairs, as follows:

Resolved, That in recognition of his outstanding services to the Nation and particularly the planning, organization, magnitude of work and risks demanded by his contribution in the development of the atomic bomb, the President is hereby requested to appoint Leslie R. Groves, now a major general, Army of the United States, a major general of the line in the Regular Army of the United States.

FRANKLIN DELANO ROOSEVELT HOSPITAL

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 78) to provide for designation of the Veterans' Administration hospital at Crugers Park, Peekskill, N. Y., as "Franklin Delano Roosevelt Hospital," which were, in line 4, to strike out "Crugers Park", and insert "Crugers-on-Hudson, near", and to amend the title so as to read: "A joint resolution to provide for designation of the Veterans' Administration Hospital at Crugers-on-Hudson, near Peekskill, N. Y., as 'Franklin Delano Roosevelt Hospital'."

Mr. GEORGE. Mr. President, I move that the Senate concur in the amendments of the House. The only thing the amendments do is to correctly state the location of the hospital. It was stated in the Senate joint resolution as "Crugers Park," whereas the real name seems to be "Crugers-on-Hudson."

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

The motion was agreed to.

THE GERMAN SETTLEMENT—EDITORIAL FROM THE LONDON ECONOMIST

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD an editorial entitled "The German Settlement," published in the London Economist and subsequently republished in the United States Daily for September 14, 1945, which appears in the Appendix.]

OCCUPATION OF JAPAN—ARTICLE BY SUMNER WELLES

[Mr. FULBRIGHT asked and obtained leave to have printed in the RECORD an article entitled "Occupation of Japan," written by Sumner Welles and published in the Washington Post of September 19, 1945, which appears in the Appendix.]

EMERGENCY UNEMPLOYMENT COMPENSATION

The Senate resumed the consideration of the bill (S. 1274) to amend the War Mobilization and Reconversion Act of 1944, to provide for an orderly transition from a war to a peacetime economy through supplementation of unemployment compensation payable under State laws, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Illinois [Mr. LUCAS] adding at the end of the committee amendment, as amended, a new section.

The amendment proposed by Mr. LUCAS is as follows:

At the end of the bill insert a new section as follows:

"SEC. 3. The Employment Service facilities, property, and personnel loaned by the States to the United States Employment Service, shall be returned to the States not later than 30 days after the date of enactment of this act. The War Manpower Commission is authorized and directed to take such action as may be necessary to carry out the provisions of this section."

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

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

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

Aiken	Gurney	O'Daniel
Andrews	Hart	Overton
Austin	Hatch	Radcliffe
Bailey	Hawkes	Reed
Ball	Hayden	Revercomb
Barkley	Hickenlooper	Robertson
Bilbo	Hill	Russell
Brewster	Hoey	Saltonstall
Bridges	Johnson, Colo.	Shipstead
Briggs	Johnston, S. C.	Smith
Brooks	Kilgore	Stewart
Butler	Knowland	Taft
Byrd	La Follette	Taylor
Capehart	Langer	Thomas, Okla.
Capper	Lucas	Thomas, Utah
Carville	McCarran	Tobey
Chandler	McClellan	Tunnell
Chavez	McFarland	Vandenberg
Connally	McKellar	Wagner
Cordon	McMahon	Walsh
Donnell	Magnuson	Wheeler
Downey	Mead	Wherry
Ellender	Millikin	White
Ferguson	Mitchell	Wiley
Fulbright	Moore	Willis
George	Morse	Wilson
Gerry	Murdock	Young
Green	Murray	
Guffey	Myers	

Mr. HILL. The Senator from Virginia [Mr. GLASS] and the Senator from Mississippi [Mr. EASTLAND] are absent because of illness.

The Senator from Alabama [Mr. BANKHEAD], the Senator from South Carolina [Mr. MAYBANK], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Maryland [Mr. TYDINGS] are detained attending to public business.

The Senator from Florida [Mr. PEPPER] is absent on official business.

Mr. WHERRY. The Senator from South Dakota [Mr. BUSHFIELD] and the Senator from Idaho [Mr. THOMAS] are absent because of illness.

The Senator from Delaware [Mr. BUCK] is necessarily absent.

The PRESIDENT pro tempore. Eighty-five Senators having answered to their names, a quorum is present.

Mr. WAGNER. Mr. President——

Mr. BARKLEY. Mr. President, if the Senator from New York will permit me, in connection with the amendment offered by the Senator from Illinois [Mr. LUCAS], which is the pending question, I should like to read at this time what the President of the United States had to say on this subject 2 weeks ago in his message to the Congress on its reassembling. I read from the message:

Placing demobilized veterans and displaced war workers in new peacetime jobs is the major human problem of our country's reconversion to a peacetime economy. It is imperative that this work be done swiftly and efficiently, and that men and women lose a minimum amount of time between jobs.

The next few months are crucial. What we do now will affect our American way of life for decades to come.

The United States Employment Service has an important responsibility in the performance of this task.

At present this agency operates as a national and centralized system, with a free flow of information among its offices. Under the 1946 appropriation act the offices are to be turned back to the 48 States within 90 days after the cessation of hostilities.

Shortly after the declaration of war the Government realized that the manpower of the Nation could be mobilized more efficiently if the United States Employment Service were centralized under Federal control. Hundreds of thousands of workers had to be recruited from all parts of the country. Often they were wanted in regions far from their homes. Certain areas had surpluses of labor; others were desperately in need of more workers. This situation could be met only through a centrally operated employment service that covered the entire Nation.

Now we are faced with this problem in reverse. Hundreds of thousands of men and women will want to seek jobs in towns and cities other than those in which they worked during the war. They may want to return home, or they may want to strike out in search of new opportunities in new surroundings. Millions of veterans also will be coming back in search of peacetime jobs. They will want to know where such jobs can be found, not only in their own areas but also in other parts of the land.

The task of helping this vast army of job seekers to fit themselves into peacetime economy is fully as difficult as the mobilization of manpower for war. To make any decided change in the machinery to handle this problem now would cause unnecessary hardship to workers and veterans. It would slow down the entire process of reconversion.

I urgently recommend that the Congress do not yet return the Employment Service to the States. Ultimately it should be so returned. However, it should be continued under Federal control at least until the expiration of the War Mobilization Act—June 30, 1947.

In another paragraph the President recommends an additional appropriation of $10,000,000 for the United States Employment Service.

Mr. President, in view of this very clear, and, it seems to me, logical statement on the part of the President dealing with the reverse situation, and the obligation upon our Government to help the returning veterans and all unemployed persons in finding jobs wherever they can, it would be most unfortunate now to adopt the amendment offered by the Senator from Illinois to return this agency to the States within 30 days after the enactment of the law. Under the law as it now exists it would be returned within 90 days after the cessation of hostilities. The President is asking us to extend it during the life of the War Mobilization Act, until June 30, 1947.

For these reasons I hope that the argument of the President and the situation which he so clearly sets forth will have influence with the Senate, and personally I hope that the Senator from Illinois will not press his amendment, under the circumstances.

Mr. LUCAS. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield.

Mr. LUCAS. Does the Senator know the date of the cessation of hostilities?

Mr. BARKLEY. The fighting quit, I think, on the 14th of August, but I do not know whether officially that is the date which the law would be interpreted to mean when it said "the cessation of hostilities."

Mr. LUCAS. Will Congress have to declare the date of the cessation of hostilities?

Mr. BARKLEY. The President set out in his message also the situation with respect to the termination of the emergency under which the war was conducted, and there is a difference, apparently, between the actual, physical cessation of hostilities and the termination of the emergency as it relates itself to the war powers which Congress conferred upon the President.

I also wish to say that in a conference recently held between the President and a committee of governors, the President pledged himself to recommend at a suitable time the return of the agencies to the States, but I think he made it plain to them that he did not believe that now was the time, but that there should be a period in which the United States Employment Service could continue to function on a Nation-wide basis because the problem of finding jobs for returning veterans and other unemployed persons cannot be confined to an airtight compartment within the boundaries of any State, but must be looked upon as a problem which faces the whole country.

I am not able to answer the Senator from Illinois with any final word as to what the law would be interpreted to be as to the actual date of the cessation of hostilities. The cessation of hostilities and the termination of the war, either by proclamation of the President or by a resolution of Congress, are two different things. But actually the hostilities ceased officially when the terms of surrender were accepted. I think that was either on the 14th or the 20th of August. I have forgotten what date it was.

Mr. LUCAS. I do not agree with the Senator that by the cessation of hostilities the war has ceased as it is applied to the language in the appropriation bill which was passed some time ago by the Congress. I think there has to be some sort of a declaration from the President or by the Congress with respect to that before it can be applied to the language as it found in the appropriation bill.

Mr. BARKLEY. But regardless of the language in the appropriation bill, which would terminate the war automatically 90 days after the cessation of hostilities, by whatever means that date is determined, I feel that we ought not now to adopt an amendment which would terminate it even sooner than the termination date fixed in the appropriation bill, because while no one knows when the pending measure will become law, if it is to be of any value it ought to become law rather early, and if we are to have only 30 days under the Senator's amendment to readjust the unemployment situation——

Mr. LUCAS. I will say to the Senator that I am going to modify my amendment to make it 90 days. That is one of the things I want to discuss briefly before any further argument is presented in behalf of the measure. I want to say, Mr. President, if I may take a moment or two, that I can understand the force and the logic of the President's message in respect to the returning veterans and in respect to the Federal Government aiding the unemployed. But the measure now pending before the Senate is based upon the fact that the 48 States of the Nation are going to take care of the unemployed.

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

Mr. LUCAS. I will yield in one moment. The Kilgore bill was emasculated by the Finance Committee. The Finance Committee said that this was not the duty of the Federal Government, in view of the respective laws of the various States of the Union. The State representatives of 24 States definitely told the committee that under no circumstances could they legally accept any sums of money from the Federal Government in addition to the unemployment compensation their States give to the unemployed during the period of duration. Over and over again before our committee those who were representing the States consistently and continuously told the committee that it was their problem, and that they had the means to care for it, and that they could do it and would do it if the services were returned to the States.

Mr. President, in my humble opinion, if we wait until 1947 before we return the services to the States, it will be too late to avoid the confusion and the duplication of effort and the passing of responsibility which is now going on in the State of Illinois and other States between those who are charged with the enforcement of the Unemployment Compensation Act in the States and those who have the Federal responsibility working practically side by side with them.

Mr. President, I cannot reach any other conclusion, after listening to the testimony for some 2 weeks before our committee, than that we are going to help unemployment in the 48 States of the Union the moment we finally lodge responsibility in one agency or the other, and I am frank to say that if I had a chance to vote today I would vote for federalization of the entire program in view of what I saw and heard before the Committee on Finance. I have never known of so many complications, so many problems, so many inconsistencies and inequities in any piece of legislation, so far as human beings are concerned, as were brought out before that committee with respect to what the States are doing for unemployed persons. I say that with all sincerity. But this is a State proposition.

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

Mr. LUCAS. In one moment. This is a State proposition for the moment at least, and the Congress from the beginning has encouraged the States to take over the matter of unemployment compensation and conduct it.

Mr. President, I know what is going on in these agencies in my State and other States, and I know that at the present time there is no fixed and definite responsibility as to who should certify or as to who has the power to determine what is a suitable job. In other words, the definite and uniform statutes we need in the respective States to bring a certain amount of order out of the chaotic condition that is bound to exist during the next 12 months are not there, and will not be there so long as the present conditions of duplication exist.

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

The PRESIDENT pro tempore. Does the Senator from Illinois yield and, if so, to whom?

Mr. LUCAS. I yield to the Senator from Kentucky.

Mr. BARKLEY. I should like to inquire of the Senator what facility or authority has the State unemployment service to do anything beyond its own State boundaries? If a veteran who returns to the State of Illinois or the State of Kentucky, or if an unemployed person who has been working in a war plant returns to one of those States would accept a job in California, how can a State unemployment service know anything about a job in California or certify anything as to a job in California or in any other State beyond its own borders? How can any agency do that or know anything about it, except the over-all agency, which is the Employment Service of the United States?

Mr. LUCAS. My answer to the distinguished leader of the majority party is that they will do the same thing that they did before the Federal Government took the service over in the emergency. The States undoubtedly had arrangements, and the testimony shows that there were such arrangement among the States with respect to certain unemployed individuals whose residence might be questioned, or whose place of work might be challenged.

Mr. McMAHON and Mr. TAFT addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Illinois yield, and if so, to whom?

Mr. LUCAS. I yield first to the Senator from Connecticut.

Mr. McMAHON. I call attention to the fact that in all the hearings before the Finance Committee there was no testimony that I heard—and I certainly attended as diligently as did the Senator from Illinois—respecting the relative worth of the State and Federal unemployment services. We heard no testimony on that subject. We heard one witness or two witnesses who stated that in their opinion they thought it was time that the service should be returned to the States. But that is not the kind of testimony I want before I am willing as a Senator to turn over to 48 separate and distinct States a problem which has been created by the Federal Government.

It seems to me, Mr. President, that the basic thing at issue is what is best for the United States, and what is best for the unemployed. Senators cannot convince me that 48 separate States can make conditions fluid and can transfer workers from one State to another as well as can the centralized employment

service, and it is because the leaders of the great national labor organizations realize this, it is because the President of the United States realizes this, that they ask and beg for delay. Why should we precipitately do something which may result in destruction of the rights of returning veterans and the rights of people who have moved into a few States, to have job opportunities in other States where they might arise? If we turn the operation over to 48 States, the unemployed will never hear about the job opportunities, and will not get the jobs.

Mr. LUCAS. I regret that I cannot agree with my distinguished friend.

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

Mr. LUCAS. I yield.

Mr. TAFT. I think there is a misconception on the part of the Senator from Connecticut and the Senator from Kentucky as to what will happen when we turn the employment services back to the States. We shall not thereby destroy the United States Employment Service. We established the United States Employment Service, and it operated before the war. It is authorized. It actually helps to finance State employment offices. They are required, as a condition for receiving money for part of their expenses, to cooperate with the United States Employment Service. The United States Employment Service places a representatives in every State office. He gathers information from all the other States, and makes it available to the State office. So today the State offices have available, through the United States Employment Service, all the information as to jobs in other States. We are not destroying the service. Before the war we established a coordinated Federal-State employment service, and we return to that service when we return the actual operation of the local offices to the States.

Mr. LUCAS. The Senator from Ohio is eminently correct. I hope that it will not be inferred that I am attempting through this amendment to destroy the Federal Employment Service, which, as the Senator from Ohio says, was created long before the war emergency. The only thing I am attempting to do is merely to place it back within a period of 90 days from now, in the same position the State service occupied before it was taken over during the emergency.

With respect to returning veterans and returning war workers, does any Senator feel that the Federal Government is in a better position to handle the problem of a veteran in Illinois than are the Illinois authorities, especially in view of the fact that the Finance Committee has taken the position that this is a State matter?

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

Mr. LUCAS. I yield.

Mr. BARKLEY. The Senate Committee on Finance has not done exactly that. The State authorities who appeared before the Finance Committee urged that no part of this problem was a Federal concern; that it was all a State problem. They did not want the Federal Government to put its hands on it; and wherever the Federal Government had its hands on it they wanted its hands removed. To what extent they were actuated by an interest in unemployed veterans, or by a desire to retain or recapture power, I do not know. I do not pass upon that question. But they did not want any extension of the duration of payments. They did not want any additional money paid to the unemployed. The Senate committee accepted that theory only so far as it affected the increase in payment of monthly or weekly allowances, but it did not accept it so far as the extension of time was concerned. So the Finance Committee did not accept the theory that it was not a Federal problem, because it recognized it as a Federal problem by providing that whenever the time limit established by the State expires, the Federal Government will continue the payments out of the Federal Treasury at the rates provided by the State.

Mr. LUCAS. Mr. President, let me make my position perfectly clear. I had hoped that the Senate Committee on Finance might report the Kilgore bill. I definitely favor the $25 weekly payment, but Democratic governors and Republican governors in the 48 States are unalterably opposed to Federal intervention. When every governor tells the committee, through his representative, that he does not want any part of the appropriation which we are willing to give to the States for the unemployed, then I say that in view of the fact that the States have $6,800,000,000 in their reserve funds, if they take that position in the beginning, the States are legally and morally bound to carry on through the period of unemployment, until that fund is exhausted. The testimony shows that in most States there is a reserve fund which would carry the State through two or three periods of unemployment. Illinois has more than $500,000,000 in the reserve fund, Pennsylvania $600,000,000, and New York $700,000,000. The States do not want this money under the Kilgore bill, and they have said so even though I think they should do otherwise. Let it be understood that if they do not want any part of this money now—if they do not want any help from the Federal Government in the beginning, I am not one who will gratuitously force upon the States additional money when they still have billions of dollars left in their reserve funds.

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

Mr. LUCAS. I yield.

Mr. REED. The Senator from Illinois has understated rather than overstated the confusion which now exists. I believe that the debate during the past few minutes has gone astray from the main question.

This proposal does not involve the amount of the payment. In every State, as a prerequisite to qualifying for unemployment compensation, there must be a determination as to whether or not the applicant has refused suitable employment. The confusion which exists today arises from the fact that the United States Employment Service handles the employment, and issues certificates. On the other hand, the State employment service makes the payments. On my vacation I visited Kansas, and discussed this question with the State employment compensation director. He is not accepting certificates of the United States Employment Service. After the United States Employment Service has handled the employment question, the unemployment compensation director in Kansas then makes his own independent investigation as to whether or not the applicant has been offered suitable employment, and whether he has refused it or accepted it.

Mr. President, manifestly any proper administration of these questions should be in a single authority, the authority which makes the payment or the determination as to whether or not the prerequisite of suitable employment has been met. Today that is a very different question, which produces exactly the confusion to which the Senator from Illinois has referred.

This whole determination might be made, under proper circumstances, either by the United States Employment Service or by the States. We cannot transfer that function to the United States Employment Service. Under the present set-up—and there is nothing in the bill which would change it—the State makes the payment of unemployment compensation. Therefore the only practical thing to do is just what the Senator from Illinois proposes. We cannot transfer to the United States Employment Service the function of payment. There is no way to do it. The only thing we can do, as a practical matter, is to do what the Senator from Illinois proposes.

With the indulgence of the Senator from Illinois I should like to read subparagraph (b) of paragraph 4 of the Executive order of the President issued this morning:

> The United States Employment Service and all functions in the Department of Labor relating to employment service, the National War Labor Board and its functions, and the Retraining and Reemployment Administration and its functions shall be administered as organizational entities within the Department of Labor.

There is no doubt that there is a Federal function in this employment question. The Senator from Ohio very correctly described how that function can be carried out. Let me read the remainder of the paragraph in the President's order which takes care of that situation:

> All other functions transferred to the Department of Labor by this order shall be administered, and the internal staff and service activities relating to the aforesaid agencies may be administered, by such agencies in the Department of Labor as the Secretary may designate or establish for the purpose.

That is in the President's order issued this morning, terminating the War Manpower Commission and transferring not only the powers but the unexpended appropriations to the Department of Labor. So the Secretary of Labor will have in his hands full authority, full power, full personnel, and a sufficient amount of money to carry this out in a proper way. I think by all rules of practical common sense the amendment of the Senator from Illinois should be adopted.

NOMINATION OF HAROLD H. BURTON TO BE ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES

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

Mr. LUCAS. I yield.

Mr. McCARRAN. I ask the Senator to yield in order that I may report and request unanimous consent that, as in executive session, the Senate consider a nomination made by the President. In that respect, if I may have the permission of the Senator from Illinois, I should like to state that yesterday the President nominated a Member of this body to the highest court in the land. He nominated the Senator from Ohio [Mr. BURTON] to be a member of the Supreme Court of the United States. The Committee on the Judiciary, at a specially called meeting this morning, authorized its chairman to report and ask unanimous consent that the nomination of Senator BURTON may be now considered and confirmed by the Senate.

From the Committee on the Judiciary, I now report favorably the nomination of HAROLD H. BURTON, of Ohio, to be Associate Justice of the Supreme Court of the United States.

Mr. President, speaking for the Committee on the Judiciary, of which the Senator from Ohio has been a member for a number of years, let me say that no other Member of this body has shown more zeal, diligence, and devotion to the work of the Senate of the United States than has Senator BURTON. A brilliant mind, a well-rounded sound lawyer, and a great American has been nominated by the President of the United States to be a member of the court of last resort.

Not only is Senator BURTON to be congratulated, but America and the American Government are to be congratulated on the President's action in nominating Senator BURTON. The court of last resort, the Supreme Court of the United States, will in the years which are just ahead of us be called upon to render vital and far-reaching decisions, and it is indeed a most consoling and splendid thing that the President of the United States has seen fit to select a man of Senator BURTON's ability, attainments, and integrity. He will be a credit to the Supreme Court, a credit to his country, and a credit to the world.

Mr. President, now speaking for the Judiciary Committee of the Senate, I ask unanimous consent that the nomination of Senator BURTON be confirmed.

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

Mr. TAFT. Mr. President, I should like to say a few words regarding the nomination. Of course, there is no objection.

The PRESIDENT pro tempore. Is there objection? The Chair hears none. Without objection, the nomination of Senator BURTON to be a member of the Supreme Court of the United States is considered and confirmed.

Mr. TAFT. Mr. President, I thought the unanimous-consent request was for the consideration of the nomination, but, of course, I would just as soon speak following the confirmation of the nomination as before.

Let me say that the State of Ohio is certainly greatly honored by the appointment of Senator BURTON. I do not know anyone who is better qualified for the office of Associate Justice of the Supreme Court of the United States. I believe the President is entitled to the highest credit for choosing a man so well qualified. I went to Harvard Law School with HAROLD BURTON; he was a year ahead of me. He was an outstanding student in the law school; he was an outstanding lawyer, first in the West and then in Ohio, for some 30 years. I think he is one of the best lawyers I know. He was in the legislature shortly after I was there, but, of course, membership in the legislature does not interfere with the practice of law. He left the practice of law to become mayor of the city of Cleveland, in which position he served 5 years. Then he was elected to the Senate of the United States. The Members of the Senate know that no one has been more diligent in the work of the Senate, and no one can possibly be more diligent in the work of the Court to which he has been appointed. He will be the best possible judge because there are few men who are naturally so impartial, few who are more willing to hear both sides and weigh the evidence and decide the issue in accordance with the principles which apply to the particular facts. No man whom I know has higher ideals respecting every aspect of government and a higher standard in the consideration of public questions.

Mr. President, I am delighted that the nomination of Senator BURTON has been confirmed. The Senate is honored, the country is fortunate, and the President is entitled to the highest commendation for his selection.

Mr. BREWSTER. Mr. President, I shall ask the indulgence of the Senate for a moment, although I cannot qualify, I am sure, in any judicial or legislative capacity to pass upon this nomination, because of the long and intimate association which has made it quite impossible for me to be impartial or impersonal. It was exactly 40 years ago this week that I found myself in a college dormitory in a little New England town, and across the corridor was he who has served with us here as the junior Senator from Ohio. Through the sudden departure of both our roommates within a week, we joined drives as roommates, and that has continued through a very long and happy association, first in Bowdoin College, later in Harvard Law School, and then in association in various ways throughout our succeeding years, until we had the unique opportunity of marching down this aisle together to enter this body.

So, Mr. President, while I cannot qualify in any sense as a judge to pass upon my friend, I can qualify as a witness to his character throughout this entire period. I think it is perhaps exemplified by what I learned about him in those very early years when his gospel was John Halifax, Gentleman. I do not know whether many Members of the Senate are old enough to have remembered what was a classic of our youth, exemplifying the ideal of a gentleman. That portrait of the perfect man was the inspiration of his youth and of his adult years.

As the senior Senator from Ohio [Mr. TAFT] has said, there are few who approach problems with greater diligence or more complete impersonality. That is a quality the need of which we recognize both in this body as well sometimes, judging from the rumblings we hear from across the park, perhaps in the body to which he has just been appointed. Perhaps it will be a not inconsiderable contribution to the harmony of the Court. I am sure it will be impossible for anyone to classify him in any category other than a man devoted to the highest principles of government and of American ideals.

So, Mr. President, I join in congratulations to the President upon this selection, and in congratulations to the Senate for its prompt and unanimous confirmation of the nomination.

Mr. McCARRAN. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDENT pro tempore. Without objection, the President will be immediately notified.

Mr. BARKLEY. Mr. President, I wish to congratulate the Committee on the Judiciary for its prompt action in reporting the nomination to the Senate. When the nomination came to the Senate yesterday it was referred in the ordinary routine way to the Committee on the Judiciary. I was asked this morning why a request had not been made that the nomination be confirmed immediately without reference to the committee. I believe the Senate is entitled to know why that was not done.

It has been the custom to confirm Members of the Senate upon being appointed by the President to other positions. It has not been a universal custom, but I think the custom has prevailed for a great many years that Senators, upon being appointed to executive or judicial positions, were confirmed without having their nominations referred to a committee.

Following the last confirmation by the Senate in that manner I was advised by at least two Senators that they thought that by handling the confirmation in that manner we were establishing a bad practice and that a Senator should not enjoy any privilege that was not enjoyed by any other citizen. It was stated that if a request should be made thereafter to have a nomination confirmed without first referring it to a committee, an objection would be made. I think it would be unfortunate if a request were objected to on the part of any Member of the Senate, and for that reason, in connection with this nomination, no such request was made. I am glad the committee acted promptly and reported the nomination to the Senate.

While I am on my feet I wish to say that I always regret seeing an able Senator taken from the Senate and appointed to some other position. I make that statement not only with respect to Senator BURTON, but with respect to other Senators who were appointed to various positions and who had been valuable in our legislative work. Nevertheless, I ap-

preciate the fact that the man who justifies his election to the Senate may have admirable qualifications for other positions. I have admired Senator BURTON. I have noted his fairness here in the Senate and his judicial approach to problems of legislation, attributes which no doubt have for a long time reflected the qualities of his mind. While I regret to see the Senate lose his services, I congratulate the President, the country, and the Supreme Court upon his accession to that high judicial body.

Mr. AUSTIN. Mr. President——

The PRESIDENT pro tempore. The Senator from Illinois has the floor. The Chair understands the Senator from Illinois does not desire to discuss the nomination. Does the Senator from Vermont desire to express any views at this time with respect to the nomination?

Mr. AUSTIN. Yes, Mr. President. That is what I wish to do.

I desire the Senate to know that I wholeheartedly congratulate our colleague and friend from Ohio upon his important appointment. I want to express publicly my entire confidence in his character, in his ability, and in his wonderful personality. I predict that he will have a distinguished career in which he will serve his country even better than he has served it in the United States Senate. We all recognize his superior contribution to the public welfare while he has been a Member of the Senate. I wish him a great career in his new opportunity to serve.

EMERGENCY UNEMPLOYMENT COMPENSATION

The Senate resumed the consideration of the bill (S. 1274) to amend the War Mobilization and Reconversion Act of 1944, to provide for an orderly transition from a war to a peacetime economy through supplementation of unemployment compensation payable under State laws, and for other purposes.

Mr. CHANDLER. Mr. President, will the Senator from Illinois yield for a question?

Mr. LUCAS. I yield.

Mr. CHANDLER. Does the Senator's amendment propose to return the employment services to the States at the earliest possible moment?

Mr. LUCAS. Mr. President, I have provided in my amendment that the Employment Service facilities, property, and personnel loaned by the States to the United States Employment Service shall be returned to the States not later than 30 days after the enactment of this act. Upon further consideration I shall modify my amendment so as to provide for a period of 90 days instead of 30 days.

The PRESIDENT pro tempore. The Senator from Illinois modifies his amendment.

Mr. LUCAS. While I am on this subject, I desire to further modify the amendment, in the fifth line thereof, by striking out the words "War Manpower Commission" and inserting in lieu thereof "Secretary of Labor."

The PRESIDENT pro tempore. The amendment is modified accordingly.

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

Mr. LUCAS. I yield.

Mr. AIKEN. Upon reading the amendment which has been offered by the Senator from Illinois, I find myself in sympathy with its general purpose. I could not, however, find myself in sympathy with the length of time which was to be provided for the return of the USES to the States. Now that the amendment has been modified to provide for 90 days, instead of 30 days, it is satisfactory so far as I am concerned.

I believe that each Senator understood that we were under obligation to return this agency to the States within 6 months after the end of hostilities. It did not occur to some of us at the time that the declaration of the end of hostilities might take place a great many months after the actual fighting had stopped. However, VJ-day having occurred in August, and this amendment designed to take effect 90 days after the act itself becomes law, it would appear that 6 months will probably have elapsed between the time fighting actually stopped in Japan and the time this agency will be returned to the States. In view of the fact that the amendment has been modified to read "90 days" instead of "30 days," it seems to me that we are only making good our obligation to return the USES to the States within a 90-day period of time.

Mr. LUCAS. I thank the Senator from Vermont.

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

Mr. LUCAS. I yield.

Mr. LANGER. I was curious to know what is going to happen in Alaska, Hawaii, Puerto Rico, and other Territories. Will the Federal Government, under this amendment, continue to have charge of employment in those Territories?

Mr. LUCAS. All I am attempting to do is to return the Employment Service to the status quo which existed previous to the time the President took control of the agency. What is taking place in Alaska, Puerto Rico, and the other Territories to which the Senator has referred, I am unable to state.

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

Mr. LUCAS. I yield.

Mr. TAFT. As I understand, there are employment services in Hawaii and Alaska, and under the provisions of the Federal Employment Service Act those Territories will be considered in the same way as would any of the States. I understand that Puerto Rico is handled entirely by the FES itself.

Mr. LUCAS. I am sure that the testimony corroborates the Senator's position.

Mr. TAFT. The status in Puerto Rico will not be changed.

Mr. LANGER. Am I to understand that the Puerto Ricans are in a different class from citizens of the States?

Mr. LUCAS. Puerto Ricans have always been in a different class.

Mr. LANGER. In other words, the Federal Government will have charge of employment in Puerto Rico?

Mr. LUCAS. Whatever the Federal Government has been doing with respect to employment in Puerto Rico, I presume will be continued in the same way. How long the Federal Government has been engaged in that activity, or what it has been doing, I cannot tell the Senator because I am not acquainted with the facts.

Mr. McMAHON. Mr. President, in order to keep the record straight, I may say that the Senator from Ohio stated that he thought the Senator from Kentucky and I had misconceived what the situation would be if this proposed action were taken. Certainly we knew what the situation would be. A situation existed on December 7, 1941, of 48 separate systems existing under which our manpower could not properly be employed during the war emergency without Federal action. I believe that we will be unable properly to use our labor force in the demobilization and reconversion period with 48 separate systems in existence. So I again urge on the Senator from Illinois that he withdraw his amendment and introduce a bill to cover the situation. I might be in favor of the bill after hearing some sensible testimony that it will work.

Mr. LUCAS. The Senator from Illinois is not going to withdraw his amendment because he is as convinced that it will work as the Senator from Connecticut seems to be that it will not work.

At the present time I have in my office letters showing that in a certain city there are 2,500 persons out of employment. There are 1,500 jobs available and they have not been filled. Yet there is a line as long as from here to my office for unemployment compensation.

Mr. President, in my humble opinion, if we place the responsibility on the States where it belongs that agency will be fastened with a responsibility it cannot escape. Unemployed workers will be compelled to take suitable jobs or not obtain unemployment compensation. Thus we will be taking a long stride toward solving a serious problem confronting the Nation because of the present passing of responsibility from one agency to the other as to whether or not workers should or should not get unemployment compensation, whether they should or should not take jobs, and whether the jobs available are or are not suitable. There is the line of demarcation which now exists, which is causing much confusion and chaos and which will continue to do so unless we lodge the responsibility where it belongs.

I should like to see the Federal Government have all the responsibility. I think it could do a better job under the complicated conditions that exist in all the States, but that is not the question before the Senate; it will not and it cannot be before the Senate for some time. The unemployment situation is developing rapidly, and the sooner we can get these agencies in the hands of the States, and let them give orders and mobilize personnel and make them responsible for doing the job, the sooner we will clear up many serious problems that now exist in connection with unemployment.

Mr. HOEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Illinois yield to the Senator from North Carolina?

Mr. LUCAS. I yield.

Mr. HOEY. I desire heartily to approve all that the Senator from Illinois has said. I have a letter in my hand from the Governor of North Carolina

asking that this transfer be made. He sets forth the confusion which has arisen and will continue to arise, just as the Senator from Illinois has stated, so long as there are two agencies handling this matter, one of which does the paying and the other does the certifying of eligibility, functions which ought to be placed in the hands of one agency. I think as a matter of good faith we owe it to the States to comply with the authority granted and with the understanding at the time these agencies were taken over by the Federal Government, which was that they were to be returned to the States within 90 days after hostilities ceased. The Senator from Illinois has modified his amendment to comply with that, and I believe that the amendment should be adopted. I think it would make for effectiveness in controlling the unemployment situation and that it would go far toward solving the problem and relieving the confusion which now exists.

I wish to read the letter of the Governor of North Carolina:

DEAR SENATOR HOEY: I do not wish to add to your legislative burdens, which I know are heavy these days, but I am deeply concerned personally and officially, about a matter that only the Congress can help us with. I am enough concerned to take this up with you on my own initiative but there is also the mandate of our general assembly that I do something about it.

We are faced with problems of reconversion in North Carolina and there is prospect of widespread unemployment. To deal with this we have a State unemployment compensation commission, with an adequate reserve fund (more than $105,000,000), but minus its right arm. That right arm is the employment service, which we loaned to the Federal Government, on the request of the President, on January 1, 1942. Up to that time our agency had two coordinate divisions, the unemployment compensation division and the employment service division, each supplementing and supporting the other. It was a duration loan and there was definite promise of its return when the war was over.

It does not take an expert to realize the situation our unemployment compensation commission is in. The unemployed file claims for benefits with the unemployment compensation commission, but the agency has no control over registrations for work and the job placements. Except in 32 of the 115 offices in the State, the commission does not even take the claims. All of the employment service employees are Federal employees, owing no allegiance to our State agency and, except as it pleases them, obeying no orders from our State officials.

Our general assembly of 1945, in H. B. 98, a copy of which is enclosed, demanded the return of the employment service to the State and directed that I bring the matter to your attention. This resolution and the developments of the past few weeks, constrain me to write you now. I sincerely hope you will feel disposed to take early action in this matter. We don't want any break-down of our reemployment machinery in North Carolina, or even any slowing up, in the emergency that is upon us.

* * * * *

R. GREGG CHERRY,
Governor.

Governor Cherry sent both to Senator BAILEY and myself a copy of the joint resolution adopted by the General Assembly of North Carolina urging the return of this agency to the State. I ask that there may be printed in the RECORD a copy of the joint resolution.

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

Resolution 18

Joint resolution of the General Assembly of North Carolina memorializing the Congress of the United States to retain and to continue unemployment compensation as a State government function and to resist any further Federal encroachment in this field

Whereas the committee on economic security, which made an exhaustive study of North Carolina prior to the passage of the Social Security Act, recommended in its report to the President of the United States that the States administer unemployment compensation with a minimum of Federal guidance and assistance; and

Whereas the Congress of the United States, when it passed the Social Security Act in 1935, provided for State administration of unemployment compensation under limited Federal guidance; and

Whereas the State of North Carolina, through its general assembly, established in December 1936, an unemployment compensation program for its citizens in conformity with the Social Security Act; and

Whereas during the more than 8 years since December 1936, the unemployment compensation program in North Carolina has been administered by State officials and State employees with increasing efficiency, and in a manner satisfactory alike to those entitled to benefits and to its citizens generally; and

Whereas during this period the State of North Carolina has built up and accumulated an unemployment compensation fund of more than $91,000,000 for the benefit of its workers who may suffer unemployment; and

Whereas the established and proven State machinery for administering unemployment compensation, together with the State's unemployment compensation fund, constitute North Carolina's most important bulwark against the economic uncertainties and hazards that lie before us in the postwar period of readjustment; and

Whereas, during the past more than 8 years, the States have established State unemployment-compensation programs and have accumulated experience not available elsewhere in administering them, and have built up unemployment compensation reserves totaling in the aggregate more than $6,000,000,000; and

Whereas during the same period the States generally have expanded and broadened their unemployment compensation programs so as to make them more effective in meeting the needs of unemployed workers and can be expected further to broaden and expand their programs as the need for such action develops; and

Whereas job-placement machinery is essential to the proper administration of an unemployment compensation program in order to insure that every claimant is given every opportunity for suitable work; and

Whereas in accordance with a request made by the President of the United States, North Carolina's job-placement machinery—the employment service division of the Unemployment Compensation Commission—was loaned to the Federal Government on January 1, 1942, for emergency use; and

Whereas the Governors' Conference at its thirty-sixth annual meeting held in Hershey, Pa., on May 31, 1944, adopted resolutions urging and supporting the continuance of State administration of unemployment compensation and the return of State employment services to their respective States as soon as practicable; and

Whereas His Excellency, R. Gregg Cherry, Governor of North Carolina, in his inaugural address, emphasized his belief that unemployment compensation is properly a State function and recommended that the general assembly, if it shared his views, so express itself by resolution to this State's delegation in Congress: Now, therefore, be it

Resolved by the house of representatives (the senate concurring):

SECTION 1. That the General Assembly of North Carolina hereby expresses and earnestly asserts its agreement with the Governor of this State in his belief that unemployment compensation is properly, and should remain, a State function.

SEC. 2. That the Senators and Representatives in Congress from North Carolina be, and they are hereby, requested:

(1) To devote their influence, energy, and resources to the continuance of unemployment compensation as a State function; and

(2) To oppose with all possible diligence and force any attempt to centralize and federalize the administration of unemployment compensation; and

(3) To institute and support any measures necessary to insure the return of these State employment services as soon as practicable.

SEC. 3. That copies of this resolution be transmitted by the Secretary of State of North Carolina to the Senators and Representatives who compose this State's congressional delegation.

SEC. 4. That the Governor of North Carolina and the Unemployment Compensation Commission of North Carolina are hereby directed and requested to join and act in concert with all other States, officials, and organizations in all their activities for the purpose of continuing unemployment compensation on the basis of a State system and in resisting Federal encroachment or federalization of such State systems; that the Secretary of State of North Carolina is directed to send copies of this resolution to the Governor of each State, and to the executive officer of all territories and possessions operating unemployment compensation systems.

SEC. 5. That this resolution shall be in full force and effect from and after its ratification.

In the general assembly, read three times and ratified, this the 28th day of February 1945.

L. Y. BALLENTINE,
President of the Senate.
O. L. RICHARDSON,
Speaker of the House of Representatives.

Mr. BARKLEY. Mr. President, if the Senator from Illinois will yield, I think the Senator from North Carolina unintentionally erred in stating that when the agencies were taken over by the Federal Government it was agreed that they should be returned within 90 days after hostilities ceased. That was provided by an amendment in an appropriation bill, and, as I understand, there was no particular time fixed by agreement. The 90-day period was provided in an appropriation bill, instead of being a part of an agreement.

Mr. HOEY. But it was understood that they would be returned after the war was over.

Mr. BARKLEY. Yes, and it is still understood that they will be. The only difference is as to when it will be done.

Mr. HOEY. The trouble is if they are retained until 1947, then they will never be returned, and I think good faith demands that they be returned within 90 days.

Mr. BARKLEY. They would be unless Congress itself by legislation continued indefinitely the Federal exercise of this power.

Mr. HOEY. The difficulty about it is that if the Federal Government gets control of an agency and holds it 2 or 3 years, it is almost impossible to pry it

loose. I believe these agencies ought to be returned to the States within the time provided.

The PRESIDENT pro tempore. If the Senator from Illinois will suspend a moment, the Chair desires to make an explanation.

The Senator from Kentucky was on his feet a few moments ago and there ensued a colloquy between the Senator from Kentucky and the Senator from Illinois, because of which the Senator from Illinois took the floor.

The Senator from New York [Mr. WAGNER] was on his feet before the Senator from Illinois, and the Chair is put in rather an embarrassing situation. Before the Senator from Illinois continues his speech, the Chair must recognize the Senator from New York who was first on his feet. The Chair knows the Senator from Illinois understands the situation.

Mr. LUCAS. Mr. President, I would not want to embarrass either the distinguished President pro tempore or my good friend the Senator from New York, but, under the circumstances, I shall be glad to yield to the Senator from New York although I have not quite finished.

Mr. WAGNER. I shall be glad to wait until the Senator finishes.

Mr. LUCAS. I should like to comment briefly on the statement made by the distinguished Senator from North Carolina and the letter from the Governor of that State which he read. The Governor of North Carolina is on the ground and understands what is going on in his own State, and he definitely says in the letter which has been read that if the Federal Government continues to hold on to the Federal Unemployment Service there will be a "break-down" and "a slowing up" in his State—those are the words used—in connection with orderly payments of unemployment compensation and in connection with orderly progress in getting men back to work. Getting the men back to work is the important thing in the unemployment problem; and when dual authority exists confusion and chaos will continue because of the squabbling and the quarrels and the duplication of effort.

I hope the amendment will be adopted.

Mr. WAGNER. Mr. President, I rise to discuss the Kilgore substitute for the pending bill.

I am proud of the fact that I am one of the sponsors of S. 1274, the temporary reconversion unemployment bill, as it was introduced last July in the Senate before VJ-day. As a result of our victory over Japan I had hoped that the Finance Committee would have the courage and wisdom to report out a bill which would deal adequately with the human side of reconversion. I had hoped that the Finance Committee would recognize the tremendous contribution which war workers made to our victory; that they would report out a bill according our war workers as generous treatment as we have given to business in contract termination and surplus-property legislation, and the carry-back provisions of our tax laws. But instead, the bill as reported out by the Finance Committee is a watered-down version of the original bill. It is completely out of keeping with the great tradition of the Senate as the guardian of human rights. It seems rather to follow the principle of billions for defense, but only a few cents for tribute to those who made victory possible.

EXISTING STATE UNEMPLOYMENT INSURANCE LAWS INADEQUATE

In considering the bill before the Senate today, I hope that Senators will not base their action on the hope that by passing this inadequate bill this is the last they will hear of the subject of unemployment insurance in Congress. This is not the first time the Senate has had before it proposals dealing with unemployment insurance and it will not be the last time.

I am proud to say that, as a minority of one, I advocated unemployment insurance in the United States Senate some 15 years ago; and that I introduced the original social-security bill in the Senate containing the unemployment-insurance provisions of the existing Social Security Act. But I am also frank to admit my disappointment in how the unemployment-insurance provisions of the existing State laws have worked out in actual practice, as has already been stated.

Bitter experience has proved that the present State-by-State system has not measured up to its potentialities. The present State-by-State system as it now operates is so complicated and so inadequate that sooner or later the Congress will be faced with overhauling the entire program. The American people will not be willing to permit retention of an unemployment-insurance system with the many discriminations and inequities which now exist.

Why did we enact unemployment insurance into law in 1935? Was it merely to build up the huge fund of $7,000,000,000 which now exists only to keep those funds in cold storage so that unemployed persons would not receive adequate benefits? Was it to provide jobs for State administrators so that they could rush down here to the Congress to oppose improvements in the unemployment-insurance legislation? Was unemployment insurance set up in this country so that it would become so cumbersome and complicated that workers could not understand how to get their benefits? Was it set up so that workers would have to stand in line only to be denied benefits because of the harsh and restrictive disqualification provisions?

EXISTING STATE UNEMPLOYMENT INSURANCE LAWS COMPLICATED

No; these were not the reasons why the Congress of the United States enacted unemployment insurance legislation. The reason was very simple—to pay persons benefits when they became unemployed.

But the States seem to have forgotten that purpose. In most States an employee is presumed to be ineligible for his benefits until he has gone through a complicated process of proving his rights under the law. The result is to delay payment of benefits to discourage the unemployed worker, and to defeat the basic purpose of the legislation which was to give the workers some assurance of security during periods of unemployment. It is easier and quicker for an unemployed worker to go to any bank and get a character loan of $150 than it is for him to get the $15 due him under his State unemployment insurance law as a matter of right. It is easier for a corporation to get a loan of $15,000,000 from the R. F. C. than it is for a worker to get $15 in unemployment insurance.

ORIGINAL S. 1274 SHOULD BE PASSED

I am supporting S. 1274 in the form of the substitute being offered by the distinguished Senator from West Virginia [Mr. KILGORE]. I am going to be in favor of every amendment made from the floor of the Senate to liberalize and improve the bill reported out from the Finance Committee.

S. 1274 was designed as a temporary bill to deal only with the emergency, consequently, it dealt with only three aspects of unemployment insurance—the maximum amount of benefits to be paid, the maximum duration of benefits, and the coverage of the system. But on each and every one of these three simple but essential points the bill as reported out contains crippling amendments.

The committee deleted entirely from the bill the provision dealing with the maximum amount of benefits so that in some States unemployed workers will continue to receive only a maximum of $15 a week.

The committee amended the provision in the bill relating to duration of benefits so that it did not guarantee 26 weeks of benefits to all unemployed persons. I am glad, however, that the chairman of the Finance Committee has agreed to an amendment to this provision which improves the bill.

The committee also deleted the provision in the original bill which gave the Federal Government authority to make the supplementary payments if the State was unwilling or unable to do so. I am in favor of the restoration of this provision. It is perfectly proper to give each State the choice of whether it wishes to administer the provisions of the bill. But if a State does not wish to do so, we should protect the worker by making the supplementary payments through Federal machinery.

The committee dropped from the bill the provisions extending coverage to agricultural processing employees, small firms, and other groups not now covered.

Finally, the committee changed the provision extending unemployment insurance to Federal employees by putting them under the laws of the various States rather than under one simple and uniform law such as that of the District of Columbia.

This means that Federal employees in some States will be entitled to only 10 weeks of benefits at $15 a week while in other States they may receive as much as $28 a week for 26 weeks.

All these changes are undesirable

ORIGINAL BILL DOES NOT PROVIDE FLAT $25 TO ALL

When the original bill was first introduced there was a good deal of misinformation circulating about it; some of it prompted by persons who should know better, but who were anxious to do everything in their power to prevent the bill's passage.

It was said that the bill would federalize the State laws. But it does not. It was said that it provided a uniform $25 a week to everyone from the janitor to the skilled machinist. But it does not. It merely insures that the higher paid worker, those earning $50 a week or more, can get $25 instead of the maximum provided under State laws. This is a modest figure considering what it costs to raise a family in accordance with our American standard of living. Five States now provide a maximum of $25 or more in benefits, two of which go as high as $28 for a worker with dependents.

For these reasons I am in favor of restoration of the $25 maximum provision in the bill. I cannot in good conscience justify a total payment of $15 a week to an unemployed man for himself, his wife, and children by appealing to the irrelevant doctrine of States' rights. I believe that human rights come before all other rights.

DURATION OF BENEFITS SHOULD BE FOR FULL 26 WEEKS

The bill, as reported out, did not provide that all individuals who lose their jobs will receive benefits for a maximum duration of 26 weeks. I am glad that the chairman of the Finance Committee has agreed to the deletion of the 60-percent limitation. This limitation would have made unemployment insurance even more complicated than it already is.

I believe that all workers should be entitled to the full 26 weeks of benefits if they remain unemployed that long. In Great Britain, the maximum duration of benefits is 30 weeks for everyone. In Canada, the maximum duration of benefits is 52 weeks.

We ought to be able to do as well as Great Britain or Canada. In the GI bill of rights we provided 52 weeks of benefits to our unemployed servicemen. Certainly the full 26 weeks to our civilian war workers is only fair and reasonable.

STATE LEGISLATURES WILL NOT HAVE TO MEET

As I said before, some of the objections to the original Senate bill 1274, did not go to the merits of the proposal at all. The most irrelevant objection to the bill was that made on the grounds that special sessions of the State legislatures would be needed to take advantage of any Federal legislation increasing the maximum payment. This was a bluff designed to block congressional action on this provision. But it worked.

The Finance Committee voted to drop the provision relating to the maximum amount of benefits. But if the committee had really been sympathetic to the provision they would have at least given an opportunity to each State to elect whether it could take advantage of such a provision. And if they had done so—and I hope the Senate will vote to do so—I predict that the Governors and State attorneys general will find a way to take advantage of the provision without calling special sessions of their legislatures. I cannot see, however, what is wrong with a State having to call a special session to take care of human rights—the rights of unemployed workers who produced the weapons of war which made victory possible.

Here in the Senate we should call the bluff. We should give every State the option of increasing its maximum payments if it can do so. Twenty States replied to the telegram sent by the Finance Committee that they would have to call special sessions because they interpret their laws as denying benefits to persons eligible for Federal benefits. But 19 other States disagreed with this strained interpretation and said they would not have to call special sessions because they clearly recognized that the Federal benefits were supplementary benefits—not duplicate. Among the 19 States that said they would not have to call special sessions were 14 States with language in their laws almost identical to the 20 States which said they would. Why did the 14 States say they would not deny benefits and the 20 say they would when they all have identical language in their laws? I think the States proved too much in their replies. They showed the complete confusion and discrimination which exists in a State-by-State system of unemployment insurance. They proved to me their unwillingness or inability to meet an emergency—an inflexibility that is completely out of harmony with the objective of unemployment insurance. These replies show the basic weakness in the system—interpretation of exactly the same provisions in different ways—resulting in discrimination, variation, and inequity.

UNIFORM COVERAGE OF FEDERAL EMPLOYEES

Now I want to say a word about the provisions in the bill relating to coverage of Federal employees. Last year the Senate included in the war mobilization and reconversion bill provisions for the coverage of this group but these provisions were deleted in conference. The issue before the Senate today, therefore, is not whether to include this group since we have already gone on the record to that effect. The real problem before us is on what simple and equitable basis should unemployment compensation be paid to these groups.

S. 1274, the Kilgore bill as introduced, provided that Federal employees should be covered under the law of the District of Columbia.

The bill as reported out by the Finance Committee places one group of Federal employees—that is, maritime employees—under the law of the District of Columbia, but all other Federal employees under the various State laws. Such discrimination is, in my opinion, absolutely unwarranted.

Here is what the bill does: A Federal employee earning $30 per week would receive a benefit of $12 in Kentucky, $13 in Maine, $15 in Georgia, $16 in Wisconsin, $17.39 in Iowa, $18 in Rhode Island, $20 in California, $21 in New York, $24 in Nevada, and $25 in Utah.

These are not adjustments to local conditions. They are nothing other than haphazard variation and discrimination. Any unemployment-insurance system worthy of its name should provide that workers in similar circumstances should receive similar benefits; if a worker earns $30 in Kentucky or California, he should receive benefits at the same rate regardless of the State in which he worked.

I believe that all Federal employees should be covered under some kind of simple and uniform law like that of the District of Columbia.

I am opposed to putting Federal employees under 51 different varieties of State provisions with not a single protection against the harsh and discriminatory provisions in existing State laws. If this proposal should be enacted into law it will be the first time that a matter affecting Federal employees and involving millions of dollars of Federal money is turned over to the States lock, stock, and barrel. This provision in the bill as reported out seems to me unsound and to constitute an undesirable precedent.

Another result of this bill is to leave Federal employees at the mercy of the varied disqualification provisions of State laws. This means that in 18 States individuals will lose benefits if they cannot find a job after taking care of a sick husband or child. It means that Federal employees who leave Michigan and Alabama will lose their benefits entirely. It means that married women in the Federal service will be subject to disqualification in many States. It means 51 different standards for testing the suitability of work to which a Federal employee may be referred. It means 51 different standards for testing "good cause" for refusal to accept suitable work.

I have not heard anyone suggest that the pay of Federal employees ought to vary in accordance with the State in which they are employed. Why then vary the unemployment pay of Federal employees? Nor have I heard any suggestions from the Finance Committee that the income tax of the Federal employees should vary with the State of their employment or residence. Why then should we provide that the unemployment insurance of the Federal employees should vary with the laws of the States?

I want to show the Senate how inequitable the present provisions of the bill will be. Let us consider three men living in the same boarding house in the District of Columbia. All three of them work for the War Department but one works in Maryland, the other in Virginia, and the third in Washington, D. C. Assuming that all three were earning $40 per week, the man from Virginia would receive $15 per week in benefits for nearly 26 weeks, or a total of $385, while in Maryland and Washington, D. C., the other two individuals would receive $20 for 26 weeks or a total of $520, a difference of $135 in total benefits.

There are similar situations, like in Camden, N. J., and Philadelphia, Pa.—Newark, N. J., and New York City—where individuals living next door to each other will receive different amounts of unemployment benefits, although they have both worked for the Federal Government and earned the same amount in previous wages. Under the Pennsylvania law a man will receive $20 per week, but his next-door neighbor who worked in New Jersey will receive $25 per week. Of course, the basic reason for this discrimination among persons in similar circumstances is that we have this hodgepodge of 51 different varieties of State laws. But now the Finance Committee

recommends that we compound the felony by making more persons subject to this discrimination. Never before in the history of our country have we subjected Federal employees to such variation and discrimination.

Those who believe, however, that such variation and discrimination can be justified on the ground that people who live next door to each other should receive the same benefits will find that this will not be true under the provisions of the bill as reported by the Finance Committee.

A Federal employee who has worked in Arizona and returns to the State of New York will find that he can receive only $15 a week for a little more than 22 weeks, or a total of $337, while if his home State should be Connecticut or Michigan and he returns home, his next-door neighbor may be receiving as much as $28 for 26 weeks or a total of $728—more than twice as much. There is no rhyme or reason to this type of variation.

I urge the Senate to restore the provision covering all Federal employees under the District of Columbia law.

WHY UNEMPLOYMENT INSURANCE SHOULD BE ON A FEDERAL BASIS

Senate bill 1274 provides a modest and temporary program lasting only until June 30, 1947. If no serious unemployment develops, it will cost very little; if reconversion does not proceed as swiftly as we hope, we will be ready to perform the necessary job of protecting workers during their periods of unemployment. The pending bill should not be confused with, nor does it in any way take the place of, the permanent program incorporated in Senate bill 1050, which the distinguished Senator from Montana [Mr. MURRAY] and I introduced last May. This bill of ours provides that unemployment insurance should be operated on a Federal basis as part of a permanent unified social insurance system which includes permanent and temporary disability old-age and survivors insurance, medical care, and a national system of public employment offices. It eliminates all the inconsistencies, inequities, discriminations, and complications which now exist under the various State laws.

Our experience this year, just as last year, proves that merely trying to patch up the holes in our present unemployment system will never make a satisfactory program. Eventually unemployment insurance must be a Federal responsibility. This does not mean that day-to-day administration of unemployment insurance will all be centralized and handled from Washington. But it does mean that the Federal Government will see to it that equity and simplicity are established in the basic policies to be followed in the administration of the unemployment insurance program.

Anyone who has followed the hearings before the Finance Committee can find ample evidence in those hearings for the need of establishing a Federal unemployment insurance program, as we have heard from a number of Senators today.

I do not intend today to go into all the reasons why I believe there should be a Federal unemployment insurance system. The bill now pending before the Senate does not federalize the program. But by the very passage of this bill Congress recognizes the inability of the States to deal satisfactorily with the unemployment insurance problem.

The inadequacies in our present system of unemployment insurance which should be corrected are:

First. The eligibility requirements, the disqualifications, and the amount of benefits provided by State laws vary widely so that the present plan fails to meet the fundamental test of all social legislation, that is, similar treatment of individuals in similar circumstances.

Second. The disqualification provisions of most of the State laws are too severe, resulting in the cancellation or postponement of benefits to many individuals.

Third. Because of the great variation in eligibility requirements, disqualifications, and benefit provisions, it is impossible to assure prompt and uniform treatment of individuals who work in more than one State or who move from one State to another.

Fourth. The widely varying basis for determining employer contribution rates provided in State laws results in employers in the same competing lines of business in different States, with exactly the same employment and unemployment experience, paying different contribution rates, and thus results in discriminatory treatment of employers.

Fifth. Employers are subject to duplicate reporting on unemployment-insurance matters from both the Federal Government and the State government; and, in addition, employers in many States are forced to make out complicated forms and reports which differ from State to State.

Sixth. Many of the administrative provisions of State unemployment-compensation laws are so complicated that it is difficult for workers to understand their rights and to obtain the benefits due them promptly.

Seventh. There is no equalization between States of the cost of providing benefits. At the present time each State must finance the total cost of its own benefits, thus placing a heavy handicap on States with heavy unemployment and giving a substantial advantage to States with low unemployment.

These basic weaknesses in our unemployment-insurance system need correction. They can be corrected only if the Finance Committee gives consideration to proposals for drastic revision of the whole set-up.

In the meantime, we should pass a strengthened and improved bill dealing with temporary reconversion unemployment benefits. We should amend and correct the pending bill before it is passed by the Senate. In its present form, the bill reported by the Finance Committee does not deal adequately with existing needs.

TERMINATION OF THE WAR—DEMOBILIZATION OF MILITARY FORCES

Mr. WHERRY. Mr. President, yesterday, on the Senate floor, I stated that—

I have a profound respect for General MacArthur, his policies and judgment.

I went on to say:

If we can maintain and police Japan and the Southwest Pacific areas with 200,000 men, we ought to do the same with less men in the European theater.

I further said:

If we can police both theaters with not more than 200,000 men in each, that will take only 400,000 men.

This figure means that we have the first suggestion of a peacetime Army which quite generally meets with the approval of the people throughout the country.

At the same time I asked members of the Military Affairs Committee of the Senate, on the basis of General MacArthur's declaration, to report to the Senate a resolution to terminate the war, and the draft, and bring about a demobilization of the military forces as rapidly as possible.

After the discussions we have had today on the floor of the Senate on the pending amendment, it seems to me that such a resolution should be reported immediately because we should know when the war terminates, so far as it affects the purposes and life of scores of acts and scores of agencies which depend upon the termination of the war. I am not speaking from an international standpoint. When the peace treaty is signed, will that be a termination of the war? The President in his good judgment can delay it as long as he cares to. So I think the Congress of the United States should now have before it a resolution declaring the war terminated as of a certain date for the purposes of the acts under which many Government agencies are operating and under which many of them probably should fold up, and will fold up unless they can come before the Congress and justify their continuation.

I also said yesterday that I thought the time had come when we should be thinking about the end of the draft and about bringing about the demobilization of our armed forces as rapidly as possible. I am glad to say to the Senate that last night, on my way back to my office, I learned that the distinguished senior Senator from Colorado [Mr. JOHNSON] introduced Senate bill 1408, which has to do with demobilizing members of our armed forces who have been in the service 2 years or more.

So today I repeat on the floor of the Senate that I request the Committee on Military Affairs to adopt the suggestions which I put forward yesterday because I find in the Baltimore Sun of September 19, 1945, a statement that President Truman backed up General MacArthur's plans to slash the size of the occupation Army in Japan. The President is quoted in the article as saying that—

He was glad to hear that 200,000 Regular Army men could do the job.

The article further quotes the President as follows:

If Japan can be occupied with fewer troops, so, too, probably, can Germany.

That statement verifies the declaration made by General MacArthur. It verifies the statement I made on the floor of the

Senate yesterday, and I am very thankful that the President apparently sees eye to eye with General MacArthur.

Mr. President, I am convinced that my request of the Senate Military Affairs Committee reflects the overwhelming desire of the American people to conclude a just and decent peace, to bring their boys home, and to end the conscription of their youth. If General MacArthur believes he needs only 200,000 men to finish the job he has been assigned in the Pacific, the American people—I among them—believe him.

There are seventy or eighty million Japanese whom General MacArthur says can be set on the road to peace under the effective control of 200,000 American troops. The American people must realize that in the area under American occupation in Germany there are only 11,000,000 Germans; and certainly our memories are not so short that we cannot recall that following the last war the major victor powers believed all that Germany needed to police her 70,000,000 people was 100,000 men, which were provided for in the Versailles Treaty.

Certainly the vast disparity between the number of troops which are being asked by General MacArthur to occupy Japan and the 400,000 to 500,000 troops which have been asked to occupy the American zone in Germany ought now to be apparent to every American.

Furthermore, in the light of these figures, all the talk about compulsory peacetime military training or about extending the present Selective Service Act, regardless of how we may feel about it, in order to meet our military needs at home and abroad, is now premature.

In saying this, I wish again to pay my respects to the magnificent job that has been done by the armed forces of this country, and I wish to go just as far as any Member of the Senate in the effort to insure the peace. Yet, at the same time, I continue to believe that the genesis of the American way of life lies in the fact that a free people with a civilian Army is our strongest defense.

EMERGENCY UNEMPLOYMENT COMPENSATION

The Senate resumed the consideration of the bill (S. 1274) to amend the War Mobilization and Reconversion Act of 1944, to provide for an orderly transition from a war to a peacetime economy through supplementation of unemployment compensation payable under State laws, and for other purposes.

Mr. WHITE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the Chair). The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. LUCAS] as modified.

Mr. GEORGE. Mr. President, if there is to be no further discussion on the amendment, I suggest the absence of a quorum. If any other Senator wishes to discuss the amendment I will withhold the suggestion for the time being.

The PRESIDING OFFICER. Does any Senator wish to discuss the amendment?

Mr. TAFT. I wish to discuss the amendment, but I prefer waiting until after a quorum call.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

Aiken	Guffey	Murray
Andrews	Gurney	Myers
Austin	Hart	O'Daniel
Bailey	Hatch	Radcliffe
Ball	Hawkes	Reed
Barkley	Hayden	Robertson
Bilbo	Hickenlooper	Russell
Brewster	Hill	Saltonstall
Bridges	Hoey	Shipstead
Briggs	Johnson, Colo.	Smith
Brooks	Johnston, S. C.	Stewart
Butler	Kilgore	Taft
Byrd	Knowland	Taylor
Capehart	La Follette	Thomas, Okla.
Capper	Langer	Thomas, Utah
Carville	Lucas	Tobey
Chandler	McCarran	Tunnell
Chavez	McClellan	Vandenberg
Connally	McFarland	Wagner
Cordon	McKellar	Walsh
Donnell	McMahon	Wheeler
Downey	Magnuson	Wherry
Ellender	Mead	White
Ferguson	Millikin	Wiley
Fulbright	Mitchell	Willis
George	Moore	Wilson
Gerry	Morse	Young
Green	Murdock	

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

Mr. TAFT. Mr. President, I rise to speak in favor of the Lucas amendment.

In 1933 the Congress established a national system of public employment offices. The act of June 6, 1933, established the United States Employment Service. It provided for aid to States in establishing State employment services. The United States Employment Service then proceeded to coordinate the operation of the various State employment offices. The language of the act is very definite. It states in part as follows:

> The bureau shall also assist in coordinating the public employment offices throughout the country and in increasing their usefulness by developing and prescribing minimum standards of efficiency, assisting them in meeting problems peculiar to their localities, promoting uniformity in their administrative and statistical procedure, furnishing and publishing information as to opportunities for employment and other information of value in the operation of the system, and maintaining a system for clearing labor between the several States.

In other words, we had a complete system. The Federal office had the right to put men into each State office. If they found a number of jobs in one city for which they needed people from other cities, they sent word, a general bulletin, to their representatives in each State, and their representatives brought the bulletin to the attention of the local State employment offices. That was the system.

It continued to operate satisfactorily until the day after Pearl Harbor, and on the day after Pearl Harbor the President sent a telegram to every governor throughout the United States demanding that in the interest of the war activity he turn over the State employment offices to the Federal Government. I say that was the day after Pearl Harbor. Many governors were very much opposed to the idea, but they did not feel that they could properly at that time, in the midst of war excitement, refuse to comply. However, most of them attached strings saying that just as soon as the war was over they wanted the offices back.

Since that time the USES has operated. There have been many controversies as to the merits of which I do not know enough about the facts to express an opinion. I know many people feel that there has been no improvement in efficiency, that everything that was done could have been done if the responsibility had been left in the State employment offices, where it was originally lodged. What was actually done was to increase tremendously the expense of operating all the State offices. Three or four times as many men were engaged in the work as there had been previously, and all sorts of restrictions were imposed on employers as to the kind of men who would be certified for employment and those who would not be certified. I do not know the merits of that.

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

Mr. TAFT. I yield.

Mr. McMAHON. Will the Senator from Ohio state the authority for the claims he is making? Are these the Senator's own observations?

Mr. TAFT. No; they are the result of letters I have received, and I am not purporting to pass on the merits of the controversy. I merely say there has been a controversy. Some have maintained that there was no need for the Federal service, that all they have done has been, so to speak, rather in the nature of regimentation than otherwise. Others have maintained that during the war it was necessary and proper to exercise greater control over where workers should go, and what sort of restrictions should be imposed, than when there was no war. I do not purport to pass on the merits of the problem as a war problem.

I yield further to the Senator from Connecticut.

Mr. McMAHON. In view of the Senator's last statement, does he not think it would be well if we had some testimony as to what the facts are, instead of depending on the letters and hearsay the Senator has been receiving?

Mr. TAFT. No. The question now is merely one of going back to a status of peace. We are now under peace conditions. We are now in a situation in which we want to find men jobs. The sole problem is to find men jobs, and in that the USES has had no experience. It has not been trying to do that. It has been trying to find people for jobs, and now the problem is to find jobs for people. I say that whatever the merits of this controversy may be during war, we have now gotten beyond that point, and we must now consider what must be done in peacetime.

Mr. McMAHON. Does not the Senator know that the millions of people who have been transported across State lines, on the inducement of the United States Employment Service, have not been transported home miraculously in the last few days?

Mr. TAFT. I do not understand the Senator's question.

Mr. McMAHON. The Senator knows, does he not, that the millions of people who have been transported across State

lines have not suddenly found themselves transplanted back to their former places of employment?

Mr. TAFT. The evidence before the committee showed that thousands have been transferred back, that many have taken their cars and families and moved back to the places whence they came. We had evidence from a Tennessee man that some of the leading hotels in Tennessee were filled with people moving into Tennessee or out of Tennessee. He said, incidentally, they were paying hotel charges which he himself never would pay unless he had been on a State pay roll.

Mr. McMAHON. Thousands have returned, but millions are still where they went during wartime to do war work. We have to get them back, too.

Mr. TAFT. However, the point I am trying to make is that the Federal-State system is fully equipped to do that. The USES still exists, it still has employees. It had employees throughout the Nation before Pearl Harbor. It has an office of its own, which often is located in the State office, though sometimes not located in the State office. We are not asking that the USES be abolished. So far as there is any interstate job to be done, they are supposed to do it.

As a matter of fact, unemployment is first a local problem. We had evidence before the committee over and over again that there were so many jobs and so many unemployed; that in Worcester, Mass., we will say, 2,000 people registered as unemployed, and that also 2,000 jobs were registered with the USES, but that very few of the unemployed were taken, although, of course, if there had been proper coordination, they should have been made to take the jobs.

Primarily, if we are to cure unemployment, the first task is to do the local job. The Committee on Economic Development has gone to every employer in all the localities and organized committees in order to cure the local problems of unemployment, to put people to work from the local standpoint. That is the first care. People do not want to move away from their homes, and it is better not to move away from their homes, if that can be avoided. The problem, I repeat, is primarily a local one, and we should solve the unemployment problem just as soon as possible within a city, and we should not move its people somewhere else until we have to. It is a residual problem, which it is proper for the USES to handle, and which they should handle under the act of 1933, which they can do after the State offices are returned to the States, which actually have operated them and can operate them, and must operate them.

I certainly second 100 percent what the Senator from Illinois has said, that under an unemployment compensation system, the same people who receive the applicants for unemployment compensation should be able to say, "Here is a list of jobs, and here is one which should suit you. Go and take it." Today there are two separate offices, often working at cross purposes, which is inevitable if it is a State and Federal concern. It seems to me obvious that they should be together. We certainly are not going to federalize the State system of unemployment compensation. The bill does not propose to do so, and it seems to me this is the proper time to return these offices to the States.

Incidentally the whole USES has just been transferred to the Secretary of Labor. What will happen? If we do not turn the agencies back to the States, he is going to reorganize the whole program. Every new Cabinet officer has a new plan for operating this kind of work. The Secretary of Labor will reorganize it, and just at the time when he has it reorganized, it will go back, under the existing law, to the various States. If we are to make the change, now is the time to make it, when the President himself has undertaken to transfer the service from the Social Security Board to the Secretary of Labor.

For the information of Senators on this side of the aisle, I might read the plank on security in the Republican platform of 1944. It reads:

> We pledge our support for the return of the public employment office system to the States at the earliest possible time, financed as before Pearl Harbor.

It seems to me that is an obvious necessity, if we are to have State systems of unemployment compensation.

The PRESIDING OFFICER (Mr. MURDOCK in the chair). The question is on agreeing to the amendment proposed by the Senator from Illinois [Mr. LUCAS], adding at the end of the committee amendment, as amended, a new section.

Mr. TAFT. I ask for the yeas and nays on that amendment.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. GEORGE (when his name was called). On this vote I have a pair with the senior Senator from Maryland [Mr. TYDINGS]. I, therefore, withhold my vote.

The roll call was concluded.

Mr. BREWSTER (after having voted in the affirmative). There was a possible understanding about a pair, and in order to avoid any possibility of misunderstanding I will consider myself paired with the Senator from Louisiana [Mr. ELLENDER], and so I withdraw my vote.

Mr. HILL. The Senator from Virginia [Mr. GLASS] and the Senator from Mississippi [Mr. EASTLAND] are absent because of illness.

The Senator from Alabama [Mr. BANKHEAD], the Senator from South Carolina [Mr. MAYBANK], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Maryland [Mr. TYDINGS] are absent on public business.

The Senator from Texas [Mr. CONNALLY] and the Senator from Louisiana [Mr. OVERTON] are detained from the Senate on official business.

The Senator from Florida [Mr. PEPPER] is absent on official business.

Mr. WHERRY. The Senator from South Dakota [Mr. BUSHFIELD] and the Senator from Idaho [Mr. THOMAS] are absent because of illness. If present, both of these Senators would vote "yea."

The Senator from West Virginia [Mr. REVERCOMB] is necessarily absent.

The Senator from Delaware [Mr. BUCK] is necessarily absent. If present, he would vote "yea."

The result was announced—yeas 56, nays 23, as follows:

YEAS—56

Aiken	Gerry	Robertson
Andrews	Gurney	Saltonstall
Austin	Hart	Shipstead
Bailey	Hawkes	Smith
Ball	Hickenlooper	Stewart
Bilbo	Hoey	Taft
Bridges	Johnston, S. C.	Thomas, Okla.
Briggs	Knowland	Thomas, Utah
Brooks	La Follette	Tobey
Butler	Langer	Vandenberg
Byrd	Lucas	Walsh
Capehart	McCarran	Wheeler
Capper	McClellan	Wherry
Carville	McKellar	White
Chandler	Millikin	Wiley
Cordon	Moore	Willis
Donnell	Morse	Wilson
Ferguson	O'Daniel	Young
Fulbright	Reed	

NAYS—23

Barkley	Johnson, Colo.	Murray
Chavez	Kilgore	Myers
Downey	McFarland	Radcliffe
Green	McMahon	Russell
Guffey	Magnuson	Taylor
Hatch	Mead	Tunnell
Hayden	Mitchell	Wagner
Hill	Murdock	

NOT VOTING—17

Bankhead	Eastland	Overton
Brewster	Ellender	Pepper
Buck	George	Revercomb
Burton	Glass	Thomas, Idaho
Bushfield	Maybank	Tydings
Connally	O'Mahoney	

So the modified amendment of Mr. LUCAS to the committee amendment, as amended, was agreed to.

USE OF SURPLUS PROPERTY IN SOIL CONSERVATION AND WATER CONSERVATION

Mr. McKELLAR. Mr. President, I ask unanimous consent, out of order, to introduce a bill and have it referred to the Committee on Agriculture and Forestry. The title of the bill is, "To assist in soil conservation and water conservation work by making certain surplus materials, equipment, and supplies available for such work through the distribution thereof, by grant or loan, to public bodies organized under State laws, and for other purposes."

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

Mr. McCARRAN. Mr. President, after hearing the title of the bill read, it seems to me that the bill should go to the Committee on Irrigation and Reclamation. I may be in error.

Mr. McKELLAR. I will leave that to the Parliamentarian. I cannot say as to that. I would have to look into the question.

Mr. President, I wish to make a very brief explanation. I have the consent of the senior Senator from Georgia [Mr. GEORGE], in charge of the pending bill, to make a brief statement about the bill which I am introducing.

The first section of the bill authorizes the Secretary of Agriculture to requisition any materials, equipment, or supplies which constitute surplus property under the Surplus Property Act of 1944 and are suitable for use in carrying out erosion control and soil and water conservation works. It further provides that upon receipt of such requisition the Government agency controlling such

property shall transfer it to the Secretary of Agriculture without reimbursement or deposit.

Section 2 provides that the materials thus requisitioned shall be distributed through the Soil Conservation Service by grant or loan to soil conservation, drainage, irrigation, grazing, and other districts and public bodies organized for the prevention of soil erosion in this country under such rules and regulations that may be established by the Secretary of Agriculture.

Mr. President, this is not the first effort that has been made to prevent soil erosion, fill up gullies, build ditches, and save the lands of this country. As I remember, Senator Gillette introduced a bill while he was a Member of the Senate having the same purpose and along the same lines.

The Soil Conservation Service, according to a House report on a similar bill, has estimated that we need terraces on 100,000,000 acres of land. Forty million acres are in need of improved or new drainage; 10,000,000 acres need repair or improvement of farm irrigation systems; 376 000 soil-saving dams are needed. About 1,000,000 acres of stream banks should be stabilized and 1,200,000 stock water developments should be built.

In some States erosion has taken place to such an extent as to form in many places huge gullies which should be leveled down and put in shape so as to prevent further erosion.

In the late war we manufactured all kinds of machinery for uses in that war. The war is over and this machinery is surplus. What better uses could the machinery be put to than to save the farm lands of the country from further erosion?

Districts have already been formed in 45 or 46 of the States for the purpose of doing this work. These districts are not able to do it unless they get from the Government this surplus machinery. This machinery could not be used to better advantage. It would insure the building up and protection of the soil of the country. What could be more important to this country as a whole? To my mind it is an ideal way to use this machinery and to my mind the plan of having the work done by State districts is the best possible plan of getting it effectively done.

Nor will it hurt the machinery manufacturers. This surplus machinery if put on the market and sold would hurt the machinery manufacturers a great deal more than if it were used for this purpose.

I take this occasion to urge the chairman and members of the Committee on Agriculture and Forestry to consider this bill at an early date, have hearings on it if necessary, and report it favorably to the Senate.

Mr. President, I ask unanimous consent to have the bill printed in the RECORD in full at this point as a part of my remarks; also to have printed in the RECORD as a part of my remarks a report made by the House Committee on Agriculture on a similar bill now pending in the House. The report was made on June 23, 1945. I do not know whether or not the bill has been considered in the House.

I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article on this subject, published in the Memphis Commercial Appeal on September 12, 1945. The article contains an interview with Hon. Edward H. Crump, of Memphis, urging Government action along this line.

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

There being no objection, the bill (S. 1414) to assist in soil conservation and water conservation work by making certain surplus materials, equipment, and supplies available for such work through the distribution thereof, by grant or loan, to public bodies organized under State laws, and for other purposes was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD as follows:

Be it enacted, etc., That the Secretary of Agriculture is hereby authorized to requisition any materials, equipment, or supplies which constitute surplus property under the Surplus Property Act of 1944 and are suitable for use in carrying out erosion control and soil and water conservation works and operations in furtherance of the act approved April 27, 1935, entitled "An act to provide for the protection of land resources against soil erosion, and for other purposes." Upon receipt of such requisition from the Secretary of Agriculture with respect to any such property, the head of the Government agency having control of such property shall transfer such property to the Secretary of Agriculture without reimbursement or deposit.

SEC. 2. Material, equipment, and supplies requisitioned by the Secretary of Agriculture under section 1 shall be distributed, through the Soil Conservation Service, by grant or loan, to soil conservation, drainage, irrigation, grazing, and other districts and public bodies organized under State laws with powers to promote and carry out soil and water conservation operations and related public purposes. Such distribution shall be made in accordance with such standards, conditions, rules, and regulations as may be prescribed by the Chief of the Soil Conservation Service, with the approval of the Secretary of Agriculture.

The material submitted by Mr. MCKELLAR was ordered to be printed in the RECORD, as follows:

[From the Memphis (Tenn.) Commercial Appeal of September 12, 1945]

CRUMP URGES ACTION TO PREVENT EROSION—GOVERNMENT HAS MACHINERY TO LEVEL DITCHES—LIKE CONTAGIOUS DISEASE

Now that the war is over, the Government can find no better use for surplus machinery than in preventing further erosion of the soil, E. H. Crump, Shelby County political leader, said yesterday.

Mr. Crump said, "Erosion is playing havoc in many States. It is like a contagious disease—it spreads—does not stop—offers no armistice. One acre of washed gullies will wash another acre—a bad apple in the box will eventually ruin all.

"PRAISE FOR KERR

"Shame is on the whole country—not on these unfortunate individuals who have these deep gullies. Local and national governments must be convinced of the necessity of doing something.

"Now that the war is over the Government has all kinds of machinery to level these ditches off—much has been done in the way of soil conservation to preserve declining land. Shelby County, under the direction of Leonard Kerr, has done much in treating sick soil. E. D. Schumacher, president of Friends of the Land, hac been active. I refer to the abandoned, dead, forgotten gullies that have been with us for years. It will cost any farmer more than the land is worth to redeem it. The counties and the States might assist some—something should be worked out. The Federal Government has all the necessary machinery.

"This country in the beginning had so much land, when washes occurred and the land seemed to be getting poor, instead of trying to do something with it, the thought was to clear up new ground—cut the timber and burn it. The timber has been slaughtered. I recall when a boy we would cut a tree to get a coon, yet no one would eat the coon.

"LAND NEEDS HELP

"The planners of the soil should get busy. Members of Congress can undoubtedly get the machinery. It may be someone with creative ability can devise some plan. All the old abandoned, gully washed land needs help. Also, the appearance of the country will be improved and will make a better impression on those who are traveling through.

"The Federal Government made a wise move when it entered soil conservation back in 1930, establishing 10 experiment stations to study ways of halting erosion. In 1935 the Soil Conservation Service was established as a part of the Department of Agriculture—it supplies technical advice to farmers. Erosion control should have started 50 years ago. Farm owners can ditch and deal with top soil. The question is how to deal with the old ditches, dead land. It has been said repeatedly throughout the world that no nation has full prosperity if it ignores the land."

The Committee on Agriculture, to whom was referred the bill (H. R. 538) to empower the Secretary of Agriculture to requisition certain material, equipment, and supplies not needed for the prosecution of the war and for the national defense and to use such material, equipment, and supplies in soil- and water-conservation work and to distribute such material, equipment, and supplies by grant or loan to public bodies, and for other purposes, having considered the same, reports thereon with a recommendation that it do pass, with the following amendment:

Page 2, line 9, strike out the period and add the words "or deposit."

STATEMENT

This legislation will permit the employment of surplus materials, equipment, and supplies in carrying out erosion control, soil- and water-conservation works and operations which otherwise would not be so employed. The effective and rapid prosecution of such works is greatly in the public interest and is in furtherance of the act of April 27, 1935, entitled "An act to provide for the protection of land resources against soil erosion, and for other purposes."

Until very recently the United States has ignored the problem of soil erosion. As one farm lost its productivity, the farmer moved on to a newer farm. As a community found itself incapable of supporting its population, new communities were established and old fields were turned back to weeds and brush. Sometimes nature was able to check the destructive forces of erosion which had been set in motion when man broke the long established balance. Sometimes the destruction went on. At least enough of it went on to cause our springs and even wells to fail as the water table fell and to cause our streams and lakes to fill with silt as floods moved the most productive soil particles toward the sea. At least enough erosion went on to largely counteract the benefits of the dams and levees man built and

the channels he dredged. Certainly prior to 1933 we fought a losing fight with the forces of erosion. The Department of Agriculture estimates that approximately 100,000,000 acres of land have suffered such erosion as to make it useless for further agricultural use, and that an additional 100,000,000 acres have been so damaged as to require the most careful treatment if they are to continue as producing units in the agricultural economy of the Nation.

In 1933 the Soil Erosion Service was established and began its work of holding the topsoil in place, thereby saving the productivity of our farm lands as well as saving our streams, lakes, and harbors from filling with silt. In 1935 the Soil Conservation Act was passed, declaring in part—

"That it is hereby recognized the wastage of soil and moisture resources on farm, grazing, forest lands of the Nation, resulting from soil erosion, is a menace to the national welfare, that it is hereby declared to be the policy of Congress to provide permanently for the control and prevention of soil erosion and thereby to preserve natural resources, control floods, prevent impairment of reservoirs, and maintain the navigability of rivers and harbors, protect public health, public lands, and relieve unemployment."

Since the passage of the act, Nation-wide programs authorized by the Congress have awakened the public conscience to an understanding of the public interest in the proper stewardship of land, and suitable control measures have been applied on 90,000,000 acres of the farm and ranch lands of the country. Forty-five States have passed laws governing the formation of soil-conservation districts, locally created, locally organized, and locally directed by farmers and ranchers for the purpose of combating the destructive effects of erosion and of establishing sound use of land in accordance with its needs and adaptabilities, to the end of permitting permanent agriculture. The widespread need for the programs of conservation carried forward by the soil-conservation districts under the various State laws is demonstrated by the fact that in 8 years 1,299 districts have been organized including an area of over 700,000,000 acres of agricultural land and involving three and one-third million farms. This latter factor constitutes more than half the farms of the Nation.

In spite of the remarkable progress made, it cannot be said that we have reversed the trend, but surely we have checked it. We have checked this dangerous trend only by the cooperation of every friend of the soil from the farmer to the engineer. In this fight against the forces of nature we have used not only the Soil Conservation Service, which has supplied much of the technical supervision, but we have also appropriated vast sums of Federal money for "soil-conserving practices," most of which has been paid to cooperating farmers through the AAA. We have spent other hundreds of millions in the erection of flood-control structures and doubtless even more on the improvement of our rivers and harbors. Not all of this money has been spent as a result of soil erosion, but certainly most of these vast expenditures have become necessary as a direct result of the erosion or removal of our topsoil from its natural location.

Soil-conservation districts have been established under State law in 45 States of the Union. These districts are public agencies. They are the agencies that deal directly with the farmers. They are the agencies that must put the plans of the Soil Conservation Service into practice. They are the agencies on which the AAA must depend for actual physical aid to farmers who are cooperating with the soil-conserving practices. While these districts are agencies of the several States, they do not (except in two States) have any taxing power. Their ability to purchase needed machinery has therefore been very circumscribed. In fact, it has been and still is practically nonexistent. In a few cases, districts have acquired some old CCC equipment, and, in some cases, the directors of the districts or some farmers' cooperatives have pledged their personal credit to secure equipment that can be used by the district, but, on the whole, they are without the tools necessary to do the great job of soil conservation that confronts us. They have not in the past supplied an important market for equipment manufacturers, and unless some change is made, they hold out no promise of a worth-while market in the future. No manufacturer could be hurt by the diversion of surplus war equipment to these districts. On the contrary, such a diversion would only serve to take such equipment out of channels competitive with the manufacturers.

At the same time, any program that would enable these districts to build up funds with which to make a down payment on new machinery in years to come would open the door to the largest peacetime market that the manufacturers of dirt-moving equipment could hope to reach. One of the byproducts of this bill should be the opening of a vast new market for new dirt-moving equipment in years to come. This in addition to the movement into noncompetitive channels of vast quantities of second-hand equipment that must otherwise ultimately come in competition with the regular production of our factories.

Therefore, instead of interfering with the manufacture or sale of heavy equipment, this bill should be of substantial benefit to the manufacturers, the laborers who produce the soil-conserving equipment, as well as to the dealer who sells this machinery.

Its greatest and most direct benefits will, however, accrue to the farmer who needs heavy equipment to properly protect his farm from the dangers of erosion. Whether he is attempting to terrace a hillside as a part of a comprehensive farm plan worked out for him by the Soil Conservation Service, or whether he is attempting to dig a tank for stock water as one of the soil-conserving practices for which the AAA partly reimburses him, or whether he plans to cut a drainage ditch or build a levee as part of a drainage-district program, the average farmer will find the lack of efficient equipment to be his most serious problem. Obviously no ordinary farmer can buy a bulldozer, much less a dragline. And if one farmer were to buy such equipment, he could not employ it more than a few days per year. Yet without this kind of equipment much of the soil-conserving work that farmers want to do and that should be done must go undone. Farmers cannot pay and should not pay the costs of doing this work with antiquated, inefficient equipment. The effective prosecution of the work program in many districts therefore rests upon the possibility of the districts being able to secure the initial complement of needed equipment and materials. Once the additional units can be provided, their use can be made self-sustaining, by rental charges to the farmers utilizing the equipment, sufficient to pay operation and maintenance costs and at the same time create a reserve toward the purchase of a replacement.

As previously pointed out, very little of this work will be done if we insist on the purchase of this heavy equipment by farmers individually or by soil-conservation districts. Neither the farmers nor the districts have the money. Soil-conservation districts do not have the taxing power, and if they had it, few communities, especially few of the districts that need it most, could pay the taxes that would be necessary to buy in the open market. It must be remembered that the rule is the greater the need for soil conservation, the less the ability to pay. Rich valley districts can, however, take little comfort from this fact because a large part of the flood damage that has been visited with increasing frequency and violence on these areas has had its origin on the eroded hillsides upstream.

The Soil Conservation Service has estimated that we need terraces on 100,000,000 acres of land; 40,000,000 acres are in need of improved or new drainage; 10,000,000 acres need repair or improvement of farm irrigation systems; 376,000 soil-saving dams are needed. About 1,000,000 acres of stream banks should be stabilized and 1,200,000 stock-water developments (ponds, springs, etc.) should be built. This will require a tremendous amount of equipment, but we are confronted with a tremendous job. Not only is this a job of staggering size, but it is a job that must be done quickly. Each year we wait we lose thousands of acres of irreplaceable topsoil, and we add to the intolerable flood conditions in the stream valleys of the country. No longer can we content ourselves with simply building higher and higher levees along streams whose beds are filling up with soil that should be a part of our cropland. We must stop the movement of this silt at its source, and we must stop it now. To do this job with the dispatch it demands will require great quantities of modern equipment. Fortunately, we have much of that equipment on hand, and shortly we will have no use for it. This bill provides that as soon as this equipment has ceased to serve the armed forces that it may be used to aid in the preservation of our soil. The people of the United States have paid for this equipment. They bought it to render a public service. When its need for that purpose (the prosecution of the war) has passed, there seems to be no reason why it should not be used to serve a further public purpose. Under the terms of this bill, the Secretary of Agriculture would be authorized to requisition "so much of this equipment as might be suitable for use in carrying out erosion control and soil- and water-conservation work."

The effect is to transfer title from the War or Navy or other department to the Department of Agriculture. The Secretary of Agriculture is then authorized to make the equipment available to "soil conservation, drainage, irrigation, grazing, and other districts and public bodies organized under State laws with power to promote and carry out soil- and water-conservation operations and related purposes."

In a letter dated June 1, 1945, addressed to Hon. JOHN W. FLANNAGAN, Jr., chairman, Committee on Agriculture, the War Food Administrator, Hon. Marvin Jones, stated in regard to this bill:

"Large amounts of equipment and materials will be required in establishing sound soil and water conservation in the United States. The Soil Conservation Service estimates, for example, that 100,000,000 acres of land need terraces or diversions; 40,000,000 acres are in need of improved or new drainage; 10,000,000 acres need repair or improvement of farm irrigation systems; 376,000 soil-saving dams are needed; about 1,000,000 acres of stream banks should be stabilized; and 1,200,000 stock-water developments (ponds, springs, etc.) should be built. It is estimated that farmers may be expected to meet, through private contractors and otherwise, only approximately 70 percent of the total equipment needs.

"The establishment of these and other needed conservation practices is clearly in the public interest. It would also be in keeping with the purposes expressed by the Congress in Public, 46, Seventy-fourth Congress, to provide for the protection of land resources from soil erosion and for other purposes.

"All but two States have State soil conservation districts laws. Already 1,245 districts have been organized including approximately 688,000,000 acres and over one-half the farms of the Nation. Experience has shown that where districts have had available some

equipment and materials: (1) They have made these serve the initial needs of a large number of farmers; (2) they have helped meet a need that the farmers could not have met otherwise; (3) they have created jobs for private contractors in many cases by demonstrating to a large number of farmers the effectiveness and practicability of conservation practices, such as terracing, land leveling, ditching, construction of farm dams and the like; (4) they have established standards of high quality work which when followed by the farmers or private contractors result in most effective use of the resources put into the job; and (5) they have established the cost per unit of doing certain jobs by charging the farmers the actual cost of operations plus a charge to build up a replacement fund—thus furnishing local experience which both farmers and private contractors can consider in arriving at fair and reasonable prices.

"Success in achieving these results rests upon districts being able to secure the initial complement of equipment and materials. Since the State laws, in all but two States, provide no powers of assessment for soil-conservation districts, their cash purchases can be expected to meet only a small portion of their needs. If these needs can be more nearly met, not only would accelerated progress of the district programs result but it would afford large markets and consequent employment in postwar years arising from the replacement of such initial equipment, since the district by renting equipment to the farmers can accumulate funds for purchasing its replacement.

"We believe that the use of surplus equipment and materials in soil- and water-conservation work would result in great public benefit and that some provision for such use should be made."

It is true that the War Food Administrator stated that the Bureau of the Budget, which last year had approved an identical bill, did not at this time approve the bill as a result of "the position taken by the Surplus Property Board," but on June 9, 1945, the Chairman of that Board wrote to the author of this bill, as follows:

"I have your letter of June 4, 1945, enclosing a copy of H. R. 533. This is the measure which you introduced and is in substantially the form of a bill which I introduced in the Seventy-eighth Congress, and its purpose is the same I note that you wish some comment from me with reference to the measure. You speak of a favorable report from the Department of Agriculture and of objections by the Bureau of the Budget. There was no report accompanying the bill which you transmitted to me, and I do not know what viewpoint was taken. You speak, however, of your understanding that the objections of the Bureau of the Budget are based upon their interpretation of the Surplus Property Act of 1944.

"You will have in mind, I am sure, that I am heartily in accord with the purposes and goals of the proposed legislation, and I do not see how it would be inconsistent with the provisions of the Surplus Property Act. On the contrary, it would seem to strengthen the position of the Secretary of Agriculture as a claiming agency under the provisions of the Surplus Property Act. The principal difference would be in the matter of compensation for the property.

"As you recall, the Surplus Property Act created two priority groups as claimant agencies for property declared surplus to the needs and responsibilities of owning agencies. Section 12 (a) of the act enjoins the Board to facilitate the transfer of surplus property from one Federal agency to another, and gives this type a first priority over all other provisions. The act also defines a Government agency as any 'executive department, board, bureau, commission, or other agency in the executive branch of the Federal Government, or any corporation wholly owned by the United States.' The same section 12 enjoins all Government agencies to continuously consult records of surplus property available and try to fill their requirements from this property, and also requires these Government agencies to submit to the Board estimates of their needs as necessary to promote the fullest utilization. It also gives a mandate to the Board to see that these Government agencies are acquiring surplus property to the fullest possible extent. Subsection (c) of section 12 requires that the disposal agency handling surplus property shall transfer it to the claiming agency 'at the fair value of the property as fixed by the disposal agency under regulations prescribed by the Board, unless transfer without reimbursement or transfer of funds is otherwise authorized by law.' You will note that under this subsection (c) there is full authority for the provision in your bill relative to compensation for transfer without reimbursement or transfer of funds.

"Section 13 of the Surplus Property Act sets up the second priority group as comprising States, political subdivisions thereof, and instrumentalities thereof and also certain tax-supported and nonprofit institutions. This, of course, would include soil-conservation districts and irrigation districts and similar entities as you envision as the final recipients of the aid under your bill. While this group has a priority secondary to the Federal agency group, yet there is nothing in the Surplus Property Act which would prevent a claimant Federal agency from disposing of the property after acquiring it in any manner carrying out their obligations and duties as such Federal agency. It would seem a reasonable conclusion, then, that while a bill to give this second group a priority as a claimant equal to a Federal agency would run counter to the Surplus Property Act, yet it would seem equally clear that after a Federal agency has exercised its claimant priority, it would not contravene the purpose of the Surplus Property Act in that there is no duty or obligation on the part of the Board to follow surplus goods after they have been acquired by a proper claimant agency of the Government and determine whether they are violating the provisions of other laws in their disposition of the property after it becomes subject to their ownership and control.

"It would seem to me that there is real merit in the purposes of your bill and I cannot see how it would hamper the administration of the Surplus Property Act.

"With personal greetings, I am

"Sincerely yours,

"GUY M. GILLETTE,
"Chairman."

The committee recommends that at the end of line 9, page 2, the bill be amended to strike out the period and by adding the words, "or deposit." The effect of this amendment is simply to make perfectly clear the intent to transfer this equipment from one department of the Government to another without the necessity of the transfer, appropriation, or payment by any department of any Government funds. The justification for the transfer should rest on the greater public benefit that will come from the use of the equipment for a public purpose.

This legislation, by authorizing transfer of materials, equipment, and supplies which constitute surplus property under the Surplus Property Act of 1944 to the Secretary of Agriculture without reimbursement, for the purpose of loaning or of granting the property to soil conservation, drainage, irrigation, grazing, and other districts and public bodies organized under State laws with powers to promote and carry out soil- and water-conservation operations and related public purposes, will make available the needed initial complement of equipment and materials, the items that are beyond the resources of the individual farmer or district. The effect of the legislation will be to assure that these items of equipment, materials, and supplies, already the property of the Government, will be continued in use on work of lasting public benefit.

EMERGENCY UNEMPLOYMENT COMPENSATION

The Senate resumed the consideration of the bill (S. 1274) to amend the War Mobilization and Reconversion Act of 1944, to provide for an orderly transition from a war to a peacetime economy through supplementation of unemployment compensation payable under State laws, and for other purposes.

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

The PRESIDING OFFICER. The amendment offered by the Senator from Kentucky will be stated.

The CHIEF CLERK. On page 14, line 16, in the committee amendment, after the word "law", it is proposed to insert "(as supplemented pursuant to section 703)."

On page 15, it is proposed to strike out line 3, and insert the following:

(A) the sum of the amount of any supplemental compensation payable to him under authority of section 703, plus 26 times his weekly benefit amount.

On page 15, between lines 17 and 18 it is proposed to insert the following new section:

SUPPLEMENTING WEEKLY BENEFIT AMOUNTS

SEC. 703. (a) Any agreement under section 702 may also provide that the compensation payable to any individual with respect to unemployment occurring within any week during the reconversion period (whether such compensation is payable under the State law or pursuant to section 702) will be supplemented by any amount which, together with his weekly benefit amount under the State law, does not exceed $25 and does not exceed two-thirds of his previous weekly wage.

(b) For the purposes of this section, the previous weekly wage of an individual shall be deemed to be—

(1) in any State in which such individual's weekly benefit amount is determined on the basis of wages in a selected calendar quarter, one-thirteenth of the wages used in making such determination; and

(2) in any State in which such individual's weekly benefit amount is determined on some other basis, an amount determined by a method agreed upon by the State unemployment compensation agency and the Director.

On page 16, line 13, after "made", it is proposed to insert "and as supplemented pursuant to section 703."

Also it is proposed to renumber the present section 703 and succeeding sections, and correct cross references to section numbers.

The PRESIDING OFFICER. Does the Senator desire to have his amendments considered en bloc or separately?

Mr. BARKLEY. I desire to have them considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARKLEY. Mr. President, this amendment restores to the bill the provision for supplementing, in all the States, the amounts payable for unemployment compensation to the extent necessary to bring the uniform payment up to $25 a week for the duration of 26 weeks provided in the bill.

I wish to recount very briefly the history of legislation with respect to reconversion, as we have understood it and dealt with it in the Senate.

The Senate will recall that more than a year ago the Special Committee on Postwar Economic Policy and Planning, of which the Senator From Georgia [Mr. GEORGE] is chairman, held extensive hearings on the whole problem of reconversion. More than a year ago there was reported to the Senate a bill dealing with the question of physical reconversion. The bill provided for prompt payment of the amounts due to corporations which had engaged in contracts for the manufacture of war materials. It provided for aid to what we called small business corporations. When that bill was brought up on the floor of the Senate, I recall that the question of the human element involved in reconversion was raised, and the Senator from Michigan [Mr. VANDENBERG] and the Senator from Georgia [Mr. GEORGE] and I, as well as other Senators, said that while we did not in that bill deal with the human element of reconversion, we pledged ourselves to deal with it immediately upon the reconvening of Congress, which was to be in the fall of 1944. We recognized the deficiency of that bill in dealing with the human element of reconversion. We reconvened, and I believe we reconvened in good faith, with the purpose of undertaking to deal with the individual, human elements involved in reconversion which are not of less importance than the financial and physical reconversion of our wartime economy. The committee held hearings on the subject. During those hearings State organizations, governors, and representatives of governors came before the committee and presented a situation which I think I may say changed the view of the Committee on Finance. We had said we would deal with the problem as a national problem. State organizations and State administrations presented facts showing that they had in their treasuries reserves sufficient to deal with unemployment and unemployment compensation within the States, and that showing probably caused a change in the attitude of the committee and the attitude of the Congress upon that subject.

The result was that what we got through the Senate at that time was a measure which only provided that the Federal Government would loan to the State governments whatever amounts might be necessary to supplement their payments for unemployment compensation from the period of the expiration of their term of duration, so that there might be what we call financial stability and solvency in the State unemployment compensation funds.

Now we are confronted with a situation which, it seems to me, presents what I feel very strongly is a national obligation and a national condition. In his message to the Congress, President Truman recommended that we supplement State provisions so that there would be a maximum of $25 a week for a maximum period of 26 weeks of unemployment compensation. When the Finance Committee took up the matter and held hearings, the same State organizations, either through representatives of the governors or through representatives of the State unemployment compensation agencies, came before the committee and took the position that this problem was not a Federal one, that there was no Federal obligation involved in it, that it was entirely a State proposition, and that the States as a whole had in their treasuries sufficient reserves, which had been conserved during the war period, to meet the obligation of the States, under their laws, to provide for unemployment compensation under the provisions of their laws, and that therefore the Federal Government should keep its hands off the question of unemployment compensation.

The original bill introduced by the Senator from West Virginia [Mr. KILGORE] provided for integrating the unemployment compensation laws of all the States with the objective of providing for benefits of $25 a week, as a maximum as recommended by the President, for a maximum period of 26 weeks. During the consideration of the bill in the committee, provision for the supplementation of the amount paid per week was entirely eliminated. In other words, the committee decided by majority vote that, without regard to the differences in the weekly compensation of unemployed persons, without regard to the restrictions imposed by State laws or State administrative agencies, there should be no addition to the weekly compensation provided for in the States to be received by any unemployed person. The committee did decide, and in the bill it is so provided, that there should be added to the period provided in the State law compensation, based upon the laws of the State, up to 26 weeks.

The amendment which I have offered provides that in addition to the 26 weeks' duration provided in the State laws, which, of course, vary as to terms, there shall also be provided a payment in supplementation of the State payment for unemployment compensation an amount sufficient to make the weekly allowance $25 instead of whatever the amount may be under the laws of the State. In other words, if the State allows $16 a week, the amount shall be supplemented by the Federal Government so as to make the compensation $25 a week, with a provision that in any case there shall not be allowed more than two-thirds of the amount of the wage received during a basic period.

Mr. President, I feel very strongly that during the reconversion period, during the period of readjustment from war to peace, we cannot escape our obligation as a nation to those who, without any fault of their own but because of conditions over which they had no control, find themselves unemployed.

I believe it is accurate to state that in all the States the question of the need is not a test of the right to receive unemployment compensation. In all the States there is recognized the right of every unemployed person, whether needy or not, to receive a stipulated amount, depending upon the interpretation and administration of the law of the State by the State authorities.

Mr. President, I happen to be one of those who believe that the question of unemployment in America, and the question of unemployment compensation in America, is a problem which must appeal to the entire people of the United States. The President of the United States recognized it as such when he recommended to Congress, before we adjourned for our recess in July, that we should take into consideration the entire problem and provide for a maximum of $25 a week for a maximum period of 26 weeks. During the hearings before the Committee on Finance in connection with this bill, which was introduced by the Senator from West Virginia [Mr. KILGORE], we heard testimony with regard to the probabilities of unemployment during the next year or two in the United States. No one has the last word on that subject. No one can be meticulously accurate with respect to the number of workers who may be unemployed, whether men or women, at any given time during the reconversion period. Therefore, the Members of the Senate are compelled to take what I might call a general average of the estimates of unemployment. They range all the way from low unemployment through medium unemployment to high unemployment. The Senator from Georgia [Mr. GEORGE] has given to the Senate an estimate of the cost of this bill as reported by the committee on low, medium, and high unemployment.

The committee decided to strike completely out of the bill all the provisions which added to the weekly compensation of unemployed persons any Federal supplementation of the amount which they receive each week from the States, but the committee also decided to add to the duration of the time during which unemployment compensation might be received, to be paid out of the Treasury of the United States, amounts sufficient to increase the duration in the States, whatever such duration might be, whether 14 weeks, 16 weeks, 20 weeks, or any other number of weeks. The payments would carry the unemployed up to a maximum of 26 weeks.

Mr. President, according to our pledges made more than a year ago on the floor of the Senate, we obligated ourselves, insofar as we could, to provide for the prompt payment by the Federal Government of whatever might be due to private corporations upon the termination of their contracts in order to aid them in reconversion. Not only did we provide that we would make loans out of the Federal Treasury to what we call small business in order to enable it to reconvert and to begin anew the production of goods for the people of the United States, but we pledged ourselves, as I conceived it—I was one of those who did so—that as soon as Congress reconvened we would deal with the problem of the human element involved in reconversion. It is in part because of that pledge that I offer this amendment today.

The State of Vermont did not declare war against Japan; the State of Kentucky did not declare war against Japan; the State of Pennsylvania did not declare war against Japan; and no other State declared war or could have declared war against Japan, or Germany,

or any other nation. War was either declared or accepted as a status already in existence by the Congress of the United States representing all the people of the United States, as only it could do.

Mr. AUSTIN. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield.

Mr. AUSTIN. I have no idea of entering into a debate on this point, but I cannot sit here and not mention the fact that the Legislature of the State of Vermont did, by vote, recognize that the United States was in a state of war before the United States declared that it was so, because the State of Vermont wanted to pay its National Guard the additional per diem or monthly pay to which they would be entitled whenever the United States was in a state of war.

Mr. BARKLEY. I appreciate that. What I had in mind was that no State could declare war against a foreign country, that it was a national action.

Mr. AUSTIN. I recognize that, but when the Senator said the State of Vermont did not declare war, I wanted to set the record straight.

Mr. BARKLEY. I congratulate Vermont on being a little ahead of the Congress of the United States in that regard. [Laughter.]

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

Mr. BARKLEY. I yield.

Mr. VANDENBERG. There was one point in the Senator's chronology which I think he should have amplified for the sake of the record of the Senate, but he undoubtedly forgot to do so. He said that pledges were made on the floor of the Senate a year ago, after we completed consideration of the contract termination bill, that we would promptly deal with the problem of the human element. I remind the Senator that, so far as the Senate is concerned, we did try to redeem that pledge forthwith. We passed a bill which included many of the features of the pending bill, which provided compensation for Federal employees, which provided compensation for maritime workers, which provided migratory transportation. We went a very long way in that direction, but we collided with an immovable body at the other end of the Capitol. It is not to be said that we did not make a very sturdy effort to redeem the obligation to which the Senator has referred.

Mr. BARKLEY. I appreciate that. What I had in mind was that after we made our pledges on the floor of the Senate, and the Committee on Finance began hearings and presented a situation which probably we had not contemplated in our pledges here, the Committee on Finance, and evidently the Senate, were persuaded by the State authorities that we should not go so far as we had pledged ourselves to go. When we were finding reasons why we should enact the reconversion bill for corporations and for the physical reconversion of properties, we were not dealing with the human element, and we pledged ourselves to deal with it later, when Congress reconvened. I think we made the pledge in good faith, but the Committee on Finance was persuaded by the State administrations that they had ample funds and were amply qualified to deal with the subject. To that extent we modified the bill we had even reported to the Senate. It was modified and watered down considerably at the other end of the Capitol.

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

Mr. BARKLEY. Certainly.

Mr. VANDENBERG. The Senator refers to the contract termination bill constantly as having been passed for the corporations. Would not the Senator upon reflection agree that the contract termination bill was of utterly vital importance to labor and to every factor involved?

Mr. BARKLEY. I agree with that. I was for the bill. I supported it actively in the committee and on the floor of the Senate, and in anything I said I would not in any way wish to reflect upon the sincerity of any Senator who was for the bill. But, in explanation of the fact that we were not including in the bill what we then termed the human element of reconversion because of the emergency, we pledged ourselves to deal with it a little later. As I recall, I think we were on the verge of a sort of recess, and we promised to deal with it when we got back, and we started out to do so. Then the State administrations came before the committee and presented the facts with respect to their reserves for unemployment compensation, and the committee as a whole promptly changed its views with regard to its original feeling of obligation as a national obligation, by providing only for lending money to the States when they ran out of money before the expiration of the term of duration under which they could pay unemployment compensation. Even that was objected to at another place.

Mr. VANDENBERG. The Senator is quite correct. My only thought was that I was sure the Senator would not care to associate himself with the prejudicial criticisms which have been constantly leveled at the Senate, that we were thinking only about the corporations when we passed the contract termination legislation.

Mr. BARKLEY. No. I join in the thought that at that time we felt we were compelled to deal with an emergency which seemed just around the corner. We all felt we had to deal with the problem, and that we were not in a position at that moment to deal with the other problem, but we did pledge ourselves to deal with it immediately upon the reconvening of Congress, and when we reconvened, a new situation was presented to the committee and to the Senate in regard to an element which we had not previously considered. I think that is a fair statement.

Mr. WHERRY. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield.

Mr. WHERRY. Since the Senator has mentioned small business, should it not also be said that his observation is applicable to small business? I am a member of the Small Business Committee, and it has always been my desire to cooperate and help to get loans for small business where justified as the Senator has said, and that has been our function and purpose, but in so doing it was not only our desire to help those who went into business, but it was just as important to create labor and work in connection with the new business, and in helping to rehabilitate an old business which might need aid.

Mr. BARKLEY. Of course, they were all associated. In other words, the extent to which we aided business, big or little, we helped employment, and therefore encouraged the desire of all of us to provide, so far as Government could do so, for a condition, economical and otherwise, which would encourage and provide for employment of labor.

Mr. MAGNUSON. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield.

Mr. MAGNUSON. I have had several inquiries from my State regarding the proposed Federal legislation of which the Senator from Kentucky has made a study. The State of Washington is foremost in unemployment compensation legislation. It pays $25 a week for 26 weeks to all who qualify. How would the pending bill affect payments in the State of Washington; which pays the maximum which is provided for?

Mr. BARKLEY. Of course, in the State of Washington or any other State——

Mr. MAGNUSON. Ours is the only State which provides the maximum, as I understand.

Mr. BARKLEY. In any State in which the maximum of 26 weeks' duration is provided for, and where $25 a week is provided for, the amendment I offer would have very little effect, but, so far as I know, Washington is the only State in the Union which provides for a maximum of 26 weeks and a maximum of $25 a week.

Mr. MAGNUSON. The bill would have little or no effect in our State?

Mr. BARKLEY. It would have little or no effect, probably, but in my opinion that should not prejudice anyone against it, because in the 47 States which have not been as liberal as the State of Washington, there should be provision not only for a maximum of 26 weeks, but a maximum of $25, and we should not militate against that. I congratulate the Senator from Washington and the State of Washington on being more liberal in that regard than any other State of the Union.

Mr. KILGORE and Mr. LUCAS addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Kentucky yield; and if so, to whom?

Mr. BARKLEY. I yield first to the Senator from West Virginia.

Mr. KILGORE. In line with what was suggested by the distinguished Senator from Washington, is it not a fact that the money which is paid out for unemployment compensation is derived from pay-roll taxes?

Mr. BARKLEY. Yes.

Mr. KILGORE. And a large part, if not all, of the pay-roll tax eventually is paid out of the United States Treasury, and States, like the State of Washington, which were foresighted and progressive, were able to build up their funds to meet the situation by increasing the pay-roll

taxes to such an extent that they were able to take care of unemployment payments. Whereas other States which were not so farsighted left their pay-roll taxes at a very low figure, and as a result did not build up the necessary reserve. Is not that a fact?

Mr. BARKLEY. That is a fact.

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

Mr. BARKLEY. I yield.

Mr. LUCAS. I confess I am not altogether familiar with the amendment offered by the Senator from Kentucky.

Mr. BARKLEY. We discussed the amendment in the Finance Committee. The effect of the amendment I have offered is that there shall be a supplementation out of the Treasury of the United States, in those States which do not pay up to $25 a week, of a sufficient amount to make the maximum $25 a week for unemployed persons according to the recommendation of the President in his message to the Congress.

Mr. LUCAS. I was sure that that was what the amendment provided. In line with what the Senator from Washington has said, I am wondering how the amendment would affect a worker in his State who, for instance, was drawing unemployment compensation at the rate, we will say, of $16 a week.

Mr. BARKLEY. Will the Senator speak a little louder, please?

Mr. LUCAS. The Senator from Washington [Mr. MAGNUSON] called attention to the fact that his State was the only State in the Union that had the maximum benefit of $25 for 26 weeks. I am wondering how the amendment offered by the Senator from Kentucky would affect the worker who, under the laws of Washington, is drawing only, let us say, $16 a week as compensation.

Mr. BARKLEY. Of course there is a difference, as the Senator understands, from having attended the hearings before our committee, between the maximum amount that anyone can draw and the average payment of unemployment compensation a week. The amendment I have offered does not change the basis of payment according to the State laws, but it fixes the maximum under the interpretation of the State laws at $25 instead of whatever the amount may be under the State laws. In my State it happens to be $16 a week for 20 weeks. We have provided in the bill that that may be extended for 26 weeks. My amendment provides that there may be a maximum of $25 above the $16 provided in the laws of my State, under the regulations and the operations of the laws of the State which determine, by reason of previous credits and previous employment and previous wages and so forth, what any given person may be entitled to. But it provides also that in no case shall the unemployed person receive more than two-thirds of the amount he received as a salary in the base period provided in the law.

Mr. LUCAS. Is it not a fact that the worker who is receiving $16 a week under the unemployment compensation laws of Washington would be definitely benefited by the amendment offered by the Senator from Kentucky?

Mr. BARKLEY. Yes.

Mr. LUCAS. In other words, the worker who is entitled to the $25 would not be entitled to any benefit at all under the Senator's amendment.

Mr. BARKLEY. No; the individual who was receiving $25, of course, would receive no benefit. But the individual who, under State law, by reason of credit or by reason of any other provisions of the law, is receiving only $16 or $20, would be benefited by my amendment.

Mr. MAGNUSON. Up to the maximum.

Mr. BARKLEY. Up to the maximum, of course, always provided that what he receives is not more than two-thirds of the wage he received during the base period.

Mr. MAGNUSON. I thank the Senator.

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

Mr. BARKLEY. I yield.

Mr. AIKEN. What would be the procedure for getting this money to the unemployed person in a State? Would the State have to make application for the funds, and if the State declined to make the application for the funds, how could the unemployed person get the additional compensation?

Mr. BARKLEY. The amendment, I will say to the Senator from Vermont, is framed purely on a voluntary basis. In the original Kilgore bill there was a mandatory provision with respect to additional compensation, but my amendment is purely on a voluntary basis. If a State through its proper authorities decides that it cannot accept this additional compensation there is no way by which it can be forced upon the State. As a result of the testimony of the commissioner, or whatever his title might be, from the State of Texas, representing the Texas unemployment compensation agency, who stated that there were a number of States in the Union which under their laws could not accept any additional payment without being compelled to reduce the amount of their State compensation by whatever amount they received from any other agency, and that some States would be compelled to deny compensation entirely to an unemployed person, the chairman of the Senate Finance Committee, the Senator from Georgia, sent telegrams to all the States to determine whether under their laws they could accept this additional payment. I think out of the 48 States some 24 or 25 replied either that the amount by which the Federal Government supplemented the payment would have to be reduced or subtracted from the State payment, or that the unemployed person could not receive any State payment at all. With practically half of the States having replied that they would either have to subtract the amount from the State compensation or deny altogether State compensation, the committee felt that under that situation it would go no further than adding to the maximum duration of the period during which unemployed persons could draw compensation, and that that additional period would be paid for by the Federal Government.

My amendment is voluntary. It does not require any State to agree to accept the additional compensation. But if there are 24 States, or any number of States, which under their own interpretation of their own laws cannot accept it, personally, I feel that other States which can accept it and will accept it ought not to be denied the opportunity to do so simply because there may be in some States laws which prevent it.

Furthermore, the adoption of my amendment may induce legislatures to be called into extra session by the governors of the States in order that they may provide laws amending their own State laws which would obviate that difficulty and enable their own unemployed to receive, under this amendment, the maximum of $25 a week.

Mr. AIKEN. Of course, a good many States have called special sessions of their legislatures for less reason than the one now under discussion. I recall that most of the States were obliged to call extra sessions of their legislatures to take advantage of the Social Security Act when it was first enacted by the Congress. Suppose States should call extra sessions of their legislatures to adopt legislation which would enable them to take advantage of the proposal contained in the Senator's amendment, would it be possible for the Federal Government, then, to make contributions to the State treasury or to the State unemployment-compensation agency, and then have the money passed on to the unemployed persons in the usual manner?

Mr. BARKLEY. The theory is that an agreement will be entered into between the State unemployment authorities and the Federal Government under which the amount may be paid by the State and the State will be reimbursed by the Federal Government for whatever the amount may be, so as to enable the State to carry out the provision without any hiatus as between either the amount it pays or the duration of the time, so that any State that is willing to or can agree to accept this additional compensation, either in the form of an extension of time or an increase in the amount, may proceed and make the payment and be reimbursed by the Federal Government out of the Federal Treasury.

Mr. AIKEN. And there would be no change in the present procedure of the States in making the payments.

Mr. BARKLEY. There would be no change in the present procedure. Really, there would be no effective change in the State law. Payments would be made under the provisions of the State law. We provided in the bill for an extension of the time. In my State the extension would be from 20 to 26 weeks. In other States it would be from 16 weeks to 26 weeks. The extension would vary in the different States. We made the provision 160 percent of the time provided in the State laws, so as to approximate 26 weeks, because without such a provision some States would not receive the extension to 26 weeks. It would be 24 weeks, 22 weeks, or some other figure. So we made it in the bill 160 percent, so as to approximate 26 weeks in all the States. My amendment simply adds to the amount paid during that period of 26 weeks sufficient unemployment compensation from the Federal Treasury to provide, under

the regulations of the State laws, a maximum of $25, or two-thirds of the wage received by the unemployed persons during the base period fixed under the State law.

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

Mr. BARKLEY. I yield.

Mr. McMAHON. As I recall, Mr. Williams, from Texas, started the discussion as to the meaning of the disqualification statute. It seems to be identical in all the States, but it is very differently interpreted. Does the Senator know whether or not the Governor of the State of Texas has overruled Mr. Williams in his interpretation of the Texas law? It will be remembered that Mr. Williams said that in Texas the amount which was paid by the Federal Government would have to be deducted.

Mr. BARKLEY. Frankly, I do not know whether the Governor of Texas has overruled the decision of Mr. Williams or not. Mr. Williams presented to the committee his view, that if we adopted the bill providing for an addition out of the Federal Treasury to the amount provided by the State law, that addition would have to be deducted from whatever was paid by the State government. In that connection, in my judgment the laws adopted by the various States did not contemplate this situation in the remotest degree.

Mr. McMAHON. I agree with the Senator.

Mr. BARKLEY. What they were attempting to do was to prevent duplication of payments in the States from various agencies. A man might be drawing compensation from the State, and at the same time drawing compensation from some other agency within the State, which would duplicate the payments which he might receive. In my judgment no one contemplated the emergency in which we now find ourselves. No one contemplated the possibility that the Federal Government would recognize this as a national problem, in view of the fact that under the influence and persuasion of the Federal Government millions of people went from place to place as a patriotic duty to help out in the various war plants. I do not believe it was contemplated that we would be faced with the problem of dealing with this subject as a national question, and undertaking to provide a maximum of uniformity. Take two men in Detroit, working at the same machine, one of them living in Kentucky and the other in Arkansas. When they returned to their respective States they might receive an entirely different compensation for unemployment from that which they would receive if we undertook to establish a uniform maximum for payment of unemployment compensation.

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

Mr. BARKLEY. I yield.

Mr. VANDENBERG. Before the Senator leaves that point, I happen to have the record before me, and I thought perhaps the Senator from Connecticut would like to have specific reference to the Governor of Texas. He is quite correct in his statement. Governor Coke Stevenson replies that Federal supplementary payments under the Kilgore bill would not result in payments by the Texas Unemployment Compensation Commission being partially or wholly reduced by the amount of the payment from the Federal Treasury.

Mr. BARKLEY. I had not seen that reply. Of course, that contradicts the statement of Mr. Williams before the committee.

Mr. VANDENBERG. That is in contradiction of the viewpoint of Mr. Williams.

Mr. McMAHON. To my way of thinking, it points out how spurious the interpretation of the statute of disqualification has been by the 20 authorities who have answered that it would make necessary a mandatory reduction. I predict that if the Senator's amendment is adopted, there will be plenty of special assistants to the Governors, in the way of retired Supreme Court judges, who will render opinions to the effect that such payments can be received without the necessity for one penny reduction.

Mr. BARKLEY. In that connection, under the terms of the laws of many of the States, an interpretation could be rendered on either side of the question.

Mr. VANDENBERG. Mr. President, may I complete the record?

Mr. BARKLEY. I yield.

Mr. VANDENBERG. Inasmuch as I associated myself with the Senator from Kentucky in getting the record straight with respect to Texas, I should like to disassociate myself from his observation that all the opinions rendered officially by the governors and the attorneys general of their States are spurious. I attach the same validity to them that I insist upon attaching to the opinion of the attorney general of Texas.

Mr. BARKLEY. I did not use the word "spurious." I assume that all the attorneys general and all the Governors have been sincere in their replies, which were probably made on the spur of the moment. I doubt whether many of them had given any previous consideration to the question. The laws of the States were enacted for an entirely different reason and to accomplish an entirely different purpose from that which we contemplate in this legislation. They were called upon by the committee to render a rather sudden opinion with respect to the interpretation of their laws. I believe that their interpretations would be entitled to some modification based upon further deliberation on the subject. When the Congress of the United States calls upon an attorney general to render an opinion on the spur of the moment, I should not call such an opinion spurious or insincere. Far be it from me to do that. They thought they were required to answer on the spur of the moment. Such opinions might be regarded as curbstone opinions rather than spurious opinions.

Mr. McMAHON. I accept the Senator's amendment, if I used the word "spurious." I think the point is well taken. Such an opinion would be a curbstone opinion. However, I suspect that the wish was father to the thought.

Mr. BARKLEY. Of course, I think we must take into consideration the fact that all the testimony which came from the States and the State administrators and the State unemployment compensation agencies was unanimous in the recommendation that the Federal Government keep its hands entirely off this whole problem. That was the theme song of all of them. I can understand that theory and that approach to the subject, and I do not in any way impugn their sincerity. If I were a State officer in charge of unemployment compensation in a State, I might take the same view—I am not saying that I would or would not—but the unemployment situation in the United States is not a situation which applies simply to one State. It is a national problem, as I see it, and, sooner or later, we, as Members of Congress, if we stay here long enough, will be compelled to meet head-on the problem whether we regard unemployment as a national problem or whether we are going to divide ourselves into 48 airtight compartments and decide to deal with it on the basis of what we can do with it in our own States.

As I said a while ago, no State created this problem. No State declared war. No State induced men or women within its borders to go elsewhere and work in war plants in California or Detroit or Akron or anywhere else. It was the Federal Government that caused this situation by creating a war condition which we could not avoid; and when we began to consider the drafting of men into the Army and the Navy and when inducements were held out to men and women to go from one place to another to seek employment to carry out the program of the Government to provide the instruments of warfare, we recognize no State lines. People from all States engaged in such work. Men who were unable to serve in the Army by reason of physical disability or other restrictions and women and people of all classes went into war work. Perhaps some of them were induced by higher wages, but that is not altogether a consideration which we detest. Others were actuated by the desire to aid in the war effort; they got a certain satisfaction out of the fact that they were helping to produce the things with which their sons would be able to fight the enemy. We regarded all that as a national problem.

Now when the war is over and when the millions of people who have migrated from one section of the country to another to help in the war effort find themselves confronted with unemployment during this temporary period—and it is a temporary period; we have made provision for the bill to terminate on the 30th of June 1947, which is about 21 months from now—the problem should be regarded as one which faces the Nation as a whole. I do not see how we can escape that view of it; frankly, I do not. While the committee decided, under the influence of the State representatives, that the States had sufficient money to deal with the problem, because of their reserves which had been accumulated during the war period, because of full employment and the fact that the States have not been required to pay out the money for unemployment compensation in their treasuries, inasmuch as every-

one was employed as a result of the war, yet I say to the Senate that if it is a national responsibility to provide an extension of the time or duration of the payment of benefits from whatever time is fixed by the State laws to a maximum of 26 weeks, it is no less a national responsibility to supplement the payments unemployed persons shall receive during the 26 weeks. In other words, if we have a national obligation, as I see it, to add to whatever number of weeks was provided for in the State law, in order to continue the payment of compensation, there is no difference between doing that and adding to the amounts which unemployed persons are to receive during that period of time. If the problem is entirely a State problem, if the Federal Government should keep its hands entirely off, then it is logical to defeat this bill entirely insofar as the extension of time is concerned, because I myself cannot justify an extension of the time during which compensation shall be paid and at the same time, on the ground of States' rights, refuse to provide that during that time no additional compensation shall be paid to persons who are unemployed.

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

Mr. BARKLEY. I yield.

Mr. McMAHON. I wish to call the Senator's attention to the statement of one of the witnesses which indicated a difference between increasing the amount and increasing the duration. The Senator will recall that one of the witnesses described the rates in some of the States as being slow starvation. In other words, by the bill which has been reported by the committee we would be increasing the period of slow starvation.

Mr. BARKLEY. Yes; I recall that some of the witnesses who came before the committee made such a statement. I think they probably did so in response to a question I asked regarding the difference between increasing the amount paid during the time, whatever it might be, and extending the period of time, at the various rates paid by the States. I asked the witnesses which they would prefer. They said emphatically they would regard the extension of the time without any increase of compensation as a method of slow starvation.

Mr. President, if the problem is a national one—as I regard it, because it was created by action of the National Government, by a war condition which was national, not local—for the life of me I cannot see the distinction, either technically or locally or from the standpoint of the rights of any State, between extending the time beyond the period provided in the State laws and increasing the amounts which shall be paid to unemployed persons during the time provided for in the State laws, as provided by the amendment I have offered.

I regard the problem as a national one. I shall not go into the question whether ultimately we must face this situation as a Nation, although personally I feel that the time is bound to come when we must consider this question from the standpoint of America as a whole. I feel that very deeply. I have felt it for a long time. I felt it when we inaugurated our social security law providing for old-age pensions and old-age assistance. I then regarded the problem as a national one. But I shall not go into that issue now. We may have to face it head-on some day, and whenever we do I shall be ready to meet it.

I regard this situation as an emergency. Under the terms of the bill, it will end on the 30th of June 1947. During that period of time, if I am correct in my analysis, we must deal with the problem as a whole. There should be uniformity, or as near uniformity as possible.

For instance, let us consider two men working on the same machine in Detroit, Mich., and receiving the same wages. Let us assume they went there as a patriotic duty, and that they could not enter the armed services because of physical or other reasons; or let us assume, to take a selfish view of it, that they went there to improve their compensation, to receive higher wages. The result was that they aided the Government of the United States. They were induced, persuaded, and urged to go there. So there they were, two men working on the same machine, receiving the same compensation. Then the war ended or the contracts were terminated. One of the men, let us assume, went back to Kentucky with his family, if he had moved from there. The other man went back to Connecticut with his family, if he had moved from there. Living conditions in those two States are not very different. In one State a man may draw a maximum of $16 a week in unemployment compensation. In the other he may draw a maximum of $28 a week, I believe, under certain conditions and circumstances.

Mr. McMAHON. That is correct, provided the man has three dependents.

Mr. BARKLEY. Yes; I understand it depends on the number of dependents a man has.

Mr. VANDENBERG. Mr. President, will the Senator identify those two States, so that we may have the benefit of that information?

Mr. BARKLEY. Certainly; I am not undertaking to confuse Senators as to the situation. In my State provision is made for the payment of $16 a week, as a maximum, for 20 weeks. In Connecticut, I believe possibly $28 a week is paid, if there are dependents. If there are no dependents, I think the payment is $22.

Mr. VANDENBERG. The Michigan rate is $28.

Mr. BARKLEY. I see. I was not speaking of Michigan, but I am glad to associate Michigan with Connecticut in that connection. I am simply seeking to illustrate the lack of uniformity and what I think is the injustice because of the lack of uniformity. If the problem is a national one, if we owe anything to unemployed people as a nation because we called them into service as a nation, then I think during this temporary reconversion period we should deal with the problem as a national one, and in view of any inconsistencies or divergencies which may exist because of the differences between State laws, we should add a sufficient amount of money during the period of reconversion, which ends on the 30th of June 1947, to provide for a maximum of $25 a week, of course, subject to the laws of the States, including the laws providing for cancellation and the elimination of persons from the unemployment rolls if they do not comply with the laws of the States. Such laws also vary. The laws of some States are very rigid with regard to getting off the rolls. In Michigan, I believe, a person must be available for a period of 72 hours from the time a job is found for him which would be regarded by the authority as suitable. If during those 72 hours the unemployed person is not available, he goes off the list. In other words, if he has moved to Michigan from any other State, and is not in Michigan during the 72-hour period following the location of a job for him, he is eliminated. If he has gone back home, for example, he is eliminated providing that he has been determined to be available for the job. It is within the province of the State authorities to interpret the word "available."

The question of suitability is involved in the laws of all the States. In many cases war workers may have previously gone from the farms into some other occupation, such as into a factory. That may have taken place during the past 3 or 4 years and during that time they have become efficient in some other line than the one which they left. When they become unemployed it is up to the State authority to determine whether a particular job is suitable for the person involved. A man or woman who is seeking employment probably cannot, under the law, determine whether the job is suitable to him or whether it is in accordance with his qualifications. The determination of that question is within the State authority. The question is not one of whether the job suits the person, but whether it is suitable and appropriate according to his qualifications. The State authorities have the right to determine whether the job is suitable. If they offer him an appropriate job under the determination which they make, a job which is in accordance with the applicant's qualifications and experience, and he does not accept it, either under the State law or under my amendment he would go off the roll. He is no longer registered. So all the protection which would seem to be necessary is provided in the State laws and in my amendment.

Mr. President, I feel that we cannot consistently extend the time of the State laws for the duration of unemployment compensation and then say that because of the doctrine of States' rights, or some other reason, we cannot increase during that time the amount which shall be received by the unemployed person. This measure is purely a temporary one and involves the reconversion period. I say that with no prejudice, because I voted for all the aid we could give to business during the reconversion period in order to help it get on its feet and reconvert its plants. I feel that we can do no less for the millions of people who will need help during the 6, 8, or 18 months, or whatever the time may be, up to the 30th of June 1947, which, when we began to consider this bill, was estimated to be 21 months. We ought to be consistent

by adding sufficient compensation under the restrictions and regulations of the States in order to enable unemployed persons to receive an adequate amount of compensation during the period of not to exceed 26 weeks.

It has been argued that if we do this we will never end it. Such an argument is, in my judgment, an indictment of the courage and discretion of the Congress of the United States. We are dealing with an emergency which we ourselves have created. If we are willing to say that we do not have the courage to end the payment of compensation when the emergency is over, we are indicting the entire legislative process as well as the entire legislative theory. I do not believe that the Congress of the United States would not have the courage to end this legislation at the time fixed in the bill.

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

Mr. BARKLEY. I yield.

Mr. AIKEN. Did we not hear the same argument advanced when the employment services were taken over by the Federal Government? Have we not demonstrated earlier today that the Senate had the courage to transfer the services back to the States from the Federal Government, even though the Senator from Kentucky objected to the action?

Mr. BARKLEY. Yes. The Senate had the courage to do it, if that is what the Senator calls courage. I am not certain that that is the proper term to be applied, but whatever the term may be, we did it. [Laughter.] It was done by probably a 2 to 1 vote. The Senate turned back to the States the employment services. I am not willing to admit that Congress is supine and does not have the courage to do what it thinks it should do when the proper time arrives. We have fixed June 30, 1947, as the termination date of this proposed legislation. I am not willing to say that when that time arrives the Congress will not have the courage to do what it conceives its duty to be.

Mr. REED. I am sure that I will not be misunderstood when I suggest to the distinguished Senator from Kentucky that none of us require courage to "rough-house" with the able majority leader. [Laughter.]

Mr. BARKLEY. I did not understand the Senator.

Mr. REED. I said that it would not take any courage on the part of other Senators here to "rough-house" with the majority leader. We do so every once in a while.

Mr. BARKLEY. I may say to the Senator from Kansas that if I were not now and then "rough-housed" with I would lose the affection and respect of the Senate. As a part of the legislative process I respect it and welcome it.

Mr. REED. I agree with the Senator from Kentucky.

Mr. BARKLEY. Whether I like it or not, I get it. [Laughter.]

Mr. President, I have said all I wish to say on this subject. I hope that my amendment will be agreed to.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 397. An act to provide for the presentation of medals to members of the United States Antarctic Exposition of 1939–41; and

S. 1045. An act to provide for pay and allowances and transportation and subsistence of personnel discharged or released from the Navy, Marine Corps, and Coast Guard because of under age at the time of enlistment, and for other purposes.

GEN. DOUGLAS MacARTHUR

Mr. CHANDLER. Mr. President, I wish to speak on a matter which is not directly before the Senate, but it is one which I feel is the concern of almost every citizen of the United States.

During the last 2 days General MacArthur has been widely charged with mixing politics with statesmanship. All Senators know that he made a statement last Monday to the effect that, unless unforeseen factors should arise, within 6 months, the forces occupying Japan would probably be reduced to 200,000 in number. General MacArthur had originally estimated that it would require 500,000 soldiers to occupy Japan under the circumstances then existing. He later reduced the figure to 400,000. Then after having actually occupied Japan, and learning more about the circumstances existing there, he indicated that 6 months hence 200,000 men would do the job unless some unforeseen circumstances should arise in the meantime.

I do not think it is becoming to the American press, the American public, or any individual citizen of this country under the circumstances, to criticize Gen. Douglas MacArthur in the face of his record. As a member of one of the Senate committees which visited with him in New Guinea, I had an opportunity to observe the difficult circumstances under which he and his soldiers were fighting.

I recall that he was ordered by the President of the United States to leave Corregidor and Bataan and proceed to Australia. The first utterance he made to the Australian people upon his arrival there was, "I have been ordered by the President of the United States to leave my post, but I shall return."

Persons who know of the fight which was waged by Douglas MacArthur, and the circumstances surrounding that fight, and who watched him go from Port Moresby in New Guinea up to Lae and Salamana through the Markham Valley, thence around Wewak and on to Hollandia, know what a small amount of material he had to operate with, and are bound to realize that he was able to take his objectives with the loss of the fewest number of men of any general who had ever led American soldiers in war.

Douglas MacArthur got his just reward from the President of the United States when he was named by the President to receive the surrender of Japan. Until he has gone through a surrender, as Wainwright had to surrender, and as MacArthur had to retreat from Bataan and Corregidor, no one can understand what a humiliation it is. On the porch of a little cottage in New Guinea, MacArthur spoke of his inability up to that time to go back to the Philippine Islands and relieve the Filipino people who had fought so bravely and against such tremendous odds, and he said, with tears in his eyes, that if he were not going to be able to go back, and if he were not going to be able to have the materials and the men with which to go back, he would have preferred to remain and suffer and perhaps to die with them. He had no thought of public office and no thought of interfering with the domestic affairs of the people of this country.

MacArthur is a soldier. He was first in his class at West Point. He was the youngest Chief of Staff the American Army ever had. He was given the Distinguished Service Cross on the field of battle in France because General Pershing issued an order to him, and then said, "I know you are going to carry this out," so he took the Distinguished Service Cross from around his own neck and put it on the neck of Douglas MacArthur.

Mr. President, this view is not shared by all people in this country, but I believe Douglas MacArthur to be the greatest military genius ever produced by the United States. And there is nothing political in that statement at all.

General MacArthur knows the Japanese. He knows how to fight the Japanese, as he has proved. He knew how to plan a campaign against the Japanese, and for a long time he fought them with only the meager forces which were placed at his disposal. Later the Navy and the Air Force were built up. I do not want a word I say to be taken as a criticism of any other arm of the service, or to take one iota of credit from Nimitz, or Halsey, or any other officer who has contributed to the campaign, but I cannot for the life of me understand why MacArthur should be criticized, now that he has occupied Japan, now that he has won after taking a big gamble, as he has said, perhaps the biggest gamble in history, now that the Japanese Fleet is wholly destroyed, now that the Japanese Air Force is wholly destroyed. Pictures I have seen of Tokyo, Osaka, Hiroshima, Nagoya, and other cities, indicate that they are almost entirely destroyed.

When the Japanese soldiers have their weapons taken from them, they cannot make war. MacArthur says that unless some unforeseen circumstance arises in the next 6 months he can occupy Japan with 200,000, presumably Regular Army soldiers. MacArthur implies—and he is criticized for it—that perhaps some of the citizen soldiers who have fought so long in those mean, dirty, hot, steaming jungles, against overwhelming odds, with little food and sometimes with no support, can be relieved and sent home, perhaps. What is wrong with that?

MacArthur fixes the figure at 200,000 to occupy the home islands of Japan.

People do not seem to realize we are going to occupy Okinawa, Saipan, Tinian, Guam, and many other bases without which Japan could not reprepare for war unless we permitted her to do so, and it is inconceivable to me that anyone would suggest that we would permit Japan to make war again, or have the industries or the materials to enable her to do so. She has not the materials with which to make war now, and MacArthur would be the last man to advocate that we go away and leave Japan with insufficient policing or guarding to the point necessary, absolutely, to insure our victory, and there is no suggestion in the statement General MacArthur has just issued that he intends to do it.

MacArthur knows as much about the Japanese as Chennault knew about the Chinese, if not more, and it is a sad commentary on American military performance that General Chennault was forced to leave China and lose face, when, in my opinion, he is the most distinguished and beloved and most influential American citizen who ever was in China. Yet the Army arranged to have someone else take his place at the first opportunity when he had something with which to fight.

When our delegation was in China in 1943, 4,000 tons of supplies with which to fight were being flown into China over the Burma hump. Chennault needed badly two squads of P-54's with which to combat the Japanese air force. When the time came when 100,000 tons of supplies were getting through, a new commander, who knew nothing about conditions, was put in charge, and Chennault had to come home. The American people do not understand, but an American soldier who is a commander, and who has authority, cannot continue to serve in Asia if he loses face. When the natives lose face, they kill themselves. When an American officer loses face, he has to come home; he cannot remain there. So Chennault had to come home, and now MacArthur, although playing a strong hand, is criticized in the American press, and widely among the public, for playing politics.

When such a charge is made I wish to associate myself with the other side. I do not believe any such thing. It may be that the Japanese invasion should be conducted from the offices of some newspapers. Perhaps the generals should be taken out and the editors put in charge. It is like putting baseball umpires in the grandstands. There has been a great movement to put the umpires in the grandstands on the theory that they could call the plays better than on the field. It would never succeed. But we have in General MacArthur a military genius, one who has carried the long fight up through the Pacific islands to a successful conclusion, and he is now occupying Japan.

The President of the United States said he welcomed the statement MacArthur made. I have talked with him. It is said Congress is seething with demobilization ideas. We seethe all the time. It does not take a demobilization problem to make us seethe. I recall many occasions when we were seething more than we are now. I do not know of a single Member of the House or Senate who does not want every mother's son to be returned home at the earliest possible moment, and I do not know of any one of them who is not courageous enough to stand up and say that some of these places have to be occupied by American forces until the peace we have won is made secure.

Mr. President, I wish to associate myself on the other side of this criticism of Douglas MacArthur. First, I think he knows what he is doing. I think he is brave enough to do his duty, and if he is let alone, he will gloriously succeed. If he does not need more than 200,000, the rest of the men can be sent home.

Occupying Japan is the Regular Army's job. It is the job of those who make soldiering their career. That is their job. Douglas MacArthur wants to relieve some of those who have fought. Australia is concerned about his statement. Australia made a wonderful contribution to winning the victory. In the Pacific area, they made almost the total contribution of the British Empire. But if it had not been for Douglas MacArthur and his meager forces, Australia would not be free today.

MacArthur has made good in everything in which he has ever taken part. He has been superior, and as I have said, I wish to associate myself with the public opinion in the United States which approves of the good service of this outstanding military genius the American people have produced. We educated him at the West Point Military Academy. We operate that Academy in order to train soldiers, to teach men army strategy so that they can make plans for war and execute them. It is just too bad General MacArthur is accused of mixing in politics. I have an idea he had no thought of politics. He does understand justice, he knows what the men who have served their country are entitled to.

Mr. WHERRY. Mr. President——

The PRESIDING OFFICER (Mr. ELLENDER in the chair). Does the Senator from Kentucky yield to the Senator from Nebraska?

Mr. CHANDLER. I yield.

Mr. WHERRY. Speaking of the judgment MacArthur displayed, I should like to ask the Senator, with whom I totally agree, if it is not a fact that he went into Tokyo with odds of over a thousand to one against him, took possession of Tokyo, and has not had any difficulty whatsoever. That took courage and judgment did it not?

Mr. CHANDLER. He occupied it, after he had made the plans for the occupation. I applaud the President of the United States for having made the appointment. He could have appointed someone else. I have no doubt pressure was used on him to have him to appoint someone else, but he appointed MacArthur. I commend him for it, and give him great credit, because I do not know of a man who could have done a better job.

He has not had much trouble. When he gets the Japs wholly disarmed and he has in Japan 200,000 American soldiers fully armed, with warships completely surrounding the Japs, with airfields an hour's flying distance from Japan, and when the Japs are without any weapons I do not see how they are going to make much trouble for the American people.

MacArthur was finally ordered out of the Philippine Islands, though he felt he was bound to stay there and save the noble Philippine people, 90,000 of whom fought side by side with a few companies of American boys. I talked with "Skinny" Wainwright a few days ago, and he said, "MacArthur is a great general, a great genius." MacArthur did not complain. He stayed there and suffered with his men, until finally ordered to leave the Philippines.

Is anyone now justified in saying that MacArthur would not do everything humanly possible completely to prevent an opportunity from arising in the future for Japan again to do to the American people what she did when she started the war in the Pacific? I am willing to trust MacArthur. We have got to trust him. If we do not, we have no one else we can trust. The criticism we have heard lately cannot do any good.

Of course, Mr. President, the War Department will have to revise its plans for sending the boys home. The War Department has revised its plans several times. There are some fellows down there who do not have anything else to do but to revise plans. [Manifestations of applause in the galleries.] If there ever comes a day when plans will not have to be revised many of those fellows will have to go home. [Laughter.] Let them revise the plans.

Mr. WHERRY. Mr. President, will the Senator yield for another question?

Mr. CHANDLER. I yield.

Mr. WHERRY. If the judgment of General MacArthur is to be taken as final—and the President has corroborated the General's statement as to the number of troops required in that theater of the war—and if we can police Europe with the same number of men or less than the number proposed to police Japan, why should not the War Department revise their figures and revise them now, so the men in the Army may be demobilized as fast as can be?

Mr. CHANDLER. I know the President wants to demobilize the Army. I talked with President Roosevelt about demobilization of the Army before his death. I talked with President Truman since he became President of the United States, and I assert there is not anyone more anxious to get the boys home than he is.

Mr. WHERRY. He said so.

Mr. CHANDLER. But General MacArthur, if let alone, will use thousands of Chinese and thousands of Koreans and thousands of our allies who are over there or who have not done very much fighting, and they can help out in the occupation of Japan once the Japanese soldiers are completely disarmed.

Mr. President, I want to express my regret over much of the criticism we have recently heard. We have a way of building up our heroes and then at the least provocation, and sometimes without any provocation, tear them down. We can do so for a good reason or a bad reason or no reason at all. Perhaps some individuals are afraid that MacArthur will

come home pretty soon and receive a great welcome from the American people. That does not concern me. I have helped to welcome every one of our great heroes who have come back. The American people have a welcome in their hearts for every hero of this war. And every GI and everyone who has carried this burden during these tragic days is entitled to such a welcome. General Wainwright said he considered that the fine welcome he received in this country was a direct tribute to every one of the men who had suffered so much with him and who had endured so many hardships during those tragic days.

Let General MacArthur come home, and then read the record, and a grateful country will give him his due. He deserves the highest praise of the American people.

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

Mr. CHANDLER. I yield.

Mr. WHERRY. I ask unanimous consent to have printed in the RECORD at this point an editorial entitled "Statesman MacArthur," published in the Chicago Daily Tribune of September 18, 1945.

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

STATESMAN MAC ARTHUR

Throughout much of the war a group of MacArthur haters in this country and abroad sniped at the general. They said he didn't understand modern combat, called him a braggart, and accused him of selfish concern for his own campaigns. Those of us who rose to his defense take justified pride in having done so, but in truth, it was not difficult to rally public opinion to his side. The American people instinctively recognized MacArthur's competence and, of course, the time came when nearly everybody saw that he was the only first-rank strategist that this war produced among the generals on either side. There were other talented leaders, but his achievements with the most limited means marked him as among the great captains.

Now the anti-MacArthur campaign is being renewed in slightly different form. His management of the Japanese occupation is being criticized as too gentle, too considerate of Japanese sensibilities, too lacking in zeal for punishment of the men who led Japan into the war and were responsible for mistreatment of prisoners.

In truth, MacArthur's handling of the occupation has been an extraordinary achievement. If what has taken place in Europe since the German surrender is to be regarded as the norm, then surely MacArthur must be credited with a masterpiece of statesmanship.

When the German surrender came Allied armies were fully deployed on German soil and the German armies were already disintegrated in rout and surrender. Disarmament of the enemy was well advanced. There was no government left in Germany that had more than a tenuous claim to the loyalty of the army and the people.

In Japan the situation was vastly more difficult for the victor. Japan still had millions of well disciplined and well armed soldiers in the home islands and we had to start our occupation with a handful. Plans for this operation had to be improvised hastily on the basis of necessarily inadequate information on the state of mind of the Japanese. Quick decisions had to be taken. In spite of these difficulties, the occupation has proceeded smoothly, although at no time have there been as many American soldiers in Japan as there were armed Japanese in the islands to cause trouble. The record is truly an amazing one, particularly in view of the intensity of feeling which existed between the Americans and the Japanese.

In Europe the seeds of the next war are being sown. The Allied Armies have indulged in widespread looting at the expense of civilians and now the Russians are engaged in looting American military supplies. The German people are being told that nothing they may do can save them from permanent misery. The fact that the destruction of their economy will mean the disorganization of the economy of all Europe is obvious, but is being ignored. The armies of occupation are eating up the food reserves, with all that that implies of hunger and pestilence in Europe in the months ahead. In short, the European occupation is calculated to prolong the era of hate, prolong the disorganization, and to do everything that can be done to create social unrest and abiding resentments. Conditions are being created which will necessarily extend the period of occupation into the indefinite future, because, if the present policies are persisted in, the time will never come when the Allied forces can leave Germany without danger.

The contrast with MacArthur's Japan is striking. The Japanese have been given assurances that they need only abandon their conquests, and their political superstitions, and disarm to be restored to national dignity and independence. The Japanese are showing clear signs of having accepted these terms in their hearts as well as in the formal paper of surrender. No doubt they have been helped in this direction by the assurance given the other day that if all goes well the occupation can be ended in a year, and by the later intimation from MacArthur himself that in 6 months the occupation army can be reduced to 200,000 regulars. Needless to say, looting and other crimes against civilians by our forces have been effectively discouraged. The American Army is eating its own food, not that of a population already underfed. In short, MacArthur's army is behaving with the decency and discretion which ought to be expected of an American Army.

The result to date has been good. The Japanese disarmament is proceeding rapidly. The Japanese themselves are surrendering their men accused of war crimes to us. No needless provocations are being given to be remembered for generations to come and to demand revenge.

Nevertheless, General MacArthur is being accused of incompetence. His course is being condemned as a "kid glove policy." That's pretty funny. It assumes that it is better to get what you want from the other fellow by socking him than by persuading him. The truth is that there was a time when we had to sock the Japs, and MacArthur did that. Now it is no longer necessary, but the general's critics want him to go on socking anyhow. It is odd that the people who are screaming loudest about MacArthur's kid gloves are those who are most certain that the era of universal peace is upon us. Maybe they think that peace is promoted by a victor nation throwing its weight around.

We hope that General MacArthur will not be dissuaded from his sensible and statesmanlike course by those who are clamoring against him. We hope so because this Nation has reason to take pride in his policy of decency; because he is supplying the world with an example of how the victor should behave toward the vanquished, and especially because, if he is allowed to have his way, the American Army will be brought home promptly. The pity is that his plan is not being followed in Europe. Because it isn't, we ought to take our Army out of Europe at once, not only as a lesson to our allies, but also out of consideration for our soldiers in Europe and their families.

Mr. WILEY subsequently said: Mr. President, apropos of the remarks made by the junior Senator from Kentucky [Mr. CHANDLER], it appears from the morning papers that the President backs General MacArthur. I notice also that there is a release in the papers to the effect that the President gives full backing to MacArthur's Korean policy.

I ask unanimous consent that the editorial entitled "Mac Knows What He's Doing," from the Washington Times-Herald of this morning, be printed in the RECORD following the insertion placed therein by the Senator from Nebraska.

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

"MAC" KNOWS WHAT HE'S DOING

General MacArthur day before yesterday issued a statement which has thrown the State Department into something of a pet. What MacArthur said was that the allied occupation of Japan has gone with amazing smoothness to date; that it now seems most unlikely that large numbers of soldiers will be needed to occupy Japan for a long time to come; that the occupation force can perhaps be cut to 200,000 Regular Army men within 6 months, permitting "complete demobilization of our citizen Pacific forces which fought so long and so nobly through to victory."

ADVICE THAT ISN'T NEEDED

Of course, we wouldn't put it past "Emperor Mac" to make such a statement with view to inducing the Japanese leaders and people to be even more polite and cooperative toward the occupation forces than they have been up to now, in the hope of shortening the occupation.

But whatever MacArthur's reason for saying what he did say, the State Department is hardly the agency to tell MacArthur how to run his occupation show. That is a military job, primarily.

The same goes for a lot of other people in this country who have appointed themselves advisers to MacArthur. Really, MacArthur has done remarkably well with the occupation up to now, and does not seem to need much advice from anybody else.

A couple of months ago Americans were gritting their teeth in expectation of invading Japan, which would cost us perhaps a million casualties. It did not happen. We are now peaceably invading Japan, under MacArthur's guidance. The Japanese people are agreeably surprised to find that our troops are not murderous rapists, as Japanese propaganda had painted them. No incidents between Jap citizens and American soldiers have been reported as yet. Japan's leaders, though undoubtedly hating their defeat and hoping for revenge some day, are at this time cooperating with MacArthur.

So let's call off a lot of official and unofficial advice from this country to MacArthur. He is the man to whom the President entrusted the job of occupying Japan. How about trusting him to handle that job at least as well as he handled the long haul from Australia to the Philippines to Okinawa to Japan?

EMERGENCY UNEMPLOYMENT COMPENSATION

The Senate resumed the consideration of the bill (S. 1274) to amend the War Mobilization and Reconversion Act of 1944, to provide for an orderly transition from a war to a peace time economy through supplementation of unemployment compensation payable under State laws, and for other purposes.

Mr. KILGORE. Mr. President, I wish to discuss briefly the amendment offered by the Senator from New York [Mr. WAGNER] to the pending bill, and to state

that I differ, as does the Senator from New York also, with the position taken by the Senate Finance Committee in its preparation of the pending bill.

Under the bill as reported by the committe Federal workers and maritime workers would be paid under the laws in effect in the State in which they worked. The committee, I believe, based upon representations made to them by the Governors of the various States, sometimes in contradiction to the representations made by the attorneys general of the same States, has failed wholly to recognize the fact that the large working centers incident to this war were built up by migrant workers, who in peacetime largely would have no place there. That applies to Federal and maritime workers just the same as it applies to other workers for allegedly private industries whcih, however, met their pay roll from the Government Treasury.

I wish to call the attention of the Senate to a rather peculiar situation which would arise if we accept the interpretation of the committee. Two Federal workers, shall we say, are living side by side in the District of Columbia. Both of them are machinists first class. Both were employed at the Washington Navy Yard in the middle of the war, and one of them was transferred to the torpedo works at Alexandria, Va., just across the river. That is a Government necessity, is it not? He was not asked if he could be transferred. But when the emergency is over and the personnel of the Government installation is reduced back to a peacetime basis, those two workers find themselves in a rather peculiar situation, both being paid out of the Federal Treasury. The worker who continued to work at the Washington Navy Yard will receive $20 a week under the committee proposal. The man who is his next door neighbor, who helped out the situation, and at the order of the United States Government, went to the torpedo plant at Alexandria, Va., will receive $15 a week for doing the same or possibly a higher quality and more precision type of work. That is the situation we are faced with all over the country. We are faced with a varied system of payments for Federal workers and maritime workers.

So in defense of the amendment offered by the Senator from New York I think those things should be brought home to the Senate of the United States, and if we are to take the dollars of the taxpayers of the United States to pay this bill, I think in fairness to the whole proposal we should consider that matter very seriously.

Let me cite a few of the divergent laws about which the able Senator from Illinois [Mr. LUCAS] spoke a short time ago. It has been said that each State is able to take care of its own problems and knows best what to do with them. Let us take the first two States alphabetically in the list of States.

Let us first take Alabama. In 1944, according to the records in the Census Bureau, the average weekly earnings of a citizen of Alabama were $33.38. The State of Alabama fixed the unemployment compensation ceiling in that State at $20 a week.

Let us go next to the Territory of Alaska. In 1944 the average weekly earnings of a citizen of the Territory of Alaska were $93.45. I think that is about correct, because when I was up there a haircut cost $3, a shave cost a dollar, and the cost of meals and everything else was commensurate, so I suppose the average weekly earnings were about that much. Yet the Legislature of the Territory of Alaska saw fit to fix the ceiling, subject to all reductions, at $16. Is there anything sensible or uniform about a program of that kind?

Let us go next to Arizona. Arizona, with average weekly earnings of $40.10 in 1944, fixed the ceiling at $15 a week.

Arkansas was optimistic. It had average weekly earnings of only $26.99, and it fixed the ceiling at $15 a week, which I think we will agree was much more nearly in line than some of the others.

On the other hand, California, with average weekly earnings of $51.97, fixed a ceiling of $20. Colorado, with average weekly earnings of $37.12, fixed a ceiling of $15. Delaware, with average weekly earnings of $45.83, fixed the ceiling at $18.

Let us go to the Territories. This is amusing. As I have previously stated, the Territory of Alaska, with average weekly earnings of $93.45, fixed the unemployment compensation ceiling at $16 a week. In the District of Columbia, where the average weekly earnings are $36.43, the unemployment compensation ceiling was fixed at $20 a week. In the Territory of Hawaii, where the average weekly earnings are $40.85, the unemployment compensation ceiling was fixed at $25 a week.

That, I think, is the thing aimed at, the thing sought for in the amendment offered by the distinguished majority leader. Let us get a little uniformity based upon earnings. Let us consider where the funds came from. I admit that the State of Michigan has amassed a huge fund, as have the State of Illinois, the State of Pennsylvania, the State of New York, and the State of California, as well as other States. Whence came those funds? They were built up during long-continued periods of steady employment—on what? Eighty-five percent of it on Government contracts. So it came out of the Treasury.

I am not condemning those States. I congratulate their legislatures for adhering to the Scriptures. Senators will remember the old story of the seven fat cattle and the seven lean cattle. Those States were taking care of their postwar situations during the time when it was possible to collect the funds to take care of them. But in the great majority of cases—I believe in all of them—the Federal Government furnished the money. I do not believe there was a cent of independent income in the United States on which taxes were collected. The only industry we had was war. We shipped great quantities of materials to our Allies. We shipped a great amount of lend-lease materials. We did not get the benefit of much of such production within the United States. Our Army did not use all of it. But for whom was the clerk in the corner grocery working? He was working for his boss, who in turn was working for his customers. Who were the customers? They were people either directly or indirectly on the Federal pay roll, or people on pay rolls of concerns the prices of whose items were fixed, based upon the cost of production, and in the cost of production was an item for pay-roll taxes to take care of this situation.

It is said that the States can take care of their own situations. I ask, How are workers to be induced to return from Michigan and go to work elsewhere when they cannot leave the State of Michigan for more than 72 hours? They are like persons in Reno, Nev., seeking a divorce. They must establish venue and keep it in order to receive a cent. If they go back to their home States to try to find a job, and remain away for 72 hours, they are out of the picture. There are many such freak laws in the various States.

We are trying to reorganize this country and get it back to where it was. We placed it in the condition in which it now is. How did we do it? By causing the greatest migration of workers the world has ever seen. We did it by building huge plants such as Willow Run, which were designed by our war agencies. I offer no criticism on that score. Such action was forced upon us by the conditions of war, in which there was a minimum of supervision and a maximum demand for production. We had to take maximum advantage of the technical skills and supervision available, build huge plants, and induce people from all over the country to come and work in them. Now it is said that the problems should be left to the individual States, to deal with as their directors of unemployment compensation may deem best.

Let me give a few illustrations. First, let me quote from the statement of the distinguished Senator from Ohio [Mr. TAFT], on page 362 of the unrevised printed record of the hearings before the Committee on Finance:

> Senator TAFT. Is it not very difficult to do this on a State basis?

He was speaking of payments to maritime workers and Federal workers—particularly maritime workers—and the basis on which they should be paid.

> I mean one shipowner owning one ship would have to report to a dozen States perhaps, from which the men came. It seems to me your argument for a Federal system is very persuasive.

I agree with the distinguished Senator from Illinois [Mr. LUCAS] that there must be some uniformity. That was the purpose in the drafting of the original Senate bill 1274. The purpose was to have a reasonable degree of uniformity during the emergency period only, if possible without coercion, if possible without taking over State systems. The condition was to be uniform, brought about by a one-issue and one-objective program, which the Federal Government had to put into effect. That was our problem.

The Treasury has either directly or indirectly paid the money which the States have. It is proposed to augment

that fund, and attempt to obtain a reasonable balance as between the ridiculously low amount of $15 a week in some States, and the reasonable amount of $25. The State rates run from as low as $15 to as high as $28.

That is the purpose of the amendment of the Senator from Kentucky [Mr. BARKLEY]. The amendment is also intended to permit the Government to augment the State funds if the State will accept the augmentation. It is not proposed to force it on any State government, if it feels that such payments should not be made. It is not intended to force the States to change their rules as to payment. It is not intended to say to a State, "You must pay $25," if the State feels that the limit should be $20. It is intended only to hold out to the States this offer, and to say to them, "We have paid only up to $20. We will pay up to $25 if you wish to accept it. We will reimburse you for the amount which we failed to give you based upon pay rolls during the earning period in which your workers were employed." That is all that is offered.

It is sometimes said that there is some question about the law. The law only forbids an employee receiving compensation from two different sources during the same week. I have sat in this Chamber hour after hour, and in court rooms day after day, listening to lawyers and judges discuss legislative intent. Not one opponent of this proposal has ever questioned the legislative intent of that part of the law. That, I say, is the governing factor.

For that reason, Mr. President, I think unquestionably we should add the amendment of the Senator from New York [Mr. WAGNER] and the amendment of the Senator from Kentucky [Mr. BARKLEY] to the committee version of the bill as originally introduced.

At this time I also wish to offer, in addition, another amendment which I think would make the law workable. I wish to explain why I offer it. For some reason—and frankly, Mr. President—I cannot determine the reason; I have discussed it with some of the members of the committee, and the Senator from Michigan [Mr. VANDENBERG] cannot understand it either—there was placed in the bill a provision to the effect that the governor, before accepting any of the money, must make application to the Federal Government. In other words, if the governor fails to make application to the Federal Government, all the people of his State who might benefit would suffer, despite the fact that the Federal Government desires to let the people of the State have the benefit of the provisions. When we proposed the insertion of a clause which would avoid that situation, we were told, "No; the governor of each State must personally apply to the Director of War Mobilization and Reconversion before the Director can take up the matter with the State."

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

Mr. KILGORE. I do not yield at this time, because I wish to conclude the remarks I am now making.

Therefore, Mr. President, I offer and send to the desk an amendment which would delete the part of the bill requiring the governors to make application, and also making certain other minor provisions so as to implement the amendment, in order that the Director of War Mobilization and Reconversion may negotiate with the State agencies and ascertain whether the particular States elect to cooperate with the Federal Government, as agents of the Federal Government, in carrying out the terms of the bill and seeing that they are complied with insofar as such States are concerned.

Mr. President, I most seriously urge that the workers be spared the injustice which would result from the payment of various piebald unemployment compensation benefits, one man who lives on one side of the river being paid $15 a week and another man, who formerly did the same work and who live only spitting distance away on the other side of the river, being paid $20 a week. Probably he did not have to travel so far to do the work for the Government, and probably he went there under the orders of the Government to do that work. I do not wish to have a man kept in the State of Michigan or any other State for the entire period and prevented from going to some other place and seeking work there, because of a provision that if he does go elsewhere he must give up any claims he may have had for unemployment compensation. Such a provision would prevent him from finding lucrative employment, possibly in his own home State. I do not wish to have workers who were sent to various places by the Government differentiated between in respect to the amounts of unemployment compensation payments, the duration of payment of unemployment benefits, the terms under which the benefits are paid, and so forth. I refer to the Federal workers, the civil-service employees, the workers who went where they were sent and who moved when they were told to move. I ask the Senate to make the provisions uniform as between the various States, and to do so in accordance with the terms of a law enacted by Congress governing the situation in the District of Columbia. At the time that law was passed the Congress considered it a fair one, and certainly at this time we cannot consider it unfair.

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

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Does the Senator from West Virginia yield to the Senator from Vermont?

Mr. KILGORE. I yield for a question.

Mr. AIKEN. A short time ago, as I entered the Chamber, I heard the Senator from West Virginia state that if a worker left a State for 72 hours he would be deprived of some of the benefits.

Mr. KILGORE. That happens to be the law of the State of Michigan on this subject; at least I was so informed at a Finance Committee hearing.

Mr. AIKEN. As I understood the situation a year ago when the original Kilgore bill was under discussion, if a worker had been earning good pay in one State and then returned to his home, in another State, where the unemployment compensation payments were very low, he could still collect his unemployment compensation from the State in which he had been working for, let us say, a quarter of a year, and that would be used as a basis for figuring the amount of the compensation he would receive. Now the Senator from West Virginia says that if the worker leaves a State for 72 hours he will be deprived of some of his privileges. Will the Senator explain that point further?

Mr. KILGORE. Let me say to the Senator from Vermont that under existing State laws the State of Michigan forbids a worker to leave the State for as much as 72 hours after registration if he still desires to draw unemployment compensation. In other States there are comparable provisions. Attempts have been made to rectify the situation by means of reciprocity agreements between the individual States, very much like treaties between individual nations. I know that my own State is now having trouble with the State of Michigan in that connection, and we have been contesting the correctness of such a restriction.

Mr. AIKEN. It seems to me that if Michigan has such a law it would likely result in retaining in Michigan all the Democratic voters who have gone there from West Virginia, Kentucky, and other States.

Mr. KILGORE. That might be a help to Michigan, but we would like to get them back home. Perhaps their short stay up there might be enlightening, of course.

But, politics aside, let me refer to a publication issued last night briefing many of these laws and various other matters, including certain tables which I have had on my desk, and to which I have been referring.

Mr. AIKEN. Frankly, Mr. President, I am surprised to learn that any State has had such a provision in its law.

Mr. KILGORE. That requirement is made in connection with the State law relating to registration for employment. A worker must report back to the registration office every 3 days or 72 hours. If the worker does not do that, he goes off the list. Other States have provisions not quite so bad. We are having trouble regarding reciprocity between the States in that connection. That is why I think there should be uniform provisions for all the States relative to Federal and arsenal and maritime workers. That is why we selected the provisions of the District of Columbia law.

Mr. AIKEN. I thank the Senator.

Mr. KILGORE. It has also been said today, in opposition, that last year the Senate tried to have a bill on the same subject enacted, but the House of Representatives declined to pass it. Mr. President, if I promise my constituents to do something, and simply introduce a bill on the subject and try to have it enacted and then quit because someone whips me, and then when the next year comes around I promise it again, and again fail to secure action, I doubt if I will get very far. If we are going to do that, we

might just as well adopt a unicameral legislative system. In other words, when the Senate believes something is right, it is no excuse to say that the House of Representatives does not believe it. We do not know what the House of Representatives will do now since an election has intervened. I do not believe we can shirk our responsibility by saying that the committee and the other House could not agree on certain points at the time they were last considered. If we are going to leave such matters entirely to them, let us leave all legislation to them, abolish the Senate, and have only the House of Representatives. To do that would be demonstrating the theory of a defeatist. I, for one, never have and never shall subscribe to a theory of defeatism. If Senators feel that we should correct a group of existing misapprehensions and mistakes—if I may call them such—which have resulted in a very serious situation of unbalance during a very crucial period, I think we as a Senate must take care of the situation by the necessary corrections, and return it to a proper state of balance. We cannot shirk our responsibility. If we do so and tihngs crash down upon our shoulders we will have another WPA, another CWA, another RFC, and other alphabetical agencies wished upon us by the same States which say that they need and desire no help. Just so soon as they find they have made a mistake in not asking for help, do not believe that we can shirk our responsibility or that we will do so.

Therefore, Mr. President, I urge the adoption of the amendment offered by the Senator from New York [Mr. WAGNER], the amendment offered by the Senator from Kentucky [Mr. BARKLEY], and the one which I have just offered, all three of which, I believe, go a long way toward clarifying the present situation.

Mr. McMAHON. Mr. President, during the wartime emergency this country mobilized its manpower, its capital, and its machinery, in order to wage war. We waged that war which was gloriously won and finished. In a very real sense the industrial workers of this country were working for Uncle Sam, the Federal Government. The time has now arrived for them to disperse, and Senators who vote against this amendment will be saying to the workers, "Disperse all ye faithful and take as little as the State for which you did not work is willing to give you."

In cases of industrial plants we have terminated the contract of the contractor in Tennessee, the contractor in Arkansas, and the contractor in Mississippi on the same basis as we terminated the contract of the contractors in Michigan, Connecticut, and New York. I assert, Mr. President, that the workers who have labored to bring about our victory, and who worked to produce for Uncle Sam the machinery with which the war was won, are entitled to treatment at least equally as good as the treatment which we accord to contractors.

I ask that the amendment be agreed to.

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

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

The PRESIDING OFFICER. The Clerk will call the roll.

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

Aiken	Green	Murray
Andrews	Guffey	Myers
Austin	Hart	O'Daniel
Bailey	Hatch	Overton
Ball	Hawkes	Radcliffe
Barkley	Hayden	Reed
Bilbo	Hickenlooper	Robertson
Brewster	Hill	Russell
Bridges	Hoey	Saltonstall
Briggs	Johnson, Colo.	Shipstead
Brooks	Johnston, S. C.	Smith
Burton	Kilgore	Stewart
Butler	Knowland	Taft
Byrd	La Follette	Taylor
Capehart	Langer	Thomas, Okla.
Capper	Lucas	Thomas, Utah
Carville	McCarran	Tobey
Chandler	McClellan	Tunnell
Chavez	McFarland	Vandenberg
Connally	McKellar	Wagner
Cordon	McMahon	Walsh
Donnell	Magnuson	Wheeler
Downey	Mead	Wherry
Ellender	Millikin	White
Ferguson	Mitchell	Wiley
Fulbright	Moore	Willis
George	Morse	Wilson
Gerry	Murdock	Young

The PRESIDENT pro tempore. Eighty-four Senators having answered to their names, a quorum is present.

The question is on the series of amendments offered by the Senator from Kentucky [Mr. BARKLEY] to be voted on en bloc.

Mr. VANDENBERG. Mr. President, I prefer to yield to the Senator from Georgia [Mr. GEORGE] if he desires to present the viewpoint of the Committee on Finance, or I shall briefly state my interpretation of the attitude of the Finance Committee, as he may wish.

Mr. GEORGE. It is quite agreeable to me to have the Senator from Michigan speak. I doubt our ability to reach a vote tonight. I should like to put into the RECORD some telegrams, but I can do that at a later time.

Mr. VANDENBERG. Mr. President, I wish to proceed only briefly, but I should dislike to have the RECORD fail to disclose the fact that the Senate Committee on Finance, with votes upon both side of the aisle, thought it had a very sound reason for the report which it has made. I continue to believe that it was a sound reason.

Mr. President, I completely agree with what the able Senator from Kentucky has said about the presence of a Federal obligation in respect to an unemployment emergency which arises from reconversion. In order that my position may be perfectly clear in this respect so that there can be no honest excuse for further misrepresentation of it, I emphasize the fact that I am supporting Federal compensation for Federal employees. I think it is perfectly obvious that their war employer was the Government of the United States, that we have failed to care for them up to date, and it is our obligation to do so in the pending bill.

I am voting to provide compensation for maritime workers. It is perfectly obvious that they should have been covered before. The Government was their employer in this war, and they have a right to look to their employer for their unemployment compensation.

I am voting to support the proposed allowance to transfer migratory workers back either to their homes or a comparable distance to a waiting job. Again, it is perfectly obvious to me that this migration of workers occurred under the impact and the impulse of a Federal demand that, as a patriotic duty, they should travel to war-production centers and should there engage themselves in war work, and I recognize the obligation of the Federal Government to return them to the place whence they came. That was my position 1 year ago. I voted in that fashion 1 year ago. I vote in the House and Senate conference in that fashion 1 year ago. I shall do so again now.

Mr. President, I further recognize—and I think the Senate Finance Committee majority recognized—a Federal obligation in respect to all other workers. The question is where that obligation exists, in what form it is best answered, and what our obligation is in respect to it.

As the bill came to the Senate Finance Committee it contained substantially the provision which the able Senator from Kentucky now seeks to reintroduce into the bill, namely, a flat uniform payment from the Federal Treasury, added to the payments of State unemployment compensation, to make a uniform total of $25 a week for 26 weeks.

The Senator from Kentucky says that if one recognizes the obligation to extend the duration, one then must, in consistency, recognize the obligation to increase the rate. I am not prepared to agree with that so-called logic. On the contrary, Mr. President, I respectfully submit that every theory upon which we enlist Federal aid recognizes the importance of duration of benefits far more than it recognizes the importance of the rate of payment. Why is that?

The States have provided their own rates of payment for unemployment compensation for whatever period they have deemed to be wise, and it is a widely differing range of dates. I submit that if the reconversion unemployment emergency goes beyond the time which is contemplated by the State systems as set up to meet economic reversals rather than war conditions, it is then that the Federal Government must pick up its responsibility. In other words, I submit that we meet our obligation, which the Senator from Kentucky has described, when we deal solely with duration instead of with rates.

Now let me point out to the Senate that more than 80 percent, I think it is 82 percent, of all the war workers in this country are employed in States which themselves provide $20 or more a week in unemployment benefits. I submit that we cannot make a crisis out of a situation in which unemployed workers draw $20 a week, but that the crisis comes when such workers draw nothing a week when the duration has expired. It is on the theory of meeting that emergency that the Senate Finance Committee has

dealt solely with duration instead of with rates.

I remind the Senate that in the Senate Finance Committee I offered an amendment to increase the State duration straight across the board by 50 percent. That would have meant, for example, in the State of the distinguished Senator from Washington [Mr. MAGNUSON], which has gone further in establishing its duration than any State in the Union, namely, 26 weeks, that the State of Washington and the workers in it, workers who get nothing out of this measure because of the mere fact that their State has been progressive in writing its State law—workers in the State of Washington would have received the benefit of an additional 50 percent of duration, or 13 additional weeks.

In my own State of Michigan, where the duration is 20 weeks, the workers would have had a duration of 30 weeks, and the cash value of these two Federal rights under the proposal which I submitted would in most instances have been greater than those which are proposed in the pending amendment.

The committee declined to accept my amendment. But what I am trying to say, and what I know I am proving, is that I was not dealing with this subject and I do not deal with it now for any mere purpose of trying to economize at the expense of the war worker. The proposal I submitted in respect to duration would have been worth more in dollars and cents in the long run to the war worker.

The committee declined to accept that amendment, but it did adopt the philosophy that the obligation of the Federal Government in respect of this emergency relates to the duration of the emergency rather than to the rate of payment.

Mr. President, that being the philosophical background of the approach of the Senate committee, I come to the fact that the committee itself discovered finally that it confronted not a problem in philosophy but a problem in cold hard reality, namely, that in 26 States of this Union not $1 of the additional Federal benefits proposed in the amendment submitted by the Senator from Kentucky can be drawn by a single worker in any one of those 26 States, including practically all of the great war-production States—no worker can draw one penny of these increased benefits except as the governor of the State calls a special session of the legislature of the State and a majority of the special session of the legislature agrees to accept the Federal bounty.

Under the existing law in all these 26 States, as interpreted either by their governors or by their attorneys general, a worker who accepted one penny of the Federal benefits proposed in the amendment submitted by the able Senator from Kentucky would either have such Federal benefits deducted from his State benefit payments or he would be prohibited from accepting any State payments at all.

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

Mr. VANDENBERG. I yield.

Mr. KILGORE. The Senator calls attention to the fact that that money would have to be accepted directly from the Federal Government in order for that prohibition to go into effect. If the State took the money and then as an augmented benefit turned it over to the workers themselves it must be from two sources. It that not right?

Mr. VANDENBERG. I am unable to follow the Senator's question. All I know is that we submitted categorical questions to the governors of all the States, and the responses from the governors, as classified by the staff of the Senate Finance Committee, indicate that 26 States are not in a position to subscribe to the proposal.

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

Mr. VANDENBERG. I yield.

Mr. KILGORE. The Senator, I know, is proceeding upon the questionnaire propounded by the chairman of the Senate Finance Committee to the several governors.

Mr. VANDENBERG. That is correct.

Mr. KILGORE. Which was based upon the original draft of Senate bill 1274, which provided that in the event the State did not use or did not elect to utilize the money, the Federal Government could proceed to pay it anyway in augmentation. That is not included in the amendment offered by the Senator from Kentucky. It is left clearly discretionary in the Senator's amendment.

Mr. GEORGE. Mr. President, there ought not to be any misapprehension about the facts. Actually there are 28 States which say they cannot accept the money. Generally the same States say that if the money is paid by the Federal Government they must, pro tanto, reduce the payments made by them to unemployed workers.

Mr. KILGORE. I agree with that statement. That is in case the money is paid by the Federal Government to the workers. Is not that correct?

Mr. GEORGE. Yes. But it is more than that. I will have to place the telegrams in the RECORD. The governors take the flat position that they cannot accept the money, that is, they cannot enter into the agreement to take the money and pay it out. They go further than that and say that in many of the States if a worker seeks or accepts any part of the Federal money he is entirely disqualified either for a week or for a longer period.

Mr. KILGORE. May I ask the distinguished chairman of the Finance Committee if he will place in the RECORD, not only the telegram he sent to the governors but also the replies of the governors and the attorneys general of the various States. I think all of them should be placed in the RECORD for the benefit of the record.

Mr. GEORGE. Yes.

Mr. KILGORE. I think the Senate is entitled to have that record.

Mr. VANDENBERG. Mr. President, so far as the Senator from Michigan is concerned, he wants the Senate to have the complete record. And certainly I wish to be absolved from any purpose of distorting the record in any way whatever.

Mr. KILGORE. I apologize to the Senator from Michigan if anything I said may be interpreted in such a manner. What I was trying to do was to have a correct picture of the legal situation which exists.

Mr. VANDENBERG. I think the legal situation exists as I presented it, Mr. President.

The questions asked of the governors and the Attorneys General of the country were:

(1) Can your State enter into such agreement with Federal Government without resulting in the State payment being partially or totally reduced by the amount of the supplementary Federal payment?

(2) If your State does not enter into such an agreement would Federal supplementary payments result in reduction of the State amount?

Mr. President, the Senator from West Virginia is entirely correct in saying that the governors and the Attorneys General were responding to those questions in the light of the bill as originally presented. I agree with the Senator. But what the amendment of the able Senator from Kentucky now seeks to do is to set up a sort of an option to the State to do precisely the same thing which was proposed in the original Kilgore bill, if they are willing to do so.

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

Mr. VANDENBERG. I yield.

Mr. BARKLEY. Of course, if under their own interpretation of their own law they cannot do so there would be no compulsion upon them; not only would there be no compulsion upon them to do it, but if they decided they could not do it they, of course, would not do it. But the theory of my amendment is that those States which can accept, even assuming there was no amendment of the State law, if no legislature were to meet to amend it—if they can accept they ought not to be denied the opportunity to do so.

Mr. VANDENBERG. I understand that is the Senator's position. I submit this by way of critical reply to the Senator's position. If his amendment is adopted, we shall be enacting a Federal law creating a Federal bounty which 16 States in the Union have said they can take advantage of under their existing legal situations. Some of them will and some of them will not. We shall also be creating a situation in which 26 States—and, I repeat, they include States representing the major portion of war employment in this country—assert that they cannot operate under the proposal which the Senator from Kentucky presents.

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

Mr. VANDENBERG. Just a moment. Therefore, in 26 States, if anything happens as a result of this amendment, it can only happen if each Governor is willing to call his legislature into session, and a majority of the legislature is prepared to vote in the affirmative.

Mr. President, I submit that that is not the way in which the Federal Congress should legislate in respect to the States of this Union in regard to a matter which up to this hour has been considered primarily a State function. It seems to me that the whole process would take time. It would create a situation of uncertainty

and discrimination, and it is not the sort of a situation which would contribute to the stability which is so essential in this country at the present time if we are to proceed with reconversion.

I now yield to the Senator from Connecticut.

Mr. McMAHON. The Senator has stated, as I wished to have him state, that there was a way out of this difficulty if the legislatures in the States should finally determine that the law could be changed.

Mr. VANDENBERG. Oh, yes.

Mr. McMAHON. The Senator and I differ as to the seriousness of that situation.

Mr. VANDENBERG. I volunteered that information. Of course, that is so.

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

Mr. VANDENBERG. I yield.

Mr. AIKEN. I should like to get something clear in my mind. I thought it was clear in my mind, until I heard the Senator from West Virginia [Mr. KILGORE].

Assume that a man was recruited in Kentucky to work in the Willow Run factory in Michigan, and that he moved his family there and earned $60 a week, and was then laid off. If he should go back to Kentucky with his family, would he collect $22 a week unemployment compensation from Michigan, or the $16 a week allowed by Kentucky, and who would pay the amount?

Mr. VANDENBERG. As I understand the situation, that particular worker, if he were registered with the Michigan State Unemployment Compensation Board, would be entitled to compensation at Michigan rates, so long as he made himself available for reemployment. Suppose he should move back home, as the Senator suggests. He would still be entitled to draw compensation from the State of Michigan at Michigan rates. The difficulty is that since all unemployment compensation is based upon the theory that a worker must hold himself eligible for reemployment if suitable employment is available, the worker who moved to Kentucky, let us say, could not continue to draw benefits in Michigan if the Michigan commission should certify that it had a suitable job for him.

A further difficulty arises because of the fact that, as I understand, under the Michigan regulations he has only 72 hours in which to take the new job. I quite agree with the Senator from Vermont that that presents a rather serious inequity, but I submit to the Senator that that inequity exists under the present system, and the proposal which is pending is simply an extension of the existing system. Therefore, as I see it, there is no way to cure the situation to which the Senator refers, except by tearing up all the State laws and all the Federal proposals, and writing a straight-out Federal unemployment compensation law.

Mr. AIKEN. Would not such a law make it difficult for the workers who came from all over the United States to work in Michigan to go back home again when their jobs gave out, unless they could be assured of substantial unemployment compensation in the States to which they returned?

Mr. VANDENBERG. That may be; but I call the Senator's attention to the fact that that situation is not cured in any fashion by the proposal upon which the Senate is about to vote.

Mr. AIKEN. I thank the Senator.

Mr. VANDENBERG. Mr. President, I believe that is all I have to say. I agree that it would be a fine thing if we could pay a straight unemployment compensation of $25 a week to everyone across the country so long as he remains unemployed, but I do not see how it can be done under existing conditions. We confront a condition and not a theory. I do not believe that the Federal Government wishes to put itself in the position of dangling a bait before the States and seeking their assent to the acceptance of a Federal subsidy. I am unable to believe that the extension of duration is not of far greater importance to the average war worker in the States where most of the unemployment occurs than is any other phase of the unemployment problem.

So far as the State of Michigan is concerned, where the benefits range from $20 to $28, varying with the number of dependents, and where the term of payment is 20 weeks, I should greatly prefer to vote for an amendment extending the duration by 50 percent, to 30 weeks. Under those circumstances I should feel that I had really rendered some service to the worker. Certainly I can render no service to him in my State under any circumstances until after the Governor has called a special session and a majority of the legislature has voted to do that which it declined to do within the past year, and which most other State legislatures have declined to do within the past year.

Under the circumstances, knowing as we do—and we might as well be perfectly frank about it—that we confront a very strong resistance from the other end of the Capitol against all parts of this legislation, it seems to me that if we could agree upon a program such as the Senate Committee on Finance has submitted, we would be rendering the greatest service available to us at the moment.

In conclusion, I wish to emphasize again my belief that there is a sharp distinction between duration of benefits and rate of benefits. I believe that the President of the United States himself has recognized that distinction. I refer only to what I have read in the newspapers. I refer to nothing else; but I have read about a White House memorandum which has indicated that from the White House standpoint the provision as to duration of benefits is of indispensable importance, whereas the provision as to rate of benefits, while desirable, is not indispensable. I join myself with that reported memorandum in respect to the relative importance of an extension of the duration as the primary contribution which the Federal Government can make in respect to the unemployment situation. If any Senator wishes to propose a further extension of the duration, I shall be glad to support it, because if an emergency in respect to duration confronts us—I care not whether it is 20 weeks, 30 weeks, or 50 weeks—there is no way, when the time comes, that we can escape our share of the responsibility. Therefore I submit that the theory upon which the Senate Finance Committee, by a bipartisan majority, has reported the pending bill to the Senate is a sound approach to the problem which we confront.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Mr. President, I do not wish to prolong the debate. I am anxious to have a vote on the amendment this afternoon.

I wish to refer for a moment to the allusion by the Senator from Michigan to a so-called White House Memorandum. I think I ought to say that that memorandum is not from the President of the United States. So far as he is concerned, he has not deviated from the position which he took in his message, and which he has taken from the start, that this is a Federal obligation, and that it is just as much a Federal obligation with respect to the increase in the amount to be paid as it is in respect to increasing the time during which payments shall be made.

Mr. VANDENBERG. Mr. President, I do not think I attributed the statement to the President.

Mr. BARKLEY. No; but the Senator said "the White House"; and ordinarily when we say "the White House," we leave the impression, perhaps unintentionally, that it was from the President. The memorandum was not from the President.

Mr. VANDENBERG. Perhaps it was unintentional when the memorandum was reported as coming from the White House, but I simply indicate that I read that a memorandum came from the White House, and it is that memorandum to which I referred.

Mr. BARKLEY. It came from someone associated with the White House, but not from the President himself.

Mr. President, I merely wish to reiterate that, from the standpoint of principle, there is no more obligation on the part of the Federal Government to increase the time than there is to increase the amount. If the committee had followed the recommendation and request of the State authorities, it would not have done either, because the theme song of the State authorities was that the Federal Government should keep its hands entirely off this situation and should leave it to them.

I intended awhile ago to call attention to some figures, and I shall ask unanimous consent that they be printed in the RECORD in connection with assertions relative to the proposed increase of the amount under the amendment I have offered, which would be voluntary, not compulsory. I do not know whether it would result in the calling of a special session of the legislature by a governor in order to enable him or the State to accept it. But even if it did not result in that, the States which could

accept it should be permitted to do so, it seems to me; and if legislatures have enacted laws which prevent them from permitting employees who have been shifted around over the United States in connection with the war effort to receive a little more unemployment compensation, that is their fault, not the fault of the Federal Congress.

It has been asserted that to do this will encourage idleness. Mr. President, the amendment I have offered accepts the provisions of the State laws with respect to qualifications to draw unemployment payments, whatever they may be. I wish to call attention to the fact that the average weekly pay or wages in the United States in 1944, throughout the country, was $44.21. There is no State of the Union which provides for the payment of more than $26 a week as unemployment compensation, except one or two States where dependents are taken into consideration. The State of Washington provides a maximum of $25 a week. That is the maximum, not the average. The average is made up of credits which are allowed because of length of employment and wages received in previous periods or a base period, dependent upon the law of the State. But the maximum is not the average which is received. However, the average wages received in the United States in 1944 amounted to $44.21.

In the State of Alabama the average wage in 1944 was $33.38, but the maximum payment under the laws of Alabama for unemployment compensation is $20. I cannot be convinced that the people of Alabama are so indigent and careless and lazy that, having received an average of $33.38 a week during 1944, they would remain idle, even if they could do so, in order to be paid unemployment compensation of $20 a week. Of course, we all know that, under the law, if they are offered suitable jobs—a matter which is to be determined by the State authority—and if they refuse to accept them, they will go off the rolls. So it is idle to assume that anyone who has received an average of $33.38 a week during 1944 will stay out of work, even if he can receive $20 a week as unemployment compensation.

In Alaska the average wages paid in 1944 amounted to $93.45, and the maximum payment for unemployment compensation under the laws of the Territory of Alaska amounts to $16. I cannot be convinced that any people as a whole who have been drawing average pay amounting to $93.45 will remain idle, even if they can do so under the laws of the State or Territory in which they reside, in order to be paid unemployment compensation amounting to $16 a week.

In Arizona the average weekly wages in 1944 amounted to $40.10. The present maximum weekly unemployment benefit payments in Arizona amount to $15.

In California the average weekly wages in 1944 amounted to $51.97, and the maximum payment under unemployment compensation is $20.

In Connecticut the average weekly wages paid in 1944 amounted to $50.31, and the maximum payment under unemployment compensation is $22, subject to an increase up to $28 in the case of dependents.

In Colorado the average weekly wages paid in 1944 amounted to $37.12, and the maximum payment for unemployment compensation is $15.

If we go down the list of States, we find that the average wages paid in all the States amount to more than twice as much as the maximum unemployment compensation benefits which would be drawn under State laws by unemployed persons. Let me point out that I refer to the average wages, not the maximum. Yet an attempt has been made to create the impression that men would remain in idleness in order to draw the unemployment compensation provided by the State in which they lived—even if the State authorities would permit them to do so—rather than go to work. I do not believe the American people are so idle or indigent or careless or indifferent regarding their own welfare and the welfare of their families that they would deliberately, even if they could do so, remain on unemployment compensation for the limited number of weeks provided for in the State laws, rather than go to work and receive what in 1944 amounted to $44.21, on the average. Of course, we all recognize that in 1944 the average wages probably were higher than in normal years, and probably amounted to more than the average will be during the postwar period. But the wages paid in 1944 were not sufficiently higher, in my judgment, to induce men who have the responsibility of families, who have patriotic desires, and who have coordinated and worked together and sacrificed in order to help win this great war, now that it is over and they find themselves compelled to shift from one part of the country to another in order to get work, to deliberately remain idle in order that they may draw a pittance from a State or even from the Federal Government, under the maximum provisions of the bill or even under my amendment. I do not believe our people would do that, even in order to draw for a temporary period an amount which would be less than half the average wages in 1944.

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

Mr. BARKLEY. I yield.

Mr. VANDENBERG. The Senator is not responding to anything I said; I made no such charge.

Mr. BARKLEY. Oh, no; I am not responding to anything the Senator from Michigan said. I am responding to an assertion which has been made generally here that what we are doing is to encourage idleness and to encourage men to stay out of work in order that they may draw unemployment compensation. We all know that, if a State authority does its duty, that will not happen, because if men are offered jobs which are determined to be suitable for them—the determination is not to be made by the men themselves but by the State agencies—and if they do not accept such employment, they will be taken off the unemployment compensation rolls. I refer to work suitable to the men, work determined by the State authorities to be appropriate, based on their experience and qualifications.

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

Mr. BARKLEY. I yield.

Mr. LANGER. Is it not true that under the Senator's amendment, there could not be any idleness unless the State board certified that the men would not accept employment?

Mr. BARKLEY. The Senator is correct. In other words, if a State board, whatever it may be called, certifies any individual for an identified job which the board which passes upon the matter regards as suitable in view of his qualifications, and if that man refuses to accept the job, he then will go off the rolls. He may remain idle, but he will not draw any compensation under the laws of his own State.

Mr. President, I ask that the entire list to which I have referred be printed in the RECORD. The figures show the average weekly wages paid in 1944, and the maximum unemployment compensation benefits which any person can draw under the State laws. Of course, most of them would not draw that much, because the maximum is reduced as it is integrated with the credits and the wages and the amount of work and the amount drawn by the individual in the base period fixed by the State. A majority of them do not draw the maximum. Most of them draw less than the maximum. However, I ask unanimous consent to have printed in the RECORD this table showing the average wages in all the States, together with the maximum which any unemployed workers could draw, to show that no one would deliberately remain idle, even if he had the power to do so, because of a desire to draw unemployment compensation instead of working in a respectable and suitable position.

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

EXHIBIT IV.—*Average weekly wages of workers covered by State unemployment compensation laws—estimated percent of covered workers entitled to present State maximum weekly benefit amount and percent who would be entitled to a $25 maximum under extension of State formula* [1]

State	Average weekly wages in 1944 [2]	Present maximum weekly benefit amount	Percent of covered workers entitled to present maximum	Workers entitled to $25 maximum as percent of—	
				Workers entitled to present maximum	All covered workers
United States	$44.21	-------	44.9	75.9	34.0
Alabama	33.38	$20	23.0	66.5	15.3
Alaska	93.45	16	75.1	86.4	64.8
Arizona	40.10	15	48.1	55.1	26.5
Arkansas	26.99	15	25.4	34.2	8.7
California	51.97	20	60.3	84.2	50.8
Colorado	37.12	15	45.1	46.9	21.2
Connecticut	50.31	[3] 22	[3] 49.9	84.0	[3] 41.9
Delaware	45.83	18	56.2	69.5	39.0
District of Columbia	36.43	20	35.1	69.5	24.4
Florida	36.69	15	38.9	50.3	19.6
Georgia	31.48	18	20.6	56.4	11.6
Hawaii	40.85	25	30.1	100.0	30.1
Idaho	34.00	18	27.6	40.2	11.1
Illinois	46.59	20	55.0	79.7	43.9

EXHIBIT IV.—*Average weekly wages of workers covered by State unemployment compensation laws—estimated percent of covered workers entitled to present State maximum weekly benefit amount and percent who would be entitled to a $25 maximum under extension of State formula*—Con.

State	Average weekly wages in 1944	Present maximum weekly benefit amount	Percent of covered workers entitled to present maximum	Workers entitled to $25 maximum as percent of—	
				Workers entitled to present maximum	All covered workers
Indiana	$46.70	$20	47.5	74.0	35.2
Iowa	36.02	18	36.9	55.8	20.6
Kansas	43.51	16	47.6	56.8	27.1
Kentucky	36.82	16	26.0	38.4	10.0
Louisiana	37.19	18	33.7	64.7	21.8
Maine	40.89	20	23.9	68.6	16.4
Maryland	43.57	20	56.0	79.5	44.5
Massachusetts	41.41	21	51.2	82.0	42.0
Michigan	55.18	[3] 20	[3] 68.5	[3] 88.5	[3] 60.6
Minnesota	39.09	20	29.7	69.0	20.5
Mississippi	27.91	15	24.1	38.7	9.3
Missouri	38.96	18	39.3	57.6	22.6
Montana	36.74	15	47.5	62.1	29.5
Nebraska	38.24	18	36.1	57.3	20.7
Nevada	45.02	[3] 18	[3] 57.5	[3] 76.6	[3] 44.0
New Hampshire	33.52	20	17.2	50.5	8.7
New Jersey	50.18	22	54.3	87.4	47.5
New Mexico	31.31	15	35.2	48.0	16.9
New York	47.11	21	47.2	80.9	38.2
North Carolina	28.87	20	8.2	57.7	4.7
North Dakota	31.50	20	23.3	70.6	16.4
Ohio	48.78	21	41.5	76.7	31.8
Oklahoma	39.90	18	46.5	70.3	32.7
Oregon	48.51	18	46.4	79.3	36.9
Pennsylvania	42.75	20	45.7	72.8	33.3
Rhode Island	42.14	18	65.2	70.2	45.7
South Carolina	26.69	20	12.1	56.9	6.9
South Dakota	30.01	15	37.8	43.5	16.4
Tennessee	35.66	15	36.5	39.0	14.2
Texas	39.19	18	33.9	65.5	22.2
Utah	39.41	[4] 20	[4] 49.8	[4] 84.9	[4] 42.3
Vermont	37.06	20	26.7	62.8	16.7
Virginia	35.34	15	42.0	42.9	18.0
Washington	48.74	25	31.1	100.0	31.1
West Virginia	42.89	20	35.4	61.8	21.9
Wisconsin	44.08	20	40.2	93.9	37.8
Wyoming	39.02	20	42.7	85.0	36.3

[1] "Covered workers" include all workers who earned wage credits under the State law during 1943. The percentages are based on data for all such workers, including those with insufficient earnings to qualify for benefits. If data for the ineligible workers were eliminated and the proportions of eligible workers at the State and $25 maximums computed, the percentages would be higher than those shown; the percentage of workers entitled to the State maximums who would also be entitled to the $25 maximum would probably remain unchanged.

[2] Based on average weekly wage of estimated number of workers in covered employment in last pay period of each type (weekly, semimonthly, etc.) ending within the month, and estimated total wages earned in covered employment during all pay periods ending within each quarter. Estimates are based on coverage provisions in effect during fourth quarter of 1943.

[3] In Connecticut, Michigan, and Nevada, the maximums shown are the highest benefit amounts to which workers are entitled on the basis of past earnings alone. Workers with dependents in these States can receive benefits as high as $28 in Connecticut and Michigan and $24 in Nevada.

[4] The statutory maximum of $20 is raised to $25 when the cost-of-living index is at or above 125, and reduced to $17 when the index is 98.5 or below.

Source: Program Division, Bureau of Employment Security, Social Security Board.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Kentucky.

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

The yeas and nays were ordered.

Mr. GEORGE. Mr. President, before the vote is taken I wish to have printed in the RECORD as a part of my remarks a copy of the telegram which, as chairman of the Senate Finance Committee, and under the direction of the committee, I addressed to the Governors of all the States. I also wish to have printed in the RECORD as a part of my remarks a copy of the answers of the Governors of all the States who responded. If I am not in error in counting the telegrams, 45 replies were received. Approximately 27 or 28 Governors have said definitely that they cannot accept additional payments from the Federal Government. They have also said that if such payments were received they would result in the reduction pro tanto of the payments made by the State to the unemployed in the State, or would result in the disqualification of the workers who received or who applied for payments.

Mr. President, I do not wish to make any invidious comparisons, but I believe that every Senator who faces this issue is entitled to have a few of the facts stated. I therefore read the answer of the attorney general of my State, which will illustrate exactly what would happen if we were to increase the payments made by the State. Governor Arnall instructed the attorney general of Georgia to answer the telegram. The reply is in part as follows:

Section 5 F of the Georgia unemployment compensation law provides as follows: "An individual shall be disqualified for benefits: (F) For any week with respect to which he has received or is seeking unemployment compensation under an employment compensation law of another State or of the United States."

Accordingly, it is my opinion that if the Georgia benefit allowance were to be supplemented by additional Federal allowance, a claimant would be disqualified from receiving benefits from the Georgia unemployment compensation fund under the terms of section 5 (F) of the Georgia law.

So regardless of the amount that might be paid by the Federal Government, not a single worker in Georgia would receive a penny, and if he accepted anything from the Federal Government, he would actually receive less than he would otherwise receive.

Mr. President, I am making merely a factual statement. I do not need to read a list of the States from which I have received replies, but 27 or 28 of them have replied substantially as the attorney general of my State has replied. I will read the reply from Idaho, which, in part, is as follows:

Have been advised by attorney general that any payments received under the Federal law would be deducted from payments payable to benefit recipient under the Idaho law, and it would make no difference if the supplemented amount should come by reason of an agreement entered into between the State of Idaho and the Federal Government or a voluntary payment made by the Federal Government.

That telegram was signed by the Governor of Idaho.

I shall not read any of the remaining telegrams, but I ask unanimous consent that all of them, including the telegram of inquiry, be printed in the RECORD at this point as part of my remarks.

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

TELEGRAM SENT TO GOVERNORS OF ALL STATES

The bill S. 1274 provides for Federal Government supplementing amount and duration of State unemployment benefits by means of voluntary agreement between State and Federal Government. If State does not wish to enter into such agreement, the Federal Government will make such supplementary payments directly. Would appreciate your immediate reply as to how your attorney general or legal department construes your State law: (1) Can your State enter into such agreement with Federal Government without resulting in the State payment being partially or totally reduced by the amount of the supplementary Federal payment? (2) If your State does not enter into such an agreement would Federal supplementary payments result in reduction of the State amount? In brief, will your State under existing law be required to credit any payments made by Federal Government against the unemployment compensation benefits paid under your State law? Please advise by telegram collect.

REPLIES TO ABOVE TELEGRAM

MONTGOMERY, ALA.

Re telegram September 4 I am advised by the attorney general of Alabama that under the provisions of Alabama unemployment compensation law, section 214 (G), title 26, Alabama Code of 1940, the answer to question one set out in your telegram is "No" and the answer to question two is "Yes."

CHAUNCEY SPARKS,
Governor.

PHOENIX, ARIZ.

Governor Osborn has referred your telegram of September 3 relative S. 1274 to this commission for answer. Attorney for commission advises it is his opinion Arizona employment security act authorizes commission to enter into reciprocal arrangement with Federal Government to utilize Federal benefit rights without State payment being partially or totally reduced by amount of supplementary Federal payment. If State does not enter into such agreement and payments are made directly to claimants by Federal Government, Arizona statute prohibits payment of benefits from State funds for each week claimant is seeking or has received Federal benefits consequently State fund would be relieved of all payments until claimants exhaust Federal credits. Special session Arizona Legislature convening September 10 is being requested to increase maximum benefit amount from fifteen to twenty dollars per week and to extend 14-week individual duration to 16-week uniform duration.

EMPLOYMENT SECURITY
COMMISSION OF ARIZONA,
BRUCE PARKINSON, *Director.*

LITTLE ROCK, ARK.

Section 5-F of Arkansas employment security act provides that an individual shall be disqualified from drawing unemployment compensation for any week with respect to which he has received or is seeking unemployment benefits under unemployment compensation law of another State or of the United States. Under this act any payment made under the proposed bill pending would disqualify an individual from receiving compensation under our act.

BEN LANEY,
Governor of Arkansas.

SACRAMENTO, CALIF.

Am advised by Robert W. Kenny, attorney general of the State of California, that the California Unemployment Insurance Agency can execute agreements called for in Senate bill 1274 and can cooperate with Federal Government to the fullest extent and that any failure on the part of California to so cooperate would place the California

law out of conformity with Section 303 (c) of the Federal Social Security Act.

JAMES G. BRYANT,
Chairman, California Employment Stabilization Commission.

DENVER, COLO.

Re telegram September 3 concerning unemployment compensation, chapter 224, session laws of Colorado 1941, provides in part as follows: "For any week with respect to which or a part he has received, or is seeking unemployment benefits under an unemployment compensation law of another State of the United States, provided that if the appropriate agency of such other State of the United States finally determines that he is not entitled to such unemployment benefits. This disqualification shall not apply." In my opinion, the answers to your questions are as follows: Question No. 1. "No." Question No. 2. "Yes." Question No. 3. Payments made by Federal Government would be credited against claimant and he also would be totally disqualified from receiving State benefits for any week in which he receives Federal benefits.

JOHN C. VIVIAN,
Governor of Colorado.

HARTFORD, CONN.

Re your telegram September 3 and questions therein contained—one, after conferring with attorney general it is our opinion that Connecticut could legally enter into an agreement with the Federal Government re payment of unemployment compensation benefits without resulting in the State payment being partially or totally reduced by the amount of the supplemental Federal payment subsection F of section 1334E, chapter 280A of the 1939 supplement to the General Statutes. Two, there is grave doubt in our minds under existing law as to whether or not Federal supplementary payments would result in the reduction of the State amount if Connecticut did not enter into such an agreement section 1339E, subdivision 4-A, chapter 280-A, 1930 supplement to Connecticut General Statutes.

RAYMOND E. BALDWIN,
Governor of Connecticut.

WILMINGTON, DEL.

Gov. Walter W. Bacon has asked me to answer your wire of September 3 in respect to bill S. 1274, providing for the Federal Government supplementing the amount and duration of State unemployment benefits by means of voluntary agreement between State and Federal Government. Under existing law Delaware cannot enter into such an agreement with the Federal Government. Also under existing law an individual will be disqualified for any benefits under Delaware law if he receives any amount from the Federal Government intended to supplement State unemployment benefits.

C. J. KILLORAN,
Attorney General, Delaware.

TALLAHASSEE, FLA.

Re your telegram S. 1274. Section 443.06 (5) of Florida law disqualifies for benefits "any individual for any week with respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of another State or the United States." It is our opinion that said portion of our disqualification section may have reference to complete separate unemployment compensation program of another State or of the United States as distinguished from supplementary program as proposed in S. 1274. However, since said section has not been construed by Florida courts, possibility exists that claimants under Florida law would be totally disqualified thereunder for any week in which they were claiming or receiving benefits as proposed in S. 1274. Therefore there is some doubt as to authority of Florida agency to enter into agreement guaranteeing that State benefits not be reduced or denied by reason of payments made pursuant to S. 1274.

MILLARD F. CALDWELL,
Governor.

ATLANTA, GA.

Re your telegram September 3, State unemployment benefits. I am referring questions involved to Hon. Eugene Cook, attorney general, and requesting Mr. Cook to furnish you reply as expeditiously as possible. Regards.

ELLIS ARNALL,
Governor.

ATLANTA, GA.

Re telegram September 3 to Governor Arnall re State unemployment benefits. Section 5 (F) of the Georgia unemployment compensation law provides as follows: "An individual shall be disqualified for benefits: (F) for any week with respect to which he has received or is seeking unemployment compensation under an employment compensation law of another State or of the United States." Accordingly it is my opinion that if the Georgia benefit allowance were to be supplemented by additional Federal allowance a claimant would be disqualified from receiving benefits from the Georgia unemployment compensation fund under the terms of section 5 (F) of the Georgia law.

EUGENE COOK,
Attorney General.

BOISE, IDAHO.

Re your wire of September 4 unemployment compensation. Have been advised by attorney general that any payments received under the Federal law would be deducted from payments payable to benefit recipient under the Idaho law and it would make no difference if the supplemented amount should come by reason of an agreement entered into between the State of Idaho and the Federal Government or a voluntary payment made by the Federal Government.

CHARLES C. GOSSETT,
Governor of Idaho.

CHICAGO, ILL.

As to increased weekly benefit amount: One "Yes" but only if the bill is amended to eliminate provision for payment of unemployment compensation to individuals directly by Federal Government. Two, if not so amended Senate bill 1274 might be construed as "an unemployment compensation law of the United States" and the provision in section 7E of the Illinois unemployment compensation act which disqualifies an individual from receiving benefits "for any week with respect to which he has received or is seeking unemployment benefits under an unemployment conpensation law of the United States" might be applicable. As to increased duration Illinois could enter into the agreement and payments made by Federal Government would not be credited against benefits under Illinois law.

DWIGHT H. GREEN,
Governor.

DES MOINES, IOWA.

Iowa Senators WILSON and HICKENLOOPER are thoroughly familiar with provision of our unemployment compensation law and can furnish you information.

ROBERT D. BLUE,
Governor.

TOPEKA, KANS.

Re your telegram September 3, have had matter checked with the attorney general and he advises me as follows: This State has no authority to enter into an agreement with the Federal Government on the provisions of S. 1274 as to supplementary unemployment benefits without reducing the amount of the State payment as provided in subsection (F), Section 44-706, 1943 supplement, and this maintain the requirements of subsection (B), section 44-704, 1943 supplement. Compliance with the two subsections mentioned would bring the same reduction in the State payments, if Federal supplementary payments are made without any agreement with this State. Regards.

ANDREW F. SCHOEPPEL,
Governor of Kansas.

FRANKFORT, KY.

Re telegram September 3 relative to Senate bill 1274 the attorney general advises that his answer to question No. 1 in telegram is "No" answer to question No. 2 in telegram is "Yes."

SIMEON WILLIS,
Governor.

FRANKFORT, KY.

In receipt your telegram September 3 reply pending opinion Kentucky attorney general. Will wire immediately.

RALPH A. HOMAN,
Executive Secretary.

BATON ROUGE, LA.

Reference S. 1274: Louisiana's unemployment compensation law permits full utilization of Federal supplementation without deduction from State benefit allowances. Section 4E, Act 160 of 1944 Louisiana Legislature. Louisiana attorney general has so advised me.

JAMES H. DAVIS,
Governor of Louisiana.

AUGUSTA, MAINE.

Have been advised by attorney general that State cannot enter into agreement for supplementary unemployment benefits and extending the duration of payment of benefits without State legislative action if the State could enter into such an agreement Federal supplementary payments would result in reduction of amount State would pay under our State law. Our State under existing law would not be required to credit any payments made by the Federal Government against the unemployment compensation benefits paid under our State law.

HORACE HILDRETH,
Governor of Maine.

ANNAPOLIS, MD.

In re telegram concerning supplementary unemployment compensation benefits on advised by State law department as follows: Section 5 (F) of the Maryland unemployment compensation laws reads as follows—an individual shall be disqualified for benefits for any week with respect to which or a part of which he has received or is seeking unemployment benefits under any unemployment compensation law of another State or of the United States. We feel that under the above section five of our States will be required to credit during the period within which the State is making payment any payment made by the Federal Government under S. 1274 which the telegram of Senator WALTER F. GEORGE says provides for Federal Government supplementing amount and duration of State unemployment benefits State cannot enter into voluntary agreement with Federal Government without resulting in the State payment being partially or totally reduced by the amount of the supplementary Federal payment.

HERBERT R. O'CONOR,
Governor.

LANSING, MICH.

Copy of Michigan Attorney General's opinion on unemployment compensation with reference to bill S. 1274 is as follows: "This is

in answer to your inquiry with special reference to two telegrams, one from Senator A. H. VANDENBERG and one from Senator WALTER F. GEORGE, under dates of September 1 and September 3, respectively, both with reference to bill S. 1274. Both of these telegrams, in substance, present two questions:

"1. Can Michigan enter into a voluntary agreement with the Federal Government increasing the weekly unemployment compensation pay and/or extend the period during which payments may be made?

"2. If Michigan has no statutory authority to enter into any such agreement would supplementary payment by the Federal Government result in a reduction of the State payment; that is, would any Federal supplementary payment have to be included in the maximum weekly allowance under Michigan statute?"

In answer to the first question please refer to section 17.511, Michigan Statutes, Annotated Supplement, being section 11 of the Michigan Unemployment Compensation Act, as amended. Subsections (C) and (F) particularly of this section 11 grant broad powers to the Commission as to reciprocal agreements. However, section 27 of the act (sec. 17.529 Mich. Stat. Ann. Supp.) expressly provides "That no individual shall receive for any week of total unemployment a primary benefit which is greater than $20." See also subsection (D).

It is the opinion of this office that because of the limitation as to maximum payment the Michigan commission could not make any reciprocal agreement increasing the weekly payment nor extending the payment period if such increase or extension involved the expenditure of any Michigan unemployment funds.

Briefly the commission may make no agreement with the Federal Government to "match funds."

In answer to the second question please refer to section 61 of the Unemployment Compensation Act, being section 17.565, Michigan Statutes, Annual Supplement. We quote therefrom:

"An individual shall be disqualified for benefits: (A) for any week with respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of another State or of the United States."

We understand that in some opinions in support of the conclusion that the statutes of certain States necessitate deductions of Federal payments from the statutory maximum of any compensation payments made by the State, statutes are cited nearly identical with the Michigan statute (sec. 29 of the Michigan Act, being sec. 17.431, Mich. Stat. Ann. Supp.), reading as follows:

"An individual shall be disqualified for benefits: (E) for any week with respect to which he is receiving or has received payments in the form of:

"3. Compensation for temporary partial disability under the workmen's compensation law of any State or under a similar law of the United States, or old-age benefits under title 2 of the Social Security Act, as amended, or similar payments under any act of Congress: *Provided*, That if such payment is less than the benefits which would otherwise be due under this act, he shall be entitled to receive for such week, if otherwise eligible, benefits reduced by the amount of such payments."

However, it is our conclusion that the words "or similar payments under any act of Congress" should be construed to refer only to old-age benefits or workmen's compensation benefits.

Because of the above quoted section 61 (sec. 17,565, Mich. Stat. Ann. Supp.) it is the opinion of this office that one receiving "unemployment benefits under an unemployment compensation law of the United States" is not entitled to receive compensation under the State unemployment compensation act.

Conclusion: The answer to question 1 is that Michigan may not enter into a reciprocal agreement with the Federal Government which would increase payments or the period of payments if such increase or extension involved expenditure of Michigan unemployment funds.

The answer to question 2 is that the receipt of Federal compensation would make the receiver thereof disqualified from receiving compensation under the Michigan act.

HARRY F. KELLY,
Governor of Michigan.

ST. PAUL, MINN.

Re your telegram third instant. There is no State authority to enter into agreement under S. 1274. If Federal act is an unemployment compensation act recipient of Federal payments thereunder is barred from receiving benefits under State acts for same period. If Federal aid is in form of gift there would be no deductions of State benefits.

EDWARD J. THYE,
Governor.

BOSTON, MASS.

Relative your telegram Bill 1274 Attorney General advises me answer to question number one is in the negative and answer to question number two is in the affirmative. As Governor of the Commonwealth of Massachusetts I stand ready to use my emergency powers to suspend the operation of any State law or laws which interfere with making Federal supplemental benefit payments as to amount and duration available to Massachusetts unemployed workers, would also recommend to incoming Legislature in 1946 to modify State laws to make these Federal benefits available to Massachusetts workers for the duration ending May 1947.

MAURICE J. TOBIN,
Governor of Massachusets.

JACKSON, MISS.

Re your telegram of September 3, am advised by attorney general and unemployment compensation legal department that claims for or receipt of supplementation as proposed would disqualify benefit claimants under Mississippi unemployment compensation law. Disqualification would be accomplished whether State entered into agreement or supplementation resulted from direct payment of supplementation by Federal Government. Understand that laws of 47 other States, including District of Columbia and Hawaii, contain similar provisions. For foregoing reasons Mississippi could not legally enter into such agreement.

THOMAS L. BAILEY,
Governor.

JEFFERSON CITY, MO.

Re telegram while the Missouri law authorizes agreements between the State and Federal Government as to unemployment compensation, our benefit sections seem to prohibit payments of benefits from both sources in the following language: "An individual shall be disqualified for benefits for any week with respect to which or a part of which he has received o is seeking unemployment benefits under an unemployment compensation law of another State or of the United States."

PHIL M. DONNELLY,
Governor.

HELENA, MONT.

Under existing State laws extremely doubtful whether Montana could enter into agreement with Federal Government increasing amount and extending duration State unemployment benefits. If supplementary payments are made by Government individual would be disqualified receiving benefits under State law. State would not credit payments made by Federal Government against unemployment compensation benefits received by State but individual receiving payments from Federal Government would be disqualified for benefits under our law.

SAM C. FORD,
Governor of Montana.

LINCOLN, NEBR.

Relative to employment service: It appears that unemployment compensation is to continue to be administered by the States. If the States are to have a decent opportunity to do a good job it seems necessary that the employment service also be administe ed by the States as they require complete coordination and should be operated as a unified employment program. I can see no emergency existing during the next 6 months which will not be existing 2 years from now and I am certain that an immediate return of the employment service to the States would be beneficial to the unemployed. Early action on this matter and on bills relating to unemployment compensation benefits is necessary in order that unemployed may know exactly where they stand, permitting them to adjust themselves accordingly.

DWIGHT GRISWOLD,
Governor.

LINCOLN, NEBR.

Replying on S. 1274 question: Nebraska attorney general advises: One, under our law Nebraska can enter into such agreement with the Federal Government without resulting in the State payment being partially or totally reduced by the amount of the supplementary Federal payment. Two, if Nebraska does not enter into such agreement Federal supplementary payments would result in reduction of the State amount.

DWIGHT GRISWOLD,
Governor of Nebraska.

CARSON CITY, NEV.

Re your wire September 3, opinion attorney general if interpreting employment security laws of Nevada relative question No. 1: If State of Nevada entered into an agreement with Federal Government under present State law, it would result in State payment being partially or totally reduced by amount of supplementary Federal payment. Question No. 2: If State of Nevada does not enter into such an agreement the Federal supplementary payments would result in reduction of State amount. It appears very clear that present State law would require the State to credit any payments made by Federal Government against the unemployment compensation benefits paid under the State law.

VAIL PITTMAN,
Governor of Nevada.

CONCORD, N. H.

New Hampshire cannot enter into agreement with Federal Government resulting in payments in excess of $20 per week for 20 weeks from State unemployment funds without additional legislative authority. Supplementary payments by Federal Government whether paid directly or through the unemployment compensation division would have no effect on amount of employment paid by this State.

CHARLES M. DALE,
Governor.

TRENTON, N. J.

Acknowledging your telegram, this will advise you the attorney general of New Jersey has ruled that this State may enter into an agreement with the Federal Government for additional payments to unemployed in New Jersey above our statutory maximum and that such payments by the Federal Government of these additional sums will not in any way reduce the amount which is due to these employed workers under State laws.

However, New Jersey Legislature last March increased maximum payments from $18 to $22 per week and extended the duration payments from 18 weeks to 26 weeks, thus placing New Jersey in second position in the Nation for total benefit payments and along with four other States in the very top position for duration of payments; in addition, New Jersey law has been broadened to include employers of four or more workers and provided coverage for maritime workers.

WALTER E. EDGE,
Governor.

SANTA FE, N. MEX.

Re your telegram, Attorney General Clyde McCulloh cites the section of our law which reads "An individual shall be disqualified for benefits: For any week, with respect to which, or a part of which, he has received or is seeking unemployment benefits under an unemployment compensation law of another State or of the United States; provided, that the appropriate agency of such other State or of the United States finally determines that he is not entitled to such unemployment benefits, this disqualification shall not apply." Regarding this the attorney general says, "The State could not agree with the Federal Government to continue paying State benefits if a person receives supplementary benefits from the Federal Government nor could such State benefits be paid if any Federal benefits are sought or received by the person."

JOHN J. DEMPSEY,
Governor.

ALBANY, N. Y.

DEAR SENATOR GEORGE: On behalf of Governor Dewey, I acknowledge your telegram of September 3, 1945, relative to bill S. 1274 and certain provisions of the New York State law relating to unemployment benefits. I am transmitting your telegram to the attorney general, from whom, I am sure, it will receive appropriate consideration and atttention.

Sincerely yours,
LAWRENCE E. WALSH,
Assistant Counsel to the Governor.

ALBANY, N. Y.

Answering your telegram to Governor Dewey in reference to S. 1274, which has been referred to me as attorney general, I desire to advise you as follows:

(1) If the New York State statute be liberally construed, it would appear to permit the State industrial commissioner to enter into an agreement with the United States on terms "fair and reasonable to all affected interests" for payment of supplementary benefits provided by possible Federal contributions, and the benefits under State law would not be reduced thereby. New York now provides unemployment insurance up to a maximum of $21 per week for 26 weeks of unemployment. Before entering into agreement, industrial commissioner would have to determine whether the Federal statute contributing greater proportion of maximum benefits to other States than to New York is fair and reasonable.

(2) In the absence of such agreement, New York law as amended at suggestion of Federal Social Security Board presently provides that claimant receiving benefits under unemployment-insurance law of the United States can receive no State unemployment compensation for same period.

NATHANIEL L. GOLDSTEIN,
Attorney General, State of New York.

RALEIGH, N. C.

Answering your telegram of September 3, 1945, to Governor Cherry re Senate bill 1274, the legal department of the Unemployment Compensation Commission of North Carolina is of the opinion:

(1) The State of North Carolina has the right under the law to enter into agreement with the Federal Government by which the Federal Government supplements payment of benefits and duration of period without the payments being partially or totally reduced by the amount of the supplementary Federal payment.

(2) In the absence of any agreement between the State of North Carolina and the Federal Government and the Federal Government pays unemployment benefits directly to an individual, such individual, under the North Carolina statute, is disqualified for benefits during the period in which he has or asserts any right to such Federal benefits.

(3) This is answered in (1) and (2) above.

UNEMPLOYMENT COMPENSATION COMMISSION,
CHARLES U. HARRIS,
Acting Chief Counsel.

BISMARCK, N. DAK.

Our statute would permit Federal supplementary payments under voluntary agreement without resulting in State payment being reduced. Without agreement, State payments in question apparently would be reduced.

FRED G. AANDAHL,
Governor of North Dakota.

COLUMBUS, OHIO.

In re your telegram to Frank J. Lausche, Governor of Ohio. Attention is directed to section 1345-7, general code of Ohio, which provides "No benefits shall be paid for any week with respect to which or a part of which an individual has received or is seeking unemployment benefits under an unemployment compensation law of any other State or of the United States." Letter will follow.

HUGH S. JENKINS,
Attorney General of Ohio.

COLUMBUS, OHIO.

DEAR SIR: Your telegram of September 3 to Governor Lausche, wherein you inquire whether the enactment of S. 1274 will operate to reduce the amount of unemployment compensation benefits paid by the State of Ohio, has been referred to this office.

In regard thereto, I might submit the following: The Kilgore bill proposes two modes of procedure whereby the unemployment compensation provided by the laws of the several States may be supplemented (1) by an agreement between the Federal Government and the State, whereby the United States will pay over to the State the difference between the amount allowed by the State law and the amount proposed by the Federal law, and the State will distribute it to the individuals entitled thereto under its laws. (2) If the State fails to enter into such an agreement, then the Federal Government will make supplementary payments to individuals for a period and in amounts substantially equivalent to payments which would have been made from Federal funds had the State entered into such agreement.

It seems evident that if the first-mentioned procedure is to be followed, some officer of the State would have to be given authority by the legislature to enter into such agreement.

If such authority were given without an express declaration on the part of the legislature, it would be doubtful whether one who accepted such supplementary benefit from the Federal Government through the agency of the State would be relieved from the conditions of section 1345-7, General Code of Ohio, which provides:

"No benefits shall be paid for any week with respect to which or a part of which an individual has received or is seeking unemployment benefits under an unemployment compensation law of any other State or of the United States."

If the State should enter into such agreement, it is possible that a claimant's benefits would not be limited by the provisions of section 1345-7, General Code. However, this is not without some question, and if the legislature sees fit to give such authority it should do so in clear language, which leaves no question of its intention to relieve such recipient from the condition expressed in the statute above quoted.

If the execution of such contract is not authorized and payments are received from the Federal Government by way of supplementary benefits, as contemplated by the Kilgore bill, then it appears that the recipient would automatically cut himself off from the right to receive the unemployment compensation provided by present laws to be paid by the State of Ohio.

Very truly yours,
HUGH S. JENKINS,
Attorney General.

OKLAHOMA CITY, OKLA.

Replying to your telegram you are advised attorney general of Oklahoma advises that under Oklahoma Unemployment Compensation Act supplementary payments by Federal Government under S. 1274 would not result in reduction of compensation paid by State. State agency could enter into reciprocal agreement with Federal Government for such supplementary payments without reduction of amount paid by State agency. Attorney general advises that while there is considerable question in regard to the matter the above are his views.

ROBERT S. KERR,
Governor of Oklahoma.

SALEM, OREG.

State legal department advises under Oregon statutes State has authority to enter such unemployment benefit agreement with Federal Government described your wire. Also advises laws expressly disqualify workers in this State from receiving State unemployment compensation if for any time he receives benefits from other States or Federal Government.

EARL SNELL,
Governor.

HARRISBURG, PA.

MY DEAR SENATOR: Your wire is acknowledged, and the attorney general's department advises me as follows:

Answer to question No. 1: If the Commonwealth of Pennsylvania should enter into an agreement with the Federal Government to pay $25 for 26 weeks, payments would still be limited by section 404 of the Pennsylvania Unemployment Compensation Act as last amended by Act No. 408 approved May 29, 1945, to $20 for 20 weeks. Amendments to existing law would be necessary to increase weekly payments to $25 for 26 weeks.

Answer to question No. 2: Under section 402 (c) an employee is ineligible for compensation if he receives unemployment compensation benefits under the unemployment compensation law of any other State or of the United States. Hence, if a claimant would receive additional benefits directly from the Federal Government, under our law he would be disqualified.

Very sincerely,
EDWARD MARTIN,
Governor.

PROVIDENCE, R. I.

Public Laws of Rhode Islands, 1940, chapter 812, reads in part "an individual shall be disqualified from receiving benefits for any week of his unemployment occurring within any period with respect to which such individual is currently receiving or has received, remuneration in the form of (C) benefits under

an unemployment compensation law of any State of the United States." Accordingly, unless Rhode Island State law is amended, benefit payments under unemployment compensation law of the United States either by way of direct supplementary Federal payment or through agency of State by way of voluntary agreement totally bars benefit claimant from any benefits under Rhode Island State law.

J. HOWARD MCGRATH,
Governor.

COLUMBIA, S. C.

Re telegram September 3, answer to first question "Yes." Answer to second and third questions "No."

RANSOME J. WILLIAMS,
Governor.

PIERRE, S. DAK.

Re your telegram: Have submitted request for official opinion to attorney general on unemployment compensation and will advise you as soon as opinion received.

M. Q. SHARPE,
Governor of South Dakota.

NASHVILLE, TENN.

Re telegram Federal supplementation of State unemployment compensation payments under S. 1274. It is permissible under our State law for Tennessee to enter into an agreement with the Federal Government without resulting in the State benefit payment being partialy or totally reduced by the amount of the supplementary Federal payment.

If this State should not enter into such an agreement Federal supplementary payments would not occasion a reduction in the State benefit amount. In response to your last question this State under existing law would not be required to credit any payments made by the Federal Government against the unemployment compensation benefits paid under our State law.

The majority of States have specific provisions on the subject in their law dealing with unemployment compensation payments under other jurisdictions. This is not true in Tennessee.

JIM MCCORD, *Governor.*

AUSTIN, TEX.

Re your telegram September 3 requesting legal opinion on S. 1274, opinion of attorney general of Texas answers both questions 1 and 2 negatively: That is, Federal supplementary payments under the Kilgore bill would not result in payments by the Texas Unemployment Compensation Commission being partially or totally reduced by the account of the Federal payment.

COKE STEVENSON, *Governor.*

STATE OF UTAH,
OFFICE OF THE GOVERNOR,
Salt Lake City, September 8, 1945.

DEAR SENATOR GEORGE: After receiving your telegram of September 3, I asked the attorney general to construe the laws of Utah with respect to workmen's compensation, particularly as they might be affected by S. 1274. For your information, I am quoting herein the opinion of the attorney general.

"You request advice as to whether or not an otherwise eligible individual can legally be paid unemployment compensation benefits under the provisions of the Utah Employment Security Act while seeking or receiving benefits pursuant to the provisions of H. R. 3736, Seventy-ninth Congress. This bill proposes to amend the War Mobilization and Reconversion Act of 1944 by establishing a new title, title VII—Temporary Reconversion Unemployment Benefits. By its terms, this proposed Federal bill provides, among other things, that the Federal Government, through the Director of War Mobilization and Reconversion will, for each week of total unemployment, pay each individual who is eligible for the State maximum weekly benefit amount, supplemental benefits equal to the difference between the State maximum weekly benefit amount and $25. Individuals eligible would be paid supplemental benefits proportionately. The act further provides that eligible individuals will be paid extended benefits, that is, a number of weeks of benefits which, when added to the total weeks of benefits to which an individual is entitled under the provisions of the State act, will equal 26 The act defines "supplemental benefits" as a supplementary amount payable with respect to a week of total unemployment. It further provides that the several unemployment compensation agencies of the United States, that is, the several States, shall act as agents of the Federal Government for the payment of these Federal benefits.

"The Utah Employment Security Act, section 42-2a-5 (f), Utah Code Annotated, 1943, provides that an individual shall be ineligible for benefits or for purposes of establishing a waiting period:

"'(f) For any week with respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of another State or of the United States, *Provided*, That if the appropriate agency of such other State or of the United States finally determines that he is not entitled to such unemployment benefits, this disqualification shall not apply.'

The intent of the Utah Legislature, as evidenced by the mandatory language of the above-quoted subsection, was to prevent the payment of benefits from the Utah employment compensation fund for the particular week during which an individual was seeking or receiving benefits under any other unemployment compensation act, either State or Federal. H. R. 3736 clearly is an unemployment compensation act and must be so construed. You are advised, therefore, that an individual who is seeking or receiving benefits for a week of unemployment pursuant to the provisions of H. R. 3736 will be disqualified from receiving benefits under the Utah act for such week.

The Utah act does not prohibit the paying of extended benefits as an agent for the Federal Government under the provisions of the proposed Federal act since these extended benefits would be paid after the individual had exhausted his rights under the Utah act. Sections 42-2a-11 and 42-2a-18, Utah Code Annotated, 1943, authorize the industrial commission to enter into arrangements with agencies of other States or of the Federal Government so as to afford cooperation in the administration of any unemployment insurance law provided, however, that such law does not specifically violate other provisions of the Utah act such as the above-quoted section 42-2a-5 (f), Utah Code Annotated, 1943.

If you desire additional information, I shall be glad to supply it.

Yours truly,

HERBERT B. MAW,
Governor.

MONTPELIER, VT.

I am advised that the State of Vermont cannot enter into agreement referred to in recent telegram with Federal Government without resulting in State payment being partially or totally reduced by the amount of the supplementary Federal payment. Vermont does not enter into such an agreement; Federal supplementary payments would result in reduction of the State amount.

MORTIMORE R. PROCTOR,
Governor of Vermont.

RICHMOND, VA.

Referring to your telegram of September 3 to Hon. Colgate W. Darden, Jr., Governor of Virginia, you are advised that under the provisions of S. 1274 now being considered, it is my opinion that the Unemployment Compensation Commission of Virginia does not have the power under the Virginia Unemployment Compensation Act to enter into any such agreement as contemplated in question No. 1 of your telegram. With respect to question No. 2, I am of the opinion that should Congress provide for supplementary payments, claimants for benefits under the Virginia State law could not be paid benefits under such State law for any week with respect to which or a part of which he has received or is seeking such supplementary payments.

KENNETH C. PATTY,
Assistant Attorney General of Virginia, Counsel for Virginia Unemployment Compensation Commission.

OLYMPIA, WASH.

Re your telegram S. 1274 and State of Washington. Attorney general advises our State can enter into voluntary agreement re Federal supplementary amount and duration of State unemployment benefits. Should Federal Government increase either amount or duration of benefits under agreement or otherwise would not result in Washington State payment being totally or partially reduced by amount of Federal supplementary payment. State not required to credit any payments made by Federal Government against State unemployment compensation benefits. For any further details please contact John Davis, commissioner of Washington State Unemployment Compensation, Washington Hotel, room 528. He is appearing before Senate Finance Committee.

MON C. WALLGREN,
Governor.

CHARLESTON, W. VA.

Re telegram September 3. Attorney general advises: To question 1, "Can your State enter into such agreement with Federal Government without resulting in the State payment being partially or totally reduced by the amount of the supplementary Federal payment?" Answer, "No." To question 2, "If your State does not enter into such an agreement, would Federal supplementary payments result in reduction of the State amount?" Answer, "Yes." To question, "Will your State under existing law be required to credit any payments made by Federal Government against the unemployment-compensation benefits paid under your State law?" Answer: "Individual receiving benefits under any other State or Federal law ineligible for benefits under law of this State."

CLARENCE W. MEADOWS,
Governor of West Virginia.

MADISON, WIS.

Re your telegram unemployment benefits reply to first question is "Yes;" second question "No."

WALTER S. GOODLAND,
Governor.

CHEYENNE, WYO.

It is the tentative opinion of attorney general receipt of supplemental benefits as proposed by Senate 1274 would bar compensation benefits under Wyoming act also that it is very doubtful whether State may legally enter into agreement with Federal Government as proposed in bill.

LESTER C. HUNT,
Governor.

Mr. KILGORE subsequently said: Immediately following the letters of the various governors, I should like to have inserted in the RECORD extracts from the laws of the various States.

The PRESIDENT pro tempore. Is there objection?

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

EXHIBIT XI. STATE DISQUALIFICATION PROVISIONS FOR RECEIPT OF FEDERAL BENEFITS

The disqualification provision in Alabama reads as follows:

"SEC. 6 B. An individual shall be disqualified for benefits for total or partial unemployment—

"(g) For any week with respect to which, or a part of which, he has received or is seeking unemployment benefits under an unemployment-compensation law of any State or of the United States: *Provided*, That if the appropriate agency of such other State or of the United States finally determines that he is not entitled to such unemployment benefits this disqualification shall not apply." (General Laws of Alabama (regular session, 1935), Act No. 447, effective September 14, 1935, as amended.)

Alaska, Georgia, and New Hampshire merely omit the proviso in the Alabama law which has no significance for the purposes of this statement. Alaska differs from Alabama:

"SEC. 5. An individual shall be disqualified for benefits:

"(e) For any week with respect to which or part of which he has received or is seeking unemployment benefits under an unemployment-compensation law of another State or of the United States." (Extraordinary Session Laws of Alaska, 1937, ch. 4, approved and effective April 2, 1937, as amended.)

Georgia: Section 5 (e) (4), Laws of 1937, Governor's No. 335, approved and effective March 29, 1937, as amended.

New Hampshire: Section 4 (f): "An individual shall be disqualified for benefits:

"(f) For any week or a part of a week with respect to which he is seeking to receive or has received payments in the form of unemployment compensation under an unemployment-compensation law of any other State or under a similar law of the Federal Government." (Ch. 99, Public Laws of 1935, approved May 29, 1935, and became Public Laws, ch. 179-A, as amended.)

Arizona: Same as Alabama except that the words "for total or partial unemployment" were omitted, the word "ineligibility" is substituted for the word "disqualification," "another" for "any other." (Sec. 56-1005 (f), Special Session Laws of 1936 (first special session), ch. 13, approved by the Governor on December 2, 1936, effective February 23, 1937, as amended.)

Arkansas: Same as Alabama, except that the words "for total or partial unemployment" are omitted, the word "ineligibility" is substituted for the word "disqualification," "another" for "any other." (Sec. 5 (f), General Acts of 1937, Act No. 155, approved and effective February 26, as amended.)

California: Same as Alabama, except that the words "for total or partial unemployment" are omitted, the words "the provisions of this section shall not apply" are substituted for the words "this disqualification shall not apply." (Sec. 57.5, Session Laws of the State of California, regular session, 1935, ch. 352, approved June 25, effective August 14, 1935, as amended.)

Colorado: Same as Alabama except that the words "for total or partial unemployment" are omitted. (Sec. 5 (f), Laws of Colorado (extraordinary session) 1936, ch. 2, approved and effective November 20, 1936, as amended.)

Connecticut: Connecticut differs substantially from Alabama:

"SEC. 1339 E (b) An individual shall be ineligible for benefits

"(4) during any week with respect to which the individual has received or is about to receive remuneration in the form of

"(A) wages in lieu of notice of dismissal payments or any payment by way of compensation for loss of wages, or any other State or Federal unemployment benefits, or * * *." 1937 Supplement to General Statutes, ch. 280a, secs. 803d-819d, enacted and approved on November 30, 1936, as ch. 2, Public Acts of November, special session, 1936, as amended.

Delaware: Same as Alabama except that the words "for total or partial unemployment" are omitted. (Sec. 5 (c) (1), ch. 258, Laws of 1937, approved and effective April 30, 1937, as amended.)

District of Columbia: Same as Alabama except as noted for Arizona. (Public Law 386, 74th Cong., H. R. 7167, as amended.)

Florida: Same as Alabama, except that the word "another" is substituted for the words "any other." (Sec. 6 (e), acts of 1937, ch. 18,402, approved and effective June 9, 1937, as amended.)

Hawaii: Same as Alabama, except that the words "for total or partial unemployment" are omitted, the word "another" is substituted for "any other," and the word "ineligibility" is substituted for the word "disqualification." (Sec. 5 (f), Session Laws of Hawaii 1937, Act 243, approved and effective May 18, 1937, as amended.)

Idaho: Substantially the same as Alabama. The reference to section 11 (f), is to a section on State-Federal cooperation and reciprocal agreements:

"SEC. 5. A benefit claimant shall be disqualified—

"(f) For any week with respect to which, or a part of which, he has received, or has made a claim for, benefits under an unemployment compensation law of another State or of the United States, except as the board shall by regulations otherwise prescribe pursuant to the provisions of subsection (f) of section 11 of this act: *Provided*, That if the appropriate agency of such other State or of the United States shall finally determine that he is not entitled to such unemployment benefits, he shall not, by the provisions of this subsection, be disqualified." (Extraordinary Session Laws of Idaho, 1935, ch. 12, approved August 6, 1936, effective September 1, 1936, as amended.)

Illinois: Same as Alabama, with the exception of the word "ineligibility" being substituted for "disqualified," the omission of the words "for total or partial unemployment," omission of the words "or a part of which," and substitution of word "ineligibility" for "disqualification." (Sec. 7 (e), the Unemployment Compensation Act, L. 1937, p. 571 (Ill. Rev. Stat. 1937, ch. 48) (secs. 217-250), as amended.)

Indiana: Same as Alabama, except that the word "ineligible" is substituted for "disqualified,' omission of the words "for total or partial unemployment," insertion of the words "receives, is receiving," immediately before the words "has received:" (Sec. 6 (f) (6), acts of 1936, ch. 4, approved March 18, 1936, as amended.)

Iowa: Same as Alabama, except for omission of words "for total or partial unemployment," and the word "another" substituted for "any other." (Sec. 1551.11 (f), Code of Iowa 1939, ch. 77.2, Code, 1939, as amended.)

Kansas: Same as Alabama, except for omission of words "for total or partial unemployment." (Sec. 44-706 (f) ch. 44, art. 7, G. S. 1937 Supp., as amended).

Kentucky: Same as Alabama, except as otherwise provided by an arrangement between Kentucky and such other State of the United States.

"SEC. 4748g-9 (b). * * * No workers may serve a waiting period or be paid benefits for any period of unemployment with respect to which the Commission finds that:

"(2) He has received or is seeking unemployment compensation under an unemployment-compensation law of another State or of the United States, except as otherwise provided by an arrangement between Kentucky and such other State or the United States: *Provided, however*, That if the appropriate agencies of such State or of the United States finally determine that he is not entitled to such unemployment compensation, this paragraph shall not apply." (Kentucky unemployment-compensation law, ch. 50, acts of the 1938 regular session, codified as sec. 4748g-1 to 4748g-22, inclusive, Carroll's Ky. Stats., Baldwin's 1938 Supp., approved and effective March 5, 1938, as amended.)

Louisiana: Same as Alabama, except for substitution of words "not be eligible" for "be disqualified," omission of words "for total or partial unemployment," word "another" substituted for words "any other." (Sec. 4 (e), act 97 of 1936, approved June 29, 1936, effective November 3, 1936, as amended.) Louisiana's provision permits the acceptance of supplementary Federal benefits without disqualification.

Maine: Same as Alabama, except that the language reads as follows:

"An individual shall be disqualified for benefits:

"(e) For any week with respect to which he is receiving or has received remuneration in the form of paragraph N (4) benefits under the unemployment-compensation law of any State or similar law of the United States. (Sec. 5 (3) (4), Public Laws of 1935 (special session of 1936), ch. 192, approved by governor, December 18, 1936, as amended.)

Maryland: Same as Alabama, except for omission of words "for total or partial unemployment" the word "another" substituted for the words "any other." (Sec. 5 (f), ch. 1, Laws of 1936 (extraordinary session), effective December 16, 1936; as amended.)

Massachusetts: Same as Alabama, except that the words "No benefit shall be payable under this chapter to an individual" replaced "an individual, etc.," and the words "this subsection" displace "this disqualification." (Sec. 16 (g), acts of 1937, ch. 421, approved May 29, 1937, effective January 1, 1937, as amended.)

Michigan: Same as Alabama, except for omission of words "for total or partial unemployment," the word "another" substituted for "any other." (Sec. 61 (a), Public Acts 1936 (extra session), House enrolled No. 1, as amended.)

Minnesota: Substantially similar to Alabama:

"No week shall be counted as a week of unemployment for the purposes of this section:

"(3) With respect to which he is receiving, has received, or has filed a claim for unemployment compensation benefits under any other law of this State, or of any other State, or the Federal Government, including readjustment allowances under title V, Servicemen's Readjustment Act, 1944: *Provided*, That if the appropriate agency of such other State or the Federal Government finally determines that he is not entitled to such benefits, this provision shall not apply." (Sec. 268.08 subdivision 2, Minn. Stat., 1941, as amended by laws of 1943, ch. 650, as amended.)

Mississippi: Same as Alabama, except for omission of words "for total or partial unemployment," and the word "another" substituted for "any other." (Sec. 5 (e), General Laws of Mississippi (regular session, 1936), ch. 176, approved March 23, 1936, effective April 1, 1936, as amended.)

Missouri: Same as Alabama, except for omission of words "for total or partial unemployment," substitution of word "another" for "any other," and the proviso reads as follows: "*Provided*, That if it be finally determined that he is not entitled to such unemployment benefits, his disqualification shall not apply." (Sec. 10 II (d), Laws of Missouri, 1937, p. 574, approved and effective June 17, 1937, as amended.)

Montana: Differs from Alabama; it reads as follows:

"SEC. 5. An individual shall be disqualified for benefits—or has received payment in the form of—

"(4) Benefits under the Railroad Unemployment Act or any State unemployment compensation act or similar laws of any State or of the United States." (Sec. 5 (e) (4), Session Laws of Montana, 1937, ch. 137, approved and effective March 16, 1937, as amended.)

Nebraska: Same as Alabama, except for omission of words "for total or partial unemployment." (Sec. 48-705 (f), ch. 48, art. 7, Nebr. C. S. Supp. 1939, as amended.)

Nevada: Same as Alabama, except for omission of words "for total or partial unemployment," substitution of word "another" for "any other." (Sec. 5 (e), Stat. 1937, ch. 129, approved and effective March 23, 1937, as amended.)

New Jersey: Same as Alabama, except for omission of words "for total or partial unemployment." (Sec. 43; 21-5 (f); ch. 21 of title 43 of the Revised Statutes, 1937, or ch. 270, Laws of 1936 (special session), approved and effective December 22, 1936, as amended.)

New Mexico: Same as Alabama, except for omission of words "for total or partial unemployment" substitution of word "another" for "any other." (Sec. 5 (f), Special Session Laws of New Mexico, 1936, ch. 1, approved and effective Decmber 16, 1936, as amended.)

New York: Same as Alabama, except for omission of words "for total or partial unemployment." (Sec. 503 (3), Consolidated Laws, ch. 31 (labor law), art. 18, secs. 500 539, as amended.)

North Carolina: Differs from Alabama. This section reads:

"An individual shall be disqualified for benefits:

"(g) For any week after June 30, 1939, with respect to which he shall have or assert any right to unemployment benefits under an unemployment-compensation law of either the Federal or a State government, other than the State of North Carolina." (Sec. 5 (g), Public Laws of 1936 (extra sess.), ch. 1, ratified and effective December 16, 1936, as amended.)

North Dakota: Same as Alabama, except for omission of words "for total or partial unemployment," the word "another" substituted for "any other," and the words "ineligibility condition" substituted for "disqualification." (Sec. 7 (f), ch. 232 of Session Laws of North Dakota, 1937, as amended.)

Ohio: Same as Alabama, except for omission of words "for total or partial unemployment." (Sec. 1345-7b, 116 O. L., pt. 2 (1935), first special sess., p. 286, as amended.)

Oklahoma: Same as Alabama, except for omission of words "for total or partial unemployment," substitution of word "another" for "any other," and word "ineligibility" substituted for "disqualification." (Sec. 5 (f), Sessions Laws of Oklahoma (extraordinary sess.) 1936, ch. 1, approved and effective December 12, 1936, as amended.)

Oregon: Same as Alabama, except for omission of words "for total or partial unemployment," substitution of the word "another" for "any other," omits the words "or is seeking." (Sec. 126-705 (g), Oregon Laws, special session, 1935, ch. 70, effective November 15, 1935, as amended.)

Pennsylvania: Same as Alabama, except for omission of words "for total or partial unemployment." (Sec. 402 (c), acts of 1936 (second extraordinary session), No. 1, approved and effective December 5, 1936, as amended.)

Rhode Island: Differs from Alabama. The section reads as follows:

"An individual shall be disqualified from receiving benefits for any week of his unemployment occurring within any period with respect to which such individual is currently receiving, or has received, remuneration in the form of—

"(c) Benefits under an unemployment compensation law of any State or of the United States;" (sec. 7 (7) (c), Public Laws of 1936, ch. 2333, effective May 5, 1936, as amended).

South Carolina: Same as Alabama, except omission of words "for total or partial unemployment," substitution of word "another" for "any other." (Sec. 5 (e), laws of 1936, No. 946, (768), approved and effective June 6, 1936, as amended.)

South Dakota: Same as Alabama, except for omission of words "for total or partial unemployment," substitution of word "another" for "any other." (Sec. 17.0830 (7), Revised Code, ch. 17-08, and ch. 17.99, as amended.)

Tennessee: No provision.

Texas: No provision.

Utah: Same as Alabama, except for omission of words "for total or partial unemployment," substitution of word "another" for "any other." (Sec. 5 (f), Laws of Utah (special session) 1936, ch. 1, approved and effective August 29, 1936, as amended.)

Vermont: Same as Alabama, except for omission of words "for total or partial unemployment," substitution of word "another" for "any other." (Sec. 5 (f), No. 1, acts of the special session of 1936, approved and effective December 22, 1936, as amended.)

Virginia: Same as Alabama, except for omission of words "for total or partial unemployment." (Sec. 5 (f), ch. 1, acts of General Assembly of Virginia (extra session, 1936), approved and effective December 18, 1936, as amended).

Washington: No provision.

West Virginia: Differs from Alabama in that its law refers to unemployment-compensation benefits under the laws of the United States, instead of under an unemployment-compensation law of the United States. West Virginia also omits the proviso in the Alabama law, which omission has no significance for the purpose of this statement. West Virginia also omits the reference to "or is seeking":

"Upon the determination of the facts by the director an individual shall be disqualified for benefits:

"(5) For a week with respect to which he is receiving or has received:

"(d) Unemployment-compensation benefits under the laws of the United States or any other State." (Art. VI, sec. 4 (5) (d), Code of West Virginia, ch. 21-A (acts of 1936, second extraordinary session, ch. 1, approved and effective December 16, 1936, as amended.)

Wisconsin: No provision.

Wyoming: Same as Alabama, except for omission of words "for total or partial unemployment," substitution of word "another" for "any other." (Sec. 5 b IV, Sessions Laws of Wyoming, 1937, ch. 113, approved and effective February 25, 1937, as amended.)

RECIPROCAL ARRANGEMENTS STATUTES COMPARED

The reciprocal arrangements provision in Alabama is provided in section 12 (a) of the Alabama unemployment-compensation law (General Laws of Alabama Regular Session 1935, Act No. 447).

"The director is hereby authorized to enter into arrangements with the appropriate agencies of other States or the Federal Government whereby individuals performing services in this and other States for employing units under circumstances not specifically provided for in section 2 (f) and 2 (g) of this act or under similar provisions in the unemployment-compensation laws of such other States shall be deemed to be engaged in employment performed entirely within one of such other States and whereby potential rights to benefits accumulated under the unemployment-compensation laws of several States or under such a law of the Federal Government, or both, may constitute the basis for the payment of benefits through a single appropriate agency under terms which the director finds will be fair and reasonable as to all affected interests and will not result in any substantial loss to the fund."

The variations from uniformity in the statutes of the 51 jurisdictions upon the subject of reciprocal administration among themselves and with the Federal Government are so few as to reinforce the argument for reciprocal administration by agreement.

As the most graphic manner in which to present this phase of the general subject of unemployment compensation, a tabular analysis has been prepared and is hereinbelow set out, after the next two paragraphs which call attention to the specific variations in legislative policy.

The following variation should be noted, however. Idaho provides for reciprocal treatment of individuals who have acquired potential benefit rights under the Idaho law and under an unemployment compensation act of Congress. The Kentucky and Wisconsin provisions authorize administrative arrangements for the purpose of assisting in the payment of benefits.

Indiana, Missouri, Montana, and Ohio authorize the agency to enter into arrangements with Canada as well as with other States and the Federal Government; Washington authorizes such arrangements with agencies of foreign governments. Wisconsin specifies "any agency similarly charged with the administration of any other unemployment-compensation law," instead of other States or the Federal Government.

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

Mr. GEORGE. I yield.

Mr. HILL. The Senator from Georgia has referred to telegrams which he received in answer to inquiries sent to the governors of the various States. I notice that among the replies which he has received, the reply from my State comes first on the list which the Senator from Georgia has asked to have printed in the RECORD. The Governor of my State replied in part as follows:

The answer to question 1 set out in your telegram is "No," and the answer to question 2 is "Yes."

Question 1 was as follows:

Can your State enter into such agreement with Federal Government without resulting in the State payment being partially or totally reduced by the amount of the supplementary Federal payment?

The second question was:

If your State does not enter into such an agreement would Federal supplementary payments result in reduction of the State amount? In brief, would your State under existing law be required to credit any payments made by Federal Government against the unemployment compensation benefits paid under your State law?

I assume that under the decision of the attorney general of Alabama, even if this amendment is adopted, no worker in Alabama may receive $25. He may not receive more than the maximum amount now allowed under the Alabama statute. Am I correct?

Mr. GEORGE. I think the Senator is entirely correct, unless the legislature of his State meets and changes the existing law.

Mr. HILL. A change in the existing law of Alabama would be necessary.

Mr. GEORGE. Yes; according to the construction which governors or their attorneys general have placed upon the question.

Mr. BARKLEY. Mr. President, I raise no question at all with respect to the replies made by the governors or the attorneys general of the various States. I am a member of the committee, and I know that the matter was submitted to

the committee. The Senator from Georgia as chairman, and under the directions of the committee, sent in good faith the inquiries to which he has referred. I assume, also, that the replies were sent in good faith. My conviction is that the particular provisions of the laws of the various States were enacted in order to prevent duplication on the part of unemployed persons in the States which would result in drawing compensation at the same time from State and other sources. There was probably no contemplation of the emergency growing out of the war situation which we face today. Assuming that those answers are all correct, and that the States from which they were received—26 or 27 of them, whatever the number may be—could not accept additional compensation from the Federal Government, it would not in any way, of course, prevent the legislatures of those States, under calls of their respective governors, from meeting and amending their laws in the light of the emergency which we face, and it would not prevent other States which do not have such provision from receiving the additional compensation provided for in the amendment.

Mr. GEORGE. The Senator from Kentucky is quite correct, but to give some of the States additional compensation would make bad matters worse. It would increase whatever inequalities now exist. Whatever retarding effect any State law may have upon the redistribution of labor in the United States, the condition will be increased and aggravated by an increase in payments in approximately 17 States. Approximately 27 or 28 States, according to statements which have been received from them, cannot accept the money, or, if it is accepted, it will not benefit the workers. That, of course, is subject to the qualification that the States may, by their legislatures, change their laws. However, I am obliged to state to the Senate as a matter of fact that the legislatures in about 45 States were in session in 1945, and that a measure providing substantially for a $25 weekly payment under the unemployment compensation laws of the respective States was submitted to nearly all those legislatures. While many of the States increased their benefit payments, they did not accept the provision which is now before the Senate.

(At this point Mr. KILGORE asked and obtained leave to have inserted in the RECORD extracts from the laws of various States, to follow communications from State governors inserted on request of Mr. GEORGE.)

Mr. GEORGE. Mr. President, the only thing I have to say about the extracts presented by the Senator from West Virginia is that it does not matter how we differ with the attorneys general of the States or the governors. They have the right and the power to construe the laws of their own States, they have construed them, and I think it would be most unfortunate if the Senate did not look at the facts as they are, to wit, that by increasing the benefits in a relatively few States, the very situation that is earnestly desired to be corrected will be aggravated, because in so many of the States it is impossible to handle the matter in this way.

Mr. President, there is another State whose reply has just come in, which is not included in the list I have handed to the Official Reporter. It is a reply from the Governor of the State of Indiana, to which is attached a brief of the attorney general of the State. According to the Governor's statement, Indiana must be added to the list of those States which could not accept benefits of supplemental payments, whether voluntarily made or not. I ask that the letter and brief be printed in the RECORD.

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

STATE OF INDIANA,
OFFICE OF THE GOVERNOR,
Indianapolis, September 13, 1945.

Hon. WALTER F. GEORGE,
United States Senator,
Chairman, Senate Finance Committee,
Senate Office Building,
Washington, D. C.

DEAR SENATOR GEORGE: Please excuse my delay in answering your telegrams of September 3 and September 10, in which you ask that I advise you as to how S. 1274 would be affected by our State laws. However there seemed to be involved many technical questions of law which would need to be determined before proper answer could be given your request.

In view of the seriousness of this matter, and the many thousands of workers in Indiana who might be caused to suffer should a hastily drawn and erroneous answer be made to your inquiry; I submitted the questions to our attorney general and State legal staff. You will find enclosed herein a copy of their opinion to me covering the questions you submitted. After carefully reading the same, I wish to make the following observations.

Answering questions contained in your telegram I am advised by the attorney general of Indiana that section 7 (f) (6) Indiana Employment Security Act makes any claimant ineligible for State unemployment compensation benefits with respect to any week for which he receives or seeks unemployment benefits under the law of another State or the United States. His further opinion that reciprocal coverage enabling provisions in other sections of statute do not nullify this disqualification and that legislative amendment is necessary to enable Indiana agency to enter into agreement provided for in S. 1274. Proposed plan of supplementing present State benefit amounts is unfair, however, for largest supplements will go to States with lowest benefit amount and duration. This penalizes forward States like Indiana which have liberalized benefit structures. Earnestly suggest plan equally fair to all States. I also consider inequitable and discriminatory any plan to pay benefits entirely from Federal funds to employees of private employers presently excluded by size of firm and other limitations while continuing to pay presently insured workers from funds built by tax on employers. I want Indiana to continue as one of most progressive States in giving workers fullest protection and benefits and I also want Indiana employers treated fairly. Our general assembly is determined to enact all needed legislation for those purposes and I am willing to call special session of general assembly to consider changes necessary to allow Indiana to enter into agreement but I cannot permit execution of agreement when legal right to do so is uncertain and obscure.

With kindest regards, I am,
Sincerely yours,

RALPH F. GATES,
Governor.

STATE OF INDIANA,
ATTORNEY GENERAL,
Indianapolis, September 12, 1945.

Hon. RALPH F. GATES,
Governor, State of Indiana,
State House, Indianapolis, Ind.

MY DEAR GOVERNOR: At your request I have carefully compared the provisions of the Kilgore bill (S. 1274) with the Indiana unemployment compensation law with a view to answering the following specific questions:

"1. If the Kilgore bill is enacted by Congress in its present terms will the Indiana Employment Security Division be authorized under existing laws to enter into an agreement as therein contemplated for the administration of the provisions of that act?

"2. Will the payment of increased weekly benefits amounts under the Kilgore bill as presently written in any way deny or reduce the benefit payments payable under Indiana law?"

At the outset of any discussion of these questions it is well to note that any harmony between these enactments would be purely coincidental as the general assembly could not have anticipated the proposals of the Kilgore bill at the time our law was enacted and the authors of that bill do not appear to have considered the problem of correlating the Federal and State laws.

Briefly, the Kilgore bill provides for an agreement to be executed by each State with the Federal authorities which must provide:

1. For supplementing State unemployment compensation benefits to the extent that the total maximum benefit will equal $25.00 for 26 weeks.

2. For the payment by the States from Federal funds of dismissal wages to Federal civilian employees, and maritime workers equal to unemployment compensation benefits payable under District of Columbia laws.

3. For like payments to food processing employees measured by Indiana benefit payments. (These employees are not exempted from our unemployment-insurance plan by virtue of Federal rulings.)

4. That State benefit payments will not be denied or reduced by reason of any such payments.

In addition, the State may include optional provisions at the expense of the Federal Government which would:

1. Increase the State benefit amount to two-thirds of weekly earnings (but not in excess of $25.00).

2. Extend benefit payments to any employees not now covered by redefining employment. (Presumably the State could include either elected or appointive State or local officers and employees.)

In the event that the State fails to enter into such an agreement, the law requires the Federal authorities to make those which are required direct to the employees involved, otherwise, the administration of the law is largely in State hands, subject to Federal supervision.

The most striking divergence of the Kilgore bill from our State law is the complete departure of that bill from the system of unemployment insurance established by our State law. That system, as constituted by our legislature, provides for the payment of unemployment benefits from reserves created out of compulsory employer contributions in the nature of premium payments. It is founded upon the principle that a fund be created in times of full employment to relieve the workers from the consequences of involuntary unemployment. This principle is expressed in section 1 of our act as follows:

"SECTION 1. Declaration of public policy: Economic insecurity due to unemployment is declared hereby to be a serious menace to the health, morale and welfare of the people of this State and to the maintenance of public order within this State. Protection against this great hazard of our economic life can be

provided in some measure by the required and systematic accumulation of funds during periods of employment to provide benefits to the unemployed during periods of unemployment and by encouragement of stable employment. The enactment of this measure to provide for payment of benefits to persons unemployed through no fault of their own, to encourage stabilization in employment, and to provide for a State employment service is, therefore, essential to public welfare; and the same is declared to be a proper exercise of the police powers of the State."

The Kilgore bill, on the other hand, is founded upon the contrary principle of Government responsibility to relieve from financial hardship by means of gratuitous relief payments without any insurance features. It cannot be expected, therefore, that legislation which is so opposite in principle will be harmonious in detail.

Our unemployment-compensation laws provide that:

"Each eligible individual who is totally unemployed * * * shall be paid * * * benefits at the rate of 4 percent of his wage credits * * * but not more than $20 per week * * *" (sec. 6, b, 1)."

The maximum total amount of benefits payable to any eligible individual during any benefit period shall not exceed 20 times his weekly benefit amount (sec. 6, c) and in section 7 (f) it is provided:

"An individual shall be ineligible for waiting period or benefit rights:

* * * * *

"(4) For any week with respect to which the individual receives, is receiving, or has received remuneration in the form of: * * * any payment by way of compensation for the loss of remuneration; * * *

* * * * *

"(6) For any week with respect to which or a part of which he receives, is receiving, has received, or is seeking unemployment benefits under an unemployment compensation law of another State or of the United States."

Thus, the explicit terms of the law are that benefits paid from the employment security fund as benefits under the State law shall not exceed $20 for 20 weeks and that these benefits shall not be payable if the eligible person is receiving any benefits from any other jurisdiction under its laws. If, then, the payments under the Kilgore bill are to be considered as payments made under and by virtue of the Indiana law they cannot exceed the legislative limitation as to the amount and duration of those payments. If, on the contrary, they are to be considered as payments made by virtue of a Federal unemployment compensation law, they fall within the category of those payments which, if received, will render the recipient ineligible for any State benefits.

I am not unmindful of the opinion of the general counsel of the Social Security Board in which he arrives at the conclusion that the quoted provisions of section 7 (f) refer only to duplicate and not to supplemental payments. The language is clear and explicit and I can see no such distinction either latent or patent in that language. In fact, our employment-security division advises me that they have always considered that a person receiving compensation under the Indiana law would be rendered ineligible if he applied for a supplemental payment under the law of another State which had a higher benefit payment to which he was eligible even though the payment by the other State was limited to the remainder of its benefit after deducting the Indiana benefit amount. In any event, it is obvious that competent lawyers are in serious disagreement as to the proper interpretation of this section which has received no judicial construction. Large sums of money and the eligibility of thousands of persons who can ill afford litigation are involved. I cannot believe that I can with propriety assure you, under the circumstances, that it is legally safe to accept the construction of the general counsel. This is particularly true when it is realized that it is to the financial advantage of every covered employer in the State to compel the application of a contrary construction in order to avoid diminution of his reserve or experience account.

Proceeding to the powers of the State authorities to enter into the agreements specified in the Kilgore bill, several provisions of our law are urged as being pertinent. I shall discuss each in order.

Section 10 (a) provides in part:

"Whenever the board believes that a change in contributions or benefit rates will become necessary to protect the solvency of the fund, it shall promptly so inform the governor and the general assembly, and make recommendations with respect thereto."

Since the present change in benefit amounts is not necessary to protect the solvency of the fund, this provision is not strictly in point, but some indication that the general assembly reserved control over the benefit amounts.

Section 10 (g) provides:

"(g) State-Federal cooperation. (1) In the administration of this act the board shall cooperate to the fullest extent consistent with the provisions of this act with the Social Security Board, created by the Social Security Act of the Congress of the United States of America approved August 14, 1935, or any amendments thereto; shall make such reports, in such form and containing such information as the Social Security Board may from time to time require and shall comply with such provisions as the Social Security Board may from time to time find necessary to insure the correctness and verification of such reports; and shall comply with the regulations prescribed by the Social Security Board governing the expenditures of such sums as may be allotted and paid to the State of Indiana under title III of the Social Security Act, or any other act of the Congress of the United States of America, for the purpose of assisting in the administration of this act.

* * * * *

"(4) The board may afford reasonable cooperation with every agency of the United States of America, or with any State charged with the administration of any unemployment compensation law."

Such cooperation is limited to that which is consistent with the provisions of our law, and since the agreement under the Kilgore bill would require payment of benefits in violation of sections 6 (b) and (c) and 7 (f), supra, it would not be consistent with the provisions of our law. The powers of the board here granted cannot be construed as authorizing it to contract away a legislative disqualification for benefits.

Section 10 (i) concerns reciprocal arrangements. Paragraph (1) is limited to those instances where individuals perform services for a single employing unit in this and other jurisdictions and is not therefore relevant. Likewise paragraph (2) is not relevant as it deals with arrangements concerning employment not localized within this State. Paragraph (3) concerns agreements for the transfer of wage credits accruing under the law of another jurisdiction and reimbursements in such instances. It is designed to meet the situation where the employee does not have wage credits in any one State sufficient to qualify him for benefits but whose aggregate wage credits in two or more States will entitle him to benefits if they are transferred into one of the several States in which they were earned. Paragraph (4) concerns agreements for reciprocal collection of employers' contributions. Thus none of these sections cover the case here in question.

Section 10 (j) authorizes the board to make its services and facilities available in the administration of any other unemployment compensation law. Under this section the board could in all probability administer any Federal unemployment compensation law, but is not here empowered to waive a disqualification arising by reason of any payments under any such Federal law.

Section 23 (a) provides:

"SEC. 23. Federal acts: (a) It is declared to be the purpose of this act to secure to the State of Indiana and to employers and employees therein all the rights and benefits which are conferred under the Social Security Act of the Congress of the United States, or any act which may hereafter be conferred by any amendment to said Social Security Act or by any act in lieu thereof enacted by Congress, and to coordinate the provisions of this act with the provisions of aforesaid Social Security Act. Whenever the board shall find it necessary, it shall have power to formulate rules after public hearing and opportunity to be heard whereof due notice is given as is herein provided for the adoption of rules pursuant to subsection (b) of section 10 of this act, and with the approval of the Governor of Indiana, to adopt such rules as shall effectuate the declared purpose of this act. More particularly said board is authorized to formulate rules as aforesaid to synchronize the tax liability of employers operating within the State of Indiana with the liability under the Federal Unemployment Tax Act in the event the tax rate or base in said Federal statute is altered, increased, or decreased as the case may be."

The Kilgore bill is in respect to our present investigation an amendment of the War Mobilization and Reconversion Act of 1944 and is neither an amendment of or in lieu of the Social Security Act.

I am, therefore, compelled to the following conclusions:

1. Only by a very strained interpretation of our Employment Security Act can it be said that the officers of this State are presently authorized by law to enter into an agreement under the terms of the Kilgore bill as presently written.

2. Only by a similar strained construction can it be said that the ineligibility provisions of section 7 (f) will not apply where payments are made under the Kilgore bill as presently written.

3. In all probability such constructions will be promptly challenged by litigation instituted by employers who are financially interested in preventing dimunition of their reserve or experience accounts.

4. The danger of injury to the employment security system and to the rights of employees to benefits does not warrant the taking of the risk that is implicit in such strained constructions of the act.

5. If the Kilgore bill is enacted in its present terms the matter should be submitted to the general assembly for specific authorization.

I do not here intend to indicate any opinion as to the policy of the Kilgore bill. My inquiry is restricted to the legal effect of that bill when comared with the Indiana Employment Security Act.

Respectfully yours,

JAMES A. EMMERT,
Attorney General.

Mr. GEORGE. Mr. President, I do not care to argue this matter; I wished merely to make the statement that I came to Washington with the announced hope that I might be able to vote for the liberalization of unemployment compensation. But I am bound to say that what is proposed is not the way to do it, because if it is done this way every existing inequality, every existing inequity

between workers, will be aggravated rather than relieved.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Kentucky [Mr. BARKLEY] as consolidated. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HILL. On this vote the senior Senator from Arizona [Mr. HAYDEN] is absent on important public business. I am advised that if present and voting he would vote "yea."

Mr. BRIDGES (after having voted in the negative). I have a general pair with the Senator from Utah [Mr. THOMAS], which I transfer to the Senator from Delaware [Mr. BUCK], and allow my vote to stand.

Mr. GEORGE. I wish to announce that on this vote I have a pair with the senior Senator from Maryland [Mr. TYDINGS].

Mr. HILL. The Senator from Virginia [Mr. GLASS] and the Senator from Mississippi [Mr. EASTLAND] are absent because of illness.

The Senator from Alabama [Mr. BANKHEAD], the Senator from South Carolina [Mr. MAYBANK], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Utah [Mr. THOMAS], and the Senator from Maryland [Mr. TYDINGS], are absent on public business.

The Senator from Florida [Mr. PEPPER] is absent on official business.

Mr. WHERRY. The Senator from South Dakota [Mr. BUSHFIELD] and the Senator from Idaho [Mr. THOMAS] are absent because of illness. If present both these Senators would vote "nay."

The Senator from West Virginia [Mr. REVERCOMB] is necessarily absent.

The Senator from Delaware [Mr. BUCK] is necessarily absent. If present he would vote "nay."

The Senator from South Dakota [Mr. GURNEY] is detained on official business.

The result was announced—yeas 29, nays 51, as follows:

YEAS—29

Aiken	Kilgore	Murdock
Barkley	La Follette	Murray
Briggs	Langer	Myers
Carville	Lucas	Taylor
Chavez	McCarran	Tobey
Downey	McFarland	Tunnell
Green	McMahon	Wagner
Guffey	Magnuson	Walsh
Hatch	Mead	Wheeler
Johnson, Colo.	Mitchell	

NAYS—51

Andrews	Ellender	Radcliffe
Austin	Ferguson	Reed
Bailey	Fulbright	Robertson
Ball	Gerry	Russell
Bilbo	Hart	Saltonstall
Brewster	Hawkes	Shipstead
Bridges	Hickenlooper	Smith
Brooks	Hill	Stewart
Burton	Hoey	Taft
Butler	Johnston, S. C.	Thomas, Okla.
Byrd	Knowland	Vandenberg
Capehart	McClellan	Wherry
Capper	Millikin	White
Chandler	Moore	Wiley
Connally	Morse	Willis
Cordon	O'Daniel	Wilson
Donnell	Overton	Young

NOT VOTING—16

Bankhead	Gurney	Revercomb
Buck	Hayden	Thomas, Idaho
Bushfield	McKellar	Thomas, Utah
Eastland	Maybank	Tydings
George	O'Mahoney	
Glass	Pepper	

So Mr. BARKLEY's amendment was rejected.

The PRESIDENT pro tempore. The question is on agreeing to the amendment in the nature of a substitute, offered by the Senator from West Virginia [Mr. KILGORE.]

Mr. WHITE. Mr. President, may I ask the majority leader if it is his purpose to keep the Senate in further session?

Mr. BARKLEY. The Senator from West Virginia advises me that he is perfectly willing to have a vote on his amendment without further discussion. If we can do that, and dispose of it quickly, very well.

Mr. KILGORE. The Senator from New York [Mr. WAGNER] has another amendment which I think should be passed upon before my amendment is acted on.

Mr. WAGNER. Does not the Senator from West Virginia think we ought to get on his amendment first?

Mr. KILGORE. I think we had agreed, I will say to the Senator from Georgia, that any amendment to the committee amendment, as amended, should be acted upon before we proceeded with any other matter. I believe the senior Senator from New York [Mr. WAGNER] has an amendment which goes only to the question of the uniformity of payment of Federal employees.

Mr. BARKLEY. I do not wish to keep the Senate much longer unless we can conclude consideration of the bill. I do not know what the Senator's amendment is.

Mr. WAGNER. The amendment is now included in the Kilgore substitute, so that it could not be dealt with unless we have a vote on the Kilgore substitute first.

Mr. BARKLEY. The Senator's proposal is included in the Kilgore substitute?

Mr. WAGNER. Yes; it is included in the Kilgore substitute.

Mr. BARKLEY. The Senator from New York does not wish to offer his amendment now?

Mr. WAGNER. I cannot offer it now, Mr. President.

Mr. BARKLEY. Then we might vote on the Kilgore substitute.

The PRESIDENT pro tempore. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from West Virginia [Mr. KILGORE].

Mr. KILGORE. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. KILGORE. To which one of my two amendments is the Presiding Officer now referring?

The PRESIDENT pro tempore. The substitute amendment, which would strike out all after line 10 on page 12 and insert other language.

The question is on the amendment in the nature of a substitute offered by the Senator from West Virginia to the committee amendment, as amended.

The substitute amendment was rejected.

The PRESIDENT pro tempore. The question now recurs on the committee amendment, as amended.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. I understand the Senate is now ready to vote on the committee amendment, as amended.

The PRESIDENT pro tempore. If no further amendments are offered, yes.

Mr. KILGORE. Mr. President, there are still to be offered two more amendments to the committee amendment, as amended. I have one and the Senator from New York [Mr. WAGNER] has another. My amendment deals with the provision that none of the benefits shall accrue unless the governors shall request them in writing. The amendment of the Senator from New York relates to the question of uniformity of payment of certain employees. The two amendments have not yet been acted upon.

The PRESIDENT pro tempore. They have not been offered as yet. It is in order to offer them now.

Mr. WAGNER. Mr. President, in view of the situation arising from the votes which have just been had on other amendments, I do not propose to offer the amendment I had in mind to offer.

Mr. McCLELLAN. Mr. President, I move to strike out section 708 of the bill.

The PRESIDENT pro tempore. The Senator from Arkansas moves to strike out section 708 of the bill, which is to be found on pages 24 and 25.

Mr. McCLELLAN. Mr. President, I think the amendment is worthy of some discussion. I do not know how long the Senate wants to stay in session. I am perfectly willing that the amendment go over until tomorrow, and that we proceed to a discussion of it at that time.

Mr. BARKLEY. The motion of the Senator from Arkansas is to strike out the section providing for transportation allowances. That is all that is involved in the Senator's motion. I do not know that it would be necessary to discuss it. I have no objection to its going over until tomorrow, although if that is all that is left for consideration, and if we can dispose of it in a reasonable time, I would be willing to continue for a while longer.

Mr. VANDENBERG. Mr. President, I understood that the Senator from West Virginia was going to offer an amendment.

Mr. KILGORE. Yes. My amendment would strike out the requirement that the Governors must request the benefits in writing. I have sent a copy of the amendment to the desk.

The PRESIDENT pro tempore. The clerk advises the Chair that the amendment was sent out for printing, but will be returned in a moment.

Mr. KILGORE. I may say for the benefit of the Senate that my amendment——

The PRESIDENT pro tempore. One moment. The amendment now before the Senate is that of the Senator from Arkansas [Mr. McCLELLAN], who has moved to strike out section 708, beginning on page 24.

Mr. KILGORE. The amendment to which I refer is on page 13.

The PRESIDENT pro tempore. Another amendment is pending. The question is on the amendment of the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I want to be heard on my amendment.

The PRESIDENT pro tempore. The Senator from Arkansas is recognized.

Mr. McCLELLAN. Mr. President, I do not know that any agreement was made, but it was my understanding that after disposing of the amendment offered by the Senator from Kentucky [Mr. BARKLEY] the Senate would probably take a recess until tomorrow.

Mr. BARKLEY. Mr. President, I have no objection to that course. I thought if we could run on until 6 o'clock and dispose of the bill we might do so, and not have a session tomorrow. But I am aware of the fact that the amendment suggested by the Senator from West Virginia with respect to the requirement in the bill as reported by the committee, that none of these benefits shall accrue unless the Governors shall request them in writing, will probably cause some debate. I am perfectly satisfied to let the whole matter go over until tomorrow.

Mr. McCLELLAN. I think that ought to be done.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of F. Shirley Wilcox, of New Albany, Ind., to be collector of internal revenue for the district of Indiana, which was referred to the Committee on Finance.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. CHANDLER, from the Committee on the Judiciary:

Wilbur K. Miller, of Kentucky, to be an associate justice of the United States Court of Appeals for the District of Columbia, vice Fred M. Vinson, resigned.

By Mr. McCARRAN from the Committee on the Judiciary:

Bennett Champ Clark, of Missouri, to be an associate justice of the United States Court of Appeals for the District of Columbia, vice Thurman W. Arnold, resigned;

E. Barrett Prettyman, of the District of Columbia, to be an associate justice of the United States Court of Appeals for the District of Columbia, vice Justin Miller, resignation effective October 1, 1945;

Alexander Holtzoff, of the District of Columbia, to be an associate justice of the District Court of the United States for the District of Columbia, vice Bolitha J. Laws, elevated;

John A. Carver, of Idaho, to be United States attorney for the district of Idaho;

Whitfield Y. Mauzy, of Oklahoma, to be United States attorney for the northern district of Oklahoma;

Granville T. Norris, of Oklahoma, to be United States marshal for the eastern district of Oklahoma; and

Dave E. Hilles, of Oklahoma, to be United States marshal for the western district of Oklahoma.

By Mr. CONNALLY, from the Committee on Foreign Relations:

Dean G. Acheson, of Maryland, to be Under Secretary of State;

Frank McCarthy, of Virginia, to be an Assistant Secretary of State; and

Maxwell M. Hamilton, of Iowa, now a foreign-service officer of class 1, serving as representative of the United States in Finland with personal rank of Minister, to be Envoy Extraordinary and Minister Plenipotentiary to Finland.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

THE JUDICIARY

The legislative clerk read the nomination of William E. Orr to be judge of the United States Circuit Court of Appeals for the Ninth Circuit.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Delbert E. Metzger to be United States district judge for the district of Hawaii.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Ben H. Rice, Jr., to be United States district judge for the western district of Texas.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Martin Pence to be judge of the Circuit Court for the Third Circuit, Territory of Hawaii.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Thomas J. Morrissey to be United States attorney for the district of Colorado.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the remaining nominations under the heading of the Judiciary be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the remaining nominations under the heading of the Judiciary are confirmed en bloc.

Mr. BARKLEY. I ask that the President be immediately notified in all cases.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en bloc, and that the President be immediately notified.

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

Mr. HILL. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HILL. I notice that under the heading "The Judiciary" on the calendar there is listed the nomination of Joseph H. Lyons to be collector of customs at Mobile, Ala. Was that nomination confirmed?

The PRESIDENT pro tempore. The Chair is very happy to state that that nomination has been confirmed. A number of nominations under the heading of the Judiciary were confirmed en bloc, including nominations in the Mississippi River Commission, the California Debris Commission, and the Coast and Geodetic Survey.

RECESS

Mr. BARKLEY. 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 5 o'clock and 40 minutes p. m.) the Senate took a recess until tomorrow, Thursday, September 20, 1945, at 12 o'clock meridian.

NOMINATION

Executive nomination received September 19 (legislative day of September 10), 1945:

COLLECTOR OF INTERNAL REVENUE

F. Shirley Wilcox, of New Albany, Ind., to be collector of internal revenue for the district of Indiana, in place of Will H. Smith.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 19 (legislative day of September 10), 1945:

SUPREME COURT OF THE UNITED STATES

Harold H. Burton to be an Associate Justice of the Supreme Court of the United States.

UNITED STATES CIRCUIT COURT OF APPEALS

William E. Orr to be judge of the United States Circuit Court of Appeals for the Ninth Circuit.

UNITED STATES DISTRICT COURT

Delbert E. Metzger to be United States district judge for the district of Hawaii.

Ben H. Rice, Jr., to be United States district judge for the western district of Texas.

CIRCUIT COURTS, TERRITORY OF HAWAII

Martin Pence to be a judge of the third circuit, Circuit Courts, Territory of Hawaii.

UNITED STATES ATTORNEYS

Thomas J. Morrissey to be United States attorney for the district of Colorado.

George Earl Hoffman to be United States attorney for northern district of Florida.

Herbert S. Phillips to be United States attorney for southern district of Florida.

John P. Cowart to be United States attorney for middle district of Georgia.

Malcolm E. Lafargue to be United States attorney for western district of Louisiana.

David E. Henderson to be United States attorney for western district of North Carolina.

Joseph A. McNamara to be United States attorney for district of Vermont.

UNITED STATES MARSHAL

Edward B. Doyle to be United States marshal for the middle district of Georgia.

Joseph Henry Young to be United States marshal for the southern district of Georgia.

H. Chess Richardson to be United States marshal for the eastern district of Louisiana.

Louis E. LeBlanc to be United States marshal for the western district of Louisiana.

Stanford C. Stiles to be United States marshal for the eastern district of Texas.

Guy McNamara to be United States marshal for the western district of Texas.

COLLECTOR OF CUSTOMS

Joseph H. Lyons to be collector of customs for customs collection district No. 19, with headquarters at Mobile, Ala.

MISSISSIPPI RIVER COMMISSION

Maj. Gen. Robert Walter Crawford, Army of the United States, to be a member and President of the Mississippi River Commission.

CALIFORNIA DEBRIS COMMISSION

Brig. Gen. Philip G. Bruton, United States Army, to be President of the California Debris Commission.

Col. Lester F. Rhodes, United States Army, to be a member and secretary of the California Debris Commission.

COAST AND GEODETIC SURVEY

Marvin T. Paulson to be a junior hydrographic and geodetic engineer with rank of lieutenant (junior grade) in the Coast and Geodetic Survey, from August 9, 1945.

John O. Boyer to be aide, with rank of ensign, in the Coast and Geodetic Survey.

POSTMASTERS

LOUISIANA

Celia Reilly, Paulina.

MAINE

Bela H. Edwards, Crescent Lake.
Charlene F. Tebbetts, Readfield.

NORTH DAKOTA

Elizabeth S. Karp, Epping.

HOUSE OF REPRESENTATIVES

WEDNESDAY, SEPTEMBER 19, 1945

The House met at 12 o'clock noon.

Lt. John J. Daly, Chaplain Corps, Naval Research Laboratory, offered the following prayer:

O God, our Heavenly Father, look down upon us in Thy tender mercy as we undertake the tasks of this day. Bless these proceedings. Enlighten the minds and strengthen the hearts of the Speaker and the Members of this House that they might deliberate well and settle wisely the great problems of this postwar world that are theirs. Enable them to bear courageously the tremendous responsibilities that rest on their shoulders. Upon their wisdom and judgment depends the future of our country. All citizens of our beloved country, the poor and rich, the learned and unlearned, the weak and strong, all look to them for the enactment of just laws necessary to turn this land from war to peace. Grant, O Lord, that through their untiring efforts peace and prosperity and contentment may be the happy condition of the people of this, our time, and of the future generations of Americans. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. LANE asked and was given permission to extend his remarks in the RECORD in four instances; to include in one an editorial appearing in the Boston Sunday Post; to include in one an article appearing in the Lawrence Sunday Sun; to include in one an address delivered by Thomas Dorgan, clerk of the superior civil court, Boston; and to extend in one his own remarks on the subject End Meat Rationing.

Mr. ROMULO asked and was given permission to extend his remarks in the RECORD and include a statement issued by him entitled "Purging Philippine Collaborationists."

ST. LAWRENCE SEAWAY

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, I have today introduced a bill relating to the St. Lawrence seaway project. A similar bill has previously been introduced in this Congress. I believe this is one measure that will make successful the policy of full employment in this country and assist in preparing this country to take care of business in the future. I am one of the authors of the full employment bill. The best argument advanced for the St. Lawrence seaway project was made by a Member from New York. He stated that if this measure were adopted there would not be enough labor available to build veterans' hospitals. I do not believe it would go that far, but I do believe that is one of the most important measures toward providing employment for our returning veterans and would go a long way toward full employment in this country.

FULL EMPLOYMENT AND FREE ENTERPRISE

Mr. BIEMILLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

[Mr. BIEMILLER addressed the House. His remarks appear in the Appendix.]

COMMITTEE ON NAVAL AFFAIRS

Mr. VINSON. Mr. Speaker, I ask unanimous consent that the Committee on Naval Affairs be permitted to sit during the sessions of the House for the remainder of the week during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

EXTENSION OF REMARKS

Mr. MAY asked and was given permission to extend his remarks in the RECORD and include an article by the editor of the Washington Star on the career of Gen. George C. Marshall.

DEMOBILIZATION OF THE ARMED FORCES

Mr. GIBSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

[Mr. GIBSON addressed the House. His remarks appear in the Appendix.]

BLACK DRAGON SOCIETY

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GEARHART. Mr. Speaker, press accounts reveal that General of the Army Douglas MacArthur is daily rounding up more and more of the members of the Black Dragon Society, this with a view to placing them on trial as the arch war criminals of the Japanese war. For this activity he is entitled to the gratitude of the liberty-loving people of the world.

Unfortunately, all of the members of this infamous society are not resident in Japan. According to information already made available to the American people, many of these crafty conspirators have throughout the war pursued their evil machinations within the boundaries of continental United States, flagrantly violating the hospitality of our country, but residents here nevertheless.

Mr. Speaker, why has not the appropriate arm of our Government thrown out the dragnet and gathered in these persistent violators of humanity's code and long ago deported them to the country of their origin? No one will have any doubt but that MacArthur will know what to do with them when they arrive. Let us leave it to him.

For once let the sob-sisters and blubbering-brothers who always think their country is wrong hold their tongues. We have a job to do. Let us do it.

ADDRESS BY GENERAL MARSHALL ON DEMOBILIZATION

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, an impression has gotten around, not by reason of the remarks I made the other day in announcing a meeting to be held tomorrow at which General Marshall will make an address on demobilization, that the public is invited to the meeting. This meeting is to be confined to Members of the House and Senate and to the press. Of course, the meeting is public when members of the press are included, but the general public cannot be invited to that meeting because of the lack of seating facilities. I make this announcement because there has been an honest misunderstanding in the minds of some to the effect that members of the fam-