

42. Great Lakes connecting channels, Michigan.
 43. Calumet-Sag Channel, Ind. and Ill.
 44. Chicago River, North Branch of, Ill.
 45. Napa River, Calif.
 46. Coos Bay, Oreg.
 47. Columbia River at Astoria, Oreg.
 48. Columbia River at The Dalles, Oreg.
 49. Columbia River, Foster Creek Dam, Wash.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1182. A letter from the Administrator, National Housing Agency, transmitting a draft of a proposed bill for the relief of William H. Morris; to the Committee on Claims.

1183. A letter from the Acting President, United States Civil Service Commission, transmitting one set of the Commission's requests for personnel for the fourth quarter of the fiscal year 1946; to the Committee on the Civil Service.

1184. A letter from the Director, Bureau of the Budget, transmitting copy of letter addressed to the Administrator of the Civilian Production Administration which increases the limitation on the amount which may be expended for travel from the sum set apart in appropriation to this agency for special projects; to the Committee on Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JACKSON: Committee on the Civil Service. H. R. 5839. A bill to increase the rates of compensation of officers and employees of the Federal Government, and for other purposes; without amendment (Rept. No. 1834). Referred to the Committee of the Whole House on the State of the Union.

Mr. JOHN J. DELANEY: Committee on Rules. House Resolution 569. Resolution providing for the consideration of S. 1907, a bill to authorize permanent appointments in the Regular Navy and Marine Corps, and for other purposes; without amendment (Rept. No. 1825). Referred to the House Calendar.

Mr. LANHAM: Committee on Public Buildings and Grounds. H. R. 5796. A bill to amend title II of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, to permit the making of contributions, during the fiscal year ending June 30, 1947, for the maintenance and operation of certain school facilities, and for other purposes; with amendment (Rept. No. 1836). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. CARLSON:

H. R. 5956. A bill to provide tax relief for income earned over a period of years; to the Committee on Ways and Means.

By Mr. GATHINGS:

H. R. 5957. A bill authorizing and directing the Postmaster General to provide for the improvement of unimproved rural mail routes so as to expedite the rural delivery of United

States mail matter; to the Committee on the Post Office and Post Roads.

By Mr. PACE:

H. R. 5958. A bill to amend the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. McMILLAN of South Carolina:

H. R. 5959. A bill to exempt from taxation certain property of the Disabled American Veterans in the District of Columbia; to the Committee on the District of Columbia.

By Mrs. LUCE:

H. R. 5960. A bill to establish a Department of Children's Welfare; to the Committee on Expenditures in the Executive Departments.

By Mr. CANNON of Missouri:

H. J. Res. 333. Joint resolution to provide for the reappointment of Dr. Vannevar Bush as citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on the Library.

By Mrs. DOUGLAS of Illinois:

H. Con. Res. 140. Concurrent resolution to restore rationing of food products on which there is a marked world deficit; to the Committee on Banking and Currency.

By Mr. RANDOLPH:

H. Res. 576. Resolution providing for the consideration of the bill H. R. 5939, to increase the rates of compensation of officers and employees of the Federal Government, and for other purposes; to the Committee on Rules.

By Mr. RIZLEY:

H. Res. 577. Resolution to request the President to take appropriate action to have a report made to Congress with respect to hourly returns to farmers and farm labor; to the Committee on Agriculture.

By Mr. COELMER:

H. Res. 578. Resolution authorizing the printing of additional copies of House Report No. 1677, current session, entitled "The Use of Wartime Controls During the Transitional Period," for the use of the Special Committee on Postwar Economic Policy and Planning; to the Committee on Printing.

By Mr. VINSON:

H. Res. 579. Resolution providing for the consideration of H. R. 5911, a bill to establish an Office of Naval Research in the Department of the Navy; to plan, foster, and encourage scientific research in recognition of its paramount importance as related to the maintenance of future naval power and the preservation of national security; to provide within the Department of the Navy a single office, which, by contract and otherwise, shall be able to obtain, coordinate, and make available to all bureaus and activities of the Department of the Navy, world-wide scientific information and the necessary services for conducting specialized and imaginative research; to establish a Naval Research Advisory Committee consisting of persons prominent in the fields of science and research, to consult with and advise the Chief of such Office in matters pertaining to research; 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. GORE:

H. R. 5961. A bill for the relief of the legal guardian of I. M. Cothron, Jr., a minor; to the Committee on Claims.

By Mr. McMILLAN of South Carolina:

H. R. 5962. A bill for the relief of Mrs. G. Wilden Eaddy; 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:

1747. By the SPEAKER: Petition of Edmond C. Fletcher, 103 C Street SE, Wash-

ington, D. C., petitioning consideration of his resolution with reference to praying the impeachment of the Honorable David A. Pine, associate justice of the District Court of the United States for the District of Columbia; to the Committee on the Judiciary.

1748. Also, petition of Edmond C. Fletcher, 103 C Street SE, Washington, D. C., petitioning consideration of his resolution with reference to praying the impeachment of the Honorable Alexander Holtzoff, associate justice of the District Court of the United States for the District of Columbia; to the Committee on the Judiciary.

1749. Also, petition of Edmond C. Fletcher, 103 C Street SE, Washington, D. C., petitioning consideration of his resolution with reference to praying the impeachment of the Honorable Henry A. Schweinhaut, associate justice of the District Court of the United States for the District of Columbia; to the Committee on the Judiciary.

1750. Also, petition of Edmond C. Fletcher, 103 C Street SE, Washington, D. C., petitioning consideration of his resolution with reference to praying the impeachment of the Honorable Bolitha J. Laws, chief justice of the District Court of the United States for the District of Columbia; to the Committee on the Judiciary.

1751. Also, petition of veterans' organizations of the District of Columbia, petitioning consideration of their resolution with reference to urging authorization of appropriations for the government of the District of Columbia to provide necessary sewers, water mains, and streets for temporary housing; to the Committee on the District of Columbia.

1752. Also, petition of Baldomero S. Luque and others, petitioning consideration of their resolution with reference to favoring a continuance of the present status or a dominion status for the Philippines; to the Committee on Insular Affairs.

SENATE

TUESDAY, APRIL 2, 1946

(Legislative day of Tuesday, March 5, 1946)

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

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

Father of Lights, in a world that lieth in darkness swept by fitful winds of despair and doubt, we pause at this sheltered sanctuary of Thy grace to make sure that the light within is not dimmed. We lift our soiled and shadowed faces to the one true light, knowing that if we keep our hearts with Thee there is no darkness from without which can quench the light that is within.

In this desperate hour when the world's hope of a bright tomorrow is committed to our frail hands, join us to the great company of unconquered spirits who in evil times have stood their ground, preserving the heritage of man's best, and whose flaming faith has made their lives as lighted windows amid the encircling gloom. We ask it in the ever-blessed name of that One who is the Light of the World. Amen.

THE JOURNAL

On request of Mr. McFARLAND, and by unanimous consent, the reading of the

Journal of the proceedings of the calendar day Monday, April 1, 1946, was dispensed with, and the Journal was approved.

MESSAGE FROM THE PRESIDENT

A message in writing 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. 1657. An act to amend Public Law 779 of the Seventy-seventh Congress, entitled "An act to provide for furnishing transportation for certain Government and other personnel necessary for the effective prosecution of the war, and for other purposes," approved December 1, 1942, and for other purposes; and

S. 1739. An act to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of fires which occurred at various Navy shore activities.

The message also announced that the House had passed the bill (S. 1163) to provide for the appointment of one additional district judge for the northern district of California, with an amendment in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 1907) to authorize permanent appointments in the Regular Navy and Marine Corps, and for other purposes, with amendments in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 1498. An act to correct the naval record of former members of the crews of the revenue cutters *Algonquin* and *Onondaga*;

H. R. 3565. An act to authorize the charging of tolls for the passage or transit of Government traffic over the San Francisco-Oakland Bay Bridge;

H. R. 3756. An act to require the recording of agreements relating to patents;

H. R. 3959. An act to provide for the burial in the Memorial Amphitheater of the National Cemetery at Arlington, Va., of the remains of an unknown American who lost his life while serving overseas in the armed forces of the United States during the Second World War;

H. R. 4362. An act to abolish the Parker River National Wildlife Refuge in Essex County, Mass., to authorize and direct the restoration to the former owners of the land comprising such refuge, and for other purposes;

H. R. 5380. An act to provide for the conferring of the degree of bachelor of science upon graduates of the United States Merchant Marine Academy;

H. R. 5574. An act to amend paragraph 8 of part VII, Veterans Regulation No. 1 (a), as amended, to authorize an appropriation of \$1,500,000 as a revolving fund in lieu of \$500,000 now authorized;

H. R. 5594. An act to reserve for the use of the United States all deposits of fissionable materials contained in the public lands;

H. R. 5644. An act to facilitate voting by members of the armed forces and certain

others absent from the place of their residence, and to amend Public Law 712, Seventy-seventh Congress, as amended;

H. R. 5765. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of New Orleans the silver service and silver bell presented to the United States for the cruiser *New Orleans*; and

H. J. Res. 273. Joint resolution authorizing and requesting the President to issue annually a proclamation designating December 15 as Bill of Rights Day.

LEAVE OF ABSENCE

Mr. LANGER. Mr. President, I ask unanimous consent to be excused to attend the funeral of Mr. W. I. Horner, of the United Post Office Employees. I may say that I am not a pallbearer, or even an honorary pallbearer; but Mr. Horner rendered very valuable service to post office employees, and, by his advice, to the Committee on Post Offices and Post Roads, of which I am a member. I should like to be excused.

The PRESIDENT pro tempore. Without objection, leave is granted the Senator from North Dakota.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on April 1, 1946, he presented to the President of the United States the enrolled bill (S. 473) relating to pay and allowances of officers of the retired list of the Regular Navy and Coast Guard performing active duty in the rank of rear admiral.

EXECUTIVE COMMUNICATIONS, ETC.

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

SUPPLEMENTAL ESTIMATE, DEPARTMENT OF STATE (S. Doc. No. 149)

A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of State, amounting to \$40,000, fiscal year 1946 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATES, TREASURY DEPARTMENT (S. Doc. No. 150)

A communication from the President of the United States, transmitting supplemental estimates of appropriation for the Treasury Department, amounting to \$110,800, fiscal year 1946 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATES, POST OFFICE DEPARTMENT (S. Doc. No. 151)

A communication from the President of the United States, transmitting supplemental estimates of appropriation for the Post Office Department, amounting to \$514,500, fiscal year 1946 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATES, FEDERAL WORKS AGENCY (S. Doc. No. 152)

A communication from the President of the United States, transmitting supplemental estimates of appropriation for the Federal Works Agency, amounting to \$2,730,000, fiscal year 1946 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

PROPOSED PROVISION PERTAINING TO EXISTING APPROPRIATION FOR UNITED STATES MARITIME COMMISSION (S. Doc. No. 154)

A communication from the President of the United States, transmitting a proposed provision pertaining to an existing appropriation for the United States Maritime Commission, fiscal year 1946 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

PROPOSED PROVISION PERTAINING TO ADMINISTRATIVE EXPENSES FOR WAR SHIPPING ADMINISTRATION (S. Doc. No. 153)

A communication from the President of the United States, transmitting a proposed provision increasing the limitation on administrative expenses for the War Shipping Administration revolving fund by \$3,325,000, fiscal year 1946 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

REPORT OF THE SECRETARY OF THE TREASURY

A letter from the Secretary of the Treasury, transmitting, pursuant to law, the annual report of the Secretary of the Treasury on the state of the finances of the Government for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on Finance.

RELIEF OF CERTAIN MEMBERS OF THE YAKUTAT COOPERATIVE MARKET

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation for the relief of certain members of the Yakutat Cooperative Market (with accompanying papers); to the Committee on Claims.

SURPLUS LANDS OF THE KLAMATH RIVER INDIAN RESERVATION, CALIF.

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation restoring to tribal ownership certain undivided of surplus lands of the Klamath River Indian Reservation, Calif. (with an accompanying paper); to the Committee on Indian Affairs.

PERSONNEL REQUIREMENTS

A letter from the Director of the Bureau of the Budget, transmitting, pursuant to law, a report of his determinations during the third quarter of the fiscal year 1946 of the number of employees required for the proper and efficient exercise of the functions of the executive departments and agencies of the Government (with an accompanying report); to the Committee on Civil Service.

EXTENSION OF OFFICE OF PRICE ADMINISTRATION—TELEGRAM FROM HERBERT L. GAEDE, MANHATTAN, KANS.

Mr. CAPPER. Mr. President, I have received from Herbert L. Gaede, manager of the A. L. Duckwall Stores Co., Manhattan, Kans., a telegram favoring the extension of the OPA for 6 months, under certain conditions.

Similar statements have been received from R. M. Stevenson, of the Stevenson Clothing Co., Manhattan, Kans., and from Poteet's Style Shop, of Manhattan, Kans.

I ask unanimous consent to present the telegram from Mr. Gaede for appropriate reference and printing in the RECORD.

There being no objection, the telegram was received, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

MANHATTAN, KANS., March 27, 1946.
The Honorable ARTHUR CAPPER,
Washington, D. C.

DEAR SIR: My associates and I favor the extension of the OPA for 6 months, but only

on conditions that Congress prohibit the OPA from using:

1. Drastic enforcement methods. Trickery in the wording of directives and unnecessary court procedure.

2. Cost absorption and preticketing that compel retailers to absorb price increases granted manufacturers; and

3. Its powers to force a retailer to sell at less than his prewar percentage of profit. Your cooperation will be highly appreciated.

HERBERT L. GAEDE,
Manager, A. L. Duckwall Stores Co.

ECONOMIC WASTE FROM USE OF INTOXICATING LIQUORS—LETTER FROM DR. JOHN R. MCFADDEN

Mr. CAPPER. Mr. President, I have received an interesting letter from Dr. John R. McFadden, of the Kansas Wesleyan University, Salina, Kans., protesting against the economic waste caused by the use of intoxicating liquor throughout this country, at a time when the President is appealing to the people to "save the crusts." I ask unanimous consent to present the letter and that it be printed in the RECORD.

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

KANSAS WESLEYAN UNIVERSITY,
Salina, Kans., March 17, 1946.
The Honorable ARTHUR CAPPER,
Senior Senator from Kansas,
Washington, D. C.

MY DEAR SENATOR: I have just listened to your broadcast this afternoon, as I usually do. You are rendering a significant service to this Middle West by this service.

I am deeply concerned about the famine situation in the world. Our Bible class here at the university that I happen to teach—a class of 65 older adults, whose average income would not exceed \$2,000—took on last October the support of starving children in Greece. To date they have sent more than \$400 in cash.

I heard President Truman appeal to save the crusts we are throwing into the garbage cans. Also heard ex-President Hoover and Mrs. Luce from New York appealing to save and deny ourselves, all of which I am in favor.

But why the silence about the waste of the liquor traffic? Is Truman, Hoover, Luce, and many others ignorant of this waste? According to the American Businessmen's Research Foundation, it required 5,341,701 acres to grow the grain and sugar products used in producing the 10,000,000,000 quarts of alcoholic beverages. When you add to that the acres to grow the grapes for wine, we have a staggering sum of more than 6,000,000 acres consumed in what is worse than useless.

Does it not seem strange that the President of the United States should talk about saving in the garbage can and be perfectly silent on the liquor waste? * * * But what about Hoover? I never thought he was a coward, least of all a hypocrite. Why should he talk about saving a slice of bread and a teaspoon of fat and be silent on the waste of liquor?

The foundation above says that if this grain, sugar, and fruit had been used for food, it would have given 3 pounds a day for every day in the year for more than 5,000,000 adults. Does this silence mean that there is a conspiracy of silence to deceive the American people?

Beg your pardon for the long letter, but it seems to me that now is the time for all Americans who love their country to speak out.

Sincerely yours,

JOHN R. MCFADDEN.

PRIORITY TO VETERANS IN PURCHASING SURPLUS ELECTRONIC AND COMMUNICATIONS EQUIPMENT

Mr. WILEY. Mr. President, for a long time I have been receiving inquiries from soldiers and from educational institutions as to why they have not been enabled to obtain surplus electronic and communications equipment. Today I received a long distance telephone call from one of the outstanding citizens of my State on this subject. Yesterday I wrote a letter to Lt. Gen. E. B. Gregory, War Assets Administration, Washington, D. C., making a detailed inquiry with reference to the situation. I ask that the letter be printed in the RECORD at this point as a part of my remarks.

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

APRIL 1, 1946.

Lt. Gen. E. B. GREGORY,
War Assets Administration,
Washington, D. C.

DEAR GENERAL GREGORY: I would be grateful if you would answer certain questions and present certain information to me regarding the priority actually given veterans and educational institutions in buying electronics surplus.

I understand that the Government has \$2,500,000,000 of surplus electronic and communications equipment, of which only \$130,000,000 has been reported as surplus to date.

From letters addressed to me from veterans and educational institutions, it appears that they are patiently sending their certificates and applications for electronics surplus to Washington. But apparently, these are ending up in a dead-letter file here.

Under the plan already adopted by the Chicago Single Depot and expected to be adopted throughout the Nation, Washington now (unlike heretofore) has no file of agencies' declarations of surplus. Instead, manufacturers' agents serving as Government salesmen on a commission basis are authorized to have shipped to them direct from depots the equipment without the declarations going through the Washington office. I wonder how the Priorities Section of your Electronics Branch here can furnish priorities information to claimants when it does not have the necessary information, under the Chicago plan, as to just what surplus is available?

The following are the questions I would appreciate having answered:

(A) How many veterans have received electronics equipment under the Chicago set-up, in accordance with veterans' preference conferred by Congress under section 16 of Public Law 457, Seventy-eighth Congress?

(B) What are the number and status of pending veterans' applications for electronics equipment?

(C) How many educational institutions have received such surplus in accordance with section 13 of Public Law 457?

(D) What are the number and status of schools' applications for surplus? I understand that in one southern university, where they expect some 6,000 veterans, up to date they have not been able to get any of this electronics material.

It appears to me that there is something rotten in any system which apparently hoaxes veterans and schools into believing that they are going to have priorities in buying surplus, whereas their applications are actually pigeonholed and are unknown to the manufacturers' agents in the field who are functioning as Government salesmen in disposing of the surplus.

Surely the Government of the United States can tell these veterans and schools exactly what their prospects are of getting surplus, rather than misleading them. My next question is, therefore:

(E) Just what are the veterans' and schools' actual prospects of getting surplus?

(F) It is my understanding that 48 State representatives have been appointed by the Governors and the legislatures of the States to assist in the disposition of surplus electronics and communications equipment, as well as other surplus stock which they expect to get. Moreover, I understand that the WAA, through the Federal Security Agency, has already appointed, or will appoint, Federal liaison men to these States to assist the State representatives. As I see it, these many jobs will in no way serve their purpose if the manufacturers' agents continue to sell property without any concern or information regarding veterans' certificates and schools' applications. I understand that information in the United States Office of Education is that 85 percent of the schools' requests for surplus goods relate to electronics and communications materials. How will these requests actually be met?

It seems to me that the Government's desire to liquidate war surplus quickly is, in theory, entirely commendable. We must, insofar as possible, prevent storage charges, obsolescence of equipment as times goes on, etc. But surely we can tell our veterans and schools exactly what the score is.

It seems to me that under the Chicago system the left hand does not know what the right hand is doing; that is, Washington doesn't know what Chicago is doing and vice versa. Why could not the veterans' certificates and the schools' applications be placed in the hands of the agents in Chicago for immediate action, instead of being sent to Washington to repose in a dead-letter file?

I know that you will accept these inquiries and suggestions in the constructive spirit in which they have been offered and that you will advise me regarding the matters herein as soon as possible. May I also hear from you as to future plans for extending the Chicago system of procedure?

Lastly, may I affirm that I, for one, will do everything I can to make certain that the will of Congress in setting up veterans' and schools' preference be respected in letter and spirit, as it apparently has not been respected to date.

Sincerely yours,

ALEXANDER WILEY.

REPORT OF COMMITTEE ON MILITARY AFFAIRS

Mr. THOMAS of Utah, from the Committee on Military Affairs, to which was referred the bill (S. 1980) to continue in effect section 6 of the act of July 2, 1940 (54 Stat. 714), as amended, relating to the exportation of certain commodities, reported it without amendment and submitted a report (No. 1102) thereon.

BILLS INTRODUCED

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

By Mr. LANGER:

S. 2013. A bill for the relief of Ramona Baker; to the Committee on Claims.

By Mr. WHEELER:

S. 2014. A bill to authorize the Secretary of Agriculture to extend and renew to Chicago, Milwaukee, St. Paul & Pacific Railroad Co. for the term of 10 years a lease to Henry A. Scandrett, Walter J. Cummings, and George I. Haight, trustees of Chicago, Milwaukee, St. Paul & Pacific Railroad Co., of a tract of land in the United States Depart-

ment of Agriculture Range Livestock Experiment Station, in the State of Montana, and for a right of way to said tract, for the removal of gravel and ballast material, executed under the authority of the act of Congress approved June 25, 1936; to the Committee on Agriculture and Forestry.

By Mr. ELLENDER (by request):

S. 2015. A bill for the relief of William H. Morris; to the Committee on Claims.

HOUSE BILLS AND JOINT RESOLUTION REFERRED AND PLACED ON CALENDAR

The following bills and joint resolution were severally read twice by their title and referred or ordered to be placed on the calendar, as indicated:

H. R. 1498. An act to correct the naval record of former members of the crews of the revenue cutters *Algonquin* and *Onondaga*; and

H. R. 5765. An act authorizing the Secretary of the Navy in his discretion to deliver to the custody of the city of New Orleans the silver service and silver bell presented to the United States for the cruiser *New Orleans*; to the Committee on Naval Affairs.

H. R. 3565. An act to authorize the charging of tolls for the passage or transit of Government traffic over the San Francisco-Oakland Bay Bridge; and

H. R. 5320. An act to provide for the conferring of the degree of bachelor of science upon graduates of the United States Merchant Marine Academy; to the Committee on Commerce.

H. R. 3756. An act to require the recording of agreements relating to patents; to the Committee on Patents.

H. R. 3959. An act to provide for the burial in the Memorial Amphitheater of the National Cemetery at Arlington, Va., of the remains of an unknown American who lost his life while serving overseas in the armed forces of the United States during the Second World War; to the Committee on Military Affairs.

H. R. 4362. An act to abolish the Parker River National Wildlife Refuge in Essex County, Mass., to authorize and direct the restoration to the former owners of the land comprising such refuge, and for other purposes; to the Committee on Agriculture and Forestry.

H. R. 5574. An act to amend paragraph 8 of part VII, Veterans Regulation No. 1 (a), as amended, to authorize an appropriation of \$1,500,000 as a revolving fund in lieu of \$500,000 now authorized;

H. R. 5594. An act to reserve for the use of the United States all deposits of fissionable materials contained in the public lands;

H. R. 5644. An act to facilitate voting by members of the armed forces and certain others absent from the place of their residence, and to amend Public Law 712, Seventy-seventh Congress, as amended; and

H. J. Res. 273. Joint resolution authorizing and requesting the President to issue annually a proclamation designating December 15 as Bill of Rights Day; ordered to be placed on the calendar.

ADDITIONAL DISTRICT JUDGE FOR NORTHERN DISTRICT OF CALIFORNIA

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1163) to provide for the appointment of one additional district judge for the northern district of California, which was, in line 6, after "California", to insert a colon and the following proviso: "Provided, That the first vacancy occurring in the office of district judge in said district shall not be filled: *Provided further*, That unless the President shall sub-

mit a nomination to the Senate to fill the office hereby created within 90 days after the effective date of this act, then in that event this act shall be of no force and effect."

Mr. HATCH. Mr. President, I move that the Senate disagree to the amendment of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. HATCH, Mr. McFARLAND, and Mr. WILEY conferees on the part of the Senate.

GOVERNMENT PROPAGANDA ACTIVITIES

Mr. DONNELL obtained the floor.

Mr. WILEY. Mr. President, will the Senator from Missouri yield to me for a few moments?

Mr. DONNELL. I yield to the Senator from Wisconsin.

Mr. WILEY. Mr. President, I have pointed out on many occasions on the floor of the Senate the dangers of the vast propaganda machinery built up by the administration to channel its line of thinking into the public. This danger grows not less but greater with each passing day.

Now, I have addressed the following communication to Attorney General Clark:

DEAR MR. ATTORNEY GENERAL: Attention is directed to section 201 of the Criminal Code prohibiting the use of money for propaganda of executive departments unless expressly authorized by Congress for "any personnel service, advertisement, telegram, telephone, letter, printed, or written matter, or other device intended or designed to influence in any manner a Member of Congress to favor or oppose by vote or otherwise any legislation or appropriation by Congress, either before or after the introduction of any bill or resolution proposing such legislation or appropriation."

I ask frankly and directly if this statute, clear in its purpose, enacted in 1919 is merely a dead letter? Is any active attempt made to analyze possible violations of it?

I refer particularly to the OPA's 1946 estimate of \$2,500,000 for purposes of "information activity." Included in that sum is a quarter of a million dollars for purposes of printing and binding.

Has the Department of Justice looked into this OPA program for possible violation of the Criminal Code? What about the Treasury Department's program propagandizing for the British loan—does that violate the statute in any way?

Is there any limit to the kind of propagandizing that may be done by Government agencies on their "information programs"? If so, what is that limit, and how can the Department of Justice be said to have made any effort to insure that limit is not violated?

I will appreciate the answers to these questions at your earliest convenience. My purpose in presenting them is not partisan and is not designed to stymie any given piece of pending legislation. Rather, it is to insure the fulfillment of the will of Congress in preventing any executive department's use of its vast resources illegally to pressure the legislative branch.

Sincerely yours,

ALEXANDER WILEY.

Mr. President, this letter is self-explanatory, but a few additional facts should be borne in mind regarding it.

On July 16, 1945, the distinguished senior Senator from Ohio [Mr. TAFT] posed this question of section 201's possible application to the Treasury Department's high-pressure campaign for Bretton Woods. We all know how clergymen, educators, and others were brought to Washington to be fed the "Treasury line" on how to influence a favorable vote on that financial program.

The Bretton Woods drive is amateurish compared to the propaganda campaigns since inaugurated. Do all my colleagues fully realize the fact that practically all of the elements for a Joseph Goebbels propaganda ministry exist today in innumerable Government agencies? This is not mere conjecture.

Let me cite several items as proof, from a report I have received from OPA regarding its propaganda activities.

First. The OPA Radio Branch (a) arranges for and writes the Administrator's weekly talk, broadcast "live" or by transcription over 400 stations.

(b) It prepares weekly copy for home-maker news for 1,200 women broadcasters and weekly copy for all farm broadcasters.

(c) The branch supplies all radio stations with three spot announcements a week.

(d) It has a weekly transcribed dramatic show over 470 stations.

Second. The OPA News Branch during the calendar year 1945 issued 2,233 press releases. The prospects are that there will be a continued need for issuing at least as many releases in the calendar year 1946 as in 1945.

Third. The OPA Trade Relations Branch publishes a weekly publication on food facts which goes to 2,200 food-trade publications and organizations throughout the country.

Fourth. The OPA Visual Services Branch in recent months has prepared art for 8 posters and about a dozen major "reconversion" booklets, a cartoon-type film strip, and miscellaneous art, graphics, and lay-outs for handbooks, exhibits, and other purposes.

Fifth. The OPA Magazine Branch maintains contact with all important national magazines, weekly and monthly. On request it supplies these magazines with articles on OPA topics written for the signature of the Administrator and other leading OPA officials. It also writes articles for national publications and edits articles written for national publication by OPA executives. Between March 1945 and January 1946, leading national magazines with a combined circulation of 92,894,000 carried 49 major articles pertinent to OPA activities.

Sixth. The OPA Community Service Division prepares materials for the information panels of price-control boards, adapted for the use of women's clubs, civic clubs, consumer organizations, trade unions, farm groups, schools, and veterans' groups. Close relations by visit, mail, and phone, are maintained with approximately 150 religious, civic, educational, and racial groups, covering every community of the country. The total memberships of these groups is over 20,000,000.

This is just the bare outline of OPA's propaganda ministry. So what, some may say? So this: Beware of any Federal instrumentality with so vast a series of octopus tentacles around every pipe line of American thought. Beware of political uses of such controls. Beware of illegal pressures exerted by such an organization.

Have we forgotten so soon the lesson of Nazi propaganda on how the thinking of a worthy people may be channeled along vicious lines by a ministry of public enlightenment?

Where are the liberals to object to this vast extension of Government propaganda power here at home? Where are those who denounced Nazi-type government propaganda by foreign countries? They are silent. Their liberalism is one of name only.

But I, for one, will not sit idly by to watch this or other propaganda ministries indefinitely perpetuate and increase their powers. That is why I have written to the Attorney General and that is why I shall be watching closely for his answer.

CALL OF THE ROLL

Mr. WHITE. Will the Senator from Missouri yield to me to make a point of no quorum?

Mr. DONNELL. I yield.

Mr. WHITE. 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'Mahoney
Andrews	Hart	Overton
Austin	Hatch	Pepper
Bailey	Hawkes	Radcliffe
Ball	Hayden	Reed
Bankhead	Hickenlooper	Revercomb
Barkley	Hoey	Russell
Bilbo	Huffman	Saltonstall
Brewster	Johnson, Colo.	Shipstead
Briggs	Johnston, S. C.	Smith
Brooks	Knowland	Stanfill
Buck	La Follette	Stewart
Bushfield	Langer	Taft
Butler	Lucas	Taylor
Byrd	McClellan	Thomas, Okla.
Capehart	McFarland	Thomas, Utah
Capper	McKellar	Tobey
Carville	McMahon	Tunnell
Connally	Magnuson	Tydings
Cordon	Maybank	Vandenberg
Donnel	Mead	Wagner
Eastland	Millikin	Walsh
Ellender	Mitchell	Wheeler
Ferguson	Moore	Wherry
Fulbright	Morse	White
Gerry	Murdock	Wiley
Gossett	Murray	Willis
Green	Myers	Wilson
Guffey	O'Daniel	Young

Mr. BARKLEY. I announce that the Senator from Virginia [Mr. GLASS] is absent because of illness.

The Senator from Alabama [Mr. HILL] is absent because of illness in his family.

The Senator from Florida [Mr. ANDREWS] and the Senator from West Virginia [Mr. KILGORE] are necessarily absent.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from California [Mr. DOWNEY], and the Senator from Nevada [Mr. McCARRAN] are detained on official business.

Mr. WHERRY. The Senator from New Hampshire [Mr. BRIDGES] is necessarily absent.

The Senator from Wyoming [Mr. ROBERTSON] is absent because of illness in his family.

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

VOTING BY MEMBERS OF THE ARMED FORCES AND CERTAIN OTHERS

Mr. GREEN. Mr. President, will the Senator from Missouri yield to me?

Mr. DONNELL. May I inquire, for the RECORD, the purpose for which the Senator desires me to yield?

Mr. GREEN. I desire to ask unanimous consent to bring up, as in legislative session, the soldiers' vote bill, so-called, which yesterday was passed unanimously by the House of Representatives.

Mr. DONNELL. Mr. President, I am pleased to yield, with the qualification that if controversy should develop over the bill and as much, say, as 30 minutes should be consumed without disposing of it, the Senator will permit the bill to be withdrawn so that I may proceed. If that is agreeable to the Senator from Rhode Island I shall be pleased to yield on that basis.

Mr. GREEN. The condition is entirely agreeable to me.

The PRESIDENT pro tempore. Without objection, the Senator from Rhode Island is recognized.

Mr. GREEN. Mr. President, I trust the bill will be passed by the Senate promptly and unanimously, as it was by the House. Identical bills were introduced last March first by Representative BONNER in the House of Representatives, and by myself, in behalf of myself and the Senator from Illinois [Mr. LUCAS], in the Senate. The Senate bill was referred to the Committee on Privileges and Elections, and hearings were held, at which representatives of the Army and Navy and merchant marine and the organization of the secretaries of State of all the States of the United States were heard. As a result the bill was reported favorably and unanimously to the Senate, and is now on the calendar. But the House of Representatives, although we had preceded it in holding hearings, has beaten us to it, and the bill passed the House yesterday unanimously.

I should like to summarize briefly—

Mr. BYRD. Mr. President, what is the number of the bill?

Mr. GREEN. The number of the Senate bill is S. 1876. The number of the House bill is H. R. 5644.

The PRESIDENT pro tempore. The calendar number of the bill is 1071.

Mr. GREEN. Yes; its number on the calendar is 1071. I should like to explain the nature of the bill. I suppose the proper procedure would be to consider the Senate bill and perfect it by substituting the bill which passed the House. Although it would then bear a different name, I am far more interested in having the bill passed promptly than I am in whose name is attached to it.

The PRESIDENT pro tempore. The Senator has the right to have the House bill considered.

Mr. GREEN. With respect to the bill—and I can speak of the Senate bill and the

House bill interchangeably, because the two bills are identical—minor amendments were placed in the bill by the Senate committee in reporting it back to the Senate. Those amendments have all been adopted by the House. Certain minor amendments were suggested in the House, and those are entirely agreeable, at least to me as chairman of the committee. I was instructed to report the bill.

The PRESIDENT pro tempore. The House bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 5644) to facilitate voting by members of the armed forces and certain others absent from the place of their residence, and to amend Public Law 712, Seventy-seventh Congress, as amended.

Mr. GREEN. The purpose of both bills was to amend the present servicemen's voting law so as to provide members of the armed forces, members of the merchant marine, and civilians overseas officially attached to and serving with the armed forces, the opportunity of voting, irrespective of the existence of a war. The present law is effective only in time of war.

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

Mr. GREEN. I yield.

Mr. BYRD. Does the House bill differ from the Senate bill?

Mr. GREEN. They are identical, as originally introduced.

Mr. BYRD. Are they now identical? Is the House bill which the Senator wishes to have considered the same as the Senate bill?

Mr. GREEN. As I just stated, certain amendments were proposed by the Senate committee, and those have been adopted by the House. Certain additional amendments were adopted yesterday by the House. They are very minor amendments, which are entirely agreeable. They do not change the substance of the bill at all.

Mr. BYRD. There seems to be only one copy of the bill at the desk. Is there only one copy of the bill which it is proposed to consider?

Mr. GREEN. It was printed by the House. I have a copy of it.

Mr. BYRD. I understood the Senator to say it was amended. It was passed by the House only yesterday.

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

Mr. GREEN. I yield.

Mr. WHITE. I had understood that this bill came to the Senate with the unanimous approval of the Committee on Privileges and Elections.

Mr. MCFARLAND. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. MCFARLAND. The Senate is in executive session. How can it consider legislative business?

The PRESIDENT pro tempore. By unanimous consent, which has been obtained.

Mr. WHITE. Mr. President, I had understood that the bill came here with the unanimous approval of the Committee on Privileges and Elections. I have

talked with many Members on the floor today, and I have found complete approval on the part of minority members. However, to my regret I have received word from one minority Senator that he objects to consideration of the bill at this time, and I am compelled reluctantly to voice that objection.

The PRESIDENT pro tempore. Objection is heard.

NOMINATION OF JAMES K.
VARDAMAN, JR.

The Senate resumed consideration of the nomination of James Kimble Vardaman, Jr., to be a member of the Board of Governors of the Federal Reserve System.

The PRESIDENT pro tempore. The pending question is, Will the Senate advise and consent to the nomination of James Kimble Vardaman, Jr., to be a member of the Board of Governors of the Federal Reserve System.

Mr. DONNELL. Mr. President, prior to the recess taken yesterday afternoon I had discussed, in connection with the nomination of Commodore James K. Vardaman to be a member of the Board of Governors of the Federal Reserve System, the far-reaching and comprehensive importance of the duties of a member of the Board of Governors; indeed, they are of such far-reaching and vital importance that their performance may affect the welfare of every man, woman, and child in the United States. The very detailed statement of those duties, which I shall not repeat, clearly indicates the intricacy, delicacy, importance, and widespread value of the functions of the great Federal Reserve System and of the Board of Governors of that System.

I discussed also the question as to whether the Senate has strong, convincing, and preponderant affirmative reason to believe that Commodore Vardaman possesses the qualifications which are essential in order that his appointment to membership on the Board of Governors be in the interest of the people of our Nation. In the course of the discussion of whether or not the Senate does have such strong, convincing, and preponderant affirmative reason, I considered and discussed the evidence as it relates to whether Commodore Vardaman is the possessor of such experience or ability along business and economic lines as would qualify him to deal capably with the problems with which he, as a member of the Board of Governors, would be confronted.

I discussed the question as to whether or not the Senate has reason to believe that Commodore Vardaman possesses freedom from a tendency to allow himself to be influenced in the performance of duty by any consideration which is not consistent with the public welfare, and in that connection I had considered in detail the evidence afforded by certain illustrations which I had pointed out to the Senate as clearly demonstrating the strong tendency of Commodore Vardaman to color his statements to his own advantage.

I had discussed in particular the fact that it was of advantage to the Commodore to have the subcommittee under

the impression that his service with the Vardaman Shoe Co. had terminated prior to the occurrence of a certain tampering with the inventory of that company to which the Commodore referred in his evidence. I pointed out that on three different occasions the Commodore, in the course of his statement or testimony, had taken the position that he left the company in June 1941. I pointed out, by frequent reference to the minutes of the company, down to and including the very day on which the company went into bankruptcy, February 13, 1942, the constant familiarity of the Commodore with the affairs of the company and his participation therein.

I pointed out also that the Commodore in his testimony stated that when he joined the company it was understood that he would not be active, but would serve as chairman of the executive committee and director, and in that capacity advise and direct, with a view of saving the company. But I pointed out also that, although the Commodore made a clear effort to make it positively convincing to the committee that it was understood from the outset of his joining the company that he would not be active in its affairs, the very minutes of the company show that on the day and at the meeting in which he was engaged, he himself stated that he desired to be elected to the office of treasurer, and agreed that if satisfactory to the board of directors he would start work on August 15, 1939, and devote his full time, effort, and ability to the business of the company. I also pointed out that on the same day, August 10, 1939, the board of directors adopted certain resolutions, in the course of one of the preambles to which it was stated that

It is the desire of the board of directors that he—

Mr. Vardaman—

become actively associated with the business and affairs of the company and that he devote his full time and efforts on behalf of the company.

Mr. President, I also discussed the fact that Mr. Vardaman in his testimony took credit for having recommended to Mr. Gentry, the trustee in bankruptcy of the Vardaman Shoe Co., the appointment of Mr. Bittner, who is described by Mr. Gentry as one of the most able businessmen he had met, one of the hardest workers he had ever known, and very capable. I pointed out the fact that Mr. Gentry had stated, on the contrary, that Mr. Vardaman had made no such recommendation to him.

In the course of the presentation of the facts to which I have adverted, some question was raised by the distinguished Senator from Colorado [Mr. MILLIKIN], who sits upon this side of the aisle, as to the dates on which the Commodore joined the company and on which he attained certain official positions with the company. The facts, as shown by the evidence, clearly demonstrate that the Collins-Morris Shoe Co. and the Vardaman Shoe Co. were one and the same company; that the name of the company was originally Collins-Morris Shoe Co., and that it was subsequently changed to Vardaman Shoe Co.

In order that the record may show at one and the same point the dates on which and the official capacities in which Mr. Vardaman was engaged by the company, I state at this time that the record shows that he was elected treasurer on August 10, 1939, and also that on the same date he was elected to membership on the executive committee of the company. The record also shows that his election as president of the company occurred on January 5, 1940. The record further shows that on March 11, 1940—as is shown at page 15 of the minutes of the company—Mr. Vardaman was employed as the financial manager of the company, under a resolution to assure him continued employment for a period of 15 years, this employment to be terminated for cause only. The record further shows that the date on which occurred the change of name from Collins-Morris Shoe Co. to Vardaman Shoe Co., was November 29, 1940, to become effective on December 1, 1940. This information respecting the change of name appears at page 75 of the minute book of the company.

Mr. President, I may add that the testimony shows that the suggestion of the change of name of the company came from Mr. Ineichen, who, according to the testimony presented yesterday, was found by Mr. Gentry to be conceited and arbitrary, who was known by Mr. Gentry to have in some respects, apparently, practically taken over the management of the business, and who was discharged by Mr. Gentry after the latter had become the trustee in bankruptcy.

Mr. President, in the course of the debate yesterday there occurred—as is shown at page 2895 of the CONGRESSIONAL RECORD—the following statement by the Senator from Colorado [Mr. MILLIKIN]:

When the Senator comes to that, I hope he will remember that Commodore Vardaman testified that none of the creditors were fooled as to the position of the company and will give us the benefit of his observations on that.

Mr. President, I am unable to say how many, if any, of the creditors were—to adopt the language used by the Senator from Colorado—fooled; but I point out to the Senate the fact that the testimony shows that at the time when the company went into bankruptcy, there was a very substantial amount of indebtedness owing by the company; indeed, the items of indebtedness which were created solely between November 30, 1941, and the date of the bankruptcy, and which were unpaid, I may say, at the bankruptcy, aggregated \$116,925.21, those being solely claims in excess of \$1,000. I do not have at hand—although there is a reference in the testimony which is somewhat vague, not complete—information as to the aggregate of the liabilities; but obviously the liabilities were in excess of the figure I have stated, for the figure to which I have referred is made up solely of claims in excess of \$1,000, covering purchases dated subsequent to November 30, 1941.

Mr. President, regardless of whether the creditors were fooled, I say that the testimony further shows that Mr. Bittner purchased the claims of a great many

of the creditors, I have forgotten just how many; if it becomes important I shall supply the information for the RECORD; and my recollection is that he testified he paid 33½ cents on the dollar for the claims which he bought. It seems passing strange that the creditors of that company, to as great an extent as I have indicated, would proceed to extend credit within a period of 2 months and slightly more before the bankruptcy, solely in order to be willing to lose money upon the transactions involved.

On the question of whether the creditors were kept advised by Commodore Vardaman as to the conditions, I undertake to say that there is a very significant entry in the minute book under date of November 28, 1939. Under that date the following minute will be found, and I now quote from the minute book of the company:

Mr. Vardaman stated that in his opinion, due to the circulation of inaccurate and untrue statements relative to the production of the company, profits and losses, orders received, and in general the business of the company, he deemed it advisable that no information be given to anyone, including the stockholders of the company, except through the medium of the treasurer's office, and that no statements of the company or copies of the minutes of the board of directors' meetings be given to anyone unless by order of the treasurer.

The treasurer of the company was Mr. Vardaman. Thus, it is, as evidenced by the expression of opinion by Mr. Vardaman to the board on November 28, 1939, that information within the possession of the company as to the production of the company, profits and losses, orders received, and, in general, the business of the company, was not to be given to anyone, even to a stockholder of the company, except through the medium of the treasurer's office and only by order of the treasurer.

It is significant to observe that immediately following the excerpt to which I have referred in the minutes of November 28, 1939, there appears the following:

Considerable discussion was had on this matter, particularly by Mr. John A. Aid, who stated that Newhard Cook & Co. has many inquiries from stockholders or parties interested in this company and feels that, due to the fact its investment and duty to its customers who have invested their money in this company, that they should be able to confidentially advise their clients relative to the earnings, status, or other available information. He assured the directors that the statements and copies of minutes heretofore received are kept in a confidential file, subject to examination by no one other than the partners of his firm. It was then agreed by all directors present that all information relative to production, profits, losses, orders, and financial statements shall be published and made only at the direction of the company's treasurer.

So, Mr. President, with this policy of secrecy, a secrecy which confined itself to the breast of the treasurer of the company, Mr. Vardaman, I undertake to say there is no such showing as would seem to have been implied by the understanding of the Senator from Colorado as to whether the creditors of the company were fooled during the course of the extension of credit by such creditors.

Mr. President, I now address myself to certain further illustrations of the tendency of Mr. Vardaman to color his statements to his own advantage. I invite the attention of the Senate to page 31 of the minutes of the company on which we find the following language:

He—

Referring to Mr. Vardaman—
further stated that, generally speaking, the organization was taking on the form of an efficiently operated corporation, in comparison with the loose way of operations in the past.

Yet, Mr. President, notwithstanding this complimentary allusion by Mr. Vardaman to the form which the organization was taking on, he being at the time the treasurer of the company, we find that on September 17, 1940, only a few months after this statement as it appears in the minutes, Mr. Vardaman, reporting on the condition of the company, commented on the company's operating loss for the quarter ending August 31, 1940, as being \$28,103.29, and the 9 month's loss for the year as amounting to \$49,928.50. On this occasion—that is September 17, 1940—we find Mr. Vardaman stating in the minutes of the company that these losses, in his opinion, would not be repeated.

Mr. President, as bearing on the question whether there is affirmative reason to believe that Commodore Vardaman would not be influenced in the performance of duty by any consideration which was not consistent with the public welfare, I invite the attention of the Senate to a further illustration, namely, the conduct of Commodore Vardaman relative to his own compensation in the shoe company. The original agreement with respect to his compensation occurred upon the date on which he became connected with the company, namely, August 10, 1939. From the minutes of that date we find Mr. Vardaman had expressed his willingness to become associated with the company at an initial salary of \$625 a month, on the condition that he be given the right to purchase a certain number of shares of the treasury common stock of the company at \$2 a share, and that certain other options to purchase additional stock be given individually by Mr. Collins, Mr. Morris, and Newhard Cook & Co. That was the arrangement which was entered into at that time by the company with respect to Mr. Vardaman's compensation. The amount of salary to be paid by the company to Mr. Vardaman was \$625 a month.

On January 5, 1940, the date on which occurred the withdrawal of Mr. Collins as president, the company then being in a financial condition worse than had been anticipated, we find Mr. Vardaman assuming the duties of president. Notwithstanding the financial condition of the company we find that on January 23, 1940, at page 4 of the minute book, Mr. Vardaman stated to the board of directors that he was not satisfied with the contract that he then had with the company and that, due to Mr. Collins' resignation, the contract would have to be revised.

Then on February 26, at page 12 of the minute book, we find that Mr. Morris reported on the contemplated employment of another gentleman as a salesman for the company. Then follows this significant language:

Mr. Vardaman stated that he desired a definite contract with the company guaranteeing him continuity as an officer of the company for a period of 15 years, and at the suggestion of the board he was requested to confer with the company's attorney, Mr. Kappel, and arrange for the drafting of a contract to be submitted to the board for acceptance or rejection at a later meeting.

On March 11, 1940, at page 15 of the minute book, there are set forth certain resolutions, as follows:

Be it resolved, That the company employ Mr. James K. Vardaman, Jr., as its financial manager, and to assure to him continued employment for a period of 15 years, which employment shall be terminated for cause only, as set out in draft of contract submitted to the board; be it further

Resolved, That the company pay to the said James K. Vardaman, Jr., as and for his salary for services rendered and to be rendered, the sum of \$7,500 annually in installments of \$625 per month and that as additional compensation to pay to him a sum equal to 5 percent of the net profits or earnings of the company, which percentage shall be figured only after full reserve has been set up for all interest on loans and debentures, preferred dividends accrued and accumulated, and fund for retirement of preferred stock as provided by stockholders' agreement.

Then follow certain resolutions with respect to options to purchase stock and the cancellation and termination of previous employment contracts.

The other resolutions read as follows:

Be it further resolved, That the company give and grant to Mr. James K. Vardaman, Jr., and his assigns, options to purchase 2,260 shares of the company's common capital stock at \$2 per share, which option shall continue for a period of 2 years from April 1, 1940, and which shall terminate upon being exercised or upon removal, death or resignation as an employee or officer of the company.

Mr. President, on April 23, 1940, approximately 6 weeks after these incidents of March 11, we find at page 29 of the minute book that certain resolutions were set aside and new ones were adopted, because, as I understand, of some defect in the notice which had occurred back in March 1940.

Then on July 1, 1941—and I call attention to the fact that this was after June 1941—we find the following transpiring, as appears from page 120 of the minute book:

Mr. Vardaman called to the attention of the board of directors his employment contract, stating that, in his opinion, it was ambiguous, and that it provided for the payment to him of 5 percent of the profits of the company, as additional salary.

Then, Mr. President, the following resolution was unanimously adopted by the directors, who were present, Mr. Vardaman being among them:

Be it resolved, That the employment contract of Mr. James K. Vardaman, the company's president, be understood to provide that he shall receive as additional compensation for his services, 5 percent of the profits of the company for each 6 months'

period, and which shall be figured prior to setting up or paying income taxes and shall be paid semiannually.

Mr. President, in connection with this matter it should be noted also that the minutes then recite:

On the question: Mr. Postel, who voted affirmatively on the above resolution, questioned the payment of additional salary on a semiannual basis. Therefore, it was understood that this matter shall be again brought to the attention of the board after the expiration of 1 year.

Thus, Mr. President, although this company was in the difficult financial condition which Mr. Vardaman himself described so vividly in his testimony, we find that Mr. Vardaman had demonstrated, first, that he believed he should have a 15-year contract of employment, but, far more significant than that, that he desired a percentage bonus, computed not on the profits of each year separately, but on each half year's profits separately. The effect of this is obvious. If the company should make money during the first half of the year and lose the money the next half of the year, even if the loss should exceed the gain for the first half, he, Mr. Vardaman, would obtain from the company, which certainly was in dangerous financial straits and difficulties, his percentage on the first half year even if the losses of the second half of the year should wipe out the profits for the entire year.

Mr. President, I say that it is not strange that Mr. Postel questioned the payment of this additional salary on a semiannual basis, and it is not strange that the board regarded the point of such merit that, even though Mr. Vardaman was insisting upon a change in his contract and secured such a change from the board, it was with the understanding that the matter would again be brought to the attention of the board after the expiration of 1 year.

Mr. President, in considering the question as to whether there is affirmative reason to believe from the evidence that Commodore Vardaman would not be influenced in the performance of duty by any consideration which is not consistent with public welfare, I call attention to this significant fact: On March 12, 1941, a certain letter was addressed to Mr. Vardaman by Mr. Paul de Coster, who was the comptroller of the company, in the course of which letter, addressed to Mr. Vardaman at Boston, Mass., occurs a sentence which I shall read. Before reading the sentence I should say that enclosed in the letter, according to its terms, were a balance sheet as of February 28, 1941, a profit and loss statement for the months ending December 31, 1940, January 31, 1941, and February 28, 1941, and for the quarter ended February 28, 1941. The particular sentence to which reference is made reads as follows:

The raw material and supplies inventory as shown in the balance sheet is estimated on the basis used in December 31, 1940, and January 31, 1941, in accordance with our phone conversation of yesterday.

I submit, Mr. President, that although Commodore Vardaman claims not to remember that telephone conversation

with Mr. de Coster, and so testified, the commodore further states that he certainly would not say that he did not receive the letter of March 12, 1941.

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

The PRESIDING OFFICER (Mr. MURDOCK in the chair). Does the Senator from Missouri yield to the Senator from Colorado?

Mr. DONNELL. I yield.

Mr. MILLIKIN. How does De Coster stand up in the Senator's mind—as a reliable or as an unreliable witness?

Mr. DONNELL. Mr. President, as I stated yesterday De Coster, to my mind, made a truthful affidavit respecting this letter. I did not go into this detail yesterday, but I do so now in view of the question. He made what I take to be a truthful affidavit concerning the reason for the writing of this letter. When he went upon the stand before the committee, he denied the truthfulness of that portion of the affidavit which pertains to the reasons for writing of the letter or this part of the letter.

To my mind, Mr. de Coster was telling the truth on one occasion or the other. I do not think he was telling the truth on the occasion of his appearance on the witness stand before the committee. I take it that that answers the question of the Senator from Colorado. I think he told the truth when he wrote the letter of March 12, when he made the affidavit with respect to it, and I do not think he told the truth when he testified before the committee at its hearings a few days ago.

Mr. MILLIKIN. May I ask the distinguished Senator whether he believes that De Coster is a reliable, or an unreliable witness?

Mr. DONNELL. Mr. President, I think Mr. de Coster was not telling the truth and was not reliable in his statement repudiating the affidavits, or portions of them. In my judgment, Mr. de Coster was truthful when he made the affidavits, and I shall undertake to show in a few minutes the reasons why, in my opinion, Mr. De Coster changed his testimony, and denied the truthfulness of what he had sworn to in the affidavits. I say he made this denial upon the witness stand before the committee. I regard his affidavits as credible and trustworthy.

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

Mr. DONNELL. I yield.

Mr. MILLIKIN. When the Senator hears evidence which, under his theory, is true at one time and which is perjured at another, does he consider the witness giving the evidence as reliable?

Mr. DONNELL. Mr. President, I regard the witness as reliable to the extent that he admitted the execution and signature and physical writing in his own handwriting of the affidavits to which I have referred concerning this matter.

Mr. MILLIKIN. Will the Senator yield further?

Mr. DONNELL. I yield.

Mr. MILLIKIN. Then, the Senator's criticism as to De Coster goes to the hearings before the subcommittee. Is that correct?

Mr. DONNELL. That is correct, yes.

Mr. MILLIKIN. And at those hearings Commodore Vardaman challenged the correctness of the statement that De Coster had telephoned him. The Vardaman testimony was not impeached in any way. Does the Senator put Vardaman's unimpeached testimony against the testimony of a man who, under the Senator's own theory, perjured himself on either one or another occasion?

Mr. DONNELL. Mr. President, I am very glad the Senator raised that question. As I have stated, in my judgment De Coster—and I may say likewise Reyburn, to whom I shall come in a few minutes—told the truth in the affidavits which they made, and of certain, of which I have, photostatic copies, and also have confirmed copies, all of which were presented to the committee. In my judgment the perjury in this case occurred in connection with the statements by De Coster and by Reyburn in the committee hearings, and not in their affidavits.

I may say, also, Mr. President, with all due respect to Commodore Vardaman, I believe the facts are fully susceptible of the inference which I draw that the statements made in the affidavits respecting Commodore Vardaman were true, notwithstanding the commodore's denial of them in the hearings before the subcommittee of the Senate Committee on Banking and Currency.

Mr. MILLIKIN. Will the Senator yield?

Mr. DONNELL. I yield.

Mr. MILLIKIN. Would the Senator be good enough to enlighten the Senate of the usual instruction of a judge to a jury where a man admits perjury in the course of a trial?

Mr. DONNELL. Mr. President, I have never served as a judge. I have heard instructions. To my mind that is not the question here. The question, as I shall develop it in a few minutes, relates to whether or not there is evidence from which the Senate may draw the inference and conclusion that Commodore Vardaman had knowledge of and complicity in the tampering with the inventory, which tampering he states in his own statement occurred. I undertake to say that the fact that certain affidavits were made by these two men, Reyburn and De Coster, and the further fact, testified to by Frank E. Williams, a reputable attorney, a member of one of the leading law firms of St. Louis, that Commodore Vardaman requested the destruction of these affidavits, which statement is denied by Commodore Vardaman and by Captain Clifford and by Mr. Bittner, who does not remember their destruction and does not know of their having been destroyed—I say that the testimony of Mr. Williams to the effect I have indicated, that Mr. Vardaman desired those affidavits destroyed, leaves to the Senate the possibility of drawing one of two inferences, either that Commodore Vardaman desired untrue affidavits destroyed, or that he desired the affidavits which contained the truth to be destroyed.

Mr. MORSE. Mr. President, will the Senator from Missouri yield?

Mr. DONNELL. I yield.

Mr. MORSE. Does the Senator feel that a committee of the United States Senate, and the United States Senate itself, should be expected to meet a higher test when investigating a matter such as this than that imposed upon a jury under the law when it is sought to protect the jury by certain charges as to human frailties?

Mr. DONNELL. Mr. President, it is very difficult in the absence of precedent or of decisions—and I know of none such—to determine the relative duties of a jury and of the United States Senate. I may say, however, in response to the distinguished Senator from Oregon, that to my mind the Senate of the United States, bearing in mind that an appointment of this type is of interest and concern to every man, woman, and child in the United States of America, owes the duty of using the highest degree of care in considering every circumstance, every suspicion, every charge, every statement, every inference in determining whether the man nominated is capable and possesses the necessary qualifications.

I may say further that, to my mind, when it comes to selecting a man who, with six other men, controls the greatest and most powerful financial system in the world, the Senate of the United States should not be satisfied with merely accepting a negative failure to prove the man's disability. To my mind, the Senate should require in its own mind affirmative showing from some source that the man is capable of performing the duties of the office and possesses the necessary qualifications.

I may say that in your private business in employing a person to fill a responsible position involving fiduciary duties, you, sir, Mr. President, as a distinguished member of the bar, or as a businessman, or whatever your profession or occupation at the moment might be, should and would consider with care all the facts, and would not rely upon a mere abstract presumption that if the evidence were balanced in a certain way, or if there were no overwhelming balance one way or the other, the prospective employee possessed the essential qualifications.

To my mind the Senate is in a position very analogous to that, added to which is the fact that the Senate is safeguarding the interests of all the people of the United States, and that when there is a series of suspicious circumstances, which to my mind are easily susceptible of the inference which I shall suggest to the Senate a little later concerning Commodore Vardaman and the tampering with the inventory. The Senate should, if it commits any error at all, commit it on the side of the people of the United States in seeing that no man be placed in this office against whom such a suspicion may with reasonable justice or reasonable inference lie and be lodged.

I do not mean to say, Mr. President, that merely because a charge is made against a man the Senate should therefore refuse to confirm his nomination, but I do say we are here in the capacity of guardians and trustees of the interests of every man, woman, and child in the United States, and that as such we should

consider not merely the technical rules, not merely the abstract principles, which may be technical in their nature, but should consider also the fundamentals, the suspicions, the suspicious circumstances, the conduct of the man under charge, with relation to facts of so serious a nature as I shall demonstrate in a few minutes.

I yield now to the Senator from Oregon.

Mr. MORSE. Mr. President, I think I agree with everything the Senator has just said in regard to the responsibilities of Members of this body. I would make the further comment that I think the standard instructions to a jury in regard to the credibility of a witness once he has been found to be false in his testimony, is a very proper safeguard that ought to be used in surrounding a jury to save it from making serious mistakes of inference when they come to forming judgment. But certainly Members of the United States Senate ought to recognize that the finding of a man to be false in one part of his testimony does not create a conclusive presumption that everything else he submits in the case is necessarily false.

Mr. DONNELL. May I interrupt the Senator to add to that certain conduct of the man under investigation, Commodore Vardaman, will be established with respect to these affidavits, and whether the affidavits are true or whether they are false, the conduct of Mr. Vardaman, coupled with the affidavits, regardless of their truth or falsity, regardless of whether De Coster and Reyburn on the witness stand are held to be credible—I say that those facts, coupled together, may be very strongly significant to the Senate as to the qualifications of Commodore Vardaman.

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

Mr. DONNELL. I yield.

Mr. MORSE. I also agree with the Senator in that statement, and I simply return to the point I was making, namely, that I think there is a duty which rests upon us to scrutinize very carefully the record in this case and the testimony of De Coster, because I think it is clear from the record, as I have seen it thus far, that he certainly was not reliable in one part of his testimony. However, that does not justify us, in my judgment, in not scrutinizing very carefully to see whether, when he signed this affidavit, he was not speaking the truth. Because after all we are not trying either Mr. Vardaman or Mr. de Coster. We are endeavoring to ascertain whether or not Mr. Vardaman has the qualifications that meet the tests the Senator from Missouri laid down yesterday in his speech. I might add that in the realm of investigation there is also a pretty good police technique that should be kept in mind, too, and that sometimes it takes a crook to catch a crook.

Mr. MILLIKIN. Mr. President, will the Senator from Missouri yield?

Mr. DONNELL. May I first make one observation, please?

Mr. MILLIKIN. Yes; indeed.

Mr. DONNELL. The Senator from Colorado made reference to perjury. I want to make an observation, which I hope will not cause the Senator to take

offense, for it is not intended in that way. At one point in the testimony before the subcommittee certain photostatic copies, of which I have copies—in fact I have the original photostatic copies, being the exhibits—were presented to two witnesses, Mr. de Coster and Mr. Reyburn. When one of them was presented to Mr. Reyburn and he was asked whether or not the name "Sam Reyburn" at the bottom of it was his signature, he declared in substance, "Mr. Chairman, this a direct forgery." Then in a very few minutes, indeed I am not sure but that I might say within a very few seconds, it was suggested by one of the Senators upon the committee that the FBI be brought into the matter in view of this very serious charge. Furthermore, it was suggested that a Treasury Department expert in handwriting be brought in, and he was brought in, and he testified that the paper was not signed by the same person who had signed certain documents bearing the admitted signature of Mr. Reyburn.

Mr. President, a similar situation, though not with the word "forgery" involved, was presented when copy of an affidavit was presented to Mr. de Coster.

Mr. President, although these two men, De Coster and Reyburn, each testified that he had signed a document in the office of Frank Williams, attorney at law, St. Louis, of the firm of Fordyce, White, Mayne, Williams & Hartmann, who represented great interests, as were testified to by Mr. Williams—although these two men, Reyburn and De Coster, as I say, admitted that they did sign papers claiming duress, intimidation, and cajolery in connection with the signature, nevertheless, each of them then, after having admitted it, denied the truthfulness of certain statements contained in these documents—the photostatic documents to which I refer.

The evidence will show, Mr. President, and I shall come to it—I am anticipating it slightly—that clearly these photostatic copies of two affidavits of the five or six which are in evidence, the two which were prepared in the office of Mr. Williams, were copies of conformed copies which a stenographer in the office, Martha Harris, had, as every lawyer realizes is the custom in many offices, conformed by writing the words "Sam Reyburn" and "Signed" in her own handwriting and also the word "seal" of the notary and the word "signed" in connection with her own name. So that instead of forgery, I think the evidence shows that there was nothing whatever wrong with respect to these two documents.

The point I am now leading up to is this: Later on in the testimony, during the course of the proceedings, the word "perjury," to which the Senator from Colorado has referred this afternoon, was mentioned by the Senator from Colorado in a most impressive way before the one witness, Mr. Bittner, who had made a statement which the Senator regarded as improbable—and it may have been improbable—upon what I regard to be an immaterial matter, so far as it relates to the qualifications of Mr. Vardaman. Then the distinguished Senator from Colorado read with great impressiveness,

as he always speaks and reads, the statute of the United States of America relating to perjury committed by individuals who appear before Senate or other congressional committees.

I desire to point out to the Senate, and I want it in the RECORD so that he who reads may run, that the persons who by their own statements had signed affidavits and then repudiated their contents, were not admonished by the Senator from Colorado or any other member of the committee with respect to perjury. I undertake to say, Mr. President, that by the very admonition to Mr. Bittner upon the solemn subject of perjury and by the very dramatic methods used in connection with the charge of forgery, the suggestion of calling FBI agents and Treasury representatives, coupled in the press of that evening with the great scareheads across the top, "Vardaman affidavit shown to be forgery," and in the newspapers of Washington the next morning with the scareheads, "Affidavits held to be forgery," a gross and improper impression may readily have been created in the minds of the Members of the Senate which is not justified by the testimony in this case.

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

Mr. DONNELL. I am glad to yield to the Senator from Colorado.

Mr. MILLIKIN. First, as to whether the witnesses, De Coster and Reyburn, should have been admonished by me in the same way that Bittner was admonished. I did not admonish Reyburn and De Coster because I was thoroughly convinced, as were the other members of the subcommittee, that De Coster and Reyburn were telling the truth when they were before the subcommittee. Bittner was admonished. It was hardly admonition, but his testimony, in the opinion of the subcommittee, of members who heard it, was so reckless and conflicting—and I am making an understatement—that the committee felt and I felt that perhaps he should be advised that having been subpoenaed and having come under subpoena he did not enjoy full immunity in many particulars. Mr. Bittner thanked me for giving him the admonition.

The relevancy of what the Senator has said about De Coster breaks down on this point: His foundational witness, Bittner, swore that a signature which was not the signature of Reyburn was Reyburn's signature, and that became the foundation for the examination of the phony signature.

Mr. DONNELL. May I ask the Senator a question?

Mr. MILLIKIN. Certainly.

Mr. DONNELL. Does the Senator mean to tell the Senate that the signatures upon these two documents, or photostatic copies of documents, namely, exhibits E and F, which papers were testified to by Mr. Williams as having been drawn in his office—does the Senator mean to tell the Senate that those names, "Sam Reyburn" and "Paul de Coster," written there by the handwriting of Martha Harris, were phony signatures?

Mr. MILLIKIN. I say that those signatures were not original signatures, and Bittner swore that they were.

Mr. DONNELL. That was not the question which I asked the Senator.

Mr. MILLIKIN. Does the Senator say that I am correct in that statement?

Mr. DONNELL. The Senator is perfectly correct, that those names were not written by Reyburn and De Coster; but I deny with all the power within me that the names upon exhibits E and F were phony, dishonest, or, in any sense, corrupt, or untrue.

Mr. MILLIKIN. It was perfectly apparent to me from the time those so-called affidavits came before the committee that there were gross irregularities in them; and prior to the time the Senator is referring to I repeatedly questioned the witnesses, intending to suggest to them that they go a little slow with their testimony. But despite that fact, Bittner got on the stand and swore that an obviously copied signature, which was not an original, was, in fact, an original. He having said that, it became perfectly relevant to show that they were not original signatures.

Mr. DONNELL. Does the Senator mean to say to the Senate that in his opinion the names "Sam Reyburn" and "Paul de Coster" at the conclusion of exhibits E and F are forgeries of those names? Does the Senator say that for an instant?

Mr. MILLIKIN. I say that they are not original signatures.

Mr. DONNELL. That was not the question. It is not claimed by me that they are. I do not think they are.

Mr. MILLIKIN. The Senator put Bittner on the stand, and Bittner said that they were originals.

Mr. DONNELL. Bittner was mistaken about it, and explained the situation.

Mr. MILLIKIN. He certainly was mistaken.

Mr. DONNELL. But Mr. Williams explained the situation fully and completely when he came here from St. Louis to testify before the committee.

Mr. MILLIKIN. The end point is this: The Senator has complained about the suggestions of forgery and of perjury. Bittner, the Senator's foundational witness to the testimony of De Coster and Reyburn, stated that a signature was Reyburn's signature which was not Reyburn's signature.

Mr. DONNELL. Mr. President, I think the facts are sufficiently before the Senate. I shall demonstrate in a few minutes, by the clear, convincing, and unqualified testimony of a man who is a member of the character committee appointed by the Supreme Court of Missouri, whose firm represents railroads and insurance companies, and is one of the most outstanding law firms in St. Louis, that these two documents, exhibits E and F, are nothing more nor less, in his judgment, than conformed copies of the documents which Mr. de Coster and Mr. Reyburn admitted that they signed in the office of Frank E. Williams, an attorney at law.

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

Mr. DONNELL. I yield.

Mr. MILLIKIN. Will the Senator at the same time show that Bittner said that those conformed signatures were originals?

Mr. DONNELL. I admit that at this time; and I state further, Mr. President, that Mr. Bittner was mistaken in his testimony in that respect.

I furthermore state that he explained to the Senate subcommittee, when the matter was called to his attention, that he was mistaken. He told the subcommittee that he thought that the documents, exhibits E and F, were photostatic copies of original signed documents. Clearly they were not.

Mr. MILLIKIN. He did not explain it, however, until he was cross-examined on it, and until the witnesses showed that they were not original signatures.

Mr. DONNELL. As a matter of fact, Mr. President, Mr. Bittner was not aware of his own mistake, in my judgment, until those two witnesses testified to the effect that they were not their signatures, respectively. Then he did explain it. I venture to say that neither the distinguished Senator from Colorado, the distinguished Senator from Arizona [Mr. MCFARLAND], who sits before me, nor the chairman of the subcommittee, the Senator from Maryland [Mr. RADCLIFFE], all of whom are present, will undertake for 1 minute to tell the Senate that the signatures to exhibits E and F were forgeries. The testimony of the expert from the Treasury Department was that there was no evidence of simulation or desire or intent to copy anyone's signature.

Mr. MILLIKIN. That is exactly what was so discrediting in the testimony of Bittner, the Senator's witness.

Mr. DONNELL. I think the facts are clear before the Senate, and they will be made more clear as I proceed.

Referring to the letter of March 12, 1941, from Mr. de Coster to Mr. Vardaman, I recall to the minds of Senators the fact that this letter states, after referring to the balance sheet to which reference is made therein:

The raw material and supplies inventory as shown in the balance sheet is estimated—

Mr. President, before I go further I wish to make a comment on that. Here was a company in dire financial condition. Here was a company as to which Mr. Vardaman himself testified in his statement that—

Shortly after joining the company—

As Senators will recall, that was in 1939—

it was found that its condition was so much worse than anticipated, and its affairs and those of its presidents had become so involved, that the president voluntarily withdrew.

Here was a company as to the precarious financial condition of which I shall have something more to say in a few minutes, from Mr. Vardaman's testimony. Here was a company which was dealing with suppliers of merchandise who were insisting from time to time—certainly at a later date, and possibly at that time—that the company bring itself up to a 30-day basis. Yet when the balance sheet for the quarter ended February 28, 1941, was to be issued, there was a

telephone conversation, according to this letter, between Mr. de Coster and Mr. Vardaman, pursuant to which the figures to be used in the balance sheet were not the actual inventory—no physical inventory was to be taken—but were estimated on the basis used on December 31, 1940, and January 31, 1941.

In this connection, Mr. President, I hold in my hand exhibit A, which Mr. de Coster testified is not only signed by him but is in his own handwriting. Paul de Coster was the comptroller of the company.

Exhibit A is dated January 29, 1942. Mr. de Coster makes an affidavit with respect to this letter, and undertakes to describe in it what was the occasion for, and the contents of the telephone conversation between him and Mr. Vardaman. The affidavit was signed and sworn to, by the way, before John C. Kappel, notary public, whose term expired April 26, 1944. The affidavit reads as follows:

JANUARY 29, 1942.

I, Paul de Coster, state under oath that on March 12, 1941—

That, by the way, was the date of the photostatic copy of the letter from which I read. As I have stated, this is in his own handwriting—

state under oath that on March 12, 1941, I forwarded to the attention of J. K. Vardaman, Jr., the financial statements of the company as of February 28, 1940—

Then it is difficult to tell whether it is 1941 or what it is. There is a line drawn. I take it obviously to mean 1941.

And in a letter forwarded therewith stated—

I shall read this, and it is exactly the language which I read from the letter—

"The raw material and supplies inventory as shown in the balance sheet is estimated on the basis used in December 31, 1940, and January 31, 1941, in accordance with our phone conversation of yesterday."

The reason for calling attention to the fact that the inventory was on an estimated basis arose by reason of the fact that I had informed Mr. Vardaman over the phone that if the physical inventory was used, the company would show a substantial loss, and he in turn instructed me to use an estimated inventory figure.

PAUL DE COSTER.

JANUARY 29, 1942.

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

Mr. DONNELL. I yield.

Mr. MILLIKIN. What was the testimony under oath of Commodore Vardaman as to the telephone conversation?

Mr. DONNELL. The testimony of Commodore Vardaman was that he did not recall such a conversation.

Mr. MILLIKIN. He said there was no such conversation; did he?

Mr. DONNELL. Let us see just what was the testimony of Commodore Vardaman which is called for by the Senator from Colorado.

I read to Mr. de Coster the language to which I have referred, namely—

The raw material and supplies inventory as shown in the balance sheet is estimated on the basis used in December 31, 1940, and January 31, 1941, in accordance with our phone conversation of yesterday.

Then the following questions and answers occurred—

Do you remember the telephone conversation to which Mr. de Coster refers there?

Commodore VARDAMAN. No, I don't.

Senator DONNELL. Now, to refresh your memory I shall ask you to state whether or not that was a conversation in which Mr. de Coster informed you over the telephone that if the physical inventory was used, the company would show a substantial loss, and that you in turn instructed him to use an estimated inventory figure?

Commodore VARDAMAN. Mr. de Coster never gave me such information and I never issued any such instructions to him.

Senator DONNELL. I was reading from exhibit G. Commodore, which has been presented here.

Commodore VARDAMAN. I remember no such exchange, if it took place between Mr. de Coster and me.

Senator DONNELL. Do you remember whether you received this letter of March 12, 1941?

Commodore VARDAMAN. No, I don't.

Senator DONNELL. Do you remember of ever receiving a statement from him to the effect that the raw material and supplies inventory that had been shown in the balance sheet was an estimated one?

Commodore VARDAMAN. Not for that particular month, other than any other month. There was a constant discussion between Mr. de Coster, the auditors, and the officials of the company on the various phases of inventory taken, but nothing like this specifically do I recall.

Senator DONNELL. Would you say that you did not receive that letter of March 12, 1941?

Commodore VARDAMAN. Certainly not.

Senator DONNELL. Would you say you ever made any answer to it if you did receive it?

Commodore VARDAMAN. No; I have no recollection of it, Senator, at all.

Senator DONNELL. You have no recollection of a telephone conversation on that general subject?

Commodore VARDAMAN. No; I have not.

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

Mr. DONNELL. I yield.

Mr. MILLIKIN. The Senator has developed two matters: One, a letter; and, the other, a supplemental telephone conversation. The testimony which the Senator has read, I respectfully suggest, contains not the slightest admission by Commodore Vardaman that that conversation was true. At one place he was quite unequivocal about it.

What did De Coster say about that telephone conversation?

Mr. DONNELL. Does the Senator from Colorado desire me to answer that question?

Mr. MILLIKIN. Yes.

Mr. DONNELL. Mr. de Coster denied, on the stand, before the subcommittee, that Mr. Vardaman had told him over the telephone that if the physical inventory were used, the company would show a substantial loss; and he denied that Mr. Vardaman had, in turn, instructed him to use an estimated inventory figure.

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

Mr. DONNELL. I yield.

Mr. MILLIKIN. So Commodore Vardaman denied it and Mr. de Coster denied it. What is the Senator's basis for reaffirming it here?

Mr. DONNELL. Mr. President, Mr. de Coster swore to it on January 29, 1942, and admitted before the subcommittee that he swore to it and that he wrote the words in his own handwriting. He testified, as I recall—although I am not certain of this without reference to the transcript—that the contents of it were suggested to him by Mr. Bittner, I believe. But, the fact remains that he admitted writing it in longhand in his own handwriting, and that he swore to it on January 29, 1942, 4 years ago.

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

Mr. DONNELL. I yield.

Mr. MILLIKIN. Does the Senator recall any questioning of Mr. de Coster which indicated that he did not actually swear to it or that he could not remember whether he swore to it? I am speaking of the affidavit which the Senator holds in his hand.

Mr. DONNELL. Mr. President, my recollection is that Mr. de Coster either stated that he did not swear to it or that he did not remember swearing to it. I call attention to the fact that at the bottom of this document appear the words:

Subscribed and sworn to before me this 29th of January 1942.

JOHN C. KAPPEL,
Notary Public.

My term expires April 26, 1944.

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

Mr. DONNELL. I yield.

Mr. MILLIKIN. Is there the impression of a seal on that paper?

Mr. DONNELL. I see no impression of a seal. However, this is a photostatic copy. I am not certain whether photostatic copies will take the impression of a seal, unless dusted over with lead. I am not sure of that. I am not making a statement about it with any certainty: I merely say that this photostatic copy does not contain the impression of a seal, but it does contain the signature of John C. Kappel, who was the attorney for the company and who was a notary public.

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

Mr. DONNELL. I yield.

Mr. MILLIKIN. Does it come to this, so far as the testimony before the subcommittee is concerned? Commodore Vardaman denied having made the statement. Mr. de Coster said he had falsified when he said that Vardaman had made it. The Senator now wants the Senate to believe the discredited affidavit of De Coster—by what theory, I have not the slightest notion, unless he wishes to breathe his own honesty into something which is confessedly dishonest.

Mr. DONNELL. Mr. President, in view of the suggestion which has been made by the distinguished Senator from Colorado, I desire to anticipate slightly a portion of the testimony to which reference will later be made.

It will be discovered from further affidavits that Mr. de Coster and Mr. Reyburn, as testified by Mr. Williams, made affidavits of a highly important character in this case which involved certain directions given by Mr. Vardaman to Mr. Rey-

burn and to Mr. de Coster. To my mind, the evidence will clearly show that Mr. Reyburn and Mr. de Coster had very good reason, from the standpoint of themselves alone, discrediting considerations of truthfulness, to go on the witness stand and deny the truth of what they had respectively sworn to four or more years previously.

Mr. MILLIKIN. Mr. President, will the Senator develop those matters of interest which caused them to change their testimony?

Mr. DONNELL. I shall endeavor to bring out as fully as I can the entire situation, and I am sure that the Senator from Colorado will provide the facts if I overlook them.

Mr. MILLIKIN. Is the Senator affirming now that there is something in this record which shows an improper interest in those witnesses which would cause them to change their testimony?

Mr. DONNELL. I undertake to say, Mr. President, that the evidence will clearly indicate that it was to the personal interest of those men, from the standpoint of their reputations, if for no other, to deny that they participated in corruptly tampering with an inventory, and for Mr. de Coster to deny that he participated in the use of an estimated inventory, in order to show not a substantial loss, but, on the contrary, the real condition of the company as it existed.

Mr. MILLIKIN. De Coster and Reyburn were both before the Senator as witnesses.

Mr. DONNELL. They were.

Mr. MILLIKIN. Does the Senator contend that during his examination he developed the kind of interest to which he has referred?

Mr. DONNELL. I believe, Mr. President, that the facts speak very clearly for themselves, and show that the situation to which I have referred existed. Does the Senator desire further information?

Mr. MILLIKIN. No; I am awaiting the demonstration.

Mr. DONNELL. I shall make the demonstration in due time.

Mr. President, as indicating the general attitude of Commodore Vardaman toward the persons who were dealing with this company over a period of years, and who ultimately lost a very large amount of money by reason of the fact that they dealt with the company during that time, or at least a part thereof, I invite the attention of the Senate to the fact that Mr. Vardaman, as president of the company for a considerable portion of the period, and as treasurer of the company during an earlier portion of the period, was operating the company largely with money of creditors while the company was skirting insolvency, and even after the company had been demonstrated by Ernst & Ernst, the company's auditors, to have become insolvent.

Mr. President, yesterday the question was raised as to whether any creditor had been fooled by anything that had been done. I do not know what evidence is necessary to show that anybody was fooled, but when creditors of a company

lose two-thirds of an amount in excess of \$116,000, it appears to me that they have been injured by the dealings which they had with the company.

Mr. MILLIKIN. Mr. President, will the Senator also develop the fact that the creditors were thoroughly aware of the financial condition of the company?

Mr. DONNELL. If the Senator can tell me to what particular portion of the testimony he refers, I shall be glad to quote it.

Mr. MILLIKIN. As I recall the testimony, Commodore Vardaman made the statement, which the Senator did not challenge in any way, that the creditors were thoroughly aware of the financial condition of the company. I believe there was some testimony to the effect that one creditor had checkers in the company. Is that not correct?

Mr. DONNELL. I do not recall.

Mr. MILLIKIN. Will the Senator also develop that the witness Bittner received property from creditors when he, Bittner, had those so-called affidavits in his pocket, which showed that there had been a padding of the inventory, and all sorts of other irregularities?

Mr. DONNELL. The Senator from Missouri will show that, Mr. President, and he will also show that the president of the company, at the time of the transaction which was conducted by Mr. Bittner, was Commodore Vardaman. As shown yesterday, Mr. Vardaman was thoroughly acquainted with the condition of the company during this entire period of time. The Senator from Missouri will also show, Mr. President, that a resolution was adopted by the board of directors itself, at a time prior to the bankruptcy, directing in substance the officers of the company to continue to operate the business, and that, in the opinion of the board, of which Mr. Vardaman was a member, no injurious effects would be experienced by any creditor through the continued operation of the company.

The Senator from Missouri will further show that Mr. Bittner is not the man whose conduct is under consideration of the Senate except in so far as it may refer to his credibility as a witness. We are considering whether or not Commodore Vardaman, not Mr. Bittner, is qualified to serve on the Board of Governors of the Federal Reserve System of the United States.

Mr. MILLIKIN. Mr. President, did not the Senator from Missouri develop yesterday the fact that Commodore Vardaman himself asked for an examination of the affairs of the company by Ernst & Ernst, a national auditing concern of high repute?

Mr. DONNELL. The Senator from Missouri developed yesterday that Commodore Vardaman made such request after Ernst & Ernst had brought to his attention and that of the comptroller of the company the fact that there had been tampering with the inventory of the company.

Mr. MILLIKIN. Mr. President, does the Senator make out of that situation a suspicious circumstance?

Mr. DONNELL. The Senator from Missouri makes this circumstance: It

was not until after tampering had been disclosed by Ernst & Ernst that Mr. Vardaman raised his voice in connection with it. The Senator will further show not only an interest on the part of Mr. Vardaman, but circumstances indicating at least to my mind, that the Senate may logically draw clearly the inference that Mr. Vardaman did know something, and had a very intimate knowledge, if I may say so, of the tampering with the inventory.

Mr. MILLIKIN. Will the Senator eliminate the story of Bittner and the so-called affidavits which have been discredited, and, after such elimination, point to one circumstance which indicates that Commodore Vardaman knew anything about those tamperings prior to the time which the Senator has mentioned?

Mr. DONNELL. Mr. President, the Senator from Missouri will not eliminate any portion of this testimony. It all has a direct bearing upon the case. The Senator from Missouri will show the fact to be that Commodore Vardaman, according to the testimony of Mr. Williams, desired that the affidavits which had been made in the office of Fordyce, White, Mayne, Williams, and Hartman, be destroyed, and that the commodore himself applied the match to the affidavits for their destruction.

Mr. MILLIKIN. Was that after or before the time when Commodore Vardaman demanded that a survey be made of the affairs of the company?

Mr. DONNELL. It was at the time of a settlement of a claim which had been brought by Mr. Bittner against Commodore Vardaman for alleged misrepresentation in the sale of certain stock of the Vardaman Shoe Co. to Mr. Bittner by Mr. Vardaman on the 16th day of January 1942—less than 30 days before the company went into bankruptcy.

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

Mr. DONNELL. I yield.

Mr. MILLIKIN. Then, the last suggestion about this business deal, to which the Senator has been referring, refers to a period after the time when Commodore Vardaman ordered a complete inventory. Is that correct?

Mr. DONNELL. The transaction, Mr. President, by which the sale of stock occurred was on the 16th day of January, 1942.

Mr. MILLIKIN. Was not the request of Commodore Vardaman that there be a full examination of the company by Ernst & Ernst made before the end of January?

Mr. DONNELL. I think so. I do not recall the exact date. I shall be glad, in the course of the argument, to examine the minute. I cannot remember all the dates exactly, but I have the minutes here, and I shall be glad to answer fully, as rapidly as I can find the particular reference to the point to which the Senator alludes.

Mr. MILLIKIN. I suggest, then, that tentatively, at least, the Senator should withdraw the implication that the settlement showed a guilty knowledge of padding which as a matter of fact had already been brought to Commodore

Vardaman's attention and which he had ordered cleared up by an audit.

Mr. DONNELL. I undertake to say that the settlement to which reference was made did not occur until March 1942.

Mr. MILLIKIN. Then, that was 2 months after Commodore Vardaman had ordered a full survey of the business, after having been informed of the tampering.

Mr. DONNELL. Something to that effect, Mr. President. There will be a check on the exact dates from the minutes and from the testimony, which I shall be very glad to make.

The point I make, Mr. President, is that the Senator has asked if I would eliminate these affidavits from consideration in this case, and would then undertake to say whether or not there is any evidence of any knowledge by Commodore Vardaman in advance of the tampering with the inventory.

Mr. President, I will not eliminate one sentence from this testimony, and I undertake to say that the fact that Commodore Vardaman, as testified to by Mr. Williams, desired the affidavits destroyed, and applied a match to them in the shower bathroom of the law firm to which I have referred, at Broadway and Olive Streets, St. Louis, Mo., entitles the Senate to draw the inference that for some reason Mr. Vardaman desired the contents of those affidavits destroyed.

I wish to say, in fairness to Commodore Vardaman, that I think it is true that possibly he may have desired to have them destroyed even if the affidavits were untrue. I wish to say further that the testimony as to his conduct, the testimony as to the fact that Mr. Bittner had made a claim against him arising out of fraud, as he claims, in the sale of certain stock by Mr. Vardaman, who was acquainted with the conditions of the company, and sold Mr. Bittner the stock on January 16, less than 30 days before the bankruptcy—these and other circumstances, to my mind, justify the Senate in drawing the inference that Mr. Vardaman had very clear knowledge of why it was the inventory had been tampered with. I undertake to say further that the evidence will demonstrate clearly the reason why it was to the interest of Commodore Vardaman that the inventory should show greater assets of the company than in fact existed.

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

Mr. DONNELL. I yield.

Mr. MILLIKIN. I desire very respectfully to suggest to the Senator that he has more or less completely characterized the weakness of his case in that he will not eliminate from it the affidavits and statements which those who made them have sworn were false.

Mr. DONNELL. Mr. President, when this interrogation began I was about to speak with respect to the conduct of Commodore Vardaman in the operation of this company on the money of creditors of the company when it was near to and even after it had entered into an insolvent condition.

I call attention to the fact that Mr. Gentry, the trustee in bankruptcy of the

company, testified before the committee, referring, by the way, to a conference which took place on the afternoon of the day on which the bankruptcy petition was filed in the Federal court in St. Louis. The conference occurred in Mr. Gentry's office. I read:

Senator DONNELL. What if any conversation transpired in which Commodore Vardaman participated to the best of your recollection?

Mr. GENTRY. Well, there were a good many things talked over. I could not recall all that was said. One subject was that Mr. Bittner—Mr. Frank O. Bittner was mentioned in connection with the shoe company. He was executive vice president, and he remarked—

That is to say, I judge, that Mr. Vardaman remarked—

He remarked that Bittner was of German descent, and that he liked to talk.

In that connection, Mr. President, I recall to the Senate the fact that in a statement prepared by Commodore Vardaman and submitted to the committee, when he referred to the Tower Grove Bank & Trust Co., he said that the situation which he described made impossible any continued happy association. The commodore refers there to the fact that—

The bank was what is known as a German bank being located in South St. Louis, where a large percentage of the population is German, and most of the bank's customers, as well as most of the directors, were of pronounced German descent and sympathy.

In fairness to the commodore, I should again call attention to the fact, as I did yesterday, that he follows this in his testimony by an interpolation of the fact that he was not intending in any sense to imply any lack of loyalty on the part of those connected with the bank, that these incidents took place prior to our participation in the war.

I pointed out to the Senate the fact that in his description of the bank the commodore emphasized the German sympathy of the bank and that the population of the locality was largely German. So when he engaged in this conversation with Mr. Gentry he again referred to the "German descent." He referred to Mr. Bittner, who is the executive vice president, and he remarked that Bittner was of German descent and that he liked to talk.

Mr. President, I mention this German angle because I think the fact that the commodore in his statement from which I have read, the mimeographed statement, refers to the German matter tends very strongly to corroborate the testimony of Mr. Gentry as to what transpired in the conversation between him and Mr. Vardaman on the day the bankruptcy ensued.

After the sentence which I have read, Mr. Gentry proceeded:

He did talk pretty loud and very well. I remember this remark being made by Mr. Bittner.

Senator DONNELL. Do you mean Mr. Vardaman?

Mr. GENTRY. Yes, Commodore Vardaman, as he is now. I am not sure whether it was before or after Mr. Price had been called in.

I interpolate, Mr. President, that Mr. Price was an auditor who was called in

by the Federal court to audit the affairs of the company, and who incidentally testified in this case.

Then Mr. Gentry proceeded with this statement, to which I am leading up:

Someone asked the question of the solvency or insolvency of the Vardaman Shoe Co. and referring to it Mr. Vardaman said, "The company has been broke." He mentioned the length of time and he mentioned 2 or 3 years. I cannot remember which period he mentioned.

Senator MFARLAND. Did he say that?

Mr. GENTRY. Commodore Vardaman.

That appears on page 113. On page 118 Senator MFARLAND addressed a question to Mr. Gentry, as follows:

You say Commodore Vardaman said the company had been broke?

Mr. GENTRY. Yes.

Senator MFARLAND. We use the terms in various ways. Lots of times you can say "I am broke." You might have assets but no cash.

Mr. GENTRY. When I say "I am broke," I am broke.

Senator MFARLAND. Did you ever find yourself in a position where you had a lot of assets but could not convert them into cash?

Mr. GENTRY. Of course; yes.

Senator MFARLAND. And if he was using the word in that way it would be just along the lines of his testimony this morning?

Mr. GENTRY. I did not so understand it.

Senator MFARLAND. He said they had no cash; they were operating without money to operate on.

Mr. GENTRY. I think they were broke every way, from what I found out.

Senator MFARLAND. I understand your conclusion, but if he was using it in terms that he—no operating cash, did not have any money—it would be right in line with his testimony.

Mr. GENTRY. If he was using it in that sense he did not so explain it to me. I got the impression it was an insolvent company, according to his judgment.

Senator MFARLAND. For how long.

Mr. GENTRY. Two or three years.

Mr. President, in the minutes of the shoe company, of January 31, 1941, Mr. Vardaman is reported as follows, at the bottom of page 89 and top of page 90:

Mr. Vardaman stated that he may be able to delay payments on accounts payable for a sufficient period to continue operations during the present season but that it was possible that the creditors may insist on immediate payment and in that event in order to continue sufficient money must be available as he has informed—

And perhaps this is what the Senator from Colorado had in mind—

As he has informed the creditors of conditions from time to time and he expects to continue to be fair with them.

This was on January 31, 1941.

Mr. President, on page 913 of the hearings appears the following—this is the questioning of Mr. Vardaman at this point by myself—

Senator DONNELL. Now, do you know of any time during the period that you were with the Collins-Morris Shoe Co. or the Vardaman Shoe Co.—it was the same company?

Commodore VARDAMAN. That is right.

Senator DONNELL. Do you know of any time at which the company was solvent by more than \$50,000?

Commodore VARDAMAN. No; I don't believe I do.

Senator DONNELL. Do you know of any time during the period in which you were asso-

ciated with the company in which it was solvent by more than \$35,000?

Commodore VARDAMAN. Senator, I would not estimate—I don't care to make those estimates at this late date.

Then the Senator from Arizona [Mr. McFARLAND] questioned Mr. Vardaman along the line that talking about solvency in a certain amount is more or less of an opinion.

At page 908 of the hearings the following occurred:

Senator DONNELL. Now, Commodore, this company had been in a very precarious condition for a long time, hadn't it?

Commodore VARDAMAN. Apparently ever since it was organized, yes; and certainly ever since the failure of the Hamilton Brown Shoe Co.

Senator DONNELL. That took place when?

Commodore VARDAMAN. What would that be—April 1939? Somewhere along in there.

Senator DONNELL. I just don't know.

Commodore VARDAMAN. About in there; 1939.

Senator DONNELL. From your statement which you read, you said in the spring of 1939.

Commodore VARDAMAN. That is right; the spring of 1939.

Senator DONNELL. So that from that time the Collins-Morris Shoe Co. had been in a very precarious condition?

Commodore VARDAMAN. That is right.

Senator DONNELL. Did it ever materially improve between then—

Mr. President, that was the spring of 1939—

Did it ever materially improve between then and the time it went into bankruptcy?

Commodore VARDAMAN. Materially?

Senator DONNELL. Yes.

Commodore VARDAMAN. I would say "No."

Senator DONNELL. So that you knew all during that period, did you not, Commodore Vardaman, that the company was in precarious condition, substantially as precarious as when you started in with it?

Commodore VARDAMAN. Everybody knew that. The creditors, the board, the auditors, and everybody concerned. It was rather public knowledge that it was a salvage work-out proposition.

At page 14 of the hearings, Mr. Vardaman testified:

In December 1941 or January 1942 the auditors for the company advised me that the audit as of November 30, 1941, would show that the company was insolvent, and, further, that there had been some tampering with the inventory records after they had been prepared by the auditors, in an apparent attempt to show larger amounts of inventory than actually existed.

Mr. President, it will be observed that in this testimony, which is a copy taken from the mimeographed statement which had been prepared in advance, the Commodore states that in December 1941 or January 1942, the auditors for the company, that is Ernst & Ernst, advised him that the audit as of November 30, 1941, would show that the company was insolvent. I call attention to the fact that when the Commodore prepared his statement for the committee, and when he testified initially before the committee, he was not certain which month it was, December 1941, or January 1942, when the auditors advised him that the audit as of November 30, 1941, would show that the company was insolvent.

Later in his testimony—as I remember it, when he was recalled some days after his initial testimony; perhaps, however, it may have been in his initial testimony also—he stated in substance that he had been refreshed in his memory by the testimony which had been adduced, and that the information that the auditors passed to him was given to him in January 1942.

Mr. President, take the statement as he has finally made it. Even if Mr. Vardaman was not told until the end of January concerning the insolvency, yet it is to be noted that, according to exhibit 5 in this case, 21 creditors sold merchandise to the company in February 1942, which was after the latest date which Mr. Vardaman declares was that on which he learned from the auditors of the insolvency of the company.

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

Mr. DONNELL. In a moment, if I may proceed, please.

I also call attention to the fact that among the 21 creditors who sold merchandise to the company in February, after Mr. Vardaman, by his own finally revised testimony had obtained the information from the auditors, the American Hide & Leather Co. shipped on February 10 and 11, 1942, two certain shipments aggregating \$3,603.24, the latest of which shipments was made only 2 days before the bankruptcy ensued.

I call attention, Mr. President, to the fact that large numbers of items set forth in a list aggregating \$116,925.21 of trade creditors' claims in excess of \$1,000, covering purchases dated subsequent to February 20, 1941, bear dates in January and February 1942.

I now yield to the Senator from Colorado.

Mr. MILLIKIN. Does not the Senator recall that Mr. Bittner testified at length and displayed some shock at the fact that goods were ordered from creditors when, according to his, Bittner's information, the company was insolvent, and does not the Senator remember the colloquy which occurred between Mr. Bittner and myself as to the moral responsibility of Bittner in receiving goods when he was active in the company, and while believing it to be insolvent?

Mr. DONNELL. I recall that very well, Mr. President.

Mr. MILLIKIN. When within his own knowledge the company was insolvent?

Mr. DONNELL. I recall that colloquy between the distinguished Senator and Mr. Bittner very well indeed.

In that connection I distinctly recall that at page 166 of the minutes of the company of Friday January 30, 1942, next to the last day of January, when Mr. Vardaman reported on his visit to the office of Ernst & Ernst, and the padding of the inventory, appears the following language:

Mr. Vardaman further stated to the board that in his opinion the continued operation of the company's business pending a more complete investigation and the completion of the audit would not affect the rights of any creditors, and that he recommended that no further action be taken until said audit is completed and analyzed.

I recall further, Mr. President, that there was a resolution adopted in response to an inquiry by Mr. Cook, appearing at page 169 of the minutes of the meeting of January 30, the inquiry reading:

Will the rights of stockholders and creditors be jeopardized until the completion of the investigation?

After a full discussion of the subject, the following resolution was unanimously adopted by the directors present:

Be it resolved. That on the basis of the report made by the president—

That is, Mr. Vardaman—and the company's attorney, it is the opinion of this board that the rights of creditors and stockholders will not be prejudiced by a continuation of the business until a complete and thorough investigation of the matter has been made.

There are further resolutions, and then this one:

It is further resolved, that if the president or executive vice president, prior to said adjourned date—

That is to say, February 12, 1942—discovers any evidence from such investigation which in his judgment would jeopardize the interest of creditors or stockholders, he shall immediately call a meeting of the directors.

I call attention to the fact that between January 30, the date of this meeting, and February 12, the day on which it was resolved to go into bankruptcy, no such special meeting of the board of directors is recited in the minutes of the company to have occurred.

So, Mr. President, I submit that from the earliest time at which Mr. Vardaman was associated with this company it is clear that he knew the precarious financial condition of the company; that the company, relying upon his experience and his ability, to which reference had been made when he was engaged, continued to receive credit extended by numerous creditors; and the evidence conclusively shows that after the utmost limit of time to which Mr. Vardaman testified his failure to know about the tampering and insolvency had extended, and after Mr. Vardaman, by his own admissions, knew of what the auditors had passed on to him—the testimony being that they told him, and Mr. Vardaman's statement being to the effect that they had told him that the audit of November 30, 1941, showed insolvency—after that date, when Mr. Vardaman himself admits that he knew of the insolvency of the company, 21 creditors were permitted to sell merchandise to the company, one of those creditors selling it within 2 days before the bankruptcy ensued. I think, Mr. President, that the facts to which I have referred should be considered by the Senate in determining something as to the attitude of Mr. Vardaman with respect to the persons with whom he deals.

I come now to the matter of the tampering with the inventory. This was the inventory of November 30, 1941. It will be recalled that Mr. Vardaman does not

contend that there was no such tampering. His prepared statement, and I believe his oral testimony, were exactly as I shall relate. Certainly the mimeographed statement reads as follows:

In December 1941 or January 1942 the auditors for the company advised me that the audit as of November 30, 1941, would show that the company was insolvent, and further, that there had been some tampering with the inventory records after they had been prepared by the auditors, in an apparent attempt to show larger amounts of inventory than actually existed.

Then he proceeded in his statement:

These attempts were crude, and patently made by someone not familiar with auditing methods, and were easily observable under the most casual examination.

So, Mr. President, we find, first, that it is admitted by Mr. Vardaman that there was tampering with the inventory, or, at any rate, that the auditors, Ernst & Ernst, informed him that there had been tampering with the inventory records which were applicable to the audit as of November 30, 1941. It is also admitted by him that this tampering was an apparent attempt—or that the auditors so indicated—to show larger amounts of inventory than actually existed.

Who was responsible for this tampering with the inventory? Frequently it is the experience of lawyers—and I think of laymen—that persons who are charged with offenses of one kind or another do not come forward and admit their complicity. I believe, Mr. President, that when Mr. de Coster and Mr. Reyburn denied before the Senate committee the statements they had made as to their complicity, which statements were made in January 1942 in affidavit form, they were doubtless acting under the urge of what they considered to be self-preservation.

To whose interest was it to show that there was more in the inventory of the company than actually existed? Remember, Mr. President, that under the contract, as Mr. Vardaman had caused it to be rewritten after he joined the company, there was provision for payment to him of a 5-percent bonus upon the earnings of the company. Obviously a company has no earnings if the net result during the period in question is not an earning, but a loss. Obviously, therefore, in order to show the existence of an earning on which a bonus may be paid, it is to the interest of an individual to show that the assets of the company have not been depleted, but that they are larger than they would be if such depletion had occurred.

There was another reason why it was to the interest of Commodore Vardaman to see that the inventory indicated a higher figure than existed. It was to his interest to keep the business going as long as possible so that he could draw his salary, which was to continue at the rate of \$500 a month after he should have left in order to attend to his duties with the Navy.

But, Mr. President, there is a further reason, and this reason arises from a transaction which occurred on January 16, 1942, between Mr. Vardaman and Mr. Bittner, who has been mentioned so frequently. Mr. Bittner testified that

on the 16th day of January 1942, he had bought from Commodore Vardaman 9,345 shares of stock of the company, and that he had been influenced in the purchase of that stock by a financial statement which I hold in my hand, Bittner's exhibit No. 2, which shows the company to be solvent to the extent of \$29,054.67.

Mr. Bittner testified that Commodore Vardaman gave him this financial statement, Bittner's exhibit No. 2. Mr. Bittner purchased this stock. As I recall, he paid \$4,000 in cash and gave his note for \$5,345, which I believe was used by Mr. Vardaman to take up paper of his own to that amount in a bank.

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

The PRESIDING OFFICER (Mr. Russell in the chair). Does the Senator from Missouri yield to the Senator from Colorado?

Mr. DONNELL. I yield.

Mr. MILLIKIN. Was the financial statement to which the Senator refers attested to by anyone, or certified by anyone as being true?

Mr. DONNELL. It was not.

Mr. MILLIKIN. What did Commodore Vardaman say as to that, if I may ask the Senator?

Mr. DONNELL. Commodore Vardaman denied that he had shown this to Mr. Bittner, and I am inclined to think he denied that he had ever seen it. Mr. Bittner testified, however, that Commodore Vardaman gave him the statement and that he was influenced in the purchase of the stock by it.

Mr. President, remember that the transaction took place on the 16th day of January 1942, the day upon which occurred the directors' meeting at the Missouri Athletic Club at which Mr. Vardaman told of having gone to the office of Ernst & Ernst, the company's auditors. My recollection is that Mr. Vardaman testified that the information which he had thus far received from Ernst & Ernst as to the alleged plugging or padding of the inventory referred only to certain minor amounts involving approximately \$6,000 or \$7,000. Indeed, in the minutes of the company of January 16, Mr. Vardaman is recorded as stating that on December 31, 1941, he was called to the office of Ernst & Ernst, the company's auditors, and that they informed him that they did not believe that the inventory in the Bottoming Room was accurate; that it appeared to them that the quantities had been doubled, and that they were referring those sheets back to the company for rechecking. Mr. Vardaman then reported that he was led to believe that the adjustments in those departments would be somewhere between \$5,000 and \$7,000.

However, Mr. President, the testimony is that it was learned, the exact date I am not able to state, that as to the items which the auditors had checked—only those items, mind you—the actual discrepancy in the inventory was between \$50,000 and \$60,000. Mr. Bittner, as I have said, testified that he has purchased from Mr. Vardaman for \$9,345, on January 16, 1942, 9,345 shares of stock of the Vardaman Shoe Co. Then the testimony is that Mr. Bittner shortly

thereafter made claim on Mr. Vardaman that he, Bittner, had been defrauded in the transaction; and Mr. Bittner engaged a lawyer, Mr. Frank Williams, of the law firm to which I have referred, to represent his interest. The testimony shows, at page 818, that Mr. Williams testified that he showed to Mr. Vardaman the affidavits to which I shall refer in a moment.

At this time I desire to present photostatic copies of the affidavits to which reference has been made. According to the testimony, two of them were drawn in the office of Fordyce, White, Mayne, Williams & Hartmann. However, before presenting the affidavits, I desire to refer to photostatic copies of certain other affidavits which were submitted to the subcommittee. One of them is exhibit B. All of it, except certain preliminary parts, was admitted by Mr. de Coster to have been written in his own handwriting. I read this affidavit to the Senate:

JANUARY 27, 1942.

I, Paul de Coster, of lawful age, being duly sworn, on my oath depose and say:

That I am the comptroller of the Vardaman Shoe Co., and that on December 31, 1941, at the office of Ernst & Ernst, the auditors of the company, sundry discrepancies and errors were brought to the attention of J. K. Vardaman, Jr., the company's president, and discussed, such errors and discrepancies having been discovered in the inventory.

I further state that prior to and subsequent to the above-mentioned meeting at the office of Ernst & Ernst, ways and means were discussed between J. K. Vardaman, Jr., and myself, in his office in the Naval Intelligence Department, to substantiate the inventory.

On this date Mr. Vardaman was well aware of the financial condition of the company and the exact status of the inventory.

PAUL DE COSTER.

Subscribed and sworn to before me this 27th day of January, 1942.

JOHN C. KAPPEL,
Notary Public.

My term expires April 26, 1944.

I also present to the Senate—and it was presented to the subcommittee—exhibit C, the affidavit of Sam Reyburn, who, as the evidence shows, was at the Owensville plant, of which he was the superintendent. The affidavit reads as follows:

JANUARY 27, 1942.

I, Sam Reyburn, of lawful age, being duly sworn, on my oath depose and state:

That I am the superintendent in charge of the factory of the Vardaman Shoe Co. at Owensville, Mo., and that at the request of James K. Vardaman, Jr., the company's president, I supervised the taking of an inventory of all personal property of the company at said plant on November 29 and 30, 1941. That I sent said inventory sheets to the office at St. Louis.

I talked to Mr. Vardaman on or about December 5, 1941, at the office of the company at St. Louis, Mo., during which conversation he told me that it was necessary that the company's operations for the year 1941 show a profit. I further state that Mr. Vardaman knew the financial condition of the company on said date and was familiar with the figures as shown by the inventory prepared on November 29 and 30, 1941.

SAM REYBURN.

Subscribed and sworn to before me this 27th day of January, 1942.

JOHN C. KAPPEL,
Notary Public.

My term expires April 26, 1944.

Then, Mr. President, I also present—and it was likewise presented to the subcommittee—exhibit D, which was admitted by Mr. de Coster to have been written in his own handwriting, although, as I recall, he testified that it was done at the suggestion of Mr. Bittner. It reads as follows:

JANUARY 29, 1942.

I, Paul de Coster, under oath state that the following statement is my opinion, based upon a phone conversation with J. K. Vardaman, Jr., held on the morning of January 27, 1942, in the course of which conversation he was informed that the inventory situation looked black. When asked what had been the reaction of Mr. Sam Reyburn, the factory superintendent, at a meeting which, at Mr. Vardaman's request, I had held with him the previous evening, I informed Mr. Vardaman that it was Sam Reyburn's intention to produce the copies of the original inventory and hand in his resignation. Mr. Vardaman then said, "O. K., let him." In my opinion, therefore, it was Mr. Vardaman's desire to let Mr. Reyburn assume responsibility and take the blame for the inventory. The above is written in an endeavor to substantiate my position in the matter.

PAUL DE COSTER.

Subscribed and sworn to before me this 29th of January 1942.

JOHN C. KAPPEL,
Notary Public.

My term expires April 26, 1944.

Mr. President, I now present as exhibit F a photostatic copy of a certain affidavit. Mr. Williams clearly confirmed it as being a copy of the original. He examined it at my office, as well as another affidavit, exhibit F. I now read the affidavit of Mr. Reyburn:

STATE OF MISSOURI,

City of St. Louis, ss:

I, Samuel Reyburn, of lawful age, being duly sworn, depose and state:

That I am the superintendent in charge of the factory of the Vardaman Shoe Co. at Owensville, Mo., and, as such, in complete charge of said factory, subject, of course, to the supervision of the president, and have acted in such capacity from November 1937 to date.

On or about November 29 and 30, 1941, I was directed by Mr. J. K. Vardaman, Jr., the president of the Vardaman Shoe Co., to make an inventory of all raw material in process of manufacture and finished products located in and around the factory at Owensville, Mo. Acting under these instructions, and following the procedure which has been followed ever since I became connected with the company, and which is the usual method of making such inventories, I personally supervised the making of a correct and accurate inventory of said property. This inventory was made with the assistance of all foremen of the departments and by representatives of the auditing firm of Ernst & Ernst. When the inventory was completed in the several departments, it was delivered to my desk by the auditors and I checked it with the auditors, after which, in the office at Owensville, the material was priced and extensions made. After its completion at the factory it was, of course, submitted to the auditors and they checked it and approved it.

On or about December 5, 1941, I came to St. Louis, went to the office of the Vardaman Shoe Co., and brought with me the inventory which was so prepared. Upon arriving at the office, I delivered the inventory to Mr. Paul de Costa, the comptroller of the company, stationed at St. Louis.

While discussing this inventory with Mr. de Costa, Mr. Vardaman, the president of the company, joined us in the sample room.

After a brief conference Mr. Vardaman asked Mr. de Costa what the final figure in the inventory was and Mr. de Costa told him. Mr. Vardaman then turned to both of us and stated that this inventory would have to be changed so that the company would show a profit of \$30,000. Upon making this statement he left our presence and Mr. de Costa and I understood that these orders had to be obeyed. Acting under the instructions given to me by Mr. Vardaman, I returned after this conference to the factory at Owensville and made between 20 and 30 changes in the inventory by increasing the number of items appearing on the original inventory and, of course, making the extensions and changing the value accordingly. This work was done by me alone in my office at Owensville and the following week I returned to St. Louis and delivered this inventory with the changes described above to Mr. de Costa, the comptroller of the company.

Further, affiant sayeth not.

(Signed) SAM REYBURN.

Subscribed and sworn to before me this 30th day of January 1942.

(Signed) MARTHA HARRIS,
Notary Public.

My commission expires May 12, 1943.

There follows the words "seal in handwriting."

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

The PRESIDING OFFICER (Mr. KNOWLAND in the chair). Does the Senator from Missouri yield to the Senator from Colorado?

Mr. DONNELL. I yield.

Mr. MILLIKIN. I should like to ask the Senator from Missouri what Mr. Reyburn had to say about that matter.

Mr. DONNELL. Mr. President, Mr. Reyburn said in substance that he was requested by Mr. Bittner, who was making the claim against Mr. Vardaman of alleged fraud in the sale of the stock, to accompany Mr. Bittner to the office of Mr. Frank Williams, attorney for Mr. Bittner.

Mr. MILLIKIN. Mr. President, I did not intend to burden the Senator with the entire recital of the situation. I should have made my question a little sharper. Did Mr. Reyburn say that the statement was true or false?

Mr. DONNELL. Mr. Reyburn stated that the portion of the affidavit reading: "Mr. Vardaman turned to both of us and stated that this inventory would have to be changed so that the company would show a profit of \$30,000," was not true.

Mr. MILLIKIN. What did Mr. de Costa say about it?

Mr. DONNELL. Mr. de Costa likewise denied the truthfulness of the statement when he testified before the committee.

Mr. MILLIKIN. What did Commodore Vardaman say about it?

Mr. DONNELL. Commodore Vardaman likewise denied the truthfulness of the statement.

Mr. MILLIKIN. Who, during the course of the entire testimony, said that it was true?

Mr. DONNELL. Mr. President, no witness testified that the statement was true. But there is the further evidence that after the presentation to Mr. Vardaman of this and the other affidavits to which I shall come in a moment, charging fraud against Mr. Vardaman, he made a settlement with

Mr. Bittner in the sum of \$5,345 in the form of a promissory note executed by Mr. and Mrs. Vardaman, and secured by a deed of trust upon the farm of Mr. and Mrs. Vardaman, or one of them, in St. Louis County, Mo.

There is the further testimony that when the transaction was concluded by which the \$5,345 settlement was made, Commodore Vardaman requested that the affidavits, exhibits E and F, be destroyed.

There is the further testimony—it is denied by Commodore Vardaman just as was the request to which I have referred—by Mr. Williams that he and Mr. Vardaman, pursuant to the request of Commodore Vardaman, went to the shower room of the law firm and there destroyed those affidavits, Mr. Vardaman himself applying the match by which the affidavits were destroyed.

Mr. MILLIKIN. What did Commodore Vardaman testify with reference to applying the match?

Mr. DONNELL. He denied in toto that he had gone to the shower room; he denied that he had applied the match; he denied that the destruction took place; and he denied that he had requested that the destruction take place.

Mr. MILLIKIN. Merely for the sake of discussion, let us assume that Commodore Vardaman applied the match.

Mr. DONNELL. Yes.

Mr. MILLIKIN. Let us further assume that he wanted those affidavits to be destroyed. In view of the false character which has been attributed to them by the evidence, why should not Commodore Vardaman want the affidavits destroyed? Would any sensible man wish fraudulent, perjured affidavits concerning himself to be allowed to float around? I remind the Senator that I am accepting his thesis only for the sake of argument.

Mr. DONNELL. I understand the Senator's presentation.

Mr. President, to my mind the Senate of the United States, as I have previously indicated today, has the right to draw its own inference from the request which Mr. Williams testified was made by Mr. Vardaman and from the incident which Mr. Williams testified occurred with reference to Mr. Vardaman in applying the match to the affidavits. I can well understand the position asserted by the distinguished Senator from Colorado to the effect that an individual would desire untrue affidavits to be destroyed. But I can likewise understand how a person who had been guilty of tampering with an inventory, or of causing the act to be committed which brought about tampering with the inventory, might well desire to destroy an affidavit which truthfully set forth what had transpired.

I also affirm, Mr. President, that the Senate is entitled to draw its own inference one way or the other as to what was the motive of Commodore Vardaman, and in so doing it is entitled to take into consideration such facts as I have already developed from the evidence which show a tendency on the part of the commodore to color his statements to his own advantage.

Mr. MILLIKIN. Mr. President, I would respectfully remind the Senate, and particularly the Senator from Missouri, that, under the Senator's own theory, there are only two witnesses who could have testified that Vardaman had anything to do with padding the inventory. I refer to De Coster and to Reyburn.

I remind the Senator further that when Bittner was asked whether he knew of his personal knowledge that Vardaman had fooled with those inventories, he said he did not, in the most unequivocal terms. I have the testimony, which I shall read if there is any question about it.

Only two witnesses, I remind the Senator, under his own program of procedure, under his own way of building up his case, were brought in to connect Vardaman with the padded inventory, De Coster and Reyburn. Does the Senator say, since the heart and core of his case has collapsed on his own testimony, that we need go further? Is the Senator going to tie Vardaman to the padded inventory with a philosophical discussion?

Mr. DONNELL. Mr. President, I am not tying Mr. Vardaman to the inventory with a philosophical discussion. I am calling to the attention of the Senate the fact that it was to the interest of Commodore Vardaman to have the inventory show more than was there.

I have brought to the attention of the Senate the fact that, according to the affidavit of Mr. de Coster back as early as March of 1941, Commodore Vardaman, in order to avoid the showing of a loss by the company, was using in a balance sheet an estimated inventory figure.

I have brought to the attention of the Senate the fact that Mr. Vardaman had been accused by Mr. Bittner of the perpetration of fraud and misrepresentation upon him, Mr. Bittner, on the 16th day of January, less than 30 days before the company went into bankruptcy, in the sale of \$9,345 worth of stock to Mr. Bittner.

I have brought out the fact that Mr. Vardaman had his own interest—the maintenance of a high inventory in order to show a profit on which he might obtain a bonus.

I have brought to the attention of the Senate the interest of Commodore Vardaman in seeing that the company should continue to operate as long as possible, because he was getting his salary, after January of 1942, of \$500 a month.

I have brought to the attention of the Senate that the commodore made a settlement with Mr. Bittner of the claim based on the very fraud and misrepresentation as to the inventory, based upon the proposition that the financial statement recites an inventory as of a certain date—I do not recall the date of the financial statement for the moment—and that Commodore Vardaman settled a claim, which was based upon these affidavits, for \$5,345 and a note secured by deed of trust on his farm.

I say, Mr. President, that I have brought to the attention of the Senate all these facts, plus the fact that Commodore Vardaman desired these affidavits destroyed, plus the fact that, according to Mr. Williams' testimony, Commodore Vardaman applied the match to the affidavits.

I have brought these facts to the attention of the Senate, and I respectfully submit that the Senate is entitled to draw its conclusion, its inference, from these facts, as to the conduct of Mr. Vardaman. It is entitled to draw its conclusions as to whether the affidavits, which are under oath, are true, or whether or not the statements made by De Coster and Reyburn before the committee in defense of their own good names are true.

I submit, Mr. President, that upon these facts the Senate must exercise its own independent judgment, and upon them it is authorized and justified in drawing the inference that the statements set forth in the affidavits are true, rather than to accept the repudiation of the affidavits by the two witnesses on the stand before the subcommittee.

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

Mr. DONNELL. I yield.

Mr. MILLIKIN. The Senator is not inferring that the Senate is not having an opportunity to consider those matters, is he?

Mr. DONNELL. Not at all.

Mr. MILLIKIN. I do not believe I am going outside our personal understandings. Before this case came up, I remind the Senator, it was agreed that the testimony of Bittner, De Coster, and Reyburn would be the heart of the case. Is that correct?

Mr. DONNELL. Mr. President, it is certainly true that to my mind, as was stated to the Senator, Mr. Bittner's testimony was of exceedingly great importance, and that he should be subpoenaed. That was stated to the Senator from Colorado. It was also stated that, following Mr. Bittner's testimony, the testimony of Mr. de Coster and Mr. Reyburn should be taken. I do not recall having used the language or hearing the language "the heart of the case." I do not recall that; but I think our meaning is substantially the same.

Mr. MILLIKIN. It was the theory, I remind the Senator from Missouri, under his view of the case, that Bittner would lay a foundation for the testimony of De Coster and Reyburn, who would directly connect Vardaman with the padded inventory. I suggest to the Senator that unless he is willing to vouch for De Coster and Reyburn, and since Bittner would not testify of his own knowledge, reckless as he was in much of his testimony, that Vardaman was directly connected with those paddings, there is nothing left but the question whether or not we should accept the truth of the original statements, repudiated under oath, by De Coster and Reyburn.

What is left, if I may make the suggestion, is a lot of inferences which could be used to buttress the truth of Reyburn and De Coster, if their testimony remained unchallenged, but it having been completely discredited, there is nothing to infer about.

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

Mr. DONNELL. If I may have an opportunity to reply briefly to the Senator from Colorado, then I shall yield.

Mr. President, it was suggested earlier in the debate, by the distinguished junior

Senator from Oregon [Mr. MORSE], that the mere fact that Mr. Reyburn and Mr. de Coster may have been shown to be, as I think they were, not telling the truth in their testimony before the subcommittee, does not make it obligatory upon the Senate to set aside and refuse to consider what all these men may have done and all that they may have said in the past.

Mr. President, the distinguished Senator from Colorado has asked, What remains after the discrediting of these men? I have attempted to state—and I shall not trespass on the time of the Senate to repeat it unless necessary—the chain of circumstances, beginning with the interest of Commodore Vardaman, beginning with his own mimeographed statement that there was tampering in an effort to show the building up of an inventory greater than existed; I have checked item by item various and sundry important circumstances which to my mind would justify the Senate in drawing the conclusion, regardless of the fact that De Coster and Reyburn and Vardaman himself denied that anyone of them had any participation, that there was participation by Vardaman, by De Coster and by Reyburn in tampering with the inventory.

I now yield to the Senator from Illinois.

Mr. LUCAS. Not having been a member of the committee, and not having followed the hearings very closely, I rise only to seek information.

The colloquy between the two Senators has dealt with a witness by the name of Williams, I understand. Is Williams a disinterested witness, or does he have an interest of some kind?

Mr. DONNELL. I know of no interest he has.

Mr. LUCAS. How did he happen to get into the case?

Mr. DONNELL. I shall explain it.

Mr. LUCAS. Has the Senator explained it heretofore?

Mr. DONNELL. No; I do not think I have. I think it is a pertinent question, and I shall be glad to explain.

The testimony of Mr. de Coster and of Mr. Reyburn had been, generally speaking, to the effect that they went to the office of Mr. Williams who was a member of the law firm to which I have referred, and were ushered into his presence. In the case of Mr. Reyburn, who executed the first affidavit, the one executed on January 30, 1942, Mr. Reyburn testified, in substance, that there was intimidation, that there was cajolery, that there was representation unless Mr. Bittner got back his money he could not send his boy to school, that there was an intimation that unless he, Reyburn, should sign this affidavit which was to be prepared he would lose his job at the plant, and that after a long period, an hour and a half or two hours, or possibly an hour or an hour and a half, I have forgotten, he, Reyburn, signed the affidavit which Mr. Williams had dictated.

The testimony of Mr. Reyburn was further to the effect that Mr. Williams was under a high degree of excitement. Indeed, a rather humorous incident was mentioned by Mr. Reyburn, namely, that Mr. Williams fell over his waste basket

in the process of the preparation of the affidavit, or during the conference with respect thereto. The whole inference from the testimony of Mr. Reyburn, I may say to the distinguished Senator from Illinois, and I think the members of the committee will agree with me, was that his execution of this affidavit of January 30 was induced and brought about by improper conduct, by cajolery, intimidation, and duress on the part of Mr. Williams and his client, Mr. Bittner.

Mr. RADCLIFFE. Mr. President—

The PRESIDING OFFICER (Mr. KNOWLAND in the chair). Does the Senator from Missouri yield to the Senator from Maryland?

Mr. DONNELL. I yield.

Mr. RADCLIFFE. Did not his testimony also disclose that Mr. Williams was likewise the counsel for Mr. Reyburn and Mr. de Coster; that he represented all three?

Mr. DONNELL. Yes. I thank the Senator from Maryland. I had overlooked that. The testimony was that Mr. Williams was the counsel for Mr. Reyburn and for Mr. de Coster. My recollection is that the inference there was that he was permitting his own clients to sign affidavits contrary to their own interests. I will say to the Senator from Maryland that I think that was the inference which the committee had suggested to it.

Mr. President, I propose to read in a few minutes the affidavit drawn on the next day, which is exhibit E, signed by Mr. Paul de Coster. I shall read a photostatic copy of a conformed copy. The testimony is that he signed one, in which substantially the same point was made that Mr. Williams had been a participant in intimidation and duress, and that he violated the duty which an attorney owes to his client in that he permitted his client to sign an affidavit to be used in a way that would be injurious to the client, or at least susceptible of causing injury. It is quite a long story; but if the Senator from Illinois desires me to relate it I will do so.

Mr. LUCAS. Mr. President—

Mr. DONNELL. I have not quite finished. These matters were called to the attention of Mr. Williams, who, by the way, I had suggested to the committee be subpenaed; in fact, I think I had requested that he be subpenaed. Mr. Williams himself finally concluded to come to Washington, after wide publicity had been given to the testimony of Mr. Reyburn and Mr. de Coster reflecting on the good name of Mr. Williams.

I may add—and this goes slightly beyond an answer to the Senator's question, but I think he would like to have the information—that Mr. Williams is a member of the character committee of the Missouri bar, appointed by the supreme court some 2 or 3 years ago. His firm is one of the leading firms of St. Louis, and represents the Pennsylvania Railroad Co., the Southern Railway Co., I think the Baltimore & Ohio, the United States Steel Corp., and many other corporations I might mention that are shown by the testimony.

Mr. Williams came here, as I understand, because of the fact that his own good name was reflected upon, and he

felt it obligatory upon himself to give the committee the facts as to the case, and he gave them much more fully than I have thus far indicated.

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

Mr. DONNELL. I yield.

Mr. LUCAS. As I understand, his good name was reflected upon by the client who had employed him in connection with this case?

Mr. DONNELL. The point was that he thought his good name was affected or reflected upon by the testimony of these two men who, it was claimed, were his clients. I should like to say what I mean by "it was claimed." The testimony of Mr. Williams was that on January 31, the day after the execution of the affidavit by Mr. Reyburn, he then had the conference with Mr. de Coster. Mr. Williams was not quite sure when it was that the conversation had occurred between De Coster—he thought it was De Coster—and himself, in which De Coster requested that he represent Reyburn and De Coster. That is, the conversation occurred after the Reyburn affidavit, but whether it occurred before the execution of the De Coster affidavit or the conference with De Coster, Mr. Williams was not quite sure, but Mr. de Coster and Mr. Reyburn were fearful, so Mr. Williams understood, of their participation in the matter of tampering with the inventory, and they therefore desired that he represent them. He agreed, upon the request of Mr. de Coster that he would do so, provided, however, that if at any time such a situation should arise that his representation of the three individuals, Bittner, De Coster, and Reyburn, should prove inconsistent, he would have the right to terminate his representation of Messrs. de Coster and Reyburn, and that was stated in a letter which Mr. Williams sent to those three gentlemen.

If I may continue for a moment, the testimony of Mr. Williams was further to the effect that because of the fact that Mr. de Coster and Mr. Reyburn were fearful of their position arising out of the tampering with the inventories, he was asked by them for his advice as to whether they were subject to any criminal liability. He thereupon advised them that he was not a criminal lawyer and would refer them to Mr. Sigmund Bass, one of the very well-known criminal lawyers in St. Louis; that Mr. de Coster, Mr. Reyburn, Mr. Bittner, and Mr. Williams went to the residence in Vandeventer Place of Mr. Bass, and there a consultation was had with the latter as to the criminal liability, if any, of De Coster and Reyburn; that Mr. Bass, after considering the facts, advised them that there was no criminal liability. Mr. Williams testified that in his own opinion there was no criminal liability, and certainly, in part, his testimony was to the effect—I am not certain whether this was a complete statement of it on that point—but in part his testimony was to the effect that there was no criminal liability, because the false inventory was never incorporated into a financial statement which was presented to the creditors on which they relied.

I have given in substance what I now recall of the connection of Mr. Williams with the case.

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

Mr. DONNELL. Yes.

Mr. LUCAS. Did I correctly understand the Senator to say that he had concluded that two of these witnesses testified falsely before the Senate committee investigating the nomination of Mr. Vardaman?

Mr. DONNELL. I may answer the Senator by saying that, in my opinion, De Coster and Reyburn in their statements denying the truthfulness of these affidavits were not telling the truth, and in my opinion the Senate is fully justified in inferring that the facts set forth in the affidavits as to what they had received from Mr. Vardaman were accurate.

Mr. LUCAS. Of course, the Senator knows the rule of law that if a jury believes that a witness under oath has testified falsely to any material matter the jury has a right to disregard his entire testimony.

Mr. DONNELL. The jury does have that right.

Mr. LUCAS. That is practically the same position the Senate would be in today if every member of the committee agreed that these two important witnesses whom the Senator from Colorado and the Senator from Missouri have been discussing, testified falsely upon a material matter. In that event the Senate would be justified in disregarding their testimony altogether. Am I correct about that? That is a rule of law.

Mr. DONNELL. I would say, that under the rule of law, which prevails in the courts, as I understand, a jury is justified in disregarding the testimony in whole or in part. I am not entirely clear on this point because I have not refreshed my memory as to the legal proposition, but my judgment is that the jury is not obliged but may—it is merely permissive with the jury—disregard any part or all.

I may say for the information of the Senator that the same point which he mentioned was raised earlier today on the floor of the Senate by the Senator from Colorado, and that the Senator from Oregon, I think very properly, pointed out that, while it is true that we may be justified in considering that some portion of a witness' testimony is untrue, the Senate is not thereby precluded from accepting the truthfulness of any other statement of the witness.

Mr. LUCAS. Let me say in reply to the able Senator from Missouri that of course the Senate can do anything it wants to do under its rules. We can ignore all the testimony if we want to and make a decision either for confirmation or against confirmation. All I was attempting to do, for my own information, in order that I might vote intelligently upon this question, was to ascertain the reliability, from the standpoint of veracity, of these two principal witnesses who appeared before the committee. In trying law suits in my section of the country I have always found that if I could catch a couple of witnesses who were against me perjuring themselves, and counsel on the other side

would agree that they had testified falsely upon material and pertinent matters, it was not very difficult for me to win a verdict.

Mr. DONNELL. I may say to the distinguished Senator from Illinois, whose very courteous question I am glad he has asked, that to my mind even if these men are utterly unreliable in their testimony before the Senate committee, nevertheless the Senate has a perfect right to consider all the circumstances which I have recited. I shall not weary the Senator by going over them. The Senate may consider all the circumstances with respect to the interest of Commodore Vardaman, the destruction of the affidavits, and so forth, and the Senate may conclude that even if those witnesses could not be believed when they testified before the subcommittee, nevertheless the conduct of Commodore Vardaman with respect to the affidavits themselves may amount to an admission of the truthfulness of the affidavits.

As I see it, we are not trying Reyburn or De Coster in the Senate. We are interested, of course, in their veracity, their reliability, and their credibility, if they have credibility. We are trying the question of the qualifications of Commodore Vardaman; and if those men have sworn falsely before the subcommittee, but also years ago, prepared and signed—or sat still while there were being prepared and signed—documents in which there are certain things against Commodore Vardaman, and Commodore Vardaman by his conduct admits the correctness of the contents of those documents, we are entitled to consider that admission, derived from the conduct of the Commodore, regardless of whether we consider the individuals Reyburn and De Coster as credible or not.

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

Mr. DONNELL. I yield.

Mr. LUCAS. What the Senator is saying he wants the Senate to do is simply to forget about the testimony of the two main witnesses who appeared before the subcommittee.

Mr. DONNELL. Not at all.

Mr. LUCAS. The Senator takes certain portions of their testimony and says, "Believe that, and disbelieve certain other portions, and reach your own conclusion as to the portions with respect to which there is no question." As I understand, perhaps some parts of the affidavits are not denied; but certain material and pertinent facts involving Commodore Vardaman are denied by these witnesses. Either they falsified in this instance, or they falsified when they made the affidavits. Would the Senator agree with me that his case would have been stronger if he had never had these two witnesses?

Mr. DONNELL. No; I do not agree to that. Those men came before the subcommittee and testified that they had executed three or four documents. Either the documents were in the handwriting of the individuals themselves, or the signatures were in their handwriting. They admitted that they had gone to Mr. Williams' office and had there signed documents which were prepared. The circumstances surrounding the confer-

ence with Mr. Williams, and all the matters which I have developed, and some others which I shall develop, to my mind made it exceedingly important that they be present and testify. To my mind the fact that they have admitted the execution of the affidavits, coupled with the conduct of Commodore Vardaman with respect to those affidavits, and other conduct, makes this case one in which the Senate is well justified in drawing the inferences which I submit should be drawn.

Mr. LUCAS. Do I correctly understand the Senator to say that, had he known in advance that these two witnesses would come here and perjure themselves, and had they told him in advance of their testimony, he still would have called them?

Mr. DONNELL. I think I would have called them if they had told me that they were going to testify exactly as they did testify, because I think the committee is entitled to know what those men say now with respect to the affidavits. I believe that in justice to them, they were entitled to come. Furthermore, I believe that the Senate is entitled to draw its own conclusion and its own inferences from the conduct of those men and the conduct of Mr. Vardaman with respect to the documents which they signed 4 years or more ago.

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

Mr. DONNELL. I yield.

Mr. MILLIKIN. I should like to say to the distinguished senior Senator from Illinois that a while ago I challenged the Senator from Missouri to take out of the case those lying affidavits and try to make a case without them. He did not accept the challenge, but insisted on keeping them in the case. I suggest that that in itself condemns his whole exposition.

Mr. DONNELL. Let me say in that connection that from time to time it has been suggested by the committee that I have been acting as a prosecutor. When I appeared before the committee and presented to it the statement, in substance, that various matters had been brought to my attention which I thought should be considered by the committee, I did so in the performance of a public duty, as I regarded it. I have continued to act in that way, as I have no doubt the members of the subcommittee have done in the performance of their duty.

Furthermore, in the list of witnesses whom I requested to have subpoenaed was Mr. Tom K. Smith, president of the Boatmen's National Bank, of St. Louis, who I knew was going to testify in favor of Commodore Vardaman. I received a letter from Mr. Harold Jolley, one of the vice presidents of the bank, I believe, and a close personal friend of mine, likewise in favor of Mr. Vardaman.

Yesterday the distinguished Senator from Colorado referred to my not having acted as a prosecutor, according to my statement. He may conclude that because of my presentation of this case I have become a prosecutor.

Mr. President, I have heard all the evidence in this case, and I have studied the record. I do not mean to say that I have read it all. I have heard all the testimony

as it was given, and I have studied a good deal of it. I have reached some conclusions in this case, and I have deemed it my duty not merely to present the facts, but to present, to some extent, the conclusions which I have drawn from the facts. I have done this in the attitude of what I think is my duty as a Senator, to bring to the attention of the Senate the facts and the conclusions which I have drawn therefrom.

Let me say to the Senator from Illinois, whose question has been in point, and most courteously put, as have been the questions from other Senators, that had I known that every witness in this case would have testified exactly as he did, I would have asked for him to come and testify before the subcommittee, leaving it to the subcommittee, and ultimately to the Senate, to use their own best judgment as to what conclusion should be drawn from the testimony.

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

Mr. DONNELL. I yield.

Mr. MILLIKIN. I should like to say to the distinguished senior Senator from Illinois that again and again I have tried to get the distinguished Senator from Missouri to say that he considered De Coster and Reyburn as reliable witnesses. He would not do so. I have asked him whether he would vouch for them. He would not do so. So, of course, I suggest that there is very little before the Senate, unless we are to take up our time considering unreliable testimony and unvouched-for testimony, and testimony, which the witnesses themselves have impeached.

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

Mr. DONNELL. I yield.

Mr. LUCAS. I agree with the Senator that he has the right to present this case in any way he sees fit before the Senate; and he has the right to draw conclusions and inferences and present them to the Senate for its interpretation. Candidly, I am a little disappointed with my good friend from Missouri, who states that had he known that these men were going to perjure themselves on the witness stand by testifying falsely, he would still have had them come here and testify. I do not quite follow that line of reasoning. I do not think there can be much question that every fair-minded individual who is sitting as a juror—as we are, more or less, in the United States Senate in attempting to pass upon the merits and demerits of this case—when two of the chief witnesses testify falsely, takes that fact into consideration. Senators who are opposing this nomination are relying upon two chief witnesses. It is admitted by the able Senator from Missouri and by practically every member of the committee that these men testified falsely on material and pertinent matters before the committee. It strikes me that it would be unusual if we did not take that fact seriously into consideration, especially when the Senator is relying primarily upon those witnesses to show that Vardaman's nomination should not be confirmed.

The confirmation of any nomination before the Senate is a very serious matter. Certainly facts going to the char-

acter, integrity, and ability of the nominee should be considered. But I do not believe that the Senator ought to ask me not to vote to confirm the nomination on the basis of pure inference, or on the basis of a bit of testimony by these two witnesses, which perhaps is not contradicted, when other parts of their testimony are admitted by all to be absolutely false. That is the thing which is worrying the Senator from Illinois. All through my life I have seen the rules of law applied to that type of evidence; and certainly I believe that the Senate would be justified in making the same application in this instance.

Mr. DONNELL. Mr. President, I appreciate the questions and observations of the Senator, and his expression of disappointment over the fact that I have answered the question in the way that I did.

To my mind the Senate of the United States was entitled to know what the men who had it within their power to have brought about tampering with the inventory would say. Mr. Reyburn was the superintendent in charge. He was the man who, according to his own statement, was authorized and directed to take the inventory. Obviously, to my mind, he should testify before the committee. If he chooses to come here and not tell the truth to the Senate, the Senate, in its own good judgment, can determine whether he is or is not telling the truth.

The same thing is true of Mr. de Coster, who was the comptroller of the company. He did not have charge of the actual physical taking of the inventory. To my mind the duty which rested upon me was to bring in, or request that there be brought in, every person, so far as we could know, who probably knew anything about the taking of the inventory.

Let me say to the distinguished Senator from Illinois that I did not know when these men came here what they would testify to. I do not recall ever having met Mr. Reyburn, though I may have met him. I was in Owensville, Mo., during my campaign for the United States Senate, and Mr. Bittner himself took me through that plant. I did not know, until he came to Washington, that he was the same man. I did not know his name when he took me through the plant. I may have seen Mr. Reyburn then, but I did not know to what he would testify. I did not know to what Mr. de Coster would testify. I had met Mr. de Coster when I was in St. Louis in the early part of February. I arranged to have Mr. de Coster confer with me, which he did, at the office which was kindly allotted to me in the Federal Building in St. Louis. At that time Mr. de Coster expressed himself in very fine terms commendatory of Commodore Vardaman. The whole inference which I drew in my own mind with respect to Mr. de Coster was that his testimony here would probably likewise be favorable to Commodore Vardaman.

I wish to say further to the Senator from Illinois that I had never seen the photostatic copies of the affidavits until they were brought here by Mr. Bittner, although I had been informed generally of the fact that they would disclose tampering with the inventory at the direc-

tion of Commodore Vardaman. I had not been told that by Mr. Bittner, but I had it upon information which I deemed to be proper and reliable, and I so informed the committee itself.

So, Mr. President, I do not regard my attitude as in any sense reprehensible. While I have no doubt as to the sincerity of the Senator from Illinois in expressing his disappointment, I do not think there is any proper censure which could be placed upon me for having brought those men to Washington, even if I had known in advance every word they would testify.

Let me say further that I did not bring them to Washington, but I requested that they be brought here. Certainly the testimony of one of them was that he came here of his own volition. I am inclined to think that both of them indicated or at least inferred that they did so. However, I wish it understood that although I did not bring them to Washington, I thought they should be here. I had telephoned the chairman of the subcommittee, the Senator from Maryland [Mr. RADCLIFFE], to that effect from Kansas City on the night intervening between February 12 and February 13. I had said to the subcommittee on several occasions that I wanted them here; and I am glad the committee obtained their testimony.

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

Mr. DONNELL. I yield.

Mr. LUCAS. I am sorry to be taking up so much time.

Mr. DONNELL. That is quite all right; the point is a very important one.

Mr. LUCAS. I wish to say that I am glad the Senator brought the witnesses here, and certainly I do not place any blame for producing the witnesses and reducing their testimony to writing. However, I cannot quite follow the Senator's line of reasoning when he says that had he known in advance that both De Coster and Reyburn would go before the committee and raise their hands and swear to Almighty God to tell the truth, and then perjure themselves, he still would have called them and had them testify—even if he had known all that in advance. In my section of the country an attorney conducting a law suit who calls a witness to testify and is told in advance by the witness that he will lie about the matter when he goes on the witness stand, if the witness does so and the court finds it out, will find himself in a very difficult situation.

Mr. DONNELL. I can readily understand that attitude of a court. If any lawyer undertakes to make a case by himself, producing perjured testimony in support of his case, I agree that that is thoroughly reprehensible. But, as I view the matter, in this case the persons who knew the facts were Reyburn, De Coster, Bittner, and Vardaman, and the committee was entitled to hear from them, even if they should go on the witness stand and testify from beginning to end without regard to the truth. The committee was entitled to hear what they had to say, and I think it was entirely proper to bring them here. I was not attempting to make out a case for a client. I was attempting to present to

the committee the facts which were known by the various persons.

I appreciate the very courteous reference of the Senator from Illinois. I wish to state to him and to the Senate that I have no apology of any kind, nature, or description to make for having interrogated the witnesses or for presenting to the Senate at this time what I think are the proper conclusions to be adduced from their testimony.

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

Mr. DONNELL. I yield.

Mr. MILLIKIN. I believe the matter to which I shall refer has been made clear already, but I wish to double-rivet it, if it has not been. Will the Senator state what witnesses appeared before the subcommittee and, of their own knowledge, testified that Commodore Vardaman had tampered with an inventory or had caused it to be tampered with?

Mr. DONNELL. Mr. President, I know that the Senator from Colorado can answer the question, and I also can answer it. There was no witness who testified in words to that effect. But, Mr. President, there were circumstances, some of which I have attempted to detail this afternoon, which, to my mind, justify the Senate in drawing the inference and conclusion to which the Senator has referred.

Let me say further that I know the Senator from Colorado is a lawyer of wide experience. Undoubtedly he realizes that there are many facts which are not proven in a court proceeding or elsewhere by direct testimony or by admissions of witnesses, but which depend for their establishment upon inferences, upon circumstantial evidence, upon a chain of evidence or circumstances which, regardless of what the witnesses may say with their tongues and their lips, may nevertheless speak louder than the words which they utter.

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

Mr. DONNELL. I yield.

Mr. MILLIKIN. I am devoting my attention now to illuminating the extent of the direct testimony, if any, connecting Commodore Vardaman with the inventory. So I shall ask the Senator now whether there was anyone who was put on the witness stand from whom the Senator hoped to obtain direct testimony, other than Bittner, Reyburn, and De Coster.

Mr. DONNELL. No; there certainly was not. In my judgment, Mr. Bittner did not know the facts as to who had done the work, other than what was contained in the affidavits. Mr. Bittner was not present at the making of the inventory. I never expected that he would testify as to who it was who caused the inventory to be tampered with. He knew nothing of it of his own personal observation. But I did know that Mr. Bittner had in his possession affidavits which I had been informed would state, as I recall, that the tampering had occurred as the result of the direction of Commodore Vardaman.

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

Mr. DONNELL. I yield.

Mr. MILLIKIN. So, in net conclusion, Bittner had no personal knowledge, and De Coster and Reyburn repudiated whatever the Senator thought they would testify in respect to connecting Commodore Vardaman with the tampering. Is not that true?

Mr. DONNELL. That is correct. But, Mr. President, that still leaves numerous circumstances to which I have referred, from which the Senate may draw its independent conclusions, regardless of the statements emanating from the lips of the witnesses themselves.

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

Mr. DONNELL. I yield.

Mr. MILLIKIN. But the Senator from Missouri still refuses to eliminate the testimony of Reyburn, Bittner and De Coster; he continues to keep that testimony in his case as a basis for his inferences.

Mr. DONNELL. I certainly do keep every jot and title of testimony in this case, because all of it has a bearing. All of it constitutes a series of links in the chain of testimony in the case.

Mr. President, before the Senator from Illinois leaves, if he intends to do so, I should like to make a further statement—namely, that Mr. Williams, as I see it from the standpoint of proper professional ethics, declined to testify as to the conversations which had ensued between himself and Mr. de Coster in connection with the preparation of the affidavit of January 31 which I am about to read, because of the fact that Mr. Williams could not be sure whether the relationship of attorney and client had begun between him and Mr. de Coster before or during or subsequent to the process of the preparation of the affidavit.

Mr. President, I now offer to the Senate—and it was offered to the subcommittee—exhibit E. It is a photostatic copy of what I submit is shown by the testimony of Mr. Williams to be a conformed carbon copy of the affidavit of January 31 of Mr. Paul de Coster, which was sworn to before Martha Harris, notary public. The affidavit reads as follows:

State of Missouri, city of St. Louis, ss.

I wish to say at this point—and I think I should do so in fairness to the committee and to all parties—that in the course of the hearing before the subcommittee the point was made that Mr. Williams had not examined either of the affidavits which are marked "exhibits E and F" against the original affidavits. There was discussion as to whether under the law of evidence he could, therefore, testify whether the documents were copies of the original affidavits. As I view the matter, Mr. Williams made, under the law, an admission as to the correctness of which I am doubtful; and he himself, as I view the matter from his evidence, later became doubtful of it. He was inclined to think that it would have been necessary for him to examine the documents against the originals. However, Mr. President, I do not concur in that view, and I certainly think the Senate has a right to determine whether it is the proper view. In the light of the fact

that Mr. Williams testified that on the day preceding his testimony before the subcommittee, he, in my office in the Senate Office Building in Washington, examined those two documents and recognized the substance of them to be the same as that of the affidavits, I respectfully insist that these documents are admissible in evidence and should be admissible even in a court.

Now I present exhibit E.

STATE OF MISSOURI,

City of St. Louis, ss:

I, Paul de Coster, of lawful age, being duly sworn, depose and state:

That I am the duly elected comptroller and assistant secretary of the Vardaman Shoe Co., having its principal office in St. Louis, Mo., and have served in that capacity for approximately 2 years up to the date of making this affidavit.

I have read the affidavit of Mr. Samuel Reyburn, verified before Martha Harris, notary public, under date of January 30, 1942, and confirm and verify all of the statements therein contained, subject to the reservation that I do not have personal knowledge regarding the actual method employed in making this inventory, and the facts respecting the changes made therein because I was not physically present at the places where the same were done.

Mr. President, I digress here to interpolate the statement of fact that the affidavit of Mr. Reyburn which, as has been indicated, was executed on January 30, 1942, and the testimony of Mr. Williams completely and clearly annihilated any testimony which was given by either Reyburn or De Coster to the effect that there had been any intimidation, duress, cajolery, or other improper means used to bring about the signatures on the originals of these affidavits.

I continue reading from exhibit E:

When Mr. Reyburn, as stated in his said affidavit, returned to St. Louis and delivered the inventory to me—

Mr. President, I digress again and ask pardon for not having thought of the fact before, but it will be recalled that in the affidavit of Mr. Reyburn under date of January 30 there is confirmation and verification of the statements contained in the affidavit of Mr. de Coster, subject to the reservation which I have read. The statement to which I refer is as follows:

After a brief conversation Mr. Vardaman asked Mr. de Coster what the final figure in the inventory was, and Mr. de Coster told him. Mr. Vardaman then turned to both of us and stated that this inventory would have to be changed so that the company would show a profit of \$30,000.

Mr. President, before continuing with a reading of exhibit E, I desire to invite the attention of the Senate to the fact that, as I recall the testimony of Mr. Reyburn, he himself admitted that when he went to the office of the company on Washington Avenue, in St. Louis, with the inventory sheets, Mr. Vardaman, according to his recollection, joined him and talked with him. Furthermore, I believe he said—I would have to check it to substantiate my recollection—that Mr. Vardaman asked him, Mr. Reyburn, what the figure was in the inventory.

I now continue reading exhibit E:

When Mr. Reyburn, as stated in his said affidavit, returned to St. Louis and delivered

the inventory to me, on or about December 15, 1941, I, within a few minutes thereafter, and without making any examination of the inventory, delivered the inventory to a representative of Ernst & Ernst, who at that time was present and in process of making the audit and whom I remember as being Mr. Leisse. This representative of Ernst & Ernst accepted the delivery of this inventory without any comment and the subject of same was not brought up or discussed by me with anyone until in the course of the audit the representatives of Ernst & Ernst began to question the accuracy of certain items in the office of the Vardaman Shoe Co., the exact time of which I do not recall but it was approximately 3 or 4 days after my delivery of the inventory as above stated.

Subsequently, further discussions regarding this inventory were had with the auditors and in all of these discussions the discrepancies therein contained were brought up for discussion. In the course of these conferences with the auditors regarding the accuracy of the inventory I was questioned regarding the discrepancies and my answer to those questions was that the inventory was made and compiled under Mr. Reyburn's supervision, and my explanations of these discrepancies were predicated upon verification by Mr. Reyburn, since my knowledge of the operations involved in the shoe factory was not sufficient to warrant a positive statement as to the reasons for such discrepancies.

After the auditors questioned the accuracy of the inventory, I, of course, felt it incumbent upon me to report this to Mr. Vardaman, which I did, and Mr. Vardaman, as president of the company, ordered me to confer with Mr. Reyburn for the purpose of priming him and prevailing upon him to support the inventory as submitted. Acting under those instructions, I went to Owensville, discussed the matter with Mr. Reyburn, advised him of the instructions which I had received from Mr. Vardaman, and discussed with Mr. Reyburn the possible plausible explanations to support the same. He made such explanations to me and upon my return to St. Louis I discussed the inventory situation with Mr. Vardaman.

Subsequent I discussed the entire subject of this inventory with Mr. Vardaman at his office in the Naval Intelligence Office in St. Louis. Mr. Vardaman telephoned me and told me he had been in conference with the auditors and then summoned me to his office in the Capital Syndicate Trust Building to discuss the matter. I went to the office as directed and Mr. Vardaman and I discussed the inventory situation in its entirety. Mr. Vardaman stated that Ernst & Ernst were on the verge of demanding that a new inventory be taken as of January 31 and asked me if I thought it would be possible to substantiate the inventory of November 30 if such a new inventory as of January 31 was taken. I told him that, frankly, it would be an impossibility to support the figures contained in this inventory.

The possibility of calling Mr. Reyburn from the office of Ernst & Ernst at the meeting next scheduled was discussed, and Mr. Vardaman decided that we should talk to Mr. Reyburn from his office and tell him that we were going to hold this meeting with the auditors at their office, and in the event he received a phone call from either Mr. Vardaman or myself, he was to be on his guard, realizing that the phone call was originating in the presence of representatives of the auditing firm.

Then Mr. Vardaman called the auditors and told them that he would be late, but that if I came in just ask me to wait. It was then suggested by Mr. Vardaman that I proceed to the office of Ernst & Ernst alone and prior to his arrival.

Upon arrival at the office of Ernst & Ernst I was called in the office. Mr. R. A. Huelsick and Mr. Stafford were invited in and we began

discussing some general aspects of the situation. Shortly thereafter, Mr. Vardaman arrived and a discussion of the inventory matter began. The inventory sheets were then turned over to me so that I might review the method of pricing used, which the auditors questioned, after which Mr. Vardaman and I left the office of Ernst & Ernst. During this conference Mr. Vardaman sought to vindicate in every way the authenticity of this inventory, or at least it appeared to me that when we left some of the doubts in the minds of the auditors were relieved. During the conference in Ernst & Ernst's office the auditors directed the attention of Mr. Vardaman and myself to certain erasures of quantities and apparent doubling of the figures as written on the sheet, and told Mr. Vardaman that it was certainly a matter that he should investigate thoroughly.

Having received the inventory papers from Ernst & Ernst, I returned to the office and upon my return from the Chicago shoe show began examining those papers, with a view to ascertaining the basis of pricing used. When I felt that I had sufficient data in hand regarding the basis of pricing used, I called the auditors and informed them that I was prepared to discuss the question of pricing of the inventory. Eventually, the auditors returned to the office and the inventory papers were then returned to them with the figures on the inventory sheets in nowise altered by me.

After a lapse of several days, I called Mr. Vardaman on the telephone and said that I thought he should call the auditors and ask when the statement would be ready, in view of the fast approach of the date for the stockholders' and directors' meetings, and he replied that he would call them at once. A few minutes later he called me back on the telephone and stated that he was going to the office of the auditors. Thereafter, during the day, I received another call from Mr. Vardaman in which he advised me that he was at the office of the auditors and requested me to meet him there and which I did. At that conference there was present, besides myself and Mr. Vardaman, Mr. Brunk, Mr. Huelsick, and Mr. Stafford, of Ernst & Ernst, and we were informed by Mr. Brunk that the inventory was entirely unacceptable, that it had been deliberately padded, and Mr. Brunk—

The words "several times" are inserted with a caret, then the initials in pen and ink, "P. de C.", and then the interlineation stops. I resume the reading:

Mr. Brunk informed Mr. Vardaman that, as president of the company, it was his responsibility to immediately investigate and ascertain the identity of the persons responsible for these discrepancies and to report the same to the board of directors and that such meeting of the board of directors should be held as quickly as possible. Whether or not Mr. Vardaman followed that advice to report to the board I do not know of my own knowledge.

However, subsequent to this meeting with the auditors, Mr. Vardaman instructed me to immediately and from a telephone at which I could not be overheard, get in touch with Mr. Reyburn and have him meet me privately and where we would not be overheard in order that we could discuss ways and means of still substantiating the questioned inventory and in order also to caution him to be on his guard. Upon meeting Mr. Reyburn and informing him of what I considered the seriousness of the situation, Mr. Reyburn's first reaction was that he would bring in the duplicates of the original inventory, turn them over to the authorities, and simultaneously hand in his resignation. The next morning Mr. Vardaman called me and asked me the result of my meeting with Mr. Reyburn and I informed him of Mr. Reyburn's first reaction. Mr.

Vardaman then said that if Mr. Reyburn wished to do that, that was O. K.

Further affiant sayeth not.

(Signed) PAUL DE COSTER.

Subscribed and sworn to before me this 31st day of January 1942.

My commission expires May 12, 1943.

(Signed) MARTHA HARRIS.

And the word "seal" in pen and ink, then the words "notary public."

Mr. President, the testimony of Mr. de Coster was, generally speaking, to the effect that the statements which in any way reflected upon Mr. Vardaman in this affidavit were not true, and were induced by the intimidation and duress of Messrs. Bittner and Frank Williams.

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

Mr. DONNELL. I yield.

Mr. MILLIKIN. Would the Senator be good enough to detail the various types of coercion which de Coster and Reyburn testified operated on them at the time they made this so-called original affidavits.

Mr. DONNELL. I think I have already done that; but I shall try to amplify it a little, and if I do not include all of it, I should be glad to have the Senator supplement it.

The testimony generally was that these men, Mr. de Coster and Mr. Reyburn, each separately, as I have indicated, went to the office of Mr. Williams with Mr. Bittner; that Bittner and Williams, by all sorts of duress—I do not know whether the word duress was used, I do not recall what the witnesses said, if they did say what the language was, but the general substance was that Bittner and Williams had kept at these men until finally, worn out, they signed what was put before them, and that these statements adverse to Mr. Vardaman were not true.

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

Mr. DONNELL. Pardon me for a moment. Furthermore, there were intimations to the effect that there should be close cooperation between Bittner and these respective witnesses, the intimation being in the testimony, as I understand it, that Bittner suggested that if these men did not sign they would lose their jobs. Moreover, Bittner is said to have indicated that if he did not get his money back from Mr. Vardaman he could not send his son to college.

The further statement was made, so Reyburn and De Coster testified, as I recall, that Bittner had a claim against Vardaman and he wanted these affidavits in order to support that claim.

The statement was further made, as I recall, that these affidavits would be destroyed or returned to the affiants, I do not recall which.

Does that satisfactorily answer the Senator?

Mr. MILLIKIN. I thank the Senator very much.

Mr. MORSE. Mr. President, will the Senator from Missouri now yield?

Mr. DONNELL. I yield.

Mr. MORSE. I have received a telegram which sets forth a series of questions on matters with which I am not familiar, because I have not had an opportunity as yet to complete my study of

the record. I had the record this morning for a while, but it is out of my possession again this afternoon, though I have a promise that I shall be able to get it again tonight, when I can study it further. I understand that the Senator from Missouri attended—

Mr. HATCH. Mr. President—

The PRESIDING OFFICER. The Chair suggests that the Senator from Oregon speak a little louder.

Mr. HATCH. I wondered if the Senators were engaging in a private conversation. [Laughter.]

Mr. MORSE. I shall be very glad if the Senator will come over and join us.

Mr. DONNELL. We shall be glad to have Senators on the other side join us on this side.

Mr. MORSE. I wanted to save the voice of the Senator from Missouri, because I think he has many more important things to put into the RECORD. But I shall try to speak so that the Senator from New Mexico can hear me.

I was saying to the Senator from Missouri that I have received a telegram which sets forth a series of questions the answers to which I do not know, and I was about to ask the Senator whether it is true that he attended all the hearings of the subcommittee when Mr. Vardaman was before it.

Mr. DONNELL. Yes; I did.

Mr. MORSE. Then, I shall address some of these questions to the Senator, in the hope that perhaps his knowledge of the hearings will enable him to give me answers, and if not, at a later hour I shall address some questions to my good friend the Senator from Colorado [Mr. MILLIKIN].

I received this message from the editor of a magazine called Finance, which I believe is published in St. Louis, but I am not sure about that. The first question I submit to the Senator from Missouri is this:

If there is no basis for the charges made by Bittner that Vardaman misrepresented value of stock in the financial statement he gave Bittner, why did Vardaman give him a deed of trust to his farm?

Does the Senator think I might find an answer to that question in the record?

Mr. DONNELL. I think the Senator will find that the charge was made against Mr. Vardaman that he had, by misrepresentation in the financial statement which I have exhibited to the Senate, secured from Mr. Bittner \$9,375, of which \$4,000 was in cash, the balance in a note from Mr. Bittner; that thereafter Mr. Bittner, charging that the sale of the stock was based on fraudulent representations, demanded, both personally of Mr. Vardaman and through his attorney, Mr. Williams, that Mr. Vardaman reimburse Mr. Bittner for the amount expended by him, or make some type of settlement; that Mr. Vardaman thereupon engaged Capt. Clark Clifford, who was a lawyer in St. Louis, to represent his interests; but that prior to the engagement of Captain Clifford, Mr. Vardaman had himself agreed with Mr. Bittner, or his attorney, Mr. Williams, that he, Mr. Vardaman, would make a settlement.

I think the testimony shows that he agreed that the amount to be repaid to Mr. Bittner was \$5,375 by note secured

by deed of trust on the farm in St. Louis County, coupled with the agreement, I think, as it was ultimately made, I think, on March 14, 1942, that as each dollar was paid on the note one share of stock was to be surrendered by Mr. Eittner back to Mr. Vardaman.

I may say, Mr. President, that I am not certain that the testimony affirmatively shows that all this detail I have mentioned had been agreed to by Mr. Vardaman and Mr. Bittner or his attorney, Mr. Williams, in advance of the engagement of Mr. Clifford, but I am quite clear that Mr. Clifford testified that Mr. Vardaman had made, in advance of the engagement of Mr. Clifford, the agreement to settle.

The evidence shows that subsequently, on or about March 14, 1942, the settlement was concluded by the issuance of the note and delivery of the deed of trust upon the property. It was on that date, according to the testimony of Mr. Williams, that there was a request by Mr. Vardaman, after the signing of the papers, that the affidavits, meaning, I think, those executed in the office of Mr. Williams by Reyburn and de Coster, be destroyed. Mr. Williams and Mr. Vardaman, according to the testimony of Mr. Williams, went to the shower room of the law firm, and there Mr. Vardaman applied the match, and they were destroyed.

I think I should say in fairness to Mr. Vardaman that he denies that there was any request on his part for or any knowledge of any destruction.

I think I should say further that Mr. de Coster testified that he, de Coster, was present when they were destroyed, but Mr. Williams denied it. Mr. Williams had his time sheets, or rather those that had been made up by transcription, as is customary in his office, for March 13, which do not show the presence of Mr. de Coster, but which do check the presence of the other gentlemen.

Mr. President, to my mind the evidence I have mentioned here—and there may be some other facts and circumstances which I do not at the moment recall—amply justify the answer to be made to the inquiry contained in the telegram which the Senator from Oregon has in his hand, that Mr. Vardaman realized that there was merit in the claim of Mr. Bittner. I may say also that Mr. Williams testified that the affidavits of Reyburn and de Coster were shown to Mr. Vardaman. Mr. Vardaman denies that. Mr. Clifford states that he never saw them, but he knew that certain affidavits were in existence.

Does that answer the question contained in the telegram, which the Senator read?

Mr. MORSE. That certainly supplies me with information with respect to the question asked in the telegram.

Mr. DONNELL. Pardon me. I did not mean to ask the Senator to bind himself as to whether he joined in the conclusion at which I had arrived. I wanted to give the Senator the facts which would give him in a general way my views.

Mr. MORSE. I am satisfied that the Senator's statements are in response to the question.

Mr. MILLIKIN. Mr. President, may I ask the distinguished senior Senator from Oregon to read the question again?

Mr. MORSE. It is as follows:

If there is no basis for the charges made by Bittner that Vardaman misrepresented value of stock in the financial statement he gave Bittner, why did Vardaman give him a deed of trust to his farm?

Mr. MILLIKIN. May I make an observation on that subject?

Mr. DONNELL. Yes.

Mr. MILLIKIN. The deed of trust to the farm was merely security for a note which Commodore Vardaman gave to Mr. Bittner for the purchase back by Commodore Vardaman from Bittner of—my memory is—some 3,000 shares of stock of the 9,000-plus shares which Bittner had bought.

Mr. DONNELL. Five thousand three hundred and seventy-five.

Mr. MILLIKIN. Is it 5,375?

Mr. DONNELL. Yes.

Mr. MILLIKIN. Of the 9,000-and-some shares which Bittner had bought from Vardaman. So, it will be noticed at once that Vardaman did not agree to buy back all the shares. There is no implication, as I recall, that Vardaman bought the shares back under any consciousness of wrong-doing. Mr. Williams, when I asked him whether there had been any admissions against interest in the settlement, said there had not been.

The distinguished senior Senator from Missouri has pointed out to me that what purports to be a copy of the contract between Vardaman and Bittner mentions \$5,375 as the indebtedness and that this was to be discharged by one share of stock for \$1 of indebtedness. Is that correct, I ask the Senator?

Mr. DONNELL. It is.

Mr. MILLIKIN. There is nothing in the record, and Mr. Williams stated specifically that there was nothing in the settlement that represented any admission against interest by Commodore Vardaman. Then, why did he buy back any stock? It was very obvious that Mr. Bittner was not satisfied with the deal, and, as often happens in transactions of that kind, a man says, "Well, you are not satisfied. I will go part of the way with you and take this back."

The point I want to emphasize is that there is nothing in the record to indicate that Vardaman was settling on the basis of a blackmail scheme, or that Williams, under his own testimony, was considering that he was engaged in a blackmail scheme. Williams testified that he took these affidavits in the same way that any cautious lawyer takes a statement or an affidavit, as a safeguard against the possibility of witnesses running out on him in future litigation such as Williams said he might conduct in Bittner's behalf.

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

Mr. DONNELL. I shall yield in a moment. I am pleased that the Senator from Colorado mentioned that there was no settlement of this case on any blackmail basis. Indeed, my recollection of

the testimony is, and my note here indicates, that Mr. Vardaman said that he was not buying affidavits, and from that I draw the inference, which I submit for the consideration of the Senate, that if he was not buying the affidavits—and I do not think he was buying them—there was no blackmail in it, as the Senator from Colorado has indicated. So the Senate can then reach the conclusion that Mr. Vardaman was settling on the merits of the case rather than on the basis of any affidavits, and was paying \$5,375 in the form of a note because of those merits.

I now yield to the Senator from Arizona.

Mr. McFARLAND. I should like further to supplement the statement of the able Senator from Colorado by saying that Commodore Vardaman made it plain that at the time the stock transaction was made probably both he and Bittner thought the company was in somewhat better financial condition than it really was, and that he was willing to buy back, say, half of the stock, and so indicated shortly after he had sold him all the stock; that Mr. Bittner had said that he had bitten off more than he could chew—I think that was the expression used—and that he, Commodore Vardaman, still had confidence that the company would snap out of it and would make money. I may say that I understand Mr. Bittner is making money out of it right now.

Mr. MORSE. Mr. President, will the Senator from Missouri yield further?

Mr. DONNELL. I do; yes.

Mr. MORSE. I may say that the second question apparently deals with an allegation that at one time the trustee in bankruptcy in the Federal court proceeded against Mr. Vardaman on a charge of embezzlement and willful misappropriation of funds, and that the action was subsequently dismissed.

Is there anything in the record which bears upon that matter? Let me put the question as it appears in the telegram:

Why was the suit to recover \$2,804 on Vardaman's bond brought by the trustee in bankruptcy in Federal court charging embezzlement and willful misappropriation dismissed? The charges were neither proved nor disproved. What were the circumstances under which Judge Moore dismissed the suit?

Would I find anything in the record bearing upon this question?

Mr. DONNELL. Yes; Mr. President, the record will show that a suit for \$2,804.34 was brought by Mr. William R. Gentry, trustee in bankruptcy of the Vardaman Shoe Co., against the bonding company of Mr. Vardaman, which suit made various charges of misapplication, embezzlement, and so forth.

The testimony shows that this suit was subsequently dismissed by the trustee, Mr. Gentry, at the cost of the trustee. My recollection of the testimony of the trustee is that a reorganization of the company was in process, and that it was desired by all parties that this claim should be closed up, the whole matter adjusted; that is, and wound up in the reorganization, and that, therefore, the

suit itself was never prosecuted, but was dismissed because it was desired by all parties in interest that there be a final termination of the affairs of the company.

I think that is a fair statement. Is it not, I will ask the Senator from Colorado?

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

Mr. DONNELL. I yield.

Mr. MILLIKIN. I would not quarrel with what the Senator has said. I simply point out that there is no inference of guilt from a suit being dismissed by the opposing party at his own cost.

Mr. DONNELL. I concur in that statement.

Mr. MORSE. The junior Senator from Oregon certainly concurs in it, too, but the question was asked, and I am simply trying to find out whether there was anything in the record which would throw any different light upon it than I assume would be disclosed when the suit was dismissed.

Mr. MFARLAND. May I supplement the statement of the Senator from Colorado by saying that the evidence does show that the board of directors approved the major portions of the items contained in the suit.

Mr. DONNELL. Mr. President, in that connection I think it only proper to say that the items to which I think the Senator from Arizona refers were approved by the board of directors on January 30, 1942. I take it that what the Senator is referring to is the unanimous adoption of a resolution which appears on page 170 of the minutes of the shoe company, reading as follows:

Be it resolved, That payment of interest on personal loan of James K. Vardaman, Jr., at the National Stockyards National Bank heretofore made by the company out of its funds be, and the same is hereby, approved; that purchase of symphony tickets, horse show tickets, Christmas present to George Ineichen and wife, and advertisement in the Censor, heretofore paid out of corporate funds be, and the same is hereby, approved; be it further

Resolved, That all apparent personal payments out of corporate funds be from this date forward discontinued unless specifically authorized by this board of directors.

I call attention to the fact that this action was on the 30th of January, 15 days before the institution of the bankruptcy proceedings. Was that the action to which the Senator from Arizona referred?

Mr. MFARLAND. That is only a part of it. I shall refer to the other part of it.

Mr. DONNELL. I will appreciate it if the Senator will do so. I do not recall any further item.

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

Mr. DONNELL. I yield.

Mr. MORSE. Am I to understand that the attorney, Mr. Williams, who testified before the committee, is the same Mr. Williams who is a member of Fordyce, White, Mayne, Williams, & Hartmann in St. Louis?

Mr. DONNELL. That is correct. I may say in that connection that Mr. Vardaman in his testimony on the stand

referred to Mr. Williams as working for Sam Fordyce, or working in his office. The fact is, however, that Mr. Williams is—and I think the testimony shows that he has been for many years—a member of that firm. I think he testified that he had practiced law for about 26 years.

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

Mr. DONNELL. I yield.

Mr. RADCLIFFE. Did not Commander Vardaman correct his statement and explain what he meant by working for Mr. Fordyce? Did he not state that they were associated? I think he stated very definitely in his testimony that Mr. Williams was a member of the firm.

Mr. DONNELL. Will the Senator indulge me while I get the testimony?

Mr. MORSE. I am very happy to do so.

Mr. DONNELL (after examining papers). I wonder if I may supply that information for the Record a little later, so as not to take too much time now.

Mr. MFARLAND. Mr. President, I do not think there is any controversy over the question. I think it is generally admitted that Mr. Williams is a member of the firm.

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

Mr. DONNELL. I yield.

Mr. MILLIKIN. I should like to repeat the theme of the Senator from Arizona. There is no dispute that Mr. Williams is a partner in that firm. Can we not concede that and get on?

Mr. DONNELL. It is perfectly agreeable to me.

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

Mr. DONNELL. I yield.

Mr. MORSE. I ask the Senator from Missouri if it is true that Mr. Williams, as shown by the record, testified that he was or was not present at the burning of the affidavits?

Mr. DONNELL. He testified that he was present.

Mr. MORSE. That Mr. Williams was present?

Mr. DONNELL. That he, Mr. Williams, and Mr. Vardaman, were personally present in the shower room of the law firm, which is in the Mississippi Valley Trust Building in St. Louis, Mo., and that Commodore Vardaman, in his presence, applied the match to the affidavits when they were destroyed.

Mr. MORSE. And Mr. Vardaman denied that he was present at the burning of the affidavits.

Mr. DONNELL. He did.

Mr. MORSE. Did Mr. Williams testify that any other member of his firm was present at the burning of the affidavits?

Mr. DONNELL. He did not.

Mr. MORSE. Was he asked whether any other member of his firm was present at the burning?

Mr. DONNELL. I do not think he was. I think I did ask him, however, who were present.

Mr. MILLIKIN. Would not the Senator say that Mr. Williams, at least by strong implication, excluded the presence of any other person?

Mr. DONNELL. Yes; I think that is true.

Mr. MORSE. In order to complete the record—

Mr. DONNELL. Just a moment. I should like to speak to the Senator from Colorado.

(At this point Mr. DONNELL conferred *sotto voce* with Mr. MILLIKIN and Mr. RADCLIFFE.)

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

Mr. DONNELL. I yield.

Mr. WHITE. I wonder whether it is the Senator's purpose or hope to conclude this evening?

Mr. DONNELL. I doubt if that is possible. I do not believe, unless we remain in session until an unreasonably late hour, that I can conclude today.

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

Mr. DONNELL. I yield.

Mr. MORSE. If that be the case, in view of the very conscientious, sincere, and able presentation which the Senator from Missouri has been making for the past 2 days, I think it would be only a matter of fine parliamentary courtesy to extend to the Senator the benefit of a recess of the Senate at this time until tomorrow at 12 o'clock noon. After all, it is perfectly obvious to those of us who have listened to the Senator that he is proceeding in good faith, from a conviction that this nomination should not be confirmed by the Senate. He has been on his feet for many hours, and I think it is only fair and right under the circumstances that we extend to him the courtesy of a recess until tomorrow at 12 o'clock noon, if that meets with the approval of the minority leader.

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

Mr. DONNELL. I yield.

Mr. RADCLIFFE. Certainly it is the desire of all Senators to extend every courtesy to the Senator from Missouri. But I am wondering if we cannot arrive at some estimate as to the length of time which will be required for the consideration of this nomination. As chairman of the subcommittee, I have received a great many inquiries as to what might be expected, and I cannot say. It is certainly our desire to be as considerate as we can of the Senator from Missouri, but we must reach an end to the consideration of this matter as quickly as possible. Important legislation is pending. Therefore, it would be rather helpful if the Senator from Missouri could give us some idea as to how much longer he will require so that we may plan accordingly.

Mr. DONNELL. Mr. President, I appreciate the courtesy of the Senator from Oregon and the Senator from Maryland. In my judgment, it will require between half an hour and an hour to complete the presentation of my argument.

Mr. MORSE. Without interruption.

Mr. DONNELL. Without interruption.

Mr. President, I should like to reply to the question of the Senator from Oregon as to whether there was any evidence of anyone else being present, or words to

that effect, which he read from the telegram. Will he be kind enough to read it again?

Mr. MORSE. Suppose I read two paragraphs from the telegram. I have not yet read from the telegram. I have been discussing in my own words the contents of the telegram.

Mr. DONNELL. Before the Senator reads from the telegram I should like to interpolate this observation:

I have spoken both to the Senator from Maryland [Mr. RADCLIFFE], chairman of the subcommittee, and to the Senator from Colorado [Mr. MILLIKIN]. I have not spoken to the Senator from Arizona [Mr. McFARLAND]. If he would like to have me consult him, I shall be glad to do so. The question is whether or not certain information which was given to me by Mr. Williams, but which is not in the record, should be mentioned upon the floor of the Senate. The two Senators with whom I have conferred have indicated that they have no objection. If the Senator from Arizona has any objection, I should be glad to know it.

Mr. McFARLAND. I do not believe that any Senator can object to any other Senator giving any information which he may have. So far as I am concerned, I would not wish to rely upon any information which a witness might have given when he appeared before the committee, but which he did not think enough of to place it in the record. That is my impression, but I think the Senator's conscience should be his guide.

Mr. DONNELL. I appreciate the courtesy of Senators.

The other day, after Mr. Williams had completed his testimony, he came to my office. He had been there before. He conferred with me on the Sunday when he arrived in Washington, and we went over the facts quite fully. After the conclusion of his testimony he returned to my office. As nearly as I can recall, he made this statement—I may be slightly in error in my recollection, but I will relate the statement to the best of my ability.

He stated that either at or about the time that he and Mr. Vardaman were leaving the shower room where the burning had taken place, the senior partner, Mr. Fordyce—he did not use the expression "senior partner," but it was Mr. Sam Fordyce, of the firm—came along near that portion of the office and saw Mr. Williams. I am not certain whether he said he saw Mr. Vardaman, but he saw Mr. Williams. It appears that near the washroom are certain toilet facilities. Mr. Fordyce said to Mr. Williams, according to the information which Mr. Williams gave me, "What are you doing in there?" and laughed. I may say that Mr. Fordyce is quite a wag, and is generally known as a man with a good deal of humor. He made some humorous remark in connection with the matter, having to do with the close proximity to the toilet facilities. Mr. Williams stated that thereafter Mr. Fordyce had told various persons around the city this little joke, as he considered it, about Mr. Williams. I have an idea that that is what is referred to in the telegram which the Senator from Oregon has. I have re-

peated Mr. Williams' statement to the best of my recollection.

Mr. MORSE. Mr. President, before I read these two questions, let me make it clear for the record that I do not know the answers to them. I did not solicit this telegram. It was sent to me without any previous knowledge on my part. I have not yet had ample opportunity to study the record, to know what foundation can be found in the record for an answer to the telegram; but here are two questions, and I shall read the paragraphs together—

Mr. DONNELL. Will the Senator allow me to interpolate one observation? I know from whom this telegram comes—at least I think I know. The sender is a man by the name of Reuben Lewis. Mr. Lewis has called me on the telephone on at least two occasions. In fact, he called me twice today in regard to this situation. Various articles have appeared in the magazine *Finance*. Clippings have been sent to me, not by him, but by a friend of mine in St. Louis.

Mr. Lewis himself told me, without any solicitation on my part, that he intended to send a telegram to the Senator from Oregon. I suggested to Mr. Lewis that the telegram should be sent rush message, so that it might reach the Senator promptly. I believe I told Mr. Lewis that the matter was coming up on the floor of the Senate, and that I thought that if he intended to send a telegram it should be sent promptly. I do not know that I amplified my statement quite to that extent; but I wish the Senator to know that I knew that this telegram was coming, not because of any solicitation on my part, but because of the knowledge I had of it, and following my suggestion that he send it, since he told me that he was going to send it, as a rush message to the Senator.

Mr. MORSE. The telegram arrived about an hour ago, and I came over with the telegram because I thought at least the questions ought to be made a matter of record. This part of the telegram reads as follows:

Why, if there is no basis for the charges that Vardaman directed the falsification of the inventory statement, were third party affidavits made by De Coster and Reyburn burned up in the St. Louis law office? Vardaman testified, I am informed, that he was not present at the burning of the affidavits.

The next paragraph reads as follows:

We suggest that Sam Fordyce, senior member of law firm of Fordyce, White, Mayne, Williams, and Hartmann be subpoenaed. Our information is that he will testify that Vardaman was present at the time of the burning of the affidavits.

The Senator tells me that there is nothing in the record before the committee which supports the claim that Mr. Fordyce was in fact present.

Mr. DONNELL. The Senator is entirely correct.

Mr. MORSE. Mr. President, I read further from the telegram:

Why, when Vardaman has been connected with a business enterprise thrown into bankruptcy where the creditors received 30 cents on the dollar, should he be considered qualified to serve as a Governor of the Federal Reserve Board? The chief national bank

examiners, with few exceptions, will not approve as a principal officer of a new bank a banker who has been in a failed bank.

Mr. President, does the Senator from Missouri know anything about that practice on the part of the Federal bank examiners?

Mr. DONNELL. No; I do not.

Mr. MORSE. Is there any comment which the Senator would like to make?

Mr. DONNELL. I do not think the fact that Mr. Vardaman was connected with an institution which went into bankruptcy is at all conclusive as to his incompetency or competency. In fairness to him, I think it should be stated that the company was in dire financial straits from the time when he went into it. He himself also testified that he went there in the attempt to work it out of its difficulties and that he was somewhat of a trouble-shooter. That was his expression.

I think that the conditions which were found there after he had been with the company—the conditions which were found by Mr. Gentry—may properly be considered by the Senate in determining what, if any, business ability has been exhibited by Mr. Vardaman in the management of the company; but I do not concur in the view that the mere fact that he was connected with a company which went into bankruptcy should in itself disqualify the commodore.

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

Mr. DONNELL. I yield.

Mr. MILLIKIN. I should like to observe that the testimony also shows that the creditors of the company were aware of the condition of the company from the beginning.

Mr. DONNELL. Mr. President, in that connection I may say that I do not know just what it is the Senator from Colorado refers to, except one minute which I read this afternoon. There may be other testimony; but I wish to emphasize a portion of the testimony which I am inclined to think the Senator from Colorado did not hear today, because I do not think he was in the Chamber at the moment when I read it. That was testimony showing that shortly or a few months after Mr. Vardaman went with the shoe company, he advocated the policy of not disclosing to anyone, even stockholders, the facts respecting profits, production, and so forth, unless with the consent of the treasurer of the company, and he was the treasurer of the company. I mention that as having some possible bearing on the question whether the creditors realized the conditions which prevailed.

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

Mr. DONNELL. I yield.

Mr. McFARLAND. I have been wondering whether we can agree as to a time to vote on the nomination tomorrow—for instance, at or before 3 o'clock.

Mr. DONNELL. No; I am not willing to make such an agreement.

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

Mr. DONNELL. I yield.

Mr. RADCLIFFE. When the Senator said a short time ago that it would take

him only half an hour or not more than an hour to conclude, I am sure he was appraising the situation and was mentally making some calculations. Even though we do not have a definite statement in regard to the future program, I think that in making our plans we can rest on the assurance—and that is the only reason why I make this statement—that the Senator from Missouri will not require more than an hour tomorrow.

Mr. DONNELL. That is my judgment, I may say, provided there are no interruptions. However, I feel that this matter is of such importance that I certainly should be willing to yield to any Senator who desires to ask questions.

Mr. RADCLIFFE. I wish to say to the Senator from Missouri that the only reason why I have discussed the point at all is that it really is necessary to make some sort of plans, if it is possible to do so. If we cannot do so, we shall be obliged to proceed as best we may.

Mr. DONNELL. I tell the Senator that I shall make every effort to conclude within an hour, if I am able to do so. I shall make every effort to do so.

Mr. MFARLAND. Mr. President, will the Senator from Missouri yield further?

Mr. DONNELL. I yield.

Mr. MFARLAND. I should like to give notice that I shall insist that the Senate remain in session tomorrow until consideration of the nomination is concluded. We have already consumed two entire days in consideration of the nomination. I am willing to have the session for today concluded at this time. But I think we should come to the Senate tomorrow prepared to remain in session until the pending matter is disposed of, if there is to be any prolonged discussion of it. There is important business pending before the Senate.

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

Mr. DONNELL. I yield.

Mr. WHITE. Of course, Mr. President, I am as anxious as is any other Senator to have the business before the Senate disposed of as rapidly as circumstances and good legislative practice will permit, but when a Senator has talked as long as the Senator from Missouri has, always in good faith and always addressing himself to the question before the Senate, I think we have asked of him all that we should ask, for he has already talked for 4 hours or more today. Under the circumstances, it seems to me that a consideration of proper procedure, with decent regard for the Senator from Missouri, suggests and recommends that we release him from the floor at this time, with the understanding that he will have the floor when the Senate reassembles tomorrow.

Mr. DONNELL. I thank the Senator.

Mr. WHITE. There is some business on the Executive Calendar which can be attended to.

Of course, the notice the Senator from Arizona has given relates to a matter which is in the control of the majority. It may be that it will be possible to conclude consideration of the pending matter long before midnight tomorrow. I certainly hope so.

Mr. DONNELL. Mr. President, I greatly appreciate the courtesy of the Senator.

Mr. WHITE. At any rate, Mr. President, that problem and situation will have to be determined in accordance with the circumstances which may exist tomorrow.

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

Mr. DONNELL. I yield.

Mr. RADCLIFFE. I was about to suggest that the Senate take a recess at this time, but it occurs to me that if the Senator from Oregon [Mr. MORSE] has almost completed the reading of the questions contained in the telegram he has received and if the reading of the remainder of them will take only a few minutes longer, possibly the Senator from Missouri will prefer that the reading of them be finished before a recess is taken.

Mr. DONNELL. I should prefer to have that done.

Mr. President, let me say, lest my previous statement did not reach the Senator from Maine, that I deeply appreciate and am very grateful to him and to all other Senators for the courtesy and kindness they have shown me.

Mr. MORSE. Mr. President, in line with the suggestion which has been made, I read another of the questions included in the telegram I have received:

Why was Vardaman's resignation as president of the Tower Grove Bank & Trust Co. forced? Why did not the subcommittee subpoena Miltenberger, Chairman Locatell, president of the Tower Grove, who stated that they had information which they were prepared to give as to Vardaman's record at the Tower Grove? In view of all this, I respectfully suggest that the hearing be reopened and that Fordyce, Connell, and Miltenberger be subpoenaed.

As to the first part of the question, does the record set forth any material bearing on the surrounding facts and circumstances as to why Mr. Vardaman resigned as president of the Tower Grove Bank & Trust Co.?

Mr. DONNELL. Mr. President, there is a statement from Mr. Vardaman. Would the Senator from Oregon like to have me outline it at this time?

Mr. MORSE. Suppose we leave the question in the RECORD tonight, and have the Senator from Missouri discuss it at the beginning of the session tomorrow.

Mr. DONNELL. I shall be glad to do so.

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

Mr. DONNELL. I yield.

Mr. MORSE. Let me say that I share the view of the Senator from Arizona and I hope that at least the debate on the Vardaman charges can be closed tomorrow. However, I think it only fair to say that I shall move tomorrow that the matter of final consideration of the Vardaman nomination be postponed for at least 1 week, and I shall do so in the utmost good faith because of the position in which I find myself when called upon to cast a vote on the pending nomination. I assume that the position in which I find myself is the same as that in which a great many other Members of the Senate

find themselves, particularly those who have been absent throughout most of the debate, if they really wish to cast a vote in accordance with what they know to be the merits of this issue. It seems to me, as I intimated yesterday, that when such serious charges and challenges are made regarding a nomination to a position so high as the one to which Mr. Vardaman has been nominated, each Member of the Senate should be in a position to say with the utmost honesty that he knows that his vote is based upon an understanding of the merits of the record.

I merely submit, in view of the debate of the last 2 days, that if we proceed to vote on the nomination tomorrow, Senators who may be uninformed as to the record involved in this case, in the face of these serious charges, will simply be casting their votes on a matter as to the merits of which they really cannot speak.

I think we are dealing with a procedure of the Senate that is of the utmost importance if we are to instill in the minds of the American people the confidence which they should have in the deliberations of the Senate of the United States. I simply cannot believe that the American people would approve of having us sit here tomorrow and vote on the Vardaman nomination, with the tremendous record which has been challenged now for 2 days by the Senator from Missouri, without having an opportunity afforded those of us, at least, who take our votes on nominations so seriously that we think we owe it to the country to make a check upon the record, to have an adequate opportunity to make such a check.

I do not wish to be placed in such a position that I shall have to vote against the nomination because I have not had an opportunity to check for myself and to determine for myself whether the charges made by the Senator from Missouri are borne out by the record in this case. I do not see how I could cast an honest vote unless the Senate afforded an opportunity for such a check to be made. If we finish the debate on this question tomorrow there is no reason why final action cannot be postponed for a few days so as to allow Members of the Senate to examine into the record and ascertain whether they wish to be in position to back up their votes with a knowledge of the issues involved. No harm could result from such a postponement, while on the other hand a great deal of harm might result if a postponement were not granted. I expect to make a motion tonight that after the closing of the debate on the Vardaman nomination, the Senate postpone final action upon the matter for a minimum of 1 week.

Mr. MFARLAND. Mr. President, I cannot allow to go unchallenged the statement of the Senator from Oregon that serious charges have been made against Commodore Vardaman. If we accept the evidence which was adduced before the committee, we are bound to conclude that the charges are unfounded and are not serious. There is not one single bit of evidence which shows any wrongdoing on the part of Commodore Vardaman. Mere statements unsupported by evidence in regard to a man's

conduct should not be treated as charges against Commodore Vardaman. The evidence which was carefully weighed by the committee of which the Senator from Colorado was a member, did not show any wrongful act on the part of Commodore Vardaman. The Senator from Colorado [MR. MILLIKIN] is an able lawyer. He is on the other side of the aisle and I am sure no one will question this fairness. His decision should be accepted as conclusive.

Mr. President, at the proper time I shall make a few remarks in regard to the qualifications of Commodore Vardaman.

With reference to the motion which the Senator from Oregon states he will make, I hope the Senate will not vote in favor of it.

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

Mr. McFARLAND. I yield.

Mr. MORSE. I merely wish to say that the Senator from Arizona has expressed his views as a member of the committee. He has stated that the charges which have been made on the floor of the Senate in regard to Commodore Vardaman are not serious. I can well understand how the Senator from Arizona, who sat through the hearings held by the subcommittee, might take the position that in his opinion the charges are not serious. Of course, he will have to speak for himself, just as every other Member of the Senate must speak for himself. As one Member of the Senate who is not a member of the committee, and did not have an opportunity to attend the hearings of the subcommittee, but who has listened to the speech of the Senator from Missouri yesterday and again today, I wish to say that I believe some very serious charges have been made. I think the Senator from Missouri has made a *prima facie* case in regard to some of the charges which have been made, and before I vote on the nomination of Commodore Vardaman I wish to check the charges against the record. That is all I am asking for.

I think it is perfectly proper for the Senator from Arizona to take the position which he has taken, but what he has said is, in essence, that he thinks those of us who have not had an opportunity to check the record against the charges which have been made by the Senator from Missouri, and those Members who have not been present in the Chamber during the course of the debate, should be asked to walk into the Chamber tomorrow at the conclusion of the debate and vote for Mr. Vardaman, merely because the committee thinks that his nomination should be confirmed. I suggest that such practice has been indulged in by the Senate entirely too frequently. I think the time has come when individual Senators should start checking up some of the procedures of the Senate in order to make certain that we are not voting in favor of a certain nomination merely because so and so says that we should accept the report of the committee. We should vote only after satisfying ourselves as to the accuracy or lack of accuracy of the charges

which have been made by a colleague on the floor of the Senate. The right to do that is all that I am asking for, and I think it is the only procedure which should be countenanced in the Senate of the United States.

Mr. McFARLAND. Mr. President, I do not wish to engage in a debate with the Senator from Oregon. I merely wish to say that I am unwilling to agree that we do not properly conduct the procedure of the Senate.

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

Mr. McFARLAND. I yield.

Mr. WHITE. Before any other matter is taken up I inquire if the Senator from Missouri is now yielding with the understanding, so far as such an understanding can be had, that he will be recognized tomorrow, and will proceed at that time?

Mr. DONNELL. The Senator is correct.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2) to provide for Federal aid for the development, construction, improvement, and repair of public airports in the United States, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 1657. An act to amend Public Law 779 of the Seventy-seventh Congress, entitled "An act to provide for furnishing transportation for certain Government and other personnel necessary for the effective prosecution of the war, and for other purposes," approved December 1, 1942, and for other purposes; and

S. 1739. An act to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of fires which occurred at various Navy shore activities.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Milton E. Ballangee for appointment as Director of Selective Service for the Territory of Hawaii, which was referred to the Committee on Military Affairs.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

Raymond M. Lancaster for appointment as fiscal accountant, national headquarters, Selective Service System, under the provisions of section 10 (a) (3) of the Selective Training and Service Act of 1940, as amended;

Sundry officers for appointment, by transfer, in the Regular Army of the United States; and

Sundry officers for promotion in the Regular Army of the United States.

NAVY AND MARINE CORPS NOMINATIONS

Mr. McFARLAND. I ask unanimous consent that the nominations in the Navy and in the Marine Corps be confirmed en bloc, and that the President be notified.

The PRESIDENT pro tempore. Without objection, the nominations in the Navy and in the Marine Corps are confirmed en bloc; and, without objection, the President will be notified forthwith.

RECESS

Mr. McFARLAND. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, April 3, 1946, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate April 2 (legislative day of March 5), 1946:

SELECTIVE SERVICE SYSTEM

Milton E. Ballangee for appointment as Director of Selective Service for the Territory of Hawaii under the provisions of section 10 (a) (3) of the Selective Training and Service Act of 1940, as amended.

Compensation for the position of Director of Selective Service for the Territory of Hawaii will be at the rate of \$6,650 per annum.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 2 (legislative day of March 5), 1946:

IN THE NAVY

APPOINTMENTS TO PERMANENT GRADE IN THE NAVY

William D. Leahy to have the permanent grade of Fleet Admiral of the United States Navy, to rank from December 15, 1944.

Ernest J. King to have the permanent grade of Fleet Admiral of the United States Navy, to rank from December 17, 1944.

Chester W. Nimitz to have the permanent grade of Fleet Admiral of the United States Navy, to rank from December 19, 1944.

William F. Halsey, Jr., to have the permanent grade of Fleet Admiral of the United States Navy, to rank from December 4, 1945.

IN THE MARINE CORPS

APPOINTMENT TO PERMANENT GRADE

Alexander A. Vandegrift, Commandant of the Marine Corps, to have the permanent grade of general in the Marine Corps from March 21, 1945.

APPOINTMENTS IN THE REGULAR MARINE CORPS

To be second lieutenants

Harold A. Eisele	Bonnie G. Jerry
Robert M. Patterson	Robert E. Bronson
Kenneth M. Ford	Richard S. Rash
Orvin H. Ramlo	Robert L. LaMar
Arthur F. O'Keefe	Carl W. Lindell
Griffith B. Doyle	Basil T. Idler
William D. Armstrong	Andrew L. McVicars
Frank Mick	Robert H. Peters
Henry A. McCartney	James E. Wilson, Jr.
Harold R. W. Walker	John J. Doherty
Richard B. Elliott	Paul M. Ruffner
Richard W. Johnson	Leonard A. Miller
Warren P. Nichols	Joseph E. Blattman
Paul A. Lemarie, Jr.	William W. Eldridge, Jr.
Marion C. Dalby	John E. Cosgriff
John E. Cosgriff	Jack J. Howlett II
Wesley H. Rodenberger	John S. Bostwick
	Richard A. Ward
	Walter W. Weber

HOUSE OF REPRESENTATIVES

TUESDAY, APRIL 2, 1946

The House met at 12 o'clock noon.

Father Edward A. McDonough, Chief, Personnel Division, Chaplains' Section, Veterans' Administration, Washington, D. C., offered the following prayer:

At the start of this day, which we owe to Thy bounty, we stand at Thy feet, Almighty God, and in humble spirit we adore Thee, we praise Thee, we return Thee thanks for all Thy gifts, particularly for having preserved us to this moment, assisted us by Thy grace, and delivered us from so many evils that might have befallen us had we not been protected by Thy divine wisdom and mercy. Now, new tasks, new obligations rise before us to tax the frailty of our nature and the weakness of our judgment. Direct us, we beseech Thee, by Thy divine inspiration. Teach each of us the responsibility of his office, that we may realize our accountability not to man alone but to Thee, the author of law and justice. Inspire us to the realization that we have taken on one another's burdens, so that our lives may be motivated by a spirit of unselfishness and a desire to serve rather than be served. Give us the grace to know Thy will and the strength to do it, that this country, rich with the blessing of democracy, may continue under Thy law great among nations. These things we ask in Thy name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 58. Concurrent resolution relative to representation of the Congress at a meeting of the Empire Parliamentary Association at Bermuda in June 1946.

TEMPORARY ADDITIONAL COMPENSATION FOR POSTMASTERS AND EMPLOYEES OF THE POSTAL SERVICE

Mr. BATES of Kentucky, from the Committee on Rules, reported the following privileged resolution (H. Res. 580, Rept. No. 1837), which was referred to the House Calendar and ordered to be printed:

Resolved. That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5059) to provide temporary additional compensation for postmasters and employees of the postal service. That after general debate, which shall be confined to the bill and continue not to exceed one hour to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Post Office and Post Roads, the bill shall be read for amendment under the five-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and

amendments thereto to final passage without intervening motion except one motion to recommit.

ELECTION OF HON. CARROLL B. REECE AS CHAIRMAN, REPUBLICAN NATIONAL COMMITTEE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, House Republicans appreciate the high honor which has come to one of our membership. CARROLL REECE, who for 25 years has served here with fidelity and distinction, has been honored with an election as chairman of the Republican National Committee.

To be chosen chairman of either of the major parties is a notable honor, and his associates here rejoice in the distinction which has come to Mr. REECE.

Mr. REECE is deserving of the honor. He is a man of fine character, of the highest integrity, and is competent to fill ably the position to which he has been called. He has served faithfully his country, not only here in Congress but on the field of battle as well.

No man in the House has had a better war record than CARROLL REECE. Starting as a private, he was attached to the Yankee Division of New England. His fine war record and his service under fire won for him a promotion to major and two high decorations, one of which was a Distinguished Service Cross.

We are sorry to lose from the House such a fine, patriotic American as Mr. REECE. Our best wishes go to him in his new field. We know he will continue as in the past to serve faithfully our country.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Tennessee.

Mr. COOPER. Mr. Speaker, on behalf of the Tennessee delegation in the House, I join in conveying hearty congratulations to our colleague for this distinguished honor that has been conferred upon him.

Mr. MARTIN of Massachusetts. May I say to the gentleman from Tennessee that the words of praise I have uttered on behalf of the Republicans are shared in by those of you who served with him on the other side of the aisle.

Mr. LEA. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from California.

Mr. LEA. Mr. Speaker, on behalf of the Committee on Interstate and Foreign Commerce, on which committee the gentleman from Tennessee [Mr. REECE] has served for many years, I congratulate the Republican Party on his election, and wish him happiness in his new endeavor.

TEMPORARY ADDITIONAL COMPENSATION FOR POSTMASTERS AND EMPLOYEES OF THE POSTAL SERVICE

Mr. BATES of Massachusetts. Mr. Speaker, I ask unanimous consent that it

may be in order to consider the rule on the postal employee bill today.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. ROE of Maryland asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. STEWART asked and was given permission to extend his remarks in the RECORD and include proceedings of the meeting of the Choctaw Tribe held at Hugo, Okla.

Mr. SHERIDAN asked and was given permission to extend his remarks in the RECORD and include an interview of Lieutenant Colonel Whitehead, Director, Property Disposal Division, Third Service Command, by Ian Ross MacFarland.

Mr. KEOGH asked and was given permission to extend his remarks in the RECORD and include a letter from Harold G. Wentworth, member of the New York bar, in connection with a bill he introduced today.

SPECIAL ORDER GRANTED

Mr. HARE. Mr. Speaker, I ask unanimous consent that on Friday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

ABOLISH THE OPA

Mr. ROE of Maryland. 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 Maryland?

There was no objection.

Mr. ROE of Maryland. Mr. Speaker, I want to read from a letter that I just received from one of the most prominent citizens in my congressional district and I quote:

I have been reading and listening to the radio in regards to Mr. Wyatt's housing program. I am just as much interested in getting houses built as Mr. Wyatt or anybody else, but I cannot see how the subsidy program is going to help. It is a waste of money and more inflation.

It seems to me it is time to quit throwing away the taxpayer's money and to balance the budget; and also reduce the budget for the coming year. The sooner the OPA is abolished, the better off this country will be. If it continues, there will be more bootleggers in scarce articles than there ever were in liquor.

All the people of this nation need is to be given a free hand, and houses will be built.

Last week end it was my pleasure to travel some 400 miles in my district and I was delighted to see scores and scores of cozy homes going up for our veterans. If our people can just be left alone without Federal interference and Federal regulations, the veterans housing problems of the Eastern Shore of Maryland will soon be solved.

PERMISSION TO ADDRESS THE HOUSE

Mr. O'TOOLE. 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 New York?

There was no objection.

[Mr. O'TOOLE addressed the House. His remarks appear in the Appendix.]

REVISION OF TITLE 28 OF THE UNITED STATES CODE (THE JUDICIAL CODE)

Mr. KEOGH. 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 New York?

There was no objection.

Mr. KEOGH. Mr. Speaker, beginning yesterday and continuing through tomorrow a meeting of the advisory committee in connection with the revision of title 28 of the United States Code will be held in the Supreme Court Building here in Washington. The members of the advisory committee represent the bench and bar of the country and the legislative and executive branches of Government. We are proud of the members of that committee, who are as follows:

Hon. Floyd E. Thompson, chairman, Chicago, Ill.

Hon. Justin Miller, Washington, D. C.

Hon. John B. Sanborn, St. Paul, Minn.

Hon. Walter P. Armstrong, Memphis, Tenn.

Hon. John Dickinson, Philadelphia, Pa.

The committee is meeting with the combined editorial staffs of the Edward Thompson Co. and the West Publishing Co., which staffs have been augmented by a special revision staff consisting of William W. Barron, Frank J. Parker, Theodore Wesley Graske, and by special consultants, Prof. James W. Moore and Judge Alexander Holtzoff. The Committee on Revision of the Laws is represented by Charles J. Zinn and John F. X. Finn. In addition to the advisory committee, a committee appointed by the judicial conference is in attendance. This committee consists of Circuit Judge Maris of the third circuit and District Judges Smith, of Newark, and Galston, of Brooklyn. We have extended an invitation to the members of the House Judiciary Committee and its counsel to attend such of the sessions as they might wish, and I now extend to the other Members of the House a similar invitation. It is expected that this will be the final meeting in connection with the preparation of the proposed revised title and that the bill will be introduced shortly.

Mr. Speaker, your Committee on Revision of the Laws and the advisory committee are indebted to the Chief Justice of the United States for his continuing cooperation in connection with our work and particularly in providing the excellent facilities for the meeting.

INCREASE IN PRICE OF MILK

Mr. EBERHARTER. 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 Pennsylvania?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, I notice by the newspapers this morning that the Maryland-Virginia Milk Producers Association passed a resolution to the effect that, if the Federal Government does not increase the price of milk, the association will not deliver any more milk into the Washington area. I am wondering whether this action by the association is a strike against the Federal Government or a strike aimed at the children and babies of the city of Washington. Many Members have indicated a desire to pass legislation prohibiting strikes. I wonder if they would have legislation of that type refer to the producers of milk who threaten the Government of the United States to strike unless they get a raise in the price of milk. I also wonder if the Governor of Virginia intends to draft into the militia of that State all milk producers who engage in this proposed strike. He did so with respect to the utility employees. Milk, in my opinion, is as important as utility services.

Mr. GROSS. 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 Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Speaker, the gentleman from Pennsylvania has just referred to the situation in the milk industry. The facts are these. The farmers are working hard, with the odds against them, and doing the best they can with what feed and help is available. The agitation does not come from them. The meetings that are now being held over the country are called by the Department of Agriculture—the regional offices over the country. They call the farmers in to county meetings and approach them with a lot of loaded questions. They try to get them to boost subsidies. These demands that have been coming in here from the farmers for subsidies are entirely foolish and silly, and all have their roots in the OPA. The OPA and the Department of Agriculture are agitating this milk-price increase trying to tell the farmers they are going to have to have a 4- to 7-cent increase per quart of milk. There is not a farmer in America that wants to see the consumer pay that much for milk. After telling the farmers that they must choose between subsidies or an exorbitant increase to the consumer, the farmers unwittingly say, "We prefer the subsidy." Now, these agencies of the Government in every community constitute a pipe line for New Deal propaganda to reach every farm or home. This is the administration's method of lobbying for the administration's program, of which I spoke recently. It is their method of creating conditions to justify their continued existence. It is a vicious program and should not be tolerated.

EXTENSION OF REMARKS

Mr. LANE asked and was given permission to extend his remarks in the

RECORD and include a resolution adopted by the Lithuanian American Society of Lawrence, Mass.

Mr. HARLESS of Arizona asked and was given permission to extend his remarks in the RECORD in two instances.

Mr. CELLER asked and was given permission to extend his remarks in the RECORD on two subjects.

Mr. BROWN of Ohio asked and was given permission to extend his remarks in the RECORD and include a telegram from the Seagrave Corp., of Columbus, Ohio, the largest manufacturer of fire-fighting apparatus in the United States.

Mr. REED of New York asked and was given permission to extend his remarks in the RECORD and include an editorial.

SPECIAL ORDER GRANTED

Mr. HARLESS of Arizona. Mr. Speaker, I ask unanimous consent that on tomorrow, following any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

SALE OF SURPLUS ARMY TRUCKS

Mr. TABER. 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 New York?

There was no objection.

Mr. TABER. Mr. Speaker, I was astounded to see an advertisement in the New York papers from Gimbel's department store, indicating that they are selling 600 brand new United States Army trucks, which had been purchased by them from the War Assets Corporation. I understand that Gimbel's, prior to this, have not sold trucks.

The ex-GI has had no chance to buy them.

The regular dealers have had no chance to buy them.

If the veteran did not want these trucks—and from the letters I receive, he would be glad to get them—it seems to me that such business should have been given to the auto and truck dealers, who were just about the first business group in the country to be put out of business by the war.

As an instrument of the double cross, the War Assets Corporation must be put down as a direct rival to the OPA in the way it is treating the veteran.

I am asking that the Committee on Postwar Governmental Planning investigate this situation immediately.

REAR ADM. GILES C. STEDMAN

Mr. CANFIELD. 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 New Jersey?

There was no objection.

Mr. CANFIELD. Mr. Speaker, Rear Adm. Giles C. Stedman, Superintendent of the United States Merchant Marine Academy at Kings Point, N. Y., during the war, and former captain of the liners *Leviathan*, *President Roosevelt*, *Presi-*

dent Harding, and *America*, leaves the service today and will reenter private business. This distinguished gentleman and heroic captain of the sea has done a remarkable job at the Academy. He personifies to the highest degree the Latin motto at Kings Point, "Acta Non Verba—Action, Not Talk." He deserves a hearty salute and a resounding pat on the back as he returns to civilian life. The country can be assured that if we need him again he will not only be prepared but anxious to get back in harness.

The SPEAKER. The time of the gentleman from New Jersey has expired.

SPECIAL ORDER GRANTED

Mr. COLE of Kansas. Mr. Speaker, I ask unanimous consent that on Monday, April 8, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, I may address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. GAVIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

[Mr. GAVIN addressed the House. His remarks appear in the Appendix.]

LOWERING RETIREMENT AGE FROM 65 TO 60 YEARS

Mr. JONKMAN. 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 Michigan?

There was no objection.

Mr. JONKMAN. Mr. Speaker, today I have introduced a bill amending the Social Security Act lowering the age of retirement from 65 years to 60 years.

In my district I have been contacted by several men between the ages of 60 and 65 who, although in sound mental and physical condition, are unable to get a job. They may be abundantly able to perform the job applied for, but the moment they state their age they are turned down. Their predicament is seriously destitute.

This situation should be remedied at once. Survivors insurance is intended for those no longer accepted by industry. If the dividing line for much of industry is 60 years, it should be the same for survivors' insurance.

Moreover, paying benefits only after the age of 65 makes the total of benefits under survivors' insurance pitifully small and expensive in comparison with the premiums paid. It is said that more than half of those who pay premiums never reach 65 to draw the benefits. Paying benefits at 60 is a matter of fairness and justice. It would more nearly bring them into balance with premiums.

These conclusions seem amply justified by a letter I just received from the Social Security Board stating that the Survivors' Insurance Trust Fund as of December 31, 1945, contained \$7,121,000,000; that there were 1,469,682 benefits, totaling \$27,394,031, paid for that month of December. This would average three hundred and twenty-nine million a year. The fund could meet that amount for 21 years without another dollar of income, and that stupendous fund has accumulated in 10 years.

This principle of survivors' insurance is perhaps the soundest in social-security policy, and after being paid for by the worker should give him compensatory protection in his old age, with reasonable reserves, instead of unduly enriching the Government at his expense.

SPECIAL ORDERS GRANTED

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that on Thursday next, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, I may address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCRIVNER. Mr. Speaker, I ask unanimous consent that on Monday next, April 8, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, I may address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

EXTENSION OF REMARKS

Mr. ANDERSON of California asked and was given permission to extend his remarks in the Appendix of the RECORD and include a wire with reference to the California cannery jurisdictional dispute.

Mr. STEVENSON asked and was given permission to extend his remarks in the Appendix of the RECORD on the subject of surplus property for veterans.

Mr. LEFEVRE (at the request of Mr. MARTIN of Massachusetts) was given permission to extend his remarks in the Appendix of the RECORD and include a resolution adopted by the Ulster County Liquor Dealers, Hotel and Restaurant Association; and in a second instance to include a petition of the voters in the town of Clinton, N. Y.

Mrs. LUCE (at the request of Mr. MARTIN of Massachusetts) was given permission to extend her remarks in the Appendix of the RECORD.

THE SO-CALLED WIN-THE-PEACE CONFERENCE

Mr. RANKIN. 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 Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, yesterday we were told that on April 4, 5, and 6,

there is to be held in the city of Washington, and strange as it may seem, in the Department of Commerce Building, a so-called Win-the-Peace Conference which has among its sponsors some of the leading Communists of America and their fellow travelers, as well as some Members of the House and Senate.

I notice at least one Member, the gentleman from Alabama [Mr. PATRICK] has changed his position twice in the last 36 hours.

In order that the rest of you who are mixed up with this crowd may know with whom you are dealing, I am going to insert the names of some of these Communists, such as Harry Bridges, Benjamin Davis, and others, who have been carrying on these communistic-front fights for the last few years.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. HOFFMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOFFMAN. Would it be a violation of the rules to also insert, in the same connection, the names of Members of the House or the other body?

The SPEAKER. That would be a question of taste.

EXTENSION OF REMARKS

Mr. MICHENER asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. BOREN asked and was given permission to extend his remarks in the RECORD and include an address by Dr. J. H. Brown.

Mr. RUSSELL asked and was given permission to extend his remarks in the RECORD and include an editorial from the Abilene Reporter-News.

Mr. McCORMACK asked and was given permission to extend his remarks in the RECORD and include a radio interview he recently gave.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include statements and speeches by the President of the United States, the Secretary of Agriculture, the Secretary of Commerce, and others at a recent conference.

In view of the fact that it may require more space than the limit allowed, I ask unanimous consent that it may be inserted notwithstanding.

The SPEAKER. Notwithstanding, and without objection, the extension may be made.

There was no objection.

Mr. SPARKMAN asked and was given permission to extend his remarks in the RECORD and include an article entitled "Taking School to the Veterans."

WIN-THE-PEACE CONFERENCE

Mr. MARCANTONIO. 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 New York?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, we have just heard one of the daily red-baiting tirades from the gentleman from

Mississippi [Mr. RANKIN]. Today he has now made the object of his attack the Win-the-Peace Conference.

I want to say I am one of the sponsors of that conference. I am mighty proud of it, and I intend to keep my name on the record as one of the sponsors of that Win-the-Peace Conference.

If an attempt on the part of the people of this country to win the peace and make it secure for the democratic forces of the world is a subversive effort, then I say to the gentleman from Mississippi let him make the most of it.

* * * * *

Mr. RANKIN. Mr. Speaker, I demand that those words be taken down.

The SPEAKER. The gentleman demands that the words be taken down. The Clerk will report the words objected to.

(The Clerk read the words objected to.)

The SPEAKER. The Chair is ready to rule.

The Chair thinks that when a Member accuses another of making remarks that are subversive, it is a violation of the rules of the House.

Mr. RANKIN. Mr. Speaker, I move to strike the words from the RECORD and ask for recognition.

The SPEAKER. The gentleman from Mississippi is recognized.

Mr. RANKIN. Mr. Speaker, I am moving to strike these words of the Member from New York [Mr. MARCANTONIO] from the RECORD, for the simple reason that in the first place every Member of the House knows that they were false, and in the next place, they constitute a personal attack on me for trying to defend my country against what I conceive to be subversive activities of the enemies within our gates.

This meeting that is called for the 4th, 5th, and 6th of this month, which is misnamed the "Win-the-Peace Conference," is sponsored by a bunch of Communists and is scheduled to be held—of all places—in the Department of Commerce Building.

I am going to read you some of the names of those sponsors and some of their records, to show you the danger of these activities to the American Government and the American way of life.

I will leave out the names of Members of the House and Senate who are on this list, in order to stay within the rules of the House. Their names have already appeared in the daily press.

As I pointed out, many of these sponsors of this organization are known to be Communists. The Attorney General has said that communism is un-American, that it is dedicated primarily to the overthrow of this Government. I read to you the other day where William Z. Foster, the leader of the Communist Party in this country, said that "Just as surely as the sun rises, there will one day be a Communist at the head of this Government"; and he said when he does it will not be the present Government of the United States, but will be a "Soviet Government, and behind this Government," he said, "will stand the Red army to enforce the dictatorship of the proletariat."

Those are his exact words. How much more subversive language could you imagine falling from the lips of a man at the head of a party that is dedicated to the destruction of this Government.

Now let us see who these sponsors of this meeting are and what they have done.

The first one is Louis Adamic. Louis Adamic has been associated with 36 different organizations which were known to be Communist fronts.

Is that significant? Does that mean anything to you?

Among them were the American League Against War and Fascism, the American Youth Congress, the National Federation for Constitutional Liberties in America, the American Peace Mobilization, and the International Labor Defense. All these organizations were declared subversive by the Department of Justice after a review of the investigative reports concerning them submitted by the Federal Bureau of Investigation and the House Committee on Un-American Activities, usually referred to as the Dies committee.

At that time Hon. Francis Biddle was Attorney General, and nobody can accuse Mr. Biddle of being what they call a southern Bourbon or a reactionary.

Mr. Biddle branded these organizations with which Louis Adamic was associated as Communist-front organizations. He did not depend on the Dies committee for all of his information. He went to the FBI. And let me tell you now, it would shock the American people from one end of this country to the other if they could see the files the FBI has on the people who are sponsoring this meeting.

In addition to belonging to these organizations, Mr. Adamic has recently published a book called the Nation of Nations, in which he attempts to show that certain religious groups are endeavoring to gain political control in the United States; in other words, undermining Christianity, which is one of the objects of communism. Communism is dedicated to the destruction of Christianity throughout the world.

Mr. Adamic's theme has recently been followed by other fellow travelers and members of the Communist Party. Attempts are being made to play one religion against another in an effort to cause disunity among Christ's followers in the United States. Every once in a while one of these Communists comes out and accuses me of attacking other religious organizations, particularly the Catholic Church. I am a Protestant and a Mason. There are Catholics all around me here and have been ever since I have been in Congress. Have any of you ever heard me attack or criticize your religion? If so, hold up your hand. No; that is the Communist scheme to undermine and destroy unity in this country. They accuse us Protestants of attacking you Catholics and you Catholics of attacking us Protestants. They are against both of us. They accuse me of attacking the Negroes, which they know is not true. The Communists are the worst enemies the Negroes of this country ever had.

Elmer Benson, another sponsor of this conference, has been associated with 23 Communist-front organizations. Four of these fronts have been definitely declared subversive by the Department of Justice.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Kentucky.

Mr. MAY. Will the gentleman tell us where this meeting is to be held?

Mr. RANKIN. I understand it is to be held down here in the Department of Commerce Building.

Mr. MAY. Will the gentleman's committee look into it and see who invited them into the Commerce Building?

Mr. RANKIN. You know who is Secretary of Commerce.

When those organizations Elmer Benson was connected with were held to be Communist fronts it was after they had been investigated by the FBI. Do not forget that.

Mary McLeod Bethune, a Negro woman here in Washington, is another sponsor of this conference. She has been associated with 41 Communist front organizations, three of these definitely considered subversive by the Department of Justice, after having been thoroughly investigated by the FBI.

Mr. Speaker, do you think the American people want us as their Representatives to sit here with these things going on under our noses, and even in Government buildings, and make no protest?

The people I represent expect a different kind of service.

Dwight J. Bradley, another sponsor of the conference, has been associated with 11 Communist front organizations, one of which has been termed subversive. By whom? By the Attorney General of the United States.

Then there is Harry Bridges. Did you ever hear of him? He is the west coast Communist that everybody knows as a Communist. He is another sponsor of this conference. He is associated with 35 Communist fronts, and, in addition to having been called a Communist by every investigative agency in the United States, he was identified by former members of the Communist Party as being a Communist.

He has caused more trouble on the west coast probably than any other man living today and that trouble is now spreading into Washington, Utah, Idaho, Colorado, and other western States.

These American boys, many of whom now set in the gallery, who offered their lives on the battle fronts in this war, the mothers and fathers with tear-stained faces who gave their sons in this war, expect us, as Members of Congress, to protect this Government for which they fought, and protect our country, against these subversive activities.

Norman Corwin, another sponsor of the conference, has been associated with seven Communist fronts.

If you doubt that, go to the files of the Dies committee, or to the FBI and see for yourself.

Benjamin J. Davis, Jr., Negro Communist, member of the Communist Party from New York, is also a sponsor, and

he has been a member of 37 Communist-front organizations.

If you doubt that, ask the FBI. That is what we have an FBI for, to gather just such information as this.

Julius Emspak—now, there is a name to draw from—is a sponsor of this conference, has been associated with seven Communist-front organizations. One of these has been identified as subversive by the Department of Justice. Do you suppose the Department of Justice would come out and brand them as subversive without first having them checked by the FBI, one of their agencies? Emspak is an official of the United Radio and Electric Workers of America which is 100 percent under the control of the Communist Party. Twenty-two clerical employees of this union in the eastern area of the United States are members of the Communist Party. Seven local presidents of the union are also members of the Communist Party. This union deposed a former president because he wanted to have the delegates at one of its conventions adopt a resolution condemning all isms, because they realized that would cover communism.

Frederick V. Field, a sponsor of the conference, has been associated with 25 Communist fronts. He is an editor of the Communist publication called the New Masses, and was correspondent for the Communist newspaper called the Daily Worker during the San Francisco Conference, and is now covering the meetings of UNO for them.

Field was also executive secretary of the seditious American Peace Mobilization which maintained a 24-hour picket line in front of the White House until the very day Hitler attacked Russia; and during that time, you will remember, the gentleman from New York [Mr. MARCANTONIO] voted against every single appropriation for the Army, the Navy, and the Air Corps. If we had all followed his example, Pearl Harbor might have ended in Washington, with the Japs and Germans dictating the peace, as they boasted they were going to do.

They did not care anything about Hitler destroying England. Ah, but when communism became involved, they melted away like mist before the morning sun, and the gentleman from New York [Mr. MARCANTONIO] switched over and began voting for appropriations for the Army and Navy—for the first time.

Robert W. Kenney, another sponsor of this conference, has been a member of 17 Communist front organizations, one of which was the notorious American League for Peace and Democracy, an avowed Communist front organization.

Kirtley M. Mather, a sponsor of the conference, has been identified with 27 Communist-front organizations.

Jack R. McMichael, a sponsor of the conference, has been associated with 22 Communist fronts.

How much more do you want? Do any of you deny these facts? See the record of the FBI, and you will find more than I am telling you. You will probably find a lot of names that I cannot mention under the rules of the House.

Lee Pressman, a sponsor of the conference, has been associated with 18 Communist-front groups.

Paul Robeson — not Robson — an avowed Communist, has been associated with 69 Communist fronts. Robeson is a sponsor of this conference.

Every one of these Communist fronts is dedicated to the overthrow of this Government, yet I have to stand here and take the abuse not only of these Communist fronts and the gentleman from New York, but of all the Communist publications in America and all the Red commentators on the radio. I want to tell you that there are not enough of them to back me across a pencil mark. I am going to continue to fight for the protection of this country. The rest of you can do as you please.

Channing H. Tobias is a sponsor of this conference. He has been associated with 27 Communist-front organizations.

Bartley C. Crum, one of the sponsors of the conference, is a vice president of the National Lawyers Guild. Several noted persons have resigned from the guild because it followed the Communist Party line. Let us see who some of them are.

Among the ones who resigned from this organization was Adolph Berle, Jr., a former Assistant Secretary of State. Mr. Berle and I have always got along pretty well, but nobody ever accused him of being a Southern Bourbon or a reactionary or a Tory. He was to the left of center, to say the least. He resigned from this organization because, he said in a public statement at the time he resigned, that the management of the guild was not prepared to take any stand which would conflict with the Communist Party line.

Hon. Charles Poletti—now, this is getting pretty close to New York. The Honorable Charles Poletti, Lieutenant Governor of the State of New York, also resigned from the National Lawyers Guild because he believed, and said publicly, that "some members of the guild were more interested in communism than anything else." That was in New York, the home State of Mr. MARCANTONIO.

Of the sponsors of this so-called Win-the-Peace Conference, six have been identified as being members of the Communist Party. Ten of them have been members of the American Committee for the Protection of Foreign Born, which has been identified as being a Communist-front organization. Seven of the sponsors have been associated with the American Friends of Spanish Democracy, a Communist-front organization that has been trying to get us into a war with Spain.

Five of the sponsors have belonged to the American League Against War and Fascism, which is a subversive organization, according to the records of the Federal Bureau of Investigation, the Un-American Activities Committee, and the Department of Justice. That is the group that picketed the White House while Russia had her nonaggression pact with Germany, and, when Mr. MARCANTONIO was voting against all Army and Navy appropriations.

Eleven of the sponsors have been associated with the National Council of American-Soviet Friendship, which is a propaganda agency for communism. It was this organization which sought to create sympathy for Russia's position in

Iran prior to the time it became an issue at the United Nations Conference.

Four of the sponsors have been associated with the American Youth Congress, which has been branded as subversive by the Department of Justice, by Mr. Biddle himself. Francis Biddle branded it as a Communist-front organization in no uncertain terms.

Ten of the sponsors have been identified with the National Federation for Constitutional Liberties in America, which has been termed subversive by the Department of Justice. How did the Department of Justice find that out? Investigating through the FBI.

Seven sponsors of the conference were associated with the American Peace Mobilization, which has also been declared subversive by the Department of Justice.

Seven sponsors of the conference have been associated with the International Labor Defense, which has been called the legal arm of the Communist Party in the United States by the Department of Justice.

This conference has altogether among its sponsors persons who have represented more than 99 subversive and Communist-front organizations in the United States. There will be no peace if this group has its way. Its only aim is to communize the United States and all the rest of the universe by revolutionary measures. That is the crowd Mr. MARCANTONIO is representing in his attacks on me.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Mississippi.

The motion was agreed to.

CIVIL AIR PATROL

Mr. SUMMERS of Texas. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 5744) to incorporate the Civil Air Patrol.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the following-named persons, to wit: Harold F. Wood, of Alabama; J. M. Morris, of Arizona; Rex P. Hayes, of Arkansas; Bertrand Rhine, of California; J. A. Smethills, of Colorado; W. T. Gilbert, of Connecticut; William J. Simpson, of Delaware; Zack T. Mosley, of Florida; J. L. Dobbins, of Georgia; Leverett Davis, of Idaho; Gordon A. DaCosta, of Illinois; Walker W. Winslow, of Indiana; Don C. Johnston, of Iowa; J. Howard Wilcox, of Kansas; W. S. Rinehart, of Kentucky; Richard G. Jones, of Louisiana; Guy P. Gannett, of Maine; Edward R. Fenimore, of Maryland; John Shennett, of Massachusetts; Ray R. Baker, of Michigan; Clayton N. Wulff, of Minnesota; J. R. Dowd, of Mississippi; L. W. Greene, of Missouri; Roy W. Milligan, of Montana; Rudy C. Mueller, of Nebraska; Eugene H. Howell, of Nevada; John F. Brown, of New Hampshire; Frank D. Carvin, of New Jersey; Lewis W. Graham, of New Mexico; Stuart C. Welch, of New York; Frank E. Dawson, of North Carolina; Irven A. Myhra, of North Dakota; George A. Stone, of Ohio; W. H. Shockley, of Oklahoma; G. Robert Dodson, of Oregon; Phillip F. Neuweiler, of Pennsylvania; Norris W.

Rakestraw, of Rhode Island; Dexter C. Martin, of South Carolina; James R. Barnett, of South Dakota; W. C. Whelen, of Tennessee; D. Harold Byrd, of Texas; Joseph D. Bergin, of Utah; William V. Mason, of Vermont; Allan C. Perkins, of Virginia; E. R. Schiller, of Washington; Hubert H. Stark, of West Virginia; John F. Stratton, of Wisconsin; and Albert W. Dickinson, Jr., of Wyoming, and their associates and successors, are hereby incorporated and declared to be a body corporate by the name of the Civil Air Patrol (hereinafter referred to as the "corporation").

SEC. 2. The objects and purposes of the corporation shall be—

(a) To provide an organization to encourage and aid American citizens in the contribution of their efforts, services, and resources in the development of aviation and in the maintenance of air supremacy, and to encourage and develop by example the voluntary contribution of private citizens to the public welfare:

(b) To provide aviation education and training especially to its senior and cadet members; to encourage and foster civil aviation in local communities and to provide an organization of private citizens with adequate facilities to assist in meeting local and national emergencies.

SEC. 3. Eligibility for membership in the corporation and the rights and privileges of members shall be determined according to the constitution and bylaws of the corporation: *Provided*, That the original members shall consist of the present Civil Air Patrol membership, numbering more than 100,000 senior and cadet members.

SEC. 4. (a) The corporation shall have no power to issue capital stock or engage in business for pecuniary profit or gain, its objects and purposes being solely of a benevolent character and not for the pecuniary profit or gain of its members.

(b) The persons named in section 1, their associates, and successors are hereby authorized to complete the organization of the corporation by the selection of officers, the adoption of a constitution and bylaws, the promulgation of rules or regulations that may be necessary for the accomplishment of the purposes of this corporation, and the doing of such other acts as may be necessary for such purposes.

Sec. 5. The corporation shall have perpetual succession and power—

(a) To sue and be sued;

(b) To acquire, hold, mortgage, and dispose of such real and personal property as may be necessary for its corporate purposes;

(c) To accept gifts, legacies, and devises which will further the corporate purposes;

(d) To adopt and alter a corporate seal;

(e) To adopt and alter a constitution, bylaws, rules, and regulations, not inconsistent with law;

(f) To establish and maintain offices for the conduct of the affairs of the corporation in the District of Columbia and in the several States and Territories of the United States;

(g) To do any and all acts and things necessary and proper to carry into effect the objects and purposes of the corporation.

Sec. 6. The corporation shall have the sole and exclusive right to the name "Civil Air Patrol" and to have and to use, in carrying out its purposes, all insignia, copyrights, emblems and badges, descriptive or designating marks, and words or phrases now or heretofore used by the Civil Air Patrol in carrying out its program: *Provided, however*, That no powers or privileges herein granted shall interfere or conflict with established or vested rights.

Sec. 7. The corporation shall make and transmit to Congress each year a report of its proceedings and activities for the preceding calendar year.

Sec. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FEDERAL EMPLOYEES PAY RAISE BILL

Mr. SABATH, from the Committee on Rules, reported the following privileged resolution (H. Res. 576; Rept. No. 1839) which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5939) to increase the rates of compensation of officers and employees of the Federal Government, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed three hours to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Civil Service, the bill shall be read for amendment under the five-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of the bill (H. R. 5939) the Committee on the Civil Service shall be discharged from the further consideration of the bill (S. 1415), and it shall then be in order to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H. R. 5939.

RATING DISABILITIES UNDER VETERANS' ADMINISTRATION

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5149) to govern the effective dates of ratings and awards under the Veterans' Administration revised Schedule for Rating Disabilities, 1945, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That on and after the 1st day of the month following the date of this enactment, all initial ratings in claims for disability compensation or pension and awards based thereon under Public Law 2, Seventy-third Congress, March 20, 1933, and the veterans Regulations issued pursuant thereto, as amended, shall be determined under the Veterans' Administration revised Schedule for Rating Disabilities, 1945, whether the claim covers a period before or after that date. In any case in which the revised schedule authorizes an increase in the rating previously made by a rating board of original jurisdiction under the Schedule for Rating Disabilities, 1933, such increased rating and award based thereon will be effective as of the 1st day of the month following the date of this enactment.

Sec. 2. Nothing in the revised Schedule for Rating Disabilities, 1945, shall be construed as requiring any reduction or discontinuance of compensation in cases rated and awarded under the schedule of disability ratings, 1925, or as requiring denial of entitlement to any statutory award or rating, but on and after the 1st day of April 1946, except as to statutory awards and ratings provided under the World War Veterans' Act, 1924, as amended, as restored with limitations by the act of March 28, 1934, Public Law 141, Seventy-third Congress, as amended awards in all cases shall be based upon the degree of disability determined in accordance with the revised schedule, 1945.

Sec. 3. The Administrator of Veterans' Affairs shall from time to time readjust the Schedule for Rating Disabilities, 1945, in accordance with experience.

With the following committee amendments:

Page 1, beginning on line 3, after the word "of", strike the remainder of line 3, strike line 4 through the word "enactment", and substitute in lieu thereof "April 1946."

Page 2, beginning on line 5, after the words "first day of", strike the remainder of line 5, strike line 6 through the word "enactment", and substitute in lieu thereof "April 1946."

Page 2, beginning on line 12, after the word "of", strike the remainder of line 12, strike line 13 through the word "enactment", and substitute in lieu thereof "April 1946."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that the bill may be inserted in the RECORD at this point.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The bill is as follows:

H. R. 5149

An act to govern the effective dates of ratings and awards under the Veterans' Administration revised schedule for rating disabilities, 1945, and for other purposes

Be it enacted, etc., That on and after the 1st day of April 1946, all initial ratings in claims for disability compensation or pension and awards based thereon under Public Law 2, Seventy-third Congress, March 20, 1933, and the veterans Regulations issued pursuant thereto, as amended, shall be determined under the Veterans' Administration revised schedule for rating disabilities, 1945, whether the claim covers a period before or after that date. In any case in which the revised schedule authorizes an increase in the rating previously made by a rating board of original jurisdiction under the Schedule for Rating Disabilities, 1933, such increased rating and award based thereon will be effective as of the 1st day of April 1946.

Sec. 2. Nothing in the revised schedule for rating disabilities, 1945, shall be construed as requiring any reduction or discontinuance of compensation in cases rated and awarded under the schedule of disability ratings, 1925, or as requiring denial of entitlement to any statutory award or rating, but on and after the 1st day of April 1946, except as to statutory awards and ratings provided under the World War Veterans' Act, 1924, as amended, as restored with limitations by the act of March 28, 1934, Public Law 141, Seventy-third Congress, as amended awards in all cases shall be based upon the degree of disability determined in accordance with the revised schedule, 1945.

Sec. 3. The Administrator of Veterans' Affairs shall from time to time readjust the Schedule for rating disabilities, 1945, in accordance with experience.

SPECIAL ORDER VACATED

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent that the special order

I have for today be vacated and that time granted me for Tuesday, a week from today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

EXTENSION OF REMARKS

Mr. CRAWFORD asked and was given permission to extend his remarks in the Appendix of the RECORD and include a statement as to the time of the primary election.

Mr. HENRY asked and was given permission to extend his remarks in the Appendix of the RECORD and include the Bankers' Service Letter for February 27, 1946, on the Shawano Bank case.

Mr. EDWIN ARTHUR HALL asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Endicott Daily Bulletin.

Mr. GILLIE asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article from last Sunday's New York Times.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

IDA F. BRAUN

The Clerk called the bill (H. R. 1782) for the relief of Ida F. Braun.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ida F. Braun, Alice Braun Menges, and Carl J. Braun, individually and as executors of the estate of Hedwig W. Braun, deceased, and as legatees and beneficiaries of the will of Hedwig W. Braun, deceased, and as the sole parties in interest by succession under the last will and testament of Hedwig W. Braun, deceased, and under the last will and testament of Herman W. Braun, deceased, the sum of \$25,094.20 with interest thereon from November 18, 1920. Such sum represents the amount of overpayment of estate tax made on November 18, 1920, which respect to the value of certain insurance policies on the life of Herman W. Braun who died testate on May 24, 1919. A claim was filed with the Commissioner of Internal Revenue on November 10, 1925, for refund of such tax, and rejected because of the lapse of the statutory period of limitations governing the institution of such claims. Two suits were brought during 1932 and 1933 for refund of such tax but in both cases relief was denied.

With the following committee amendments:

Page 2, line 5, after the sum, strike out the balance of the line down to and including "1920" on line 6, and on line 13 strike out the period and the balance of the line 13 down to and including the word "denied." Insert the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be

deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEGAL GUARDIAN OF JAMES HAROLD NESBITT, A MINOR

The Clerk called the bill (H. R. 2843) for the relief of the legal guardian of James Harold Nesbitt, a minor.

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

ESTATE OF HOWARD FRANCIS WALDRON

The Clerk called the bill (S. 976) for the relief of the estate of Howard Francis Waldron.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000, to the estate of Howard Francis Waldron, of Minneapolis, Minn., in full satisfaction of all claims against the United States for compensation for the death, on April 25, 1944, of the said Howard Francis Waldron, who was killed by the right rear wheel of a United States Government truck which began to move as he was boarding it near Cathedral Bluffs, Alaska: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES F. DESMOND

The Clerk called the bill (S. 286) for the relief of James F. Desmond.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General and the General Accounting Office are authorized and directed to credit the accounts of James F. Desmond, postmaster at Reading, Mass., in the sum of \$7,141.11, representing the net shortage which resulted from embezzlement of funds by the former assistant postmaster at the Reading, Mass., post office.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRUIT GROWERS OF THE STATE OF DELAWARE

The Clerk called the bill (S. 401) for the relief of sundry fruit growers of the State of Delaware who sustained losses as the result of the fumigation of apples with methyl bromide in order to comply with the requirements of the United

States Department of Agriculture relating to the Japanese beetle quarantine.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore (Mr. MILLS). Is there objection to the request of the gentleman from Indiana?

There was no objection.

JAMES F. DESMOND

Mr. McGREGOR. Mr. Speaker, I was in conference when Calendar No. 764, S. 286, for the relief of James F. Desmond was called. I ask unanimous consent to return to that bill at this time.

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

Mr. PHILBIN. Mr. Speaker, I object.

A. F. CRAWFORD

The Clerk called the bill (S. 983) for the relief of A. F. Crawford.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. F. Crawford, of Omaha, Nebr., the sum of \$926.12, in full satisfaction of his claim against the United States for compensation for personal injuries, expenses, and property damage sustained by him as the result of an accident which occurred on December 23, 1941, when the automobile which he was driving was struck by a United States Army truck near Snoqualmie, Wash.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A. L. CLEM AND IDA M. BRYANT

The Clerk called the bill (S. 1184) for the relief of A. L. Clem and Ida M. Bryant.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. L. Clem and Ida M. Bryant, of Independence, Kans., the sum of \$1,440, in full settlement of all claims of the said A. L. Clem and Ida M. Bryant against the United States on account of property damage and personal injuries resulting from the presence of obnoxious odors emanating from the operation of the sewage disposal plant at the Independence Army Air Base, and accruing prior to January 1, 1946: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. ALICE CONDON

The Clerk called the bill (S. 1319) for the relief of Mrs. Alice Condon.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Alice Condon, of Atlantic City, N. J., the sum of \$1,000, in full satisfaction of her claim against the United States for compensation for personal injuries sustained by her, and for reimbursement of medical and other expenses incurred by her, as a result of an accident which occurred when she was struck by a United States Army vehicle while crossing Sovereign Avenue, in Atlantic City, N. J., on April 4, 1945: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALFRED OSTERHOFF

The Clerk called the bill (S. 1411) for the relief of Alfred Osterhoff, doing business as Illini Reefer Transit, Champaign, Ill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alfred Osterhoff, doing business as Illini Reefer Transit, of Champaign, Ill., the sum of \$1,150, in full settlement of all claims of said Alfred Osterhoff against the United States for property damage and for loss of use of his tractor and trailer as the result of an accident involving an Army vehicle which occurred on United States Highway No. 45, near Chebanse, Ill., on March 28, 1945: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GORDON COLE HART

The Clerk called the bill (S. 1622) for the relief of Gordon Cole Hart.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Gordon Cole Hart, of Medford, Mass., the sum of \$400, in full satisfaction of his claim against the United

States for compensation for personal injuries sustained by him, as a result of an accident which occurred when a United States Army airplane while taking off struck the parked airplane in which he was sitting, at the East Boston Airport, Boston, Mass., on September 15, 1941: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DANVERS SHOE CO., INC.

The Clerk called the bill (S. 1840) for the relief of the Danvers Shoe Co., Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he hereby is, authorized and directed to settle the claim of the Danvers Shoe Co., Inc., Manchester, N. H., on account of increased costs incurred by the said company in the performance of its contracts No. WSA-101T-296-44, and WSA-101T-383, dated May 26 and October 12, 1943, respectively, with the War Shipping Administration, by reason of its inability to procure the material necessary for the performance of the contracts at the price which it had been assured by the Government such material would be obtainable from the War Department, and to allow in full and final settlement of the claim the amount of not to exceed \$5,256.28. There is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$5,256.28, or so much thereof as may be necessary, for the payment of the said claim: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HENRY R. BUTLER

The Clerk called the bill (H. R. 1072) for the relief of Henry R. Butler.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$7,500, to Henry R. Butler, of Oakland, Calif., in full settlement of all claims against the United States for personal injuries sustained and expenses incurred by him when he was struck by a United States Navy truck, at the intersection of San Pablo and MacArthur Boulevard, in the city of Oakland, Calif., on October 30, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 5, strike out "\$7,500" and insert "\$5,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDITH POPWELL

The Clerk called the bill (H. R. 1642) for the relief of Edith Popwell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to Edith Popwell, Miami, Fla., the sum of \$10,000. The payment of such sum shall be in full settlement of all claims of the said Edith Popwell against the United States on account of the death of her husband, Spencer W. Popwell, Jr., as the result of personal injuries sustained in a collision on March 19, 1943, at the intersection of the Dixie Highway and Southwest Seventeenth Avenue, Miami, Fla., between the automobile which the said Spencer W. Popwell, Jr., was driving and a United States Army truck.

With the following committee amendment:

Line 6, strike out the figures "\$10,000" and insert in lieu thereof the figures "\$5,000."

At the end of bill add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

R. H. WHITE TRANSFER & STORAGE CO.

The Clerk called the bill (H. R. 1852) for the relief of R. H. White Transfer & Storage Co., of Nashville, Tenn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to R. H. White Transfer & Storage Co., of Nashville, Tenn., the sum of \$3,000, in full settlement of all claims against the United States for compensation for loss on the storage of calcium carbide for the Defense Supplies Corporation: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon

conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$3,000" and insert "\$2,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MAUD M. WRIGHT AND MRS. MAXINE MILLS

The Clerk called the bill (H. R. 1919) for the relief of Mrs. Maud M. Wright and Mrs. Maxine Mills.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Maud M. Wright, Robinson, Ill., the sum of \$5,000, and to Mrs. Maxine Mills, Robinson, Ill., the sum of \$15,000. The payment of such sums shall be in full settlement of all claims against the United States of the said Mrs. Maud M. Wright for the death of her husband, Orlin C. Wright, on January 21, 1944, and of the said Mrs. Maxine Mills for the death of her husband, Charles W. Mills, on January 22, 1944, both of whom died as the result of burns sustained in a fire at the Evans Hall housing project, Evansville, Ind., which was under the supervision and management of the National Housing Agency.

With the following committee amendments:

Page 1, line 7, strike out the figures "\$15,000" and insert in lieu thereof the figures "\$5,000."

At the end of bill add: *Provided*, That no part of the amount appropriated in this Act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

GEORGE W. BAILEY

The Clerk called the bill (H. R. 2188) for the relief of George W. Bailey.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George W. Bailey, Norfolk, Va., the sum of \$2,500. The payment of such sum shall be in full settlement of all claims of the said George W. Bailey against the United States on account of personal injuries and damage to his automobile sustained on July 18, 1944, when such automobile, which the said George W. Bailey was driving was struck at the intersection of Laskin Road and Great Neck Road, Princess Anne County, Va., by a United States Navy ambulance.

With the following committee amendments:

Line 8, after the name "States", insert "and John Charles Statt." At the end of bill add "i: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DAPHNE WEBB

The Clerk called the bill (H. R. 2569) for the relief of Daphne Webb.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$500, to Daphne Webb, 2460 Sixteenth Street NW, Washington, D. C. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries, medical, and other expenses sustained when she was struck by a United States Post Office mail truck as she was crossing the intersection at Eighteenth and C Streets NW, Washington, D. C., on May 17, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 5, strike out "\$400" and insert "\$150."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM F. SCHMELTZ

The Clerk called the bill (H. R. 2576) for the relief of William F. Schmeltz.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of money in the Treasury not otherwise appropriated, to William F. Schmeltz, Jessup, Md., the sum of \$5,170. The payment of such sum shall be in full settlement of all claims of the said William F. Schmeltz against the United States for personal injuries sustained by him and for damage to personal property when his automobile was struck near Camp Meade, Md., on January 8, 1942, by a United States Army truck.

With the following committee amendments:

Line 6, strike out the figures "\$5,170", and insert in lieu thereof the figures "\$3,374.50."

Line 8, after the word "injuries", strike out "sustained by him and for damage to personal property when", and insert in lieu thereof "medical and hospital expenses and incidental expenses and property damage sustained when."

Line 11, after the name "January", strike out the figure "8" and insert in lieu thereof the figure "9."

At the end of the bill add "i: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACCHILLE GUILLORY AND OLIVIA GUILLORY

The Clerk called the bill (H. R. 2665) for the relief of Acchille Guillory and Olivia Guillory.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Acchille Guillory and Olivia Guillory, Lake Charles, La., the sum of \$5,000, in full settlement of all claims against the United States for the death of their son, Irven Guillory, who died as the result of a collision involving an Army vehicle which occurred on January 9, 1944, on Louisiana Highway No. 42, near Lake Charles, La.

With the following committee amendments:

Line 7, strike out the figures "\$5,000" and insert in lieu thereof the figures "\$4,000."

At the end of bill add "i: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE A. WEST

The Clerk called the bill (H. R. 2747) for the relief of George A. West.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$482.35, to George A. West, of Rochester,

N. Y., in full settlement of all claims against the United States, representing balance of per diem in lieu of subsistence alleged to be due for the period April 21 to July 31, 1943, as an employee of the Lend-Lease Administration: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. ALICE BREON

The Clerk called the bill (H. R. 2926) for the relief of Mrs. Alice Breon.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,403, to Mrs. Alice Breon, of Snow Shoe, Pa., in full settlement of all claims against the United States for personal injuries and loss of earnings sustained as a result of being struck by a United States Army vehicle, near El Paso, Tex., on September 1, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BEN THOMAS HAYNES

The Clerk called the bill (H. R. 2973) for the relief of Ben Thomas Haynes, a minor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Ben Thomas Haynes, of route 1, Watertown, Tenn., the sum of \$10,000 in full settlement of all claims against the United States on account of personal injuries sustained by the said Ben Thomas Haynes, who was seriously injured by the explosion of an unexploded shell left in a maneuver area near his father's home by United States Army troops on March 19, 1944, near Watertown, Wilson County, Tenn.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out the figures "\$10,000" and insert in lieu thereof the figures "\$3,000."

Page 1, line 10, strike out the word "shell" and insert in lieu thereof "signal flare."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RUSSELL F. TAYLOR

The Clerk called the bill (H. R. 3007) for the relief of Russell F. Taylor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Russell F. Taylor, Greensboro, Ga., the sum of \$1,000, in full settlement of all claims against the United States for personal injuries sustained by him as the result of an accident when his automobile was struck by an Army vehicle in Atlanta, Ga., on August 14, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$1,000" and insert "\$500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOVIE M. TROTTER

The Clerk called the bill (H. R. 3125) for the relief of Lovie M. Trotter.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lovie M. Trotter, star route 6, Dawson Springs, Ky., the sum of \$1,000. The payment of such sum shall be in full settlement of all claims of said Lovie M. Trotter against the United States on account of personal injuries and financial loss suffered by her by reason of inability to harvest crop because of said injuries, sustained in a collision, on May 13, 1944, on State Highway No. 109, near Dawson Springs, Ky., between the vehicle which the said Lovie M. Trotter was driving and a vehicle in the service of the Army of the United States.

With the following committee amendment:

Page 1, line 6, after the word "of", strike out the balance of the line and all of lines 7 to 10 and on page 2, lines 1 to 4, inclusive, and insert the following: "\$500, in full settlement of all claims against the United States on account of personal injuries sustained and losses suffered as a result of an

accident involving an Army vehicle on State Highway No. 109, near Dawson Springs, Ky., on May 13, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE CORENEVSKY

The Clerk called the bill (H. R. 3160) for the relief of George Corenevsky.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George Corenevsky, Honolulu, T. H., the sum of \$2,500. The payment of such sum shall be in full settlement of all claims of the said George Corenevsky, an employee at the Pearl Harbor Navy Yard, against the United States for personal injuries sustained on July 5, 1942, when he was struck while at his home at Ashley and Lowela Avenues, Peninsula, Pearl City, Oahu, T. H., by a stray bullet, fired in a fight nearby between two enlisted men of the United States Army.

With the following committee amendment:

Page 1, line 6, strike out "\$2,500" and insert "\$1,905.07."

Page 1, line 7, strike out "of the said George Corenevsky, an employee at the Pearl Harbor Navy Yard."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RALPH H. LEMON

The Clerk called the bill (H. R. 3329) for the relief of Ralph H. Lemon.

Messrs. MCGREGOR and SPRINGER objected; and, under the rule, the bill was recommitted to the Committee on Claims.

J. E. AND MINERVA MITCHELL AND ROSIE MONROE

The Clerk called the bill (H. R. 3341) for the relief of J. E. and Minerva Mitchell, and Rosie Monroe.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. E. and Minerva Mitchell, Modesto, Calif., the sum of \$5,000, and to Rosie Monroe, Modesto, Calif., the sum of \$5,000. The payment of such sums shall be in full settlement of all claims of J. E. and Minerva Mitchell, parents of Claude Lewis Mitchell, and Rosie Monroe, widow of Elmer Oscar Monroe, on account of the death of Claude Lewis Mitchell and Elmer Oscar Monroe and damage to personal property

owned by them, caused by a collision of the motorcycle of Claude Lewis Mitchell, on which he and Elmer Oscar Monroe were riding, with a United States Army automobile on the Golden State Highway a half mile north of Olive Avenue, near Manteca, Calif., on November 16, 1944.

With the following committee amendments:

Page 1, line 6, strike out "\$5,000" and insert "\$3,000."

Page 1, line 8, after the word "claims", strike out the balance of the line, all of lines 9 and 10 and on page 2, lines 1 to 7, inclusive, and insert the following: "against the United States for the deaths of Claude Lewis Mitchell and Elmer Oscar Monroe sustained as the result of a collision between the motorcycle in which they were riding and a United States Army vehicle on Golden State Highway near Manteca, Calif., on November 16, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

J. W. EDGERLY & CO.

The Clerk called the bill (H. R. 3432) for the relief of J. W. Edgerly & Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the claim of the J. W. Edgerly & Co., Ottumwa, Iowa, for draw-back, pursuant to section 3250 (1) of the Internal Revenue Code, of tax paid in the amount of \$219.37 with respect to distilled spirits contained in nonbeverage products on hand October 1, 1944, and with respect to distilled spirits used in the manufacture of nonbeverage products during the period October 1, 1944, to December 31, 1944, filed in the office of the Collector of Internal Revenue, Des Moines, Iowa, on April 4, 1945, is authorized to be considered and acted upon as if it had been filed within the period of limitations properly applicable thereto. Such claim was mailed and postmarked prior to the expiration of the period of limitations but was not received in the office of the collector until after such period had expired.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BELMONT PROPERTIES CORP.

The Clerk called the bill (H. R. 3434) for the relief of Belmont Properties Corp.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Belmont Properties Corp., Arlington, Va., the sum of \$667.50. Such sum represents the amount of a fee paid by the said corporation to the Federal Housing Administration in connection with an application, made on October 20, 1941, to such Administration for mortgage

insurance on an apartment-house project in Arlington, Va. While such application was pending the land on which such project was to be constructed was condemned by the United States: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, after the word "of" strike out the balance of the line and "the amount" in line 7 and insert the following: "\$667.50, in full settlement of all claims against the United States as reimbursement of."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEGAL GUARDIAN OF HUNTER A. HOAGLAND, A MINOR

The Clerk called the bill (H. R. 3470) for the relief of the legal guardian of Hunter A. Hoagland, a minor.

MR. SPRINGER AND MR. DOLLIVER objected; and, under the rule, the bill was recommitted to the Committee on Claims.

WILLIE LAMB AND EDGAR LAMB

The Clerk called the bill (H. R. 3512) for the relief of Willie Lamb and Edgar Lamb.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Willie Lamb and Edgar Lamb, Greene County, Va., the sum of \$650. Such sum represents the value of certain buildings and improvements on land owned by the said Willie Lamb and Edgar Lamb which, on November 4, 1937, were destroyed by employees of the National Park Service of the Department of the Interior acting in the course of their employment: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 5, after the word "to", strike out the balance of the line and all of lines 6 to 10, and on page 2, line 1, and insert the following: "Willie Lamb and Edgar Lamb (also known as Willie Lamb and Edgar Lamb), of Greene County, Va., the sum of \$650, in full settlement of all claims of any nature or description whatsoever against the United States, C. V. Bert, John W. Adams, or any other person or persons, for losses or damages arising from the destruction of certain buildings and improvements on land owned by said Willie Lamb and Edgar Lamb near Shenandoah National Park by members of the Ci-

vilian Conservation Corps, while acting in the course of their employment, on or about November 4, 1937."

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill for the relief of Willie Lamb and Edgar Lamb."

A motion to reconsider was laid on the table.

PERSHING W. RIDGEWAY

The Clerk called the bill (H. R. 3676) for the relief of Pershing W. Ridgeway.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Pershing W. Ridgeway, of Birmingham, Ala., the sum of \$10,000, in full settlement of all claims against the United States for personal injuries, medical, hospital, and other expenses incurred as the result of being struck by a United States Army vehicle at Birmingham, on December 7, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$10,000" and insert "\$5,804.40."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LYNDON T. MONTGOMERY

The Clerk called the bill (H. R. 3770) for the relief of Lyndon T. Montgomery.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lyndon T. Montgomery, of Moulton, Ala., the sum of \$5,000, in full settlement of all claims against the United States for injuries sustained by the said Lyndon T. Montgomery, upon being thrown from a Government-owned and operated motor vehicle in or near Moulton, Ala., on April 29, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$5,000" and insert "\$2,571.50."

Page 1, line 8, after the word "injuries", insert "pain, and suffering, physical disability and loss of earnings."

Page 1, line 10, strike out "upon" and insert "as the result of."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MABEL M. FISCHER

The Clerk called the bill (H. R. 3781) for the relief of Mabel M. Fischer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mabel M. Fischer, widow of Frederick E. Fischer, the sum of \$10,000 in full satisfaction of her claim against the United States for damages sustained by her, resulting from the death of the said Frederick E. Fischer caused by injuries sustained by him when the automobile in which he was riding as a passenger, and which was being driven east on North Street in Springfield, Ohio, was run into and struck with such violence by a large motor vehicle belonging to the United States of America Army Air Forces which was prior to, and at the time of the said collision, being driven westward on said North Street by Edgar Hinton, who at the time was in the service of the United States of America Army Air Forces, assigned to Fairfield Air Depot, Branch 7, Springfield, Ohio, and which said collision was directly and proximately caused by the negligent, unlawful, reckless, and wanton rate of speed, and manner in which said Army vehicle was being run and operated on and along said North Street; as a result of which plaintiff's said husband was knocked and thrown with great violence from the car in which he was riding to the surface of the street where his prostrate body was run over and crushed by said large, heavy Government vehicle, as a result of which plaintiff's husband was then and there killed: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess or 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, after the words "the sum of", strike out the words on line 6, and lines 7, 8, 9, and 10 of page 1 and lines 1 to 10 and including the word "killed", on line 18, page 2, and insert "\$5,000, in full settlement of all claims against the United States as compensation for the death of her husband, Frederick E. Fischer, sustained as the result of an accident involving a United States Air Force vehicle on North Street in Springfield, Ohio, on July 26, 1944."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES A. CLARK

The Clerk called the bill (H. R. 3971) for the relief of Charles A. Clark.

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

Mr. SPRINGER and Mr. DOLLIVER objected; and, under the rule, the bill was recommitted to the Committee on Claims.

ROY HESSELMAYER

The Clerk called the bill (H. R. 4090) for the relief of Roy Hesselmeyer.

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

Mr. SPRINGER and Mr. DOLLIVER objected; and, under the rule, the bill was recommitted to the Committee on Claims.

PIOMBO BROS. & CO.

The Clerk called the bill (H. R. 4141) for the relief of Piombo Bros. & Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Piombo Bros. & Co., San Francisco, Calif., the sum of \$15,794.14. Such sum represents the actual loss sustained by such firm as the result of damage to certain of its equipment caused by the clash on December 14, 1944, of a United States Navy airplane at the naval air station, North Island, San Diego, Calif.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, after the words "sum of", strike out down to and including the word "firm", line 7, and insert "\$12,913.61, in full settlement of all claims against the United States for property damages sustained."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FUNDADOR NIEVES DEL VALLE

The Clerk called the bill (H. R. 4244) for the relief of Fundador Nieves del Valle.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to Fundador Nieves del Valle, who was injured on March 16, 1943, when struck in Manati, Puerto Rico, by a United States Army truck. The payment of such sum shall be in full settlement of all claims against the United States on account of such accident: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person

violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 5, strike out "\$5,000" and insert "\$3,000."

Page 1, line 6, after the word "Valle", strike out the remainder of line 6 and lines 7, 8, and 9, and insert, "of Puerto Rico, in full settlement of all claims against the United States for personal injuries sustained as the result of being struck by a United States Army truck in Manati, Puerto Rico, on March 16, 1943."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OLA L. MARGARET, AND BETTY BEA WRIGHT

The Clerk called the bill (H. R. 4352) for the relief of Ola L. Margaret, and Betty Bea Wright.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ola L. Wright, his wife Margaret Wright, and his daughter Betty Bea Wright, of St. Louis, Mo., the sum of \$5,000, in full settlement of all claims against the United States by said Ola L. Margaret, and Betty Bea Wright on account of the injuries sustained by them when an automobile being operated by Ola L. Wright was struck by a War Department truck on August 9, 1942, on highway No. 5 just inside the city of Lebanon, Mo., said War Department truck being operated by an enlisted man of the United States Army while on official business: *Provided*, That no part of the amount appropriated in this act in excess of 5 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, after line 5, strike out down to and including the word "business" on page 2, line 5, and insert "of St. Louis, Mo., the sum of \$250; to Mrs. Margaret Wright, of St. Louis, Mo., the sum of \$3,000; to the legal guardian of Betty Bea Wright, a minor, the sum of \$250, in full settlement of all claims of the said Ola L. Wright, Mrs. Margaret Wright, and Betty Bea Wright against the United States for personal injuries sustained by them as a result of an accident involving an Army truck which occurred in Lebanon, Mo., on August 9, 1942."

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill for the relief of Ola L. Wright, Mrs. Margaret Wright, and the legal guardian of Betty Bea Wright, a minor."

A motion to reconsider was laid on the table.

JOHN BAKELAAR

The Clerk called the bill (H. R. 4405) for the relief of John Bakelaar.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Bakelaar, of Greenport, N. Y., the sum of \$5,000, in full satisfaction of all claims against the United States as compensation for the death of his wife, the late Adeline Bakelaar, as the result of being struck by a bullet fired from aircraft machine guns on an airplane in the service of the United States, on December 17, 1944, while riding in an automobile on the Moriches Road, adjacent to the Suffolk County Army Air Field: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VERTIE BEA LOGGINS

The Clerk called the bill (H. R. 4491) for the relief of Miss Vertie Bea Loggins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Miss Vertie Bea Loggins, Los Angeles, Calif., the sum of \$10,000. The payment of such sum shall be in full settlement of all claims against the United States for personal injuries sustained by Vertie Bea Loggins as the result of the explosion of a shell which was fired from an artillery range on the Camp Cooke Military Reservation, Calif., on May 12, 1944, causing the loss of her right arm: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$10,000" and insert "\$5,000."

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill for the relief of Vertie Bea Loggins."

A motion to reconsider was laid on the table.

PATSY ANN MAHEUX, DECEASED

The Clerk called the bill (H. R. 4600) for the relief of the estate of Patsy Ann Maheux, deceased.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay to the estate of Patsy Ann Maheux, late of Jackman, in the county of Somerset, and State of Maine, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000, in full settlement of all claims against the United States for damages occasioned by the death of Patsy Ann Maheux suffered as a result of being struck by an automobile owned by the United States Government, on October 23, 1944, while the driver of said automobile was in the performance of his duty in connection with the Immigration and Naturalization Service: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$5,000" and insert "\$750."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN B. CLAUSEN

The Clerk called the bill (H. R. 4633) for the relief of John B. Clausen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$750 to John B. Clausen, of the veterans' facility, Boise, Idaho, in full settlement of all claims against the United States for checks for compensation due him for the period July 31, 1943, to September 30, 1944, which were returned to the Treasury under Public Law No. 828. Seventy-sixth Congress, approved October 9, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GLADYS HASTINGS

The Clerk called the bill (H. R. 4640) for the relief of Gladys Hastings.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Gladys Hastings, Boston, Mass., the sum of \$1,500. The payment of such sum shall be in full settlement of all claims of the said Gladys Hastings

against the United States for injuries sustained and expenses incurred as a result of her being struck, on April 11, 1945, on Columbus Avenue, Boston, Mass., by a vehicle in the service of the Army of the United States: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$1,500" and insert "\$750."

Mr. SPRINGER. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. SPRINGER to the committee amendment: On page 1, line 6, strike out "\$750" and insert "\$500."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES B. BORELLI

The Clerk called the bill (H. R. 4716) for the relief of Charles B. Borelli.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles B. Borell, of Champlain, N. Y., the sum of \$163.20, representing freight charges on household effects from Belfast, Ireland, to New York, N. Y., on December 27, 1930, at the time of his transfer as technical adviser, Immigration and Naturalization Service, American Consulate, Belfast, Ireland, to Washington, D. C.

With the following committee amendment:

Page 1, line 6, strike out "representing" and insert "in full settlement of all claims against the United States for reimbursement of."

At the end of the bill insert the following: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SAWTOOTH CO.

The Clerk called the bill (H. R. 4777) for the relief of the Sawtooth Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Sawtooth Co., of Boise, Idaho, the sum of \$488.29, in full settlement of all claims against the United States for damages other than property damage sustained as the result of an accident involving an airplane crashing into a truck owned by the said Sawtooth Co., at the Pocatello Air Base, Pocatello, Idaho, on August 10, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARRY FLEISHMAN

The Clerk called the bill (H. R. 4800) for the relief of Harry Fleishman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission is authorized and directed to pay, effective as of the date of enactment of this act, to Harry Fleishman, Washington, D. C., compensation at the rate of \$150 per month for the remainder of his natural life. The said Harry Fleishman is permanently disabled as a result of the loss of vision in one eye caused by an injury sustained on December 1, 1930, while in the performance of his duty as a member of the United States Capitol Police.

With the following committee amendment:

Page 1, line 3, strike out all after the enacting clause and insert the following: "That the limitation of time in section 15 to 20, both inclusive, of the act entitled 'An act to provide compensation for employees of the United States suffering injury while in the performance of their duties, and for other purposes', approved September 7, 1916, as amended, are hereby waived in favor of Harry Fleishman, of Washington, D. C., and the Employees' Compensation Commission is hereby authorized and directed to receive and consider under the remaining provisions of said act his claim on account of alleged injuries to have been incurred while in the performance of his duties as a member of the Capitol Police force, Washington, D. C., on December 1, 1930: *Provided*, That claim hereunder shall be filed within 6 months from approval of this act: *Provided further*, That no benefits shall accrue prior to the approval of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STANLEY B. REEVES AND MRS. STANLEY B. REEVES

The Clerk called the bill (H. R. 4832) for the relief of Stanley B. Reeves and Mrs. Stanley B. Reeves.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Stanley B. Reeves the sum of \$1,759.25, and his wife, Mrs. Stanley B. Reeves, the sum of \$2,662.92, in full settlement of all claims against the United States, for personal injuries, hospital bills, and property damage, to the said Stanley B. Reeves and Mrs. Stanley B. Reeves, on October 27, 1944, when they were struck, on Main Street, of the town of Heath Springs, Lancaster County, S. C., by an Army truck, driven by Pvt. Benjamin Daniels, of the Columbia, S. C., Army Air Base: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUIS M. DROLET

The Clerk called the bill (H. R. 4836) for the relief of Louis M. Drolet.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Louis M. Drolet, Richland, Mich., the sum of \$104.79. The payment of such sum shall be in full settlement of all claims against the United States for losses sustained by the said Louis M. Drolet as the result of a United States Army truck crashing on March 23, 1945, into a frame store building owned by him and situated on the northeast corner of the intersection of Main and Park Streets, Richland, Mich.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. PEARL SMITH

The Clerk called the bill (H. R. 4854) for the relief of Mrs. Pearl Smith.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Pearl Smith, 1591 Sylvan Road SW., Atlanta, Ga., the sum of \$10,000 in full settlement of all claims of the said Mrs. Pearl Smith against the United States as a result of the death of her husband, A. B. Smith, which was caused by a collision with a trailer truck belonging to the United States Army engineers at Monroe, Walton County, Ga., on December 29, 1944: *Provided*,

That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$10,000" and insert "\$5,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ERNST V. BRENDER

The Clerk called the bill (H. R. 4885) for the relief of Ernst V. Brender.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ernst V. Brender, Greensboro, Ga., the sum of \$176.65, in full satisfaction of amount paid by him in full satisfaction of a judgment of the Superior Court, Greene County, Ga., on April 24, 1945, in Civil Action No. 2662 against E. V. Brender as damages because of removal of a hazardous telephone-line installation from Government property: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLEO D. JOHNSON AND JACK B. CHERRY

The Clerk called the bill (H. R. 4904) for the relief of Cleo D. Johnson and Jack B. Cherry.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Cleo D. Johnson, Handley, Tex., the sum of \$420 and to Jack B. Cherry, Arlington, Tex., the sum of \$201. Such sums represent the amount of damage to the automobile of the said Cleo D. Johnson and the expenses of the said Jack B. Cherry on account of personal injuries sustained by his wife and minor child when the said automobile in which they were riding was struck on July 4, 1945, at Temple, Tex., by a United States Army ambulance. The payment of such sums shall be in full settlement of all claims against the United States on account of such damage to property and such personal injuries.

With the following committee amendment:

Page 1, line 6, after "the sum of", strike out the remainder of the bill and insert the

following: "\$420, in full settlement of all claims against the United States for damage caused to his automobile when it was struck by an Army vehicle in Temple, Tex., on July 4, 1945, and to Mr. and Mrs. Jack B. Cherry, of Arlington, Tex., the sum of \$201, in full settlement of all claims against the United States for personal injuries sustained by Mrs. Jack B. Cherry and their minor child, Richard K. Cherry, and the medical and hospital expenses incurred for their treatment as the result of the same accident: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill for the relief of Cleo D. Johnson and Mr. and Mrs. Jack B. Cherry."

A motion to reconsider was laid on the table.

CURTIS WILSON

The Clerk called the bill (H. R. 4920) for the relief of the estate of Curtis Wilson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Curtis Wilson, deceased, late of Clay County, Fla., the sum of \$650.12. Such sum represents actual expenses incurred by the said estate in connection with the last illness and funeral and burial expenses of the said Curtis Wilson, who died on December 8, 1944, from injuries sustained on the same date when he was struck by a United States Navy truck on Florida Highway No. 17, in Green Cove Springs, Fla. The payment of such sum shall be in full settlement of all claims against the United States on account of the death of the said Curtis Wilson: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$650.12" and the balance of the line, all of line 7, and insert "\$499, in full settlement of all claims against the United States for."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

MRS. THERESA EBRECHT

The Clerk called the bill (H. R. 4977) for the relief of Mrs. Theresa Ebrecht.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated the sum of \$300 to Mrs. Theresa Ebrecht, of Medford, Mass., in full settlement of all claims against the United States for personal injuries sustained as a result of being struck by a falling wooden platform outside of Service Club No. 2, Fort Leonard Wood, Mo., on May 13, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NOVELLA WADE

The Clerk called the bill (H. R. 4997) for the relief of the estate of Novella Wade.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legally qualified representative of the estate of Novella Wade, deceased, of Murfreesboro, Tenn., the sum of \$5,000, in full settlement of all claims against the United States on account of the death of the said Novella Wade, who was instantly killed on June 14, 1943, when struck by a United States Army truck on Halls Hill Pike, about 3 miles northeastward from Murfreesboro, Tenn.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, after the word "to", strike out the balance of the line and all of line 6, and insert "Ernest I. Wade and Alma Wade."

Page 1, line 7, strike out "\$5,000" and insert "\$2,000."

Line 9, strike out "the" and insert "their daughter."

The committee amendments were agreed to.

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

The title of the bill was amended so as to read: "A bill for the relief of Ernest I. Wade and Alma Wade."

A motion to reconsider was laid on the table.

MICHAEL J. KEAVENNEY

The Clerk called the bill (H. R. 5208) for the relief of Michael J. Keaveney and Mary C. Keaveney.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Michael J. Keaveney and Mary C. Keaveney, of Albany, N. Y., the sum of \$10,000. The payment of such sum shall be in full settlement of all claims of the said Michael J. Keaveney and Mary C. Keaveney against the United States on account of the death of their son, Michael P. Keaveney, who was struck and killed by a United States mail truck on December 11, 1944, on Garden Street, Albany, N. Y.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$10,000" and insert "\$3,500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BEN V. KING

The Clerk called the bill (H. R. 5307) for the relief of Ben V. King.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ben V. King, United States commissioner at Eagle Pass, Tex., the sum of \$488.57. Such sum represents the amount of fees which the said Ben V. King earned between January 1, 1945, and May 28, 1945, including increased compensation allowed under Public Law No. 49, approved May 7, 1943, while acting as United States commissioner for the western district of Texas, but not paid because his term as United States commissioner expired on January 1, 1945, and through an oversight, his appointment for another term was not effective until May 28, 1945: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OSCAR R. STEINERT

The Clerk called the bill (H. R. 5664) for the relief of Oscar R. Steinert.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated to Oscar R. Steinert, of Chicago Ill., the sum of

\$5,000 in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, loss of earnings, and property damage sustained as the result of an accident involving a United States post-office vehicle, on June 25, 1943, in Chicago, Ill.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of any services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$5,000" and insert "\$4,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MARY M. WOLF

The Clerk called the bill (H. R. 1229) for the relief of Mrs. Mary M. Wolf.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Mrs. Mary M. Wolf, Detroit, Mich., is relieved of all liability to refund to the United States amounts paid to her for services as an employee of the Home Owners' Loan Corporation during the period when she was not eligible, because of citizenship requirements, to receive compensation from funds appropriated for the Home Owners' Loan Corporation. In the audit and settlement of the accounts of any disbursing officer of the United States such citizenship requirements of Mrs. Mary M. Wolf shall be considered to have been waived.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM H. W. KOMP

The Clerk called the bill (H. R. 1394) for the relief of William H. W. Komp.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That William H. W. Komp, of the United States Public Health Service, is hereby relieved of all liability, both as to principal and interest, under the claim of the United States arising by reason of alleged overpayments to him of rental allowances in the amount of \$8,543.33, while he was serving at Panama City, Panama, during the period from April 21, 1931, to June 30, 1934; and the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said William H. W. Komp, an amount equal to the aggregate of amounts which have been paid by him, or which have been withheld from amounts otherwise due him, in partial satisfaction of such claim. In the settlement of accounts of any disbursing officer of the United States, full credit shall be given for all such alleged overpayments of rental allowances made to the said William H. W. Komp.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HERBERT R. W. LAUTERBACH

The Clerk called the bill (H. R. 1840) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Herbert R. W. Lauterbach, and others, for compensation for overtime labor performed at the Norfolk Navy Yard, Portsmouth, Va., in excess of the legal day of 8 hours.

Mr. McGREGOR, Mr. SPRINGER, and Mr. DOLLIVER objected; and, under the rule, the bill was recommitted to the Committee on Claims.

DR. JOHN A. LOGAN

The Clerk called the bill (H. R. 3378) for the relief of Dr. John A. Logan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dr. John A. Logan, of Washington, D. C., the sum of \$285. The payment of such sum shall be in full settlement of all claims of the said Dr. Logan against the United States on account of property damage sustained during the winter of 1942 and 1943 by the unlawful entry of United States troops into the residence owned by Dr. Logan at Ship Bottom, Ocean County, N. J.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY A. WALLIS

The Clerk called the bill (H. R. 3506) for the relief of Mary A. Wallis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$20,000, to Mary A. Wallis, of Providence, R. I., in full compensation for injuries sustained and damages suffered by her as a result of an accident which occurred on June 18, 1944, in the city of Providence, R. I., and which accident involved the operation of a motor vehicle the property of the Post Office Department.

With the following committee amendments:

Page 1, line 5, strike out "\$20,000" and insert "\$1,999.06."

Page 1, line 7, strike out all of lines 7, 8, 9, and 10, down to and including the word "Department" on page 2, line 1, and insert: "settlement of all claims against the United States for personal injuries and expenses incident thereto, and loss of earnings sustained as the result of an accident involving a United States postoffice vehicle in Providence, R. I., on June 18, 1944: *Provided*, That no part of the amount appropriated in

this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. NORA E. OVERCASH

The Clerk called the bill (H. R. 3822) for the relief of Mrs. Nora E. Overcash.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Nora E. Overcash, of Kansas City, Mo., the sum of \$10,000. The payment of such sum shall be in full settlement of all claims of the said Mrs. Nora E. Overcash against the United States on account of the death, on August 10, 1941, of her husband, Charles Overcash, from injuries sustained by him on such date in a collision on Missouri State Highway No. 66, near Lebanon, Mo., involving the truck which he was driving and a United States Army truck. *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, after the word "to", strike out the balance of line 5, all of lines 6, 7, 8, 9, and 10, down to and including the word "truck" in line 3 on page 2, and insert "the estate of Charles M. Overcash, deceased, of Kansas City, Mo., the sum of \$5,000, in full settlement of all claims of the said estate against the United States on account of the death on August 10, 1941, of the said Charles M. Overcash, from injuries sustained by him on such date in a collision on Missouri State Highway No. 66, near Lebanon, Mo., involving the truck which he was driving and a United States Army truck."

The committee amendments were agreed to.

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

The title was amended to read: "A bill for the relief of the estate of Charles M. Overcash, deceased."

A motion to reconsider was laid on the table.

DAVID M. MATTESON

The Clerk called the bill (H. R. 1345) for the relief of David M. Matteson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to David M. Matte-

son, Cambridge, Mass., the sum of \$3,375. The payment of such sum shall be in full settlement of all claims of the said David M. Matteson against the United States and against the United States George Washington Bicentennial Commission for amounts payable to him, pursuant to an agreement between him and said Commission, for work performed in indexing the "Definitive Writings of George Washington."

With the following committee amendment:

Page 2, line 3, insert "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. HENRY H. HAY

The Clerk called the bill (S. 1190) for the relief of Mrs. Henry H. Hay.

MR. DOLLIVER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

EDITH ROBERTA MOORE

The Clerk called the bill (S. 1504) for the relief of Edith Roberta Moore.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edith Roberta Moore, of Chicago, Ill., the sum of \$4,000, in full satisfaction of her claim against the United States for compensation for personal injuries sustained by her, and for reimbursement of hospital and other expenses incurred by her, as a result of an accident which occurred when she was burned by steam, in guest house No. 2, Camp Howze, Tex., on July 22, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CATHERIN GILBERT

The Clerk called the bill (S. 1609) for the relief of Catharin Gilbert.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to

pay, out of any money in the Treasury not otherwise appropriated, to Catharin Gilbert, of Hartford, Conn., the sum of \$3,000 in full satisfaction of her claims against the United States for compensation for personal injuries sustained by her, and for reimbursement of hospital, medical, and other expenses incurred by her, as a result of an accident which occurred when she was struck by a United States Army vehicle while walking along Village Street, in Hartford, Conn., on October 18, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. ISABEL N. MIFFLIN

The Clerk called the bill (S. 1627) for the relief of Mrs. Isabel N. Mifflin.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Isabel N. Mifflin, of Leesville, La., the sum of \$4,552.95, in full satisfaction of her claim against the United States for compensation for personal injuries and property damage sustained by her as a result of an accident which occurred when the automobile which she was driving was struck by a United States Army vehicle, near New Llano, La., on November 3, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARYLAND SANITARY MANUFACTURING CORP., OF BALTIMORE, MD.

The Clerk called the bill (H. R. 4616) for the relief of the Maryland Sanitary Manufacturing Corp., of Baltimore, Md.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Maryland Sanitary Manufacturing Corp., of Baltimore, Md., the sum of \$524,755, in full settlement of all claims against the United States for losses sustained in the manufacture for the Army Air Forces of magnesium sand castings used in the manufacture of fighting, training, and transport airplanes for said Army Air Forces in the prosecution of the war: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or

attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 8, strike out all of lines 8 and 9, down to and including the word "war" on line 3, page 2, and insert "the United States for losses sustained in the manufacture of magnesium sand castings for Government contractors engaged in the manufacture of fighting, training, and transport airplanes for use by the Army Air Forces in the prosecution of the war, the said losses having been occasioned primarily by reason of the corporation's reliance upon representations and assurances made in good faith by agents of the Government but which were not fulfilled: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN M. SHIPP

The Clerk called the bill (H. R. 4723) for the relief of John M. Shipp.

There being no objection, the Clerk read the bill, as follows:

Be it amended, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John M. Shipp, of Talbotton, Ga., the sum of \$5,000. The payment of such sum shall be in full settlement of all claims of the said John M. Shipp against the United States for personal injuries sustained as the result of a collision on November 27, 1944, on United States Highway No. 80, near Columbus, Ga., involving the truck on which he was riding and a United States Army truck: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$5,000", and insert "\$4,000".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF ROBERT LEE BLACKMON

The Clerk called the bill (H. R. 4833) for the relief of the estate of Robert Lee Blackmon.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Robert Lee Blackmon, deceased, late of Lancaster County, S. C., the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States on account of the death, on November 22, 1943, of the said Robert Lee Blackmon from injuries sustained by him when he was struck, on said date, on Highway 906, 5 miles east of the town of Lancaster, S. C., by an armored vehicle in the service of the Army of the United States: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. CATHERINE FORTUNATO

The Clerk called the bill (H. R. 4976) for the relief of Mrs. Catherine Fortunato.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$596 to Mrs. Catherine Fortunato, of Medford, Mass., in full settlement of all claims against the United States for personal injuries sustained as a result of an accident involving a United States motorcycle at Gore Field, Great Falls, Mont., on March 21, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 5, strike out "\$596" and insert "\$346."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN CAMERA

The Clerk called the bill (H. R. 5598) for the relief of John Camera.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That John Camera, who arrived at the port of New York on February 2, 1946, illegally, shall, upon payment of the required head tax, be considered, for the purposes of the immigration and naturalization

laws, to have been lawfully admitted to the United States, notwithstanding the fact that he was found inadmissible on the sole grounds that he arrived illegally and was without proper immigration documentation. Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Italian quota of the first year that the same Italian quota is available.

With the following committee amendments:

2. On page 1, lines 3 to 10, inclusive, change the sentence to read: "That Giovanni Camera, upon payment of the required head tax, be considered, for the purposes of the immigration and naturalization laws, to have been lawfully admitted to the United States for permanent residence at the port of New York on February 1, 1946."

The committee amendments were agreed to.

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

The title was amended so as to read: "For the relief of Giovanni Camera."

A motion to reconsider was laid on the table.

VIRGINIA HARRIS CASARDI

The Clerk called the bill (H. R. 5278) to legalize the admission to the United States of Virginia Harris Casardi.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General is hereby directed to record the entry to the United States of Virginia Harris Casardi at Miami, Fla., on March 8, 1945, as a lawful admission to the United States for permanent residence for the purposes of the immigration and naturalization laws. The Secretary of State shall thereupon reduce by one the immigration quota for Italy for the current fiscal year.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANTHONY DI INA

The Clerk called the bill (H. R. 5200) for the relief of Anthony (Tony) Di Ina.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Anthony (Tony) Di Ina who arrived at the port of Boston on December 13, 1945, as a stowaway shall upon the payment of the required head tax be considered, for the purpose of immigration and naturalization laws, to have been lawfully admitted into the United States. Upon the enactment of this act the Secretary of State shall instruct the proper quota control officer to deduct one number from the Italian quota for the first year the Italian quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALEXANDER MICHAJLOVICH KALININ ET AL.

The Clerk called the bill (H. R. 4725) for the relief of Alexander Michajlovich Kalinin, Paul Lougbine, and Leon de Witt Ravidovsky.

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

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that this bill be re-

committed to the Committee on Immigration and Naturalization.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

MRS. MASUYO (MARJORIE) SUDO CROMLEY

The Clerk called the bill (H. R. 5634) for the relief of Mrs. Masuyo (Marjorie) Sudo Cromley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the alien, Mrs. Masuyo (Marjorie) Sudo Cromley, of Japan, a graduate of the Imperial Women's Medical College and a practicing physician, who has been the wife of Lt. Col. Ray Cromley, United States Army, since their marriage in 1938 and is the mother of his minor son, shall be admitted to the United States for permanent residence.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BARDEN. Mr. Speaker, that concludes the call of the Private Calendar.

FEDERAL AIRPORT ACT

Mr. BULWINKLE. Mr. Speaker, I call up the conference report on the bill (S. 2) to provide for Federal aid for the development, construction, improvement, and repair of public airports in the United States, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

CALL OF THE HOUSE

Mr. McGREGOR. Mr. Speaker, I make a point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

By unanimous consent, a call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 72]	
Adams	Doyle
Allen, Ill.	Durham
Baldwin, N. Y.	Dworschak
Bell	Eberhardt
Bender	Engel, Mich.
Bishop	Fernandez
Bloom	Fisher
Boykin	Flannagan
Brumbaugh	Gibson
Buckley	Hancock
Bunker	Hand
Byrne, N. Y.	Healy
Byrnes, Wis.	Hendricks
Camp	Herter
Cannon, Fla.	Holmes, Mass.
Chapman	Jarman
Chiperfield	Johnson,
Clements	Lyndon B.
Clippinger	Kefauver
Cochran	Kelley, Pa.
Coffee	Kerr
Colmer	King
Cox	Kirwan
Curley	Knutson
Dawson	LaFollette
De Lacy	Lanham
Doughton, N. C.	Latham
Douglas, Calif.	LeFevre
	Zimmerman

The SPEAKER. On this roll call 347 Members have answered to their names; a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

FEDERAL AIRPORT ACT

THE SPEAKER. The Clerk will read the statement.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2) to provide for Federal aid for the development, construction, improvement, and repair of public airports in the United States, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

“SHORT TITLE

“SECTION 1. This Act may be cited as the ‘Federal Airport Act’.

“PROVISIONS OF GENERAL APPLICATION

“Definitions

“SEC. 2. (a) As used in this Act—

“(1) ‘Administrator’ means the Administrator of Civil Aeronautics.

“(2) ‘Airport’ means any area of land or water which is used, or intended for use, for the landing and take-off of aircraft, and any appurtenant areas which are used, or intended for use, for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon.

“(3) ‘Airport development’ means (A) any work involved in constructing, improving, or repairing a public airport or portion thereof, including the construction, alteration, and repair of airport administrative buildings and the removal, lowering, relocation, and marking and lighting of airport hazards, and (B) any acquisition of land or of any interest therein, or of any easement through or other interest in air space, which is necessary to permit any such work or to remove or mitigate, or prevent or limit the establishment of airport hazards; but such term does not include the construction, alteration, or repair of airport hangars.

“(4) ‘Airport hazard’ means any structure or object of natural growth located on or in the vicinity of a public airport, or any use of land near such airport, which obstructs the air space required for the flight of aircraft in landing or taking off at such airport or is otherwise hazardous to such landing or taking off of aircraft.

“(5) ‘Project’ means a project for the accomplishment of airport development with respect to a particular airport.

“(6) ‘Project costs’ means any costs involved in accomplishing a project under this Act, including those of making field surveys, preparation of plans and specifications, supervision and inspection of construction work, procurement of the accomplishment of such work by contract, and acquisition of land or interests therein or easements through or other interests in air space, and also including administrative and other incidental costs incurred specifically in connection with the accomplishment of a project, and which would not have been incurred otherwise.

“(7) ‘Public agency’ means the United States Government or an agency thereof; a State, the Territory of Alaska, the Territory of Hawaii, or Puerto Rico, or an agency of

any of them; a municipality or other political subdivision; or a tax-supported organization.

“(8) ‘Public airport’ means any airport which is used or to be used for public purposes, under the control of a public agency, the landing area of which is publicly owned.

“(9) ‘Sponsor’ means any public agency which, either individually or jointly with one or more other public agencies, submits to the Administrator, in accordance with this Act, an application for a grant of funds for airport development.

“(10) ‘United States share’ means that portion of the project costs of approved projects under this Act which is to be paid from appropriations made under authority of this Act.

“(11) ‘Military and naval aircraft’ means aircraft owned and operated by the United States Army, the United States Navy, the United States Coast Guard, or the United States Marine Corps.

“(12) ‘State’ means a State of the United States or the District of Columbia.

“Airport classifications

“(b) For purposes of this Act, a project shall be considered one for development of an airport of a certain class if upon completion of the airport development proposed, the airport so developed would be properly classifiable as of that class according to the airport classification standards of the Administrator stated in Civil Aeronautics Administration Bulletin ‘Airport Design’ dated April 1, 1944.

“NATIONAL AIRPORT PLAN

“Formulation of plan

“SEC. 3. (a) The Administrator is hereby authorized and directed to prepare, and revise annually, a national plan for the development of public airports in the United States, including the Territory of Alaska, the Territory of Hawaii, and Puerto Rico. Such plan shall specify, in terms of general location and type of development, the projects considered by the Administrator to be necessary to provide a system of public airports adequate to anticipate and meet the needs of civil aeronautics. In formulating and revising such plan, the Administrator shall take into account the needs of both air commerce and private flying, the probable technological developments in the science of aeronautics, the probable growth and requirements of civil aeronautics, and such other considerations as he may deem appropriate, and shall, to the extent feasible, consult and give consideration to the views and recommendations of, the Civil Aeronautics Board, the States, the Territories, and Puerto Rico, and their political subdivisions, and shall, to the extent feasible, consult, and give consideration to the views and recommendations of, the Federal Communications Commission, and shall make all reasonable efforts to cooperate with that Commission for the purpose of eliminating, preventing, or minimizing airport hazards caused by construction or operation of any radio station. In carrying out this section the Administrator is authorized to make such surveys, studies, examinations, and investigations as he may deem necessary.

“Consultation with War and Navy Departments

“(b) In carrying out this section the Administrator shall also consider the views and recommendations of the War and Navy Departments to the end that the airport development included in such plan may be as useful for national defense as is feasible, and shall ascertain from such Departments the extent to which military and naval airports and airport facilities will be available for civil use. The War and Navy Departments shall consider the views and recommendations of the Administrator to the end that military and naval airports and airport facilities may be made available for civil use to such extent as is feasible.

“FEDERAL-AID AIRPORT PROGRAM

“SEC. 4. In order to bring about, in conformity with the national airport plan prepared and from time to time revised as provided in this Act, the establishment of a Nation-wide system of public airports adequate to meet the present and future needs of civil aeronautics, the Administrator is authorized, within the limits of available appropriations made therefor by the Congress, to make grants of funds to sponsors for airport development as hereinabove provided.

“APPROPRIATIONS

“Appropriation for preliminary expenses

“SEC. 5. (a) In addition to amounts hereinafter authorized to be appropriated for administrative expenses, the sum of \$3,000,000 is hereby authorized to be appropriated immediately upon the enactment of this Act for expenses of preliminary planning and surveys incident to the initiation of the airport program provided for by this Act, including administrative expenses, which sum shall remain available until expended.

“Annual appropriations for projects in States

“(b) For the purpose of carrying out this Act with respect to projects in the several States, annual appropriations amounting in the aggregate to \$500,000,000 are hereby authorized to be made to the Administrator over a period of seven fiscal years beginning with the fiscal year ending June 30, 1947. The appropriation for any such fiscal year shall not exceed \$100,000,000 and shall remain available until June 30, 1953, unless sooner expended. Not to exceed 5 per centum of any such annual appropriation, as specified in the Act making such appropriation, shall be available to the Administrator for necessary planning and research and for administrative expenses incident to the administration of this Act in the several States; except that if 5 per centum of the appropriation for any fiscal year is less than \$3,500,000, or if there is no appropriation for such fiscal year, not to exceed \$3,500,000 in the aggregate may be made available to the Administrator, for such fiscal year, for such planning and research and administrative expenses. Any amounts made available to the Administrator for such planning and research and administrative expenses shall be deducted for purposes of determining the amounts available for grants for projects in the several States.

“Annual appropriations for projects in Alaska, Hawaii, and Puerto Rico

“(c) For the purpose of carrying out this Act with respect to projects in the Territories of Alaska and Hawaii, and in Puerto Rico, annual appropriations amounting in the aggregate to \$20,000,000 are hereby authorized to be made to the Administrator over a period of seven fiscal years beginning with the fiscal year ending June 30, 1947. The appropriation for any such fiscal year shall remain available until June 30, 1953, unless sooner expended. Not to exceed 5 per centum of any such annual appropriation, as specified in the Act making such appropriation, shall be available to the Administrator for necessary planning and research and for administrative expenses incident to the administration of this Act with respect to projects in the Territories of Alaska and Hawaii, and in Puerto Rico; and the amount so available shall be deducted from such appropriation for purposes of determining the amount thereof available for grants for projects therein. Of the total amount available for such grants, 50 per centum shall be available for projects in the Territory of Alaska, 25 per centum shall be available for projects in the Territory of Hawaii, and 25 per centum shall be available for projects in Puerto Rico.

“Administrative expenses

“(d) As used in this section, the term ‘administrative expenses’ including expenses under this Act of the character specified in

section 204 of the Civil Aeronautics Act of 1938, as amended (U. S. C., 1940 edition, title 49, sec. 424).

DISTRIBUTION OF FUNDS AVAILABLE FOR PROJECTS IN STATES

Apportionment of funds

SEC. 6. (a) As soon as possible after any appropriation is made under section 5 (b), 75 per centum of the amount thereof available for grants for projects in the several States shall be apportioned by the Administrator among the several States, one-half in the proportion which the population of each State bears to the total population of all the States, and one-half in the proportion which the area of each State bears to the total area of all the States. All sums so apportioned for a State shall be available only to pay the United States share of the allowable project costs of approved projects located in that State, or sponsored by that State or some public agency thereof but located in an adjoining State. Upon making an apportionment as provided in this subsection the Administrator shall inform the executive head of each State, and any public agency which has requested such information, as to the sums apportioned for each State. As used in this subsection the term 'population' means the population according to the latest decennial census of the United States and the term 'area' includes both land and water.

Discretionary fund

(b) (1) All moneys appropriated under section 5 (b) which are available for grants for projects in the several States, and which are not apportioned as provided in subsection (a) of this section, shall constitute a discretionary fund.

(2) The moneys in such discretionary fund shall be available to pay the United States share of the allowable project costs of such approved projects in the several States as the Administrator may deem most appropriate for carrying out the national airport plan, regardless of the States in which they are located. The Administrator shall give consideration, in determining the projects for which the moneys in such fund are to be so used, to the existing airport facilities in the several States and to the need for or lack of development of airport facilities in the several States.

(3) The moneys in such discretionary fund shall also be available to pay the United States share of the allowable project costs of such approved projects in national parks and national recreation areas, national monuments, and national forests, sponsored by the United States or any agency thereof, as the Administrator may deem appropriate for carrying out the national airport plan; but no other funds appropriated under authority of this Act shall be available for such purpose. The sponsor's share of the project costs of any such approved project shall be paid only out of funds contributed to the sponsor for the purpose of paying such costs (receipt of which funds and their use for this purpose is hereby authorized) or appropriations specifically authorized therefor.

AVAILABILITY OF FUNDS FOR PROJECTS IN ALASKA, HAWAII, AND PUERTO RICO

SEC. 7. All funds available for grants for projects in the Territory of Alaska, in the Territory of Hawaii, or in Puerto Rico, respectively, shall be available to pay the United States share of the allowable project costs of such approved projects therein as the Administrator may deem most appropriate for carrying out the national airport plan.

CONDITION PRECEDENT TO DEVELOPMENT OF LARGER AIRPORTS

SEC. 8. At least two months prior to the close of each fiscal year, the Administrator shall submit to the Congress a request for authority to undertake during the next fiscal year those of the projects for the development of class 4 and larger airports, included

in the then current revision of the national airport plan formulated by him under this Act, which, in his opinion, should be undertaken during that fiscal year, together with an estimate of the Federal funds required to pay the United States share of the allowable project costs of such projects. In determining which projects to include in such a request, the Administrator shall consider, among other things, the relative aeronautical need for and urgency of the projects included in the plan and the likelihood of securing satisfactory sponsorship of such projects. In granting any funds that thereafter may be appropriated to pay the United States share of allowable project costs during the next fiscal year, the Administrator may consider such appropriation as granting the authority requested unless a contrary intent shall have been manifested by the Congress by law or by concurrent resolution, and no such grants shall be made unless so authorized.

SUBMISSION AND APPROVAL OF PROJECTS

Submission

SEC. 9. (a) Subject to the provisions of subsections (b) and (c) of this section, any public agency, or two or more public agencies acting jointly, may submit to the Administrator a project application in such form, and containing such supporting information, as may be prescribed by the Administrator and setting forth the airport development proposed to be undertaken. No project application shall propose airport development other than that included in the then current revision of the national airport plan formulated by the Administrator under this Act, and all such proposed development shall be in accordance with standards established by the Administrator, including standards for site location, airport layout, grading, drainage, seeding, paving, lighting, and safety of approaches.

Applications by public agencies whose powers are limited by State law

(b) Nothing in this Act shall authorize the submission of a project application by any municipality or other public agency which is subject to the law of any State if the submission of such project application by such municipality or other public agency is prohibited by the law of such State.

Applications by Federal agencies

(c) Nothing in this Act shall authorize the submission of a project application by the United States or any agency thereof, except in the case of a project in the Territory of Alaska, the Territory of Hawaii, or Puerto Rico, or in a national park or national recreation area, a national monument, or a national forest.

Approval

(d) All such projects shall be subject to the approval of the Administrator, which approval shall be given only if, at the time of approval, funds are available for payment of the United States share of the allowable project costs, and only if he is satisfied that the project will contribute to the accomplishment of the purposes of this Act, that sufficient funds are available for that portion of the project costs which is not to be paid by the United States under this Act, that the project will be completed without undue delay, that the public agency or public agencies which submitted the project application have legal authority to engage in the airport development as proposed, and that all project sponsorship requirements prescribed by or under the authority of this Act have been or will be met. No project shall be approved by the Administrator with respect to any airport unless a public agency holds good title, satisfactory to the Administrator, to the landing area of such airport or the site therefor, or gives assurance satisfactory to the Administrator that such title will be acquired.

Hearings

(e) Project applications shall be matters of public record in the office of the Administrator. Any public agency, person, association, firm, or corporation having a substantial interest in the disposition of any application by the Administrator may file with the Administrator a memorandum in support of or in opposition to such application; and any such agency, person, association, firm, or corporation shall be accorded, upon request, a public hearing with respect to the location of any airport the development of which is proposed. The Administrator is authorized to prescribe regulations governing such public hearings, and such regulations may prescribe a reasonable time within which requests for public hearings shall be made and such other reasonable requirements as may be necessary to avoid undue delay in disposing of project applications.

UNITED STATES SHARE OF PROJECT COSTS

General provision

SEC. 10. (a) Except as provided in subsections (b), (c), and (d) of this section, the United States share payable on account of any approved project under this Act shall be—

(1) in the case of a project for the development of a class 3 or smaller airport, 50 per centum of the allowable project costs of the project;

(2) in the case of a project for the development of a class 4 or larger airport, such portion of the allowable project costs of the project (not to exceed 50 per centum) as the Administrator may deem appropriate for carrying out the provisions of this Act.

Projects in public land States

(b) In the case of any State containing unappropriated and unreserved public lands and nontaxable Indian lands (individual and tribal) exceeding 5 per centum of the total area of all lands therein, the United States share under subsection (a) (1), and the maximum United States share under subsection (a) (2), shall be increased by whichever is the smaller of the following percentages thereof: (1) 25 per centum, or (2) a percentage equal to one-half the percentage that the area of all such lands in such State is of its total area.

Projects in Alaska

(c) The United States share payable on account of any approved project in the Territory of Alaska shall be such portion of the allowable project costs of the project (not less than 50 per centum in the case of a class 3 or smaller airport, and not to exceed 75 per centum in the case of an airport of any class) as the Administrator may deem appropriate for carrying out the provisions of this Act.

Acquisitions of land and interests in air space

(d) To the extent that the project costs of an approved project represent the cost of acquiring land or interests therein or easements through or other interests in air space, the United States share (1) in the case of a project for the development of a class 3 or smaller airport, shall be 25 per centum of the allowable costs of such acquisition, and (2) in the case of a project for the development of a class 4 or larger airport, shall be not to exceed 25 per centum of the allowable costs of such acquisition.

PROJECT SPONSORSHIP

SEC. 11. As a condition precedent to his approval of a project under this Act, the Administrator shall receive assurances in writing, satisfactory to him, that—

(1) the airport to which the project relates will be available for public use on fair and reasonable terms and without unjust discrimination;

"(2) such airport and all facilities thereon or connected therewith will be suitably operated and maintained, with due regard to climatic and flood conditions;

"(3) the aerial approaches to such airport will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards;

"(4) all the facilities of the airport developed with Federal aid and all those usable for the landing and take-off of aircraft will be available to the United States for use by military and naval aircraft in common with other aircraft at all times without charge, except, if the use by military and naval aircraft shall be substantial, a reasonable share, proportional to such use, of the cost of operating and maintaining the facilities so used;

"(5) the airport operator or owner will furnish to any civil agency of the Government, without charge (except for light, heat, janitor service, and similar facilities and services at the reasonable cost thereof), such space in airport buildings as may be reasonably adequate for use in connection with any air traffic control activities, or weather-reporting activities and communications activities related to air traffic control, which such agency may deem it necessary to establish and maintain at the airport;

"(6) all project accounts and records will be kept in accordance with standard system of accounting prescribed by the Administrator after consultation with appropriate public agencies;

"(7) the airport operator or owner will submit to the Administrator such annual or special airport financial and operations reports as the Administrator may reasonably request; and

"(8) the airport and all airport records will be available for inspection by any duly authorized agent of the Administrator upon reasonable request.

To insure compliance with this section, the Administrator shall prescribe such project sponsorship requirements, consistent with the terms of this Act, as he may deem necessary. Among other steps to insure such compliance the Administrator is authorized to enter into contracts with public agencies, on behalf of the United States.

GRANT AGREEMENTS

"SEC. 12. Upon approving a project the Administrator, on behalf of the United States, shall transmit to the sponsor or sponsors of the project an offer to pay the United States share of the allowable project costs of such project. Any such offer shall be made upon such terms, and subject to such conditions, as the Administrator may deem necessary to meet the requirements of this Act and the regulations prescribed thereunder. Each such offer shall state a definite amount as the maximum obligation of the United States payable from funds appropriated under authority of this Act, and shall stipulate the obligations to be assumed by the sponsor or sponsors of the project. If and when any such offer is accepted in writing by the sponsor or sponsors to which it is made, such offer and acceptance shall comprise a grant agreement constituting an obligation of the United States and of the sponsor or sponsors so accepting, and thereafter the amount stated in the accepted offer as the maximum obligation of the United States under such grant agreement shall not be increased. Unless and until such a grant agreement has been executed with respect to a project, the United States shall not pay, nor be obligated to pay, any portion of the project costs which have been or may be incurred in carrying out that project.

ALLOWABLE PROJECT COSTS

"SEC. 13. Except as provided in section 14, the United States shall not pay, or be obli-

gated to pay, from amounts appropriated to carry out the provisions of this Act, any portion of a project cost incurred in carrying out a project unless the Administrator has first determined that such cost is allowable. A project cost shall be allowable if—

"(1) it was a necessary cost incurred in accomplishing airport development in conformity with approved plans and specifications for an approved project and with the terms and conditions of the grant agreement entered into in connection with such project;

"(2) it was incurred subsequent to the execution of the grant agreement with respect to the project, and in connection with airport development accomplished under such project after the execution of such grant agreement: *Provided, however,* That the allowable costs of a project may include any necessary costs of formulating the project (including those field surveys and the preparation of plans and specifications, including costs of acquiring land or interests therein or easements through or other interests in air space, and including any necessary administrative or other incidental costs incurred by the sponsor specifically in connection with the accomplishment of the project, which would not have been incurred otherwise) which were incurred subsequent to the enactment of this Act; and

"(3) it is reasonable in amount, in the opinion of the Administrator: *Provided,* That if the Administrator determines that a project cost is unreasonable in amount, he shall allow, as an allowable project cost under this section, only such amount of such project cost as he determines to be reasonable and no project costs in excess of the definite amount stated in the grant agreement shall be allowable.

"The Administrator is authorized to prescribe such regulations, including regulations with respect to the auditing of project costs, as he may deem necessary to effectuate the purposes of this section.

PAYMENTS

"SEC. 14. The Administrator, after consultation with the sponsor or sponsors with which a grant agreement has been entered into, shall determine at what times, and in what amounts, payments shall be made under this Act. The aggregate of such payments at any time with respect to a particular project shall not exceed a percentage of the project costs of the airport development which has been performed up to that time (and which the sponsor or sponsors to which the payments are to be made certify to have been performed in accordance with the approved plans and specifications for such project), equal to the percentage of the allowable project costs of the project determined to be the United States share of such costs; and if the Administrator shall determine at any time that the aggregate of such payments exceeds the United States share of the allowable project costs of such project the United States shall be entitled to recover such excess. Such payments shall be made to such official or officials or depository, authorized by law to receive public funds, as may be designated by the sponsor or sponsors entitled to such payments.

PERFORMANCE OF CONSTRUCTION WORK

Regulations of the Administrator

"SEC. 15. (a) The construction work on any approved project shall be subject to inspection and approval by the Administrator and in accordance with regulations prescribed by him. Such regulations shall require such cost and progress reporting by the sponsor or sponsors of such project as the Administrator shall deem necessary. No such regulation shall have the effect of altering any contract in connection with any project entered into without actual notice of the regulation.

Minimum rates of wages

"(b) All contracts for work on projects approved under this Act which involves labor shall contain provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

Other provisions as to labor

"(c) All contracts for work on projects approved under this Act which involves labor shall contain such provisions as are necessary to insure (1) that no convict labor shall be employed; and (2) that in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given, where they are qualified, to individuals who have served as persons in the military service of the United States (as defined in section 101 (1) of the Soldiers' and Sailors' Civil Relief Act of 1940), and who have been honorably discharged from such service: *Provided,* That such preference shall apply only where such labor is available and qualified to perform the work to which the employment relates.

USE OF GOVERNMENT-OWNED LANDS

Requests for use

"SEC. 16. (a) Whenever the Administrator determines that use of any lands owned or controlled by the United States is reasonably necessary for carrying out a project under this Act, or for the operation of any public airport, he shall file with the head of the department or agency having control of such lands a request that such property interest therein as he may deem necessary be conveyed to the public agency sponsoring the project in question or owning or controlling the airport. Such property interest may consist of the title to or any other interest in land or any easement through or other interest in air space.

Making of conveyances

"(b) Upon receipt of a request from the Administrator under this section, the head of the department or agency having control of the lands in question shall determine whether the requested conveyance is inconsistent with the needs of the department or agency, and shall notify the Administrator of his determination within a period of four months after receipt of the Administrator's request. If such department or agency head determines that the requested conveyance is not inconsistent with the needs of that department or agency, such department or agency head is hereby authorized and directed, with the approval of the President and the Attorney General of the United States, and without any expense to the United States, to perform any acts and to execute any instruments necessary to make the conveyance requested; but each such conveyance shall be made on the condition that the property interest conveyed shall automatically revert to the United States in the event that the lands in question are not developed, or cease to be used, for airport purposes.

REIMBURSEMENT FOR DAMAGE BY FEDERAL AGENCIES TO PUBLIC AIRPORTS

Submission and determination of claims

"SEC. 17. (a) Reimbursement shall be made to public agencies, as provided in this section, for the necessary rehabilitation or repair of public airports heretofore or hereafter substantially damaged by any Federal agency. The Administrator is authorized on behalf of the United States to consider, ascertain, adjust, and determine in accordance with regulations he shall prescribe pursuant to this section, any claim submitted by any public agency for reimbursement of the cost of necessary rehabilitation or repair of a public airport, under the control or management of such public agency, substantially damaged by any Federal agency.

"Certification of claims to Congress"

(b) Such amount as may be found to be due to any claimant under this section shall be certified by the Administrator to Congress as a claim against the United States, and appropriation for payment of such claims are hereby authorized to be made. Such certification shall include a brief statement of the character of each claim, the amount claimed, and the amount allowed.

"Limitation on submission of claims"

(c) No claim shall be considered by the Administrator pursuant to this section unless such claim has been presented to him within six months after the occurrence of the damage upon which the claim is based, except that in case of damage caused by operations of a military nature during time of war such notice may be filed within sixty days after termination of the war.

"REPORTS TO CONGRESS"

Sec. 18. On or before the third day of January of each year the Administrator shall make a report to the Congress describing his operations under this Act during the preceding fiscal year, including detailed statements of the airport development accomplished, the status of each project undertaken, the allocation of appropriations, and itemized statements of expenditures and receipts, and setting forth his recommendations, if any, for legislation amending or supplementing this Act.

"FALSE STATEMENTS"

Sec. 19. Any officer, agent, or employee of the United States, or any officer, agent, or employee of any public agency, or any person, association, firm, or corporation who shall knowingly make any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the costs thereof, in connection with the submission of plans, maps, specifications, contracts, or estimates of project costs for any project submitted to the Administrator for approval under this Act or shall knowingly make any false statement, false representation, or false report or claim for work or materials for any project approved by the Administrator under this Act, or shall knowingly make any false statement or false representation in any report required to be made under this Act, with the intent to defraud the United States shall, upon conviction thereof, be punished by imprisonment for not to exceed five years or by a fine of not to exceed \$10,000, or by both such fine and imprisonment.

"EXISTING AIRPORT PROGRAMS"

Sec. 20. Nothing in this Act shall affect the carrying out of the program for the development of public landing areas necessary for national defense, authorized by the Department of Commerce Appropriation Act, 1946, or the program for the development of civil landing areas, authorized by the First Supplemental National Defense Appropriation Act, 1944, which programs shall be additional to the Federal-aid airport program authorized by this Act."

And the House agree to the same.

Amend the title so as to read: "An Act to provide Federal aid for the development of public airports."

A. L. BULWINKLE,
CLARENCE F. LEA,
VIRGIL CHAPMAN,
LYLE H. BOREN,
CHAS. A. WOLVERTON,
PEHR G. HOLMES,

Managers on the Part of the House.

PAT McCARRAN,
JOHN OVERTON,
WARREN G. MAGNUSON,
GEORGE L. RADCLIFFE,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2) to provide for Federal aid for the development, construction, improvement, and repair of public airports in the United States, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The bill, as agreed to in conference, is generally similar to the bill as passed by the House. The differences between the House amendment and the conference substitute are noted in the following explanatory statement, except for incidental changes made necessary by reason of agreements reached by the conferees, clarifying drafting changes, and a few minor substantive changes.

CHANNELING OF FUNDS

Under the Senate bill the funds to be appropriated for the airport program would have been channeled through the States, and municipalities would have been permitted to make direct application to the Administrator for Federal funds only where the State had not appropriated any State funds for airport purposes or where the State did not have legislation permitting State participation in the program through an adequate State airport agency.

Under the House amendment application could be made directly to the Administrator either by the State or a State agency, a municipality or other political subdivision, or a tax-supported organization. By a floor amendment to the House definition of the term "public agency" it was provided that nothing in the act "shall authorize the submission of a project application by any municipality or other public agency which is subject to the law of any State if the submission of such project application by such municipality or other public agency is prohibited by the law of such State."

The substitute bill agreed to in conference conforms to the House amendment on the channeling of funds, but the provision last referred to above has been taken out of the definition of "public agency" and has been included in the provisions of section 9 without change in its text.

AMENDMENTS TO EXISTING LAW RELATING TO AIR NAVIGATION FACILITIES

The House amendment contained a title II which embodied proposed amendments to the Civil Aeronautics Act of 1938 intended to clarify certain definitions and other provisions having relation to air navigation facilities. The Senate bill contained no such amendments. The substitute agreed to in conference contains no provisions corresponding to those of title II of the House amendment.

AIRPORT DEVELOPMENT IN THE STATES

Under the House amendment the aggregate of appropriations to be available for the airport program in the States was \$650,000,000, and the program would have extended over a 10-year period beginning with the fiscal year ending June 30, 1946. The Senate bill provided for a 5-year program totaling \$375,000,000. Under the conference substitute the aggregate amount has been changed to \$500,000,000, and the program will extend over a 7-year period beginning with the fiscal year ending June 30, 1947.

The House amendment and the Senate bill provided that not to exceed 5 percent of any annual appropriation should be available for planning and research and administrative expenses. The conference substitute retains this provision but also provides that in any case where such 5 percent did not equal \$3,500,000 or in the case of any year where no appropriation for the making of grants is made, an amount not to exceed \$3,500,000 may be appropriated for administrative ex-

penses. Any amount so made available will be deducted from the amounts available for grants under the State airport development program.

The provisions of the House amendment, relating to apportionment among the States of 75 percent of the funds available for grants in the States, are retained in the conference substitute.

DISCRETIONARY FUND

The House amendment provided that of the aggregate amounts appropriated for the airport-development program in the States and available for grants, 25 percent should constitute a discretionary fund which, instead of being apportioned among the States, would be available to pay the United States share of allowable project costs of such approved projects in the several States as the Administrator of Civil Aeronautics deemed most appropriate for carrying out the national airport plan, regardless of the States in which located.

The House provision above referred to is retained in the conference substitute, but a new provision has been included (sec. 6 (b) (3)). The discretionary fund is made available, by this provision, to pay the United States share of the allowable project costs of such approved projects in national parks and national recreation areas, national monuments, and national forests, sponsored by the United States or any agency thereof, as the Administrator may deem appropriate for carrying out the national airport plan; and it is provided that no other funds appropriated under the act shall be available for such purpose. It is further provided that the sponsor's share of the project costs, in the case of such federally sponsored projects in national parks and national recreation areas, national monuments, and national forests, shall be paid only out of funds contributed to the sponsor for the purpose of paying such costs or appropriations specifically authorized therefor. Funds from either or both such sources may, of course, be used. Such sponsors are authorized, by this provision, to receive such contributed funds and to use them for the purpose of paying the sponsor's share of the project costs.

AIRPORT DEVELOPMENT IN ALASKA, HAWAII, AND PUERTO RICO

The House amendment authorized the appropriation of aggregate amounts equaling \$50,000,000 for carrying out the airport program in the Territories and possessions. The program would have extended over a 10-year period beginning with the fiscal year ending in 1946. The Senate bill did not provide for a program in the Territories or possessions. The conference substitute provides for limiting this part of the airport program to the Territories of Alaska and Hawaii and to Puerto Rico. The amount of the aggregate authorized appropriation has been changed to \$20,000,000 and the program will be for a 7-year period beginning with the fiscal year ending June 30, 1947.

The House amendment provided that not to exceed \$10,000,000 should be available for projects in Alaska, not to exceed \$15,000,000 for projects in Hawaii, and not to exceed \$10,000,000 for projects in Puerto Rico. The conference substitute provides that of the aggregate authorized appropriation of \$20,000,000, 50 percent of the amounts available for grants shall be for projects in Alaska, 25 percent for projects in Hawaii, and 25 percent for projects in Puerto Rico.

FORMULATION OF NATIONAL AIRPORT PLAN

Both the Senate bill and the House amendment contained provisions directing the Administrator of Civil Aeronautics to prepare and revise annually a national airport plan in conformity with which the airport development provided for by the bill would be carried on. In each case the Administrator was directed in the formulation of the plan to take into consideration the views and recommendations of certain specified govern-

mental agencies. This section as it appears in the conference substitute (sec. 3) is similar to the provision in the House amendment except that it contains a provision from the Senate bill directing the Administrator, in the formulation of such plan, to give consideration to the views and recommendations of the Federal Communications Commission and to make all reasonable efforts to cooperate with that Commission for the purpose of eliminating, preventing, or minimizing airport hazards caused by construction or operation of any radio station.

SUBMISSION TO CONGRESS OF PROPOSALS WITH RESPECT TO LARGER AIRPORTS

The conference substitute contains a provision (sec. 8) similar to one contained in the Senate bill, requiring the Administrator to submit to the Congress, at least 2 months prior to the close of each fiscal year, a request for authority to undertake during the following fiscal year those of the projects for the development of class 4 and larger airports included in the then current revision of the national airport plan, which, in his opinion, should be undertaken during such next fiscal year. Such request is to be accompanied by an estimate of Federal funds required to pay the United States share of the allowable project costs of such projects. The Administrator is directed to consider, among other things, in determining which projects to include in his request, the relative aeronautical need for and urgency of the projects included in the plan and the likelihood of securing satisfactory sponsorship of such projects. It is further provided that the Administrator, in making grants of any funds that may thereafter be appropriated to pay the United States share of allowable project costs during the next fiscal year, may consider the appropriation as granting the authority requested unless a contrary intent has been manifested by the Congress by law or by concurrent resolution, and it is provided that no such grants shall be made unless so authorized. The House amendment contained no provisions similar to those above referred to.

There has been included in the conference substitute (sec. 2 (b)) a provision, taken from the Senate bill, specifying the manner of determining the class into which an airport falls.

COSTS OF ACQUISITION OF LAND AND INTERESTS IN AIR SPACE

The House amendment provided that allowable project costs could not include the cost of acquiring any interest in land or any easement through or other interests in air space, so that appropriations made to the Administrator could not have been used for the payment of any part of such costs. The Senate bill would have permitted the Administrator to contribute the full United States share in the case of such acquisitions.

Under the conference substitute (sec. 2 (3) and (6)) the Administrator will be authorized to pay part of the cost of acquisition of land or interests therein, or of any easement through or other interest in air space, but the United States share with respect thereto (sec. 10 (d)) is to be 25 percent of the allowable cost in the case of class 3 or smaller airports, and not to exceed 25 percent of the allowable cost in the case of class 4 or larger airports.

UNITED STATES SHARE OF ALLOWABLE PROJECT COSTS

Under the House amendment it was provided that the United States share of allowable project costs should be that portion of such costs (not to exceed 50 percent) as the Administrator deemed appropriate for carrying out the provisions of the legislation, except that in the case of any approved project in Alaska it was provided that the United States share should be not to exceed 75 percent of the allowable project costs. The

Senate bill provided that the United States share should be 50 percent of the allowable project costs in all cases.

The section contained in the conference substitute on this subject (sec. 10) is as follows:

It provides, in general, that in the case of any project for the development of a class 3 or smaller airport the United States share shall be 50 percent of the allowable project costs.

It provides, in general, that in the case of a class 4 or larger airport the United States share shall be such portion of the allowable project costs (not to exceed 50 percent) as the Administrator may deem appropriate for carrying out the provisions of the legislation.

An exception is provided with respect to the United States share in the case of a project in any State containing unappropriated and unreserved public lands and non-taxable Indian lands (individual and tribal) exceeding 5 percent of the total area of all lands in the State. For such a project, the United States share in the case of a class 3 or smaller airport (or the maximum United States share in the case of a class 4 or larger airport) is increased by whichever is the smaller of the following percentages thereof: (1) 25 percent, or (2) a percentage equal to one-half the percentage that the area of all such public lands and Indian lands in the State is of the State's total area.

In the case of projects in Alaska the House provision for a maximum United States share of 75 percent of the allowable project costs is retained, but it is provided that in the case of a class 3 or smaller airport the United States share shall not be less than 50 percent of the allowable project costs.

This section also contains the provision, referred to above, limiting the amount of the United States share in the case of acquisitions of land or interests in air space.

DEFINITION OF "PROJECT COSTS"

Both the Senate bill and the House amendment contained a definition of the term "project costs." The definition of this term contained in the conference substitute (sec. 2 (6)) is substantially the same as the definition contained in the Senate bill. The only substantive change made from the definition as it appeared in the House bill is with reference to the inclusion of costs of acquisition of land or interest therein or easements through or other interests in air space. While the text of the definition differs from the House definition in that it makes specific reference to accomplishing work "by contract," there is nothing in the bill to require that airport development work be accomplished exclusively through contractual arrangements.

APPROVAL OF PROJECTS

Section 9 (c) of the conference substitute contains a provision taken from the Senate bill, providing that no projects shall be approved with respect to any airport unless a public agency holds good title, satisfactory to the Administrator, to the landing area of such airport or the site therefor, or gives assurance satisfactory to the Administrator that such title will be acquired. The House amendment contained no such provision.

PROJECT SPONSORSHIP

Section 11 (2) of the conference substitute provides that as a condition precedent to approval of a project the Administrator shall receive assurances that such airport and all facilities thereon or connected therewith will be suitably operated and maintained, with due regard to climatic and flood conditions. This is the same provision that appeared in the House amendment, except that the words "with due regard to climatic and flood conditions" have been added from the Senate bill. They are for the purpose of indicating that the owner or operator of the airport will not be expected to operate and

maintain such airport during temporary periods when climatic or flood conditions interfere substantially with operation and maintenance during such periods.

Section 10 (5) of the House amendment provided that the Administrator should not approve a project unless he had received assurances that the airport owner or operator would furnish to any civil agency of the Government, without charge, such space in airport buildings as might be reasonably adequate for use in connection with any air-traffic control or weather-reporting activities, and communications activities incidental thereto, which such agency deemed it necessary to establish and maintain at the airport. The comparable provision in the Senate bill would have required the furnishing of similar facilities to the Government at a reasonable rent. The provision which has been included in the conference substitute (sec. 11 (5)) is the same as the provision of the House amendment, except that (1) it recognizes the right of the airport operator or owner to make a charge for light, heat, janitor service, and similar facilities and services at the reasonable cost thereof, and (2) the space to be furnished under the conditions specified would be that for use in connection with air-traffic control activities, and weather-reporting activities and communications activities related to air-traffic control.

Section 11 of the conference substitute retains that part of the corresponding House provision which authorized the Administrator to enter into contracts in order to insure compliance with the provisions of the section, but there has been omitted the language which would have provided that "such contracts shall be enforceable by decrees for specific performance." The omission of this language is not intended to indicate that the Administrator should not under any circumstances enter into contracts enforceable by decrees for specific performance, or that courts should refrain from issuing such decrees in appropriate cases. The only effect intended to be achieved by the elimination of this language was to avoid the adoption of a provision which might be construed as an attempt to change by statute the general law governing this type of equitable relief.

PROVISIONS WITH RESPECT TO LABOR

Section 15 of the conference substitute contains two provisions, subsections (b) and (c), which have been taken from the Senate bill with modifications. No similar provisions were contained in the House amendment. These provisions are in the nature of conditions attached to the granting of Federal funds for airport development. They apply only in the case of accomplishment of airport development under contracts.

Subsection (b) provides that contracts for work on projects approved under the act, involving labor, shall contain provisions establishing minimum rates of wages, to be determined by the Secretary of Labor, which contractors shall pay to skilled and unskilled labor, and it is required that such minimum rates shall be stated in the invitation for bids and shall be included in the proposals for bids for such work.

Subsection (c) provides that contracts for work on approved projects, involving labor, shall contain such provisions as are necessary to insure (1) that no convict labor shall be employed, and (2) that in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given, where they are qualified, to honorably discharged former members of the armed forces of the United States. It is provided, however, that such preference in the case of former members of the armed forces shall apply only where such labor is available and qualified to perform the work to which the employment relates.

REIMBURSEMENT FOR DAMAGE TO PUBLIC AIRPORTS CAUSED BY FEDERAL AGENCIES

Section 17 of the conference substitute contains provisions taken from the Senate bill with modifications, providing for reimbursement to public agencies for the necessary rehabilitation or repair of public airports substantially damaged by Federal agencies. No similar provision was contained in the House bill except that in section 10 of the House bill, as a condition precedent to approval of a project, it was provided that the Administrator should receive assurances in writing satisfactory to him that, among other things, all facilities of the airport should be available for the use of Government aircraft without charge other than a charge sufficient to defray the cost of repairing damage by such aircraft. In view of the inclusion of this provision from the Senate bill the House provision above referred to has been omitted.

By section 17 of the conference substitute the Administrator of Civil Aeronautics is authorized to consider, ascertain, adjust, and determine any claim submitted by a public agency for reimbursement of the cost of necessary rehabilitation or repair of a public airport, under control or management of such public agency, substantially damaged by any Federal agency.

When the Administrator, after considering any such claim, determines the amount of reimbursement which in his judgment should be made, he is directed to certify such amount to the Congress as a claim against the United States, together with a brief statement of the character of the claim, the amount claimed and the amount allowed. Authorization is granted in the section for the appropriation of amounts necessary to pay claims so submitted to the Congress, and no claims will be paid until the necessary funds are appropriated. Such claims will not, of course, be paid from appropriations for the airport program provided for by the bill, but are to be paid from amounts separately appropriated for the specific purpose of paying such claims.

No claim may be considered by the Administrator unless presented to him within 6 months after the occurrence of the damage upon which it is based, except that in the case of damage caused by operations of a military nature during time of war a claim may be filed within 60 days after the termination of the war.

ACQUISITION OF PROPERTY FOR PROJECT SPONSORS

There has been omitted from the conference substitute the provisions which were contained in section 15 of the House amendment, which would have authorized the Administrator, upon request, to use the Federal condemnation power to acquire, for project sponsors, any real property or interest therein, or any easement through or other interest in air space, which in his opinion was necessary in connection with an airport development project and could not be acquired by the project sponsor without undue expense or delay.

A. L. BULWINKLE,
CLARENCE F. LEA,
VIRGIL CHAPMAN,
LYLE H. BOREN,
CHARLES A. WOLVERTON,
PEIR G. HOLMES,

Managers on the Part of the House.

Mr. BULWINKLE (interrupting the reading of the statement of the managers). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

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

There was no objection.

Mr. BULWINKLE. Mr. Speaker, I yield 8 minutes to the gentleman from California [Mr. LEA].

Mr. LEA. Mr. Speaker, in the main, the conference report on the airport bill which we bring to you today follows the bill as it passed the House. There are, however, some changes, the most significant of which I desire to call to your attention.

In the first place, the airport program which called for a 10-year period of development as passed by the House is reduced to 7 years as embodied in the conference agreement.

The total appropriation allowed in the bill as it passed the House for the States was \$650,000,000. The conference agreement reduces that amount to \$500,000,000.

The bill as it passed the House provided \$50,000,000 for expenditures outside the United States. The bill as agreed upon in conference provides \$20,000,000 outside the United States, limited to Alaska, Hawaii, and Puerto Rico.

Under the bill as agreed on, the Federal Government will pay not exceeding 25 percent for the cost of land acquired for the building of airports, while the House bill provided nothing for that purpose.

Title II of the House bill has been eliminated in the conference report. The effect is to leave the law the same as it is, so far as the provisions of title II are concerned.

The provision in the House bill authorizing the Federal Government to exercise condemnation authority for the purpose of acquiring property interests for airports is eliminated from the bill as we have it before the House at this time.

The bill now before the House as contrasted with the original House bill provides a method for handling claims for damages against the Government on account of damage to airports caused by military authorities in the use of those airports. It simply provides that the Administrator shall certify to the damages and report to the Congress, where the matter will be handled as a claim against the Government.

The conference agreement retains the provision of the House bill as to the channelling of funds for the construction of airports within the States. Under these provisions, the State or any legally qualified municipality within the State, or a political subdivision or tax-supported agency can sponsor an application for the construction of an airport.

The bill specifically recognizes the right of the State, if it chooses to do so, to require the funneling of funds through the State or through such agencies as it might, by legislative authority, specify. This provision gives the State the opportunity, if its legislature chooses to do so, to require the State channelling of funds. Very few, if any, States now require such funds to be channeled through the State. Under the present law, in practically every State, a municipality may sponsor an application to match Federal funds for the construction of an airport.

Most of the States of the Union are not prepared at this time, by legislative authority and funds, to match Federal

funds for airport construction in any substantial amount.

A channelling through the State would restrict the present freedom of the municipalities and also require State legislation to provide the States with matching funds.

Practically all airports in the United States are owned and operated by municipalities. It is safe to assume that airports will in the future continue to be built primarily at the expense of the municipalities and owned and operated by them. Being under obligation to match the funds of the Federal Government, they should at least have an equal opportunity to deal directly with the Federal Government.

About 500 airports of substantial size were constructed under the Civil Aeronautics Administration with Federal funds matched by an equal number of municipalities.

The adoption of this conference report will enable municipalities to match Federal funds promptly and to go ahead with their airport program insofar as funds are available. To require State channelling whether the State desired it or not would more or less hold up the airport program for 2 years, or possibly longer, until the various States provided for State channelling.

The conference agreement also provides that not exceeding 5 percent of an annual appropriation shall be available for planning and administrative expenses, except that if 5 percent of the appropriation is less than \$3,500,000, or if there be no appropriation for such fiscal year, not to exceed \$3,500,000 in the aggregate may be available for such purposes.

The apportionment of funds to the States is based on the same formula as was prescribed in the bill as passed by the House.

There is a provision that money in the discretionary fund, constituting about 25 percent of the total annual appropriation for the States, may be used for matching sponsorship funds for airports established in national parks, recreational areas, and national forests sponsored by the United States. The amount expended by the United States as a sponsor for such purpose must be specifically authorized and pass through the regular channels of appropriation bills.

The conference agreement also adds another to the list of authorities with whom the Administrator shall confer in preparing an airport program. In addition to State authorities and the Army and Navy, he shall also consult with the Federal Communications Commission with a view of eliminating or preventing air hazards in connection with airports.

There is a provision affecting the larger airports, class 4 or larger. It requires the estimates of the Administrator to be presented to Congress 2 months before the end of the fiscal year. Funds made available by the Federal Government to those large airports is subject to approval or disapproval by Congress as to the specific proposals so made.

There is a change in the amount contributed by the Federal Government or, rather, out of the State funds in the case of larger airports in the public-lands

States. It is that 25 percent of the United States contribution may be made in excess of that required for the State to contribute. Twenty-five percent is one-half of the regular amount matched, which is only 12½ percent of the maximum extra cost contributed by the Federal Government. That amount is further trimmed down in proportion to the percentage of public lands in the State compared to lands in private ownership.

There is a provision in the conference agreement which requires that airport lands for which Federal contributions are made must be publicly owned.

There is a provision permitting the Government and certain of its agencies to use airports but requiring a reasonable fee for janitor service, heat, and reasonable cost for the lighting of buildings used by the Federal Government.

The provision in the House bill which provided for specific performance of the obligation of the sponsor in case he does not comply with his agreement is eliminated. That does not prohibit the parties from agreeing to specific performance, but the bill as embodied here would not require that provision to be in the contract.

There are certain provisions with reference to labor where the work is performed by contract. It is provided that the Secretary of Labor shall prescribe the minimum wage to be paid and also prohibits convict labor and gives preference to men who were engaged in the military service of the Government.

I have now enumerated the principal changes made in the House bill by the conference agreement.

CLASSES OF AIRPORTS

Classes of airports, as defined under the terms of this conference agreement, are as specified in the Civil Aeronautics Administration bulletin, Airport Design, dated April 21, 1944. Length of the runway is the principal factor in determining the class to which a given airport belongs. Roughly speaking, class 1 includes airports with runways from 1,800 to 2,700 feet; class 2,700 to 3,700 feet; class 3, 3,700 to 4,700 feet; class 4, 4,700 to 5,700 feet; class 5, 5,700 feet or longer.

Mr. BULWINKLE. Mr. Speaker, I yield 8 minutes to the gentleman from Illinois [Mr. HOWELL].

Mr. HOWELL. Mr. Speaker, the statement and explanation made by the distinguished chairman of the Committee on Interstate and Foreign Commerce is quite fitting and adequate as it covers this bill. I want to address my remarks to one special phase of it and call your attention to the fact that I have no disagreement with the chairman of the committee or with those who signed the conference report, outside of this one feature. After all, this is a program which embraces or contemplates the expenditure of \$500,000,000 over a 7-year period, and it is one worthy of our most serious consideration.

Mr. Speaker, this conference report should be defeated. I do not believe that the Members of this House desire to go on record as favoring a gigantic program of Federal grants in aid that would completely ignore the long-established

and successfully operated Federal-State cooperative pattern that built the highways of this Nation, and which has been equally effective in the development of programs for the promotion of agriculture, public health, vocational education, and social security.

Slightly over a year ago the Congress revitalized the Federal-aid highway program by authorizing a \$1,500,000,000 appropriation for postwar highways, including substantial amounts to be spent exclusively in urban areas. In accordance with the established cooperative Federal-State pattern, and rightly so, that whole program is to be carried out with the assistance of State agencies.

Within recent weeks this House passed a bill to set up on a permanent basis a program of Federal aid for school lunches. Did that bill attempt to ignore and by-pass the States? It certainly did not. The school-lunch bill recognized that such a program could best be administered by working through the States. It recognized that, in our American system of government, the States should and must play an important role. And finally it recognized that existing State agencies are the appropriate bodies to deal with their own political subdivisions. Federal aid for the construction of airports should be handled in a similar manner.

Even more comparable to the pending airport-aid bill is a bill recently passed by the Senate which seeks to provide Federal aid for the construction of hospitals and public-health centers. This measure is now being considered by the House Interstate and Foreign Commerce Committee, through a subcommittee headed by the gentleman from Tennessee [Mr. PRIEST], and I believe a favorable report is expected in the near future. No one has seriously suggested that the Surgeon General be required to deal directly with the thousands of municipalities and other political subdivisions in the proposed program of Federal grants for hospital construction. Indeed, the United States Public Health Service has no desire to break down the tried and true pattern of working through duly established State agencies. Why, then, should we approve the pending conference report which runs directly counter to the system of intergovernmental cooperation that has been developed over a long period of years?

I do not believe that the Civil Aeronautics Administration is anxious to operate under the type of bill that is presented to us in the pending conference report. I find it impossible to believe that the agency responsible for the administration of a program to build airports in every State of the Union would prefer to ignore and bypass the aviation-development agencies that have been established in practically all of the States. As a matter of fact and of record, representatives of the Civil Aeronautics Administration have never testified that they would prefer to deal with several thousand local governments as contrasted with only 48 State agencies.

Let us face this issue squarely. Do the Members of this House want further concentration of power in Washington,

or do they want to retain some semblance of balance between the National Government and the governments of the 48 States? As our honored colleague the gentleman from Texas [Mr. SUMMERS] so well put it, do we want to add to this great piled-up confusion of governmental powers here in Washington? Make no mistake, that is exactly what the pending conference report proposes to do.

Much has been made of the Bulwinkle amendment, section 9 on page 6, providing that nothing in the Federal-Aid Airport Act "shall authorize the submission of a project application by any municipality or other public agency which is subject to law of the State if the submission of such project application by such municipality is prohibited by the law of such State."

Attempts have been made and will be made to pass the above clause off as a compromise which will give adequate consideration to the States. Nothing could be further from the truth. This is no compromise at all, but merely a very obvious red herring dragged in by those who wish to ignore and bypass the States completely in the proposed national airport construction program. It is a completely negative provision that is just as repugnant to the States as the rest of this entirely unsatisfactory conference report.

Furthermore, it is absurd, impracticable, and illogical for the following important reasons:

First. No State is going to pass a law—a prohibition—such as this against its municipalities applying for Federal funds. No State would deliberately keep its cities from seeking Federal funds that are available to other cities. Any law or prohibition of this kind would never pass a State legislature. It would be absurd to think that the States would attempt to penalize municipalities in this matter. Are State legislatures going to refuse Federal funds by enactment of this legislation only to have these funds go back into the "kitty" and be divided among other municipalities in distant States? No, of course not. An amendment of this kind has no place in this act or in any kind of legislation.

Second. No State has a prohibition of this kind and I prophesy that none ever will, so why waste time including it in the Federal-Aid Airport Act and devoting attention to it in the "Statement of the Managers on the Part of the House"?

Third. Since municipalities are creatures of the States, what place has language of this kind in a Federal statute saying that if municipalities wanted to violate a law of the State, Congress will not be a party to such violation. On the face of it, is it not an absurd thing to debate?

Imagine what a precedent this would set. What would happen if every act contained an amendment prohibiting actions by a municipality that are against the law of a State when municipalities are actually creatures of the State?

I believe that a federally aided program of airport construction is sound and desirable. I believe that legislation for this purpose should be enacted. But

I submit that the pending conference report contains a totally unsatisfactory method of accomplishing that end. The bill proposed in the conference report would completely centralize in Washington full control over the activities of the smallest political subdivision in every part of the country; it would duplicate activities which can best be performed by State agencies; it would create the administrative confusion that attended the dark days of WPA; it would be a slap in the face to all the States which have evinced their willingness to provide both money and know how in establishing a national airport program; it would tear down the long-established pattern of Federal-State cooperation by creating a precedent of direct dealing on a permanent basis between the National Government and the thousands of political subdivisions; and it would create difficult problems that will plague the very municipalities which are supposed to be helped, resulting in their going to the State legislatures for relief. For these reasons, and for many others, I strongly urge that the pending conference report be defeated and that the House conferees be instructed to come back to this House with a bill that will recognize the necessity of working through the States in the development of a national system of airports.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. HOWELL. I yield to the gentleman from Indiana.

Mr. HALLECK. I compliment my colleague on the committee for the very fine and helpful statement he has made. As I understand the situation, according to the gentleman's statement, the issue which is presented here is the same as was presented by an amendment to the bill offered by the gentleman from Illinois to provide for the channeling of these funds through State agencies. That amendment was adopted in the Committee of the Whole but later was defeated by a close vote here in the House of Representatives.

Mr. HOWELL. That is quite true.

Mr. HALLECK. I think it should be pointed out that at that time the Senate had acted and had adopted a provision in the Senate bill providing for the channeling of funds through State agencies. I am quite sure that many in supporting the bill were hopeful that in the conference a satisfactory arrangement would be worked out by which the States would be recognized in the channeling of those funds. However, as the gentleman has pointed out, the conference did not reach that end and I know of no way in which those of us who felt that consideration should be given to the position of the States and the practices of the past in respect to matters of this sort can achieve that purpose other than to support the gentleman's position to the end that some such arrangement might be worked out in further conference.

Mr. HOWELL. That is correct. I thank the gentleman from Indiana.

The SPEAKER. The time of the gentleman from Illinois has again expired.

Mr. BULWINKLE. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Speaker, I, for one, deeply respect the views of my colleagues from Illinois and Indiana concerning this bill and, of course, with respect to the channeling of funds. That seems to be about the only point at issue in this conference report, as the balance of the report has not been objected to, so far as I am aware from what has been said on the floor. We must all remember that the so-called airport program is intended to provide a system of landing fields all over the United States for both private flyers and public-transportation purposes. Principally, the conference report now pending has to do with the smaller airports although larger airports are included. The idea in having a considerable number of smaller airports is to encourage private flying throughout the Nation. A nation of flyers is a nation well manned for any national emergency. You will note the division in the classification as between class 1, 2, and 3, which are the smaller and increasingly large airports, and the class 4 and 5 airports, which are the large ones, naturally to be located near the larger municipalities and at points of importance to domestic and foreign air commerce. The bill provides quite carefully concerning the larger airports that the Civil Aeronautics Administration must submit a list of those projects to the Congress 2 months before the close of the fiscal year preceding the year in which the projects are to be initiated. That is to give the Congress a check upon the expenditure of funds in what may be believed to be too large amounts. So far as I personally am concerned, I believe that the entire matter will be carried to a better conclusion if we adopt the conference report as is. As the matter stands in the conference report, there is very strong encouragement to the States to join in an airport project as a co-sponsor. It is quite possible if all of the funds are channeled directly through the States to the various projects, the State itself will not become a cosponsor by putting up some of the money. It is hoped that the smaller towns of the United States will definitely benefit through the necessity of the State itself joining in sponsorship in order to be on the program.

Also, it should be said that the Civil Aeronautics Administrator is bound to cooperate with the States and to consult State agencies, wherever they may be, in formulating the program for the construction of airports. I, therefore, must disagree with the gentleman from Illinois [Mr. HOWELL] and the gentleman from Indiana [Mr. HALLECK], in the full belief that the program as outlined in the conference report will be much more successful in the establishment of a Nation-wide system of smaller airports as well as larger ones, and in order that we may have full and complete use of the air by the people, especially the private fliers of the United States.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. HINSHAW. I am glad to yield to the distinguished gentleman from Indiana.

Mr. HALLECK. Most of our States now have effective and efficient civil

aeronautics authorities. Does not the gentleman believe that if they are short-circuited out, as this bill as now drafted will likely short-circuit them, the smaller communities will find it much more difficult to have their needs fulfilled, in competition with the larger places, which will all be coming here to Washington applying directly for distribution of the funds?

Mr. HINSHAW. No, I do not believe that. I believe exactly the contrary, because I understand that this program is specifically designed for the small airports, and to encourage private flying. I know that is certainly the intention of the committee, and I am sure it is the intention of the Civil Aeronautics Authority in providing those funds. But the mere fact that the funds were channeled through a State agency, if that is what the gentleman desires, does not bring about any necessity upon the Civil Aeronautics Authority to approve the program submitted by the States. Wherever there is a fully functioning State aviation or airport authority, such authority will find full cooperation to be had from the CAA. Furthermore in almost every such case the State legislature of that State will appropriate funds with which to participate as cosponsors with the local sponsors, thus giving the State authority the degree of State control desired by my good friends from Indiana and Illinois.

The SPEAKER. The time of the gentleman from California [Mr. HINSHAW] has expired.

Mr. BULWINKLE. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. RABIN].

Mr. RABIN. Mr. Speaker, I expect to support this conference report by my vote. An aeronautics program should be an integrated one. I cannot conceive of a program of this nature not being a unit. If you were to channel funds through the 48 States, it is quite possible that rather than having one over-all program for aeronautics, we will have 48 separate and distinct programs, because, to the extent that the States may control the funds, the States may place limitations in connection with those funds. Giving the States the right to place those limitations puts us in danger of having 48 separate programs, which would not be good policy.

The bill amply protects any State that wants to channel funds. A State may prohibit any municipality, if it so chooses, from coming direct to Washington. I do not think the argument, that no bill containing such prohibition is likely to be passed, is a good one. To the extent that a State may prohibit, a State may limit; a State may fix the terms upon which a municipality may come to the Federal Government for assistance, because any State could pass a law "prohibiting," "unless." Having the right to do that, the State may, if it chooses, control the program that it wishes to see put into effect within the borders of its own State.

Mr. HOWELL. Mr. Speaker, will the gentleman yield?

Mr. RABIN. Yes; I yield to the gentleman from Illinois.

Mr. HOWELL. I wonder if my good friend and fellow member on the committee is aware of the fact that one of the first official acts of Mayor O'Dwyer was to request the Legislature of the State of New York to set up an airport authority in order to complete a new airport and take over the operation of LaGuardia Field?

Mr. RABIN. Yes. I am aware of that. I received a telegram from Mayor O'Dwyer this morning stating that in the light of his program it would be to the best interests of the city of New York that this proposal to channel funds through the State be not enacted; and that the conference report be accepted. He believes it would jeopardize that program if we were to pass a bill that would compel the city of New York to go to the State in order to protect the investment of the tens of millions of dollars that has been made by the city in its airports. And may I say that when I was asked by the commissioner of commerce of the State of New York to support the provision for the channeling of funds through the State I wired the commissioner asking how much the State of New York had contributed toward the financing of any airport program in the past 10 years. His answer in effect was, "None." As I have stated, the city of New York, which has a great stake in airports, has appropriated and spent tens of millions of dollars on an airport program. The bill which was passed by the State of New York at the request of Mayor O'Dwyer may not be as effective as the mayor would have it be if we fail to accept this conference report. I, therefore, strongly urge its adoption.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. BULWINKLE. Mr. Speaker, I yield 4 minutes to the gentleman from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. Speaker, I trust that the Members of the House will support the report of the conferees.

It would be impossible in a great program of this type to have each and every Member of Congress agree with all the details of the proposal. There are certain phases of the development that perhaps I would like to see arrived at differently from the standpoint of the language and purposes used in the measure. It resolves itself to this one question: Are we, as Members of the Congress of the United States, cognizant of our individual and collective responsibility to further develop air transportation of this Nation, ready to pass legislation that is long overdue? Remember, it has been more than 4 months since the Congress of the United States, through its respective bodies, passed the Federal-aid airport bill.

Recall also that you appropriately passed, as almost the last act of the Seventy-eighth Congress, in December of 1944, the Federal-aid highway bill for a 3-year postwar program. Congress desired to have rebuilt the roads that had been ripped apart under the impact of traffic demands of war. We wanted to do what we could to facilitate highway travel and commerce. It is just as important, and perhaps even more impor-

tant, that we supplement the Federal-aid highway program by the construction of approximately 3,000 new airports in America, more than 90 percent of them in the smaller categories, which will aid communities throughout the country in charter and private flying which is to be initiated. The "butcher, baker, and candlestick maker" will all benefit. It is vital that this airport bill be passed. Now we have a responsibility to do the job, in 1946, at least in beginning the plan. My friend from Illinois [Mr. HOWELL] renews his plea for channeling funds direct to the States. Someone will say that the States will have no part in the construction of these airports. That is not true. The Civil Aeronautics Administration will confer with them for cooperative purposes and will counsel with those who are in positions of State authority. There will be a working through of a better system of airports which will not be hit and miss, and hodgepodge, as we have had in this country for too long. The towns, counties, and States, one or all, can join in sponsorship of an airport project. It is the community that pays and it is fair that its wishes be of primary importance.

I should like to speak on the construction of airports with Federal moneys in this day when many of us are closely scrutinizing the expenditures of funds. We wonder about these costs and whether the Federal Government ought to put this money in these projects. We should be agreed on one detail, and that is that when the Federal Government spends one dollar and the State or any political level spends another dollar in matching that there is a combination of interests, and this sound policy will work on the Federal-aid airport program just as it has worked on the Federal-aid highway program.

I should like just to call your attention further to the fact that there is not only a hundred cents on the dollar return, but more; that there is a dividend as well. We cannot sell America short from the standpoint of developing fully its air-transportation facilities when tens and hundreds of thousands of returning veterans today desire to locate their programs at the airports of this country. They will continue, with others, to turn to the airports in America, especially of the smaller size contemplated for development under this legislation. We cannot develop flying, as it needs to be put forward, if these airports are not built.

Mr. Speaker, I read the following article from today's Chicago (Ill.) Sun as showing the rapid growth of air travel:

Volume of air travel continued to climb in March, although at a slightly modified rate, month-end traffic figures of the Chicago Municipal Airport, compiled by the bureau of parks, show.

Passenger arrivals and departures at the municipal airport last month totaled 160,402, an increase of 59.1 percent over the year-ago period. For the first 3 months of 1946, the passenger total of 413,539 was 67.7 percent above 1945.

Plane arrivals and departures also continued to increase, last month's total of 8,511 gaining 27.9 percent over 1945, while plane movements for the 3 months were up 35.5 percent.

Mr. BULWINKLE. Mr. Speaker, I yield the gentleman from West Virginia one additional minute.

Mr. HINSHAW. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from California.

Mr. HINSHAW. I would like to point out in connection with the gentleman's statement that there are a number of States in the Union perfectly willing to cooperate in an airport program, and they do so by joint sponsorship and joint contribution of funds with the municipality or the group of municipalities or the county that may be undertaking the project; but if the States do not desire to contribute to the sponsorship, then certainly, the States should not have too much to say about it. I am in favor of encouraging the States to become cosponsors because, after all, it does no one in any particular locality any good to have an airport unless there are other airports to which an airplane may fly. That was well pointed out by the mayor of New York in the testimony before the committee when he proclaimed that he would rather see a thousand airports built outside of New York than he would an airport in New York without the others.

Mr. RANDOLPH. You are correct. At Morgantown, W. Va., an airport has been partially built. We need Federal funds to supplement local moneys, that our facilities can be used for necessary and desirable air travel in a State which needs now, not 5 years from now, an airport system.

The SPEAKER. The time of the gentleman from West Virginia has again expired.

Mr. BULWINKLE. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. WOLVERTON].

Mr. WOLVERTON of New Jersey. Mr. Speaker, considerable has been said from the standpoint of channeling funds through the State agencies as against channeling them through municipalities. When the Congress passed the Civil Aeronautics Act it was done with the thought in mind that necessity required that there should be an over-all Federal jurisdiction if aviation was to advance throughout the Nation as a new means of transportation. The very nature of aviation required a national program. It would have been disastrous to have left this agency of transportation to the conflicting jurisdictions of 48 States. I am firmly of the opinion that the splendid progress made by aviation is the direct result of this far-seeing viewpoint of Congress.

The bill now before the House carries out that same thought. We are providing for the expenditure of Federal funds. Having in mind that the over-all program must be Nation-wide in character and that the funds which this bill is seeking to disburse to carry out that program are Federal, it seems to me rather absurd to require that the States shall have the sole right to determine when and where the Federal funds are to be spent regardless of a Federal program for aviation or the interest and desire of municipalities within the State. I am

not, generally speaking, favorable to extension of Federal jurisdiction at the expense of the States, but I do recognize the fact that with reference to aviation it is the only way in which we can have a Nation-wide program that will be beneficial to all of the people.

The House had before it this issue of channeling funds solely through the State when the bill was in the committee of the House and it was voted down. I cannot understand the logic of the argument that has been made that some voted it down in the hope that the conference would change it in conference. That, in my opinion, is absurd and certainly not in accord with the facts. The issue was argued on its merits, and the House decided in favor of the provision in the House bill that would give the right to municipalities as well as States to sponsor airports and obtain Federal aid.

I take it when a bill passes the House and it is in direct conflict with a bill that has been passed by the Senate, there is an obligation upon the conferees to insist on the provisions that are in the bill as passed by the House. It may be at times necessary to make a compromise between the House and Senate viewpoints in order to get a bill passed by the Congress. In all such compromises the conferees are bound to get just as much as possible of what the House wants, and, in the case of Senate conferees, as much as possible of what the Senate wants; however, in this case the Senate conferees receded entirely from the position the Senate had previously taken and accepted the provisions as they appear in the House bill.

Under such circumstances there was nothing for the House conferees to do other than to accept this rescission upon the part of the Senate. I am glad that the Senate conferees were able to see the logic and force of the position taken by the House conferees. I believe it has made for good legislation. I am, therefore, unable to ascertain either the logic or the reason that would justify the proposal now being made by the gentleman from Illinois [Mr. HOWELL] that although the Senate conferees had receded and accepted the House version we should now return the bill to conference and ask the Senate to accept the Senate version and thereby kill the House bill.

It is also well to bear in mind that in the drawing of this bill the House provided all the compromise that is necessary on this subject. In this connection may I call your attention to the fact that the language in the House bill provides that a State or State agency or any tax-supported body of the State, or any municipality, can sponsor an application for an airport. This leaves the door wide open in order that there may be the widest possible advancement of aviation throughout this Nation. Nor should we overlook the fact that all the airport development we have had throughout the Nation has been almost completely the result of municipal interest and activity and constructed by funds advanced by municipalities.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. WOLVERTON of New Jersey. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Is it not fair to assume, if a State has a law which requires the municipalities to channel through the State, that the municipality would naturally have to comply with the State law?

Mr. WOLVERTON of New Jersey. Certainly. There is a provision in the bill that if it is against the policy of the State to have a municipality apply, that then it can be precluded from doing so by legislative action of the State.

I ask the House to support the conference report.

Mr. BULWINKLE. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, in the first place, I want to congratulate the conferees for bringing in a unanimous report for this long-delayed legislation. Personally, I think my colleague from Illinois [Mr. HOWELL] is in error when he states that we are going to deprive the States of their rights. There is nothing in the conference report or in the proposed legislation that will deprive the States of any rights whatsoever. Let us be practical. I have heard it said on the part of some of the gentlemen that the Members of Congress will have very little to say. Let me say this: I think they will have more to say if the conference report is adopted, because in that case naturally they will have more influence with the municipalities which they represent than they have or could have with the State. So I say it will be to the advantage of the Members of this House to accept this report, if they are interested in advocating, and in having, airports built in their districts which they feel should be built. Many of you complain that things are being done by the Government in your district without you having knowledge of them, and without being informed when you yourselves had urged or advocated such improvements of appropriations. You will be in much better position under this bill than under the proposal offered by the gentleman from Illinois. Consequently I feel that this conference report is in the interest and for the benefit of Members whose first interest is in their own districts rather than in the whole State.

I am satisfied you are bound to have, and will receive, more consideration under this bill, as agreed to by the conferees, as to location and construction of airports in your districts than you would if the States had full and complete power. With all that, the States are not deprived of any rights and privileges; and if they contribute in accordance with the provisions of the proposed law, they will have ample power. On the other hand, where the municipalities or some of the larger cities have expended millions for the development of airports—and many cities have done that—and the States have contributed nothing to those costs, why should the State be given control?

Mr. Speaker, in the few minutes given me I am precluded from making observations as to why I agree fully with the statements of the gentleman from California [Mr. LEAL], the chairman of the committee; by the gentleman from West

Virginia [Mr. RANDOLPH]; and by the gentleman from New Jersey [Mr. WOLVERTON].

In that connection, however, I desire to read into the RECORD excerpts from a telegram which I received from the Honorable Edward J. Kelly, mayor of Chicago, as follows:

It is essential that direct contacts be provided between CAA and cities for Federal grant. Loss of local self-government in matters affecting airport development would result in retarding the entire Nation's aviation progress. Chicago has spent millions on present airport, and has financial ability to spend millions on new airports. For the State to be delegated authority to administer city moneys would be outrageous violation of home rule, especially since the State has no authority to build airports in our city.

EDWARD J. KELLY, Mayor.

Mr. BULWINKLE. Mr. Speaker, I yield 4 minutes to the gentleman from Oklahoma [Mr. BOREN].

Mr. BOREN. Mr. Speaker, I rise to urge the adoption of this conference report. Since there has been only one issue and protest raised, based on an interpretation of the thought that the States would be deprived of some right, I wish to address myself briefly to that point.

I yield to nobody in the Congress in being consistently a supporter of the maintenance of full States' rights. I point out that the States are not deprived of any power, that if any State has a law to prevent the channeling of these funds in that direction, that law is recognized in the House bill. We specifically provide it. Where there are States that have no law at all, however, if this specific proposition had been adopted, those States could not have participated, and many of you here today are from States that have no adequate aviation law, and you could not have participated until some 1 or 2 years hence when your legislature might pass such a law.

I point out that that is the situation that is at issue here, and that the House has been correct in its action.

My additional feeling on the point is that the fellow who pays the bill ought to have some voice in where the money goes. Under the existing situation there is no comparable relationship between this sort of aid and the aid to States in developing highways, because in the road program the States pay the money, but in this program the municipalities, the little towns and the cities, pay the money.

We have a good bill. We have provided for the little towns as well as the big towns, and have provided for them carefully and generously. Let us not let anybody mislead us here today. The States' rights are fully preserved. We want to protect all of the people in a national program in those areas where they might not have a State law. We want to preserve fully States' rights and also guarantee some representation for the municipalities that pay the bill when the airport is built.

Mr. ELSTON. Mr. Speaker, will the gentleman yield?

Mr. BOREN. I yield to the gentleman from Ohio.

Mr. ELSTON. If a State does not have a law now requiring the channeling of funds through the State, there is nothing

in this conference report or in the law that would prevent the State from enacting that kind of law hereafter?

Mr. BOREN. Not only if they do not have such a law may they enact it hereafter, but the bill already specifically provides in the Bulwinkle amendment, which was adopted on the floor of the House, that if they have such a law the money can be channeled no other way except through the State.

Mr. HOWELL. Mr. Speaker, will the gentleman yield?

Mr. BOREN. I yield to the gentleman from Illinois.

Mr. HOWELL. I wonder if my distinguished colleague, a member of the committee, is aware of the fact that already in 45 States aviation agencies have been established, and that the other 3 States are merely waiting to see what form this legislation assumes.

Mr. BOREN. Not only am I aware of that but I am also aware that in many States to which the gentleman refers the aviation laws, commissions, or boards are set up for a limited reason, such as safety. If the gentleman says there are 45 States that have such laws, then this bill provides cooperation with those States that have such laws. Why, then, is the gentleman worrying about the 3 States that do not have any? Does he want to cut them out of this program?

Mr. HOWELL. This bill is drawn on the theory that in States where there are adequate agencies, under the Bulwinkle amendment the States have to pass a law prohibiting their municipalities from dealing with the Federal Government in order to get any funds.

Mr. BOREN. I feel that the States should be free to prohibit or permit whatever they choose in this matter. Let us leave it to the States to decide their own prohibitions or permissions. I want to say that I respect the gentleman's view though I disagree with that view. I also admire the tenacity of purpose the gentleman from Illinois has evidenced in his very able advocacy of his position. The gentleman's vigorous fight on this issue is characteristic of his hard-hitting fight always for the things he believes to be right and I applaud his untiring effort and ardent appeal though I urge the House to sustain the conference committee in its action.

Mr. BULWINKLE. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, this is a bill of great importance to the people of the country, to the several States, and to the municipalities, in connection with the development of a great industry which has caught the fancy of the American people and which will play a very important part in the future life of our Nation.

It seems to me, having in mind the many and complex questions involved in connection with legislating on a matter of this kind, that after the bills have passed both branches of Congress, gone through the legislative mills and processes, so to speak, and then gone to conference, the result is about as good a bill in the interest of the country as the Congress under existing circumstances could pass and have enacted into law.

The statement of the gentleman from Oklahoma [Mr. BOREN], who preceded me, and particularly the statement of the gentleman from New Jersey [Mr. WOLVERTON], seemed to me to be very impressive. Many of us who have served with the gentleman from New Jersey [Mr. WOLVERTON] know that he is a man of sound judgment, a man of legislative caution. He speaks seldom, but when he does he comes to the point.

With reference to the question of States' rights, it seems to me as we view this important problem of integration of airports and as we view the laws existing in the several States, the conferees have given us a report which is about the best that could be accomplished under existing conditions. It seems to me States' rights are adequately protected. Certainly, in those States where there already exists a State law, in the practical operation of this bill, if it becomes law, such States will be consulted by the Federal agency that will administer the law. Therefore States' rights, so far as those States are concerned, are adequately protected. It also takes into consideration those States that do not have a State law. It would seem to me unfair to pass a law of this kind if we were to fail to include therein provisions which would take care of those States which have no law at the present time, as well as being unfair to the municipalities of those States. It would also be unfair to those States that do have a law at the present time but which law is not broad enough to meet the situation that exists. Under the circumstances, we are justified, unless and until proper State action is taken, in permitting the municipalities of such States to apply directly to the Federal agencies that will administer the act.

I yield to the gentleman from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. The gentleman is also aware, and perhaps would express it in other words, that we are at a point where it has become a necessity for the Congress, because of the pressure in the development of aviation in our country, to give impetus to such a bill as is here presented.

Mr. McCORMACK. The gentleman is absolutely correct. That is one of the considerations I had in mind when I said it is about the best bill that we could enact into law under existing circumstances. It seems to me, as we view these circumstances, that the conference committee has protected as completely as possible the question of States' rights, and at the same time has protected those States that would be denied the benefits unless the report that the conference committee has made to the House is adopted.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. BULWINKLE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. HOWELL) there were—ayes 140, noes 81.

Mr. WILSON. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were refused.

So the conference report was agreed to. A motion to reconsider was laid on the table.

ADDITIONAL COMPENSATION FOR POST-MASTERS AND EMPLOYEES OF THE POSTAL SERVICE

Mr. BATES of Kentucky. Mr. Speaker, I call up House Resolution 580, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5059) to provide temporary additional compensation for postmasters and employees of the postal service. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Post Office and Post Roads, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BATES of Kentucky. Mr. Speaker, this resolution, if adopted, makes in order the consideration of H. R. 5059, which is a bill to raise salaries of postal employees \$400.

My understanding is it is a unanimous report from the Committee on Post Office and Post Roads. There was no objection before the Committee on Rules.

I have no request for time, Mr. Speaker.

I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I have heard of no objection to the consideration of this bill from this side of the aisle, not only with reference to the rule but to the bill itself.

The bill provides for additional compensation at the rate of \$400 per annum for postmasters, officers, and employees in the postal service whose rates of compensation are prescribed by the act, "An act to reclassify the salary of postmasters, officers, and employees of the post-office service."

I understand the bill was reported unanimously by the Committee on the Post Office and Post Roads. I am happy to give this measure my full support and trust it will overwhelmingly pass.

Mr. Speaker, I reserve the balance of my time.

Mr. BATES of Kentucky. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. MURPHY].

Mr. MURPHY. Mr. Speaker, I take this opportunity to call the attention of the Members of the House to a very excellent editorial in the Washington News on the question of the postal increase. I do not know of any body of employees or any members of any group in the

country who are more deserving of the raise which is proposed in this bill.

I shall take great pleasure in voting for the bill. I hope the vote is unanimous.

Mr. BATES of Kentucky. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

ADDITIONAL COPIES OF THE NINTH REPORT OF THE HOUSE SPECIAL COMMITTEE ON POSTWAR ECONOMIC POLICY AND PLANNING

Mr. BULWINKLE. Mr. Speaker, from the Committee on Printing, I report (Rept. No. 1841), a privileged resolution (H. Res. 578), and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved. That 1,000 additional copies of the ninth report (H. Rept. No. 1677, pts. 1 and 2), current session, entitled "The Use of Wartime Controls During the Transitional Period," of the House Special Committee on Postwar Economic Policy and Planning, submitted pursuant to House Resolution 60, be printed for the use of said committee.

The resolution was agreed to.

ADDITIONAL COMPENSATION FOR POST-MASTERS AND EMPLOYEES OF THE POSTAL SERVICE

Mr. BURCH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5059) to provide temporary additional compensation for postmasters and employees of the postal service.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 5059, with Mr. COOLEY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the gentleman from Virginia [Mr. BURCH] is recognized for 30 minutes and the gentleman from New Jersey [Mr. HARTLEY] for 30 minutes.

Mr. BURCH. Mr. Chairman, I yield myself 5 minutes.

The CHAIRMAN. The gentleman from Virginia is recognized for 5 minutes.

Mr. BURCH. Mr. Chairman, the purpose of this bill, H. R. 5059, is to provide a permanent increase in the compensation of field employees in the postal service. There was unanimous opinion among the membership of the Committee on the Post Office and Post Roads that postal employees should receive more adequate compensation in view of greatly increased living costs and in order that they may be on a more equitable basis in respect to other Federal employees and workers in private industry.

After careful consideration your committee decided that the basic compensation of postal employees, who are paid an annual salary, should be increased at the rate of \$400 per annum and that employees paid on an hourly or part-time basis should receive additional compensation at the rate of 20 cents per hour and that postmasters at offices of the

fourth class should receive additional compensation at the rate of 20 percent of their basic annual compensation.

Your committee feels that this legislation should be of a permanent nature and that the increases provided by the bill should be retroactive to January 1, 1946.

I do not believe it is necessary to refer in detail to the magnitude of the postal operations and the importance of the postal service to the Nation. Each Member of this House is familiar with the activities of the postal service and knows that the work requires a high type of loyal, intelligent, able, and industrious men and women.

Many Members of this body and representatives of the various postal groups and organizations presented evidence to the committee dealing with the mounting cost of living and your committee has studied data on the subject prepared by the Department of Labor, the Director of Economic Stabilization, the Federal Reserve Board, and other agencies. Although figures relative to the increased cost of living within recent years vary to some extent, there is no doubt that there has been a material increase in the cost of living since 1941.

Effective July 1, 1945, the Congress enacted the Postal Salary Reclassification Act which gave postal workers an average increase of \$400 per annum. That was the first basic pay raise such employees had received in more than 20 years. The Salary Reclassification Act, Public Law 134, also provided payment for time and a half for all work in excess of 40 hours per week. However, since the enactment of that legislation, the Department has ordered a return to a peacetime basis, thus eliminating considerable overtime and greatly reducing the take-home pay of postal employees. Your committee, therefore, feels that the increases proposed by this bill are fully justified and should be granted.

The Postmaster General estimates that the total annual cost of H. R. 5059 would be \$169,367,973 and he further estimates that the average percentage increase will be 17.55—approximately 18 percent.

Mr. Chairman, I am pleased to state that the able chairman of the House Civil Service Committee [Mr. RANDOLPH] joins with me in urging the passage of this legislation. He feels these postal workers, as well as all employees of our Federal Government, merit the increases which we desire to provide.

Mr. HARTLEY. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. COLE].

Mr. COLE of Missouri. Mr. Chairman, last year, on July 1, 1945, to be exact, Public Law No. 134 went into effect. This law was the first basic-pay raise for postal employees in more than 20 years, and, for the first time in the history of the Post Office Department, we saw fit to provide time and one-half pay for all work performed in excess of 40 hours per week. Prior to the enactment of this law, postal workers received only straight time for such overtime work, so after this law went into effect the postal worker who worked 48 hours or longer each week added to his pay check. This was practically all of the pay increase

provided by Public Law No. 134. About 3 months after this law became operative, the Post Office Department ordered all postmasters to return to the basic 44-hour week, thereby causing a serious reduction in the postal worker's take-home pay. In other words, this put the postal worker right back where he was before Public Law No. 134 was passed, as, under present law, the postal employee who works only 40 hours per week draws about the same pay that he drew prior to July 1, 1945. It is for this reason that this legislation is so vitally necessary and it is for this reason that this bill is now before the House for its approval.

This bill comes from our committee with unanimous approval. Furthermore, during our consideration of this much deserved permanent increase in pay for all postal employees, almost 100 Members of the House appeared before our committee urging the speedy enactment of legislation providing an annual pay increase ranging from \$400 to \$800. If I remember correctly, all who appeared before our committee were of the opinion that nothing less than \$400 would be adequate to meet the increased cost of living. Representatives from all the postal employees' organizations also appeared before our committee, and their testimony, without exception, was to the effect that the increased cost of living greatly exceeds the amount of the pay increase provided by this legislation. The bill, as introduced by our distinguished chairman, provided for a temporary annual increase of \$300 and a temporary increase of 15 cents per hour for those employees paid on an hourly or part-time basis with a temporary increase in an amount equal to a 15 per centum basic annual compensation to fourth-class postmasters. After extensive hearings were had, our committee decided that this amount was wholly inadequate and amended the bill to provide the \$400 annual permanent increase with a permanent increase of 20 cents per hour for those paid on an hourly or part-time basis, and a permanent increase equal to 20 per centum of the basic annual compensation for postmasters of the fourth class. Frankly, I was personally in favor of more than the amount that we have provided in this bill, as I do not think that its provisions will meet the increase in the cost of living. However, it is a step in the right direction and is legislation that, in my opinion, will meet with little opposition.

I sincerely hope that the House will adopt this legislation unanimously and that this much-deserved, much-needed pay increase will become effective at the earliest possible moment.

Mr. MICHENNER. Mr. Chairman, will the gentleman yield?

Mr. COLE of Missouri. I yield to the gentleman from Michigan.

Mr. MICHENNER. I want to compliment the committee on bringing in this bill. I shall vote for it, I want to call particular attention to the fact that increases throughout the country have been granted to practically all organized labor since the legislation granting a postal increase last May or June passed the House. Some people may say, "Well, we passed a law last summer providing

for an increase." True; but it is entirely inadequate in view of the 18½ percent increase pattern and so many, many other increases, all increasing the cost of living, that have been granted within the last few months. However, I do want to utter a word of caution that this spiral of inflation must be watched. More wages, higher costs of living, with the one chasing the other, brings the most destructive inflation.

Mr. COLE of Missouri. The gentleman is entirely correct, and I thank him for his contribution.

Mr. BURCH. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. O'BRIEN].

Mr. O'BRIEN of Michigan. Mr. Chairman, last year Congress adopted an excellent bill creating a system of longevity groups in the postal service and advancing each one of the then employees four additional longevity grades. But the regular entrance grades were left at the same figure. For example, for clerks and letter carriers, who constitute the main body of the postal employees, the entrance grade is now \$1,700 a year, and the hourly entrance grade for substitutes in these categories is 84 cents an hour. I think that when we consider the prevailing cost of living and the prevailing increases which have been granted in industry and business, and the loss of overtime pay which these employees have suffered since October 1945, it is manifest that the increase of \$400 provided in this bill in their annual basic pay and 20 cents an hour for substitutes is not only just, but it is necessary if we are to discharge our duty in making provision for proper personnel in the postal service.

Reference has been made to the anticipated cost of this bill. I dare say those estimates are correct. We must also consider that the obligation to pay the postal employees is not dependent merely on the revenue of the postal service. We have the obligation to pay them in reward for the services they render, but in connection with the consideration of that aspect of the question we should consider that all indications point to the fact and to the expectation that this country is entering on an era of anticipated prosperity; that as labor relations problems are settled satisfactorily business will resume, reconversion will be achieved, and business mail will take the place of the free mail that was carried for necessary wartime functions of the Government. The avenues of foreign mail will be reopened with a profit, and consideration will be effectively given to the revision of rates in the postal service so that each function of the service will be made to pay its own share of the cost. I do not anticipate that there should be any deficit in the postal service which would make us hesitate in any degree in our favorable consideration of the proposed legislation.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of Michigan. I yield to the gentleman from Kentucky.

Mr. CHELF. Is it not true that the Post Office Department pays back into the Federal Treasury quite a bit of money at the end of each year, notwithstanding the fact that the postal employees are

about the most underpaid in the Government service?

Mr. O'BRIEN of Michigan. That certainly has been true in current times and recent years.

Mr. CHELF. The point I am making is that the Post Office Department definitely stands on its own bottom.

Mr. O'BRIEN of Michigan. It certainly has in recent years.

Mr. CHELF. Is it not true also that for the past 20 years all postal employees and postmasters have been miserably underpaid? On July 1 of last year the Congress voted them a pay raise, and then came this Executive order which, so to speak, "yanked the rug from under them" and placed them back in the same pitiful pay position they have been in for the last 20 years. In other words, the previous pay raise availed them nothing due to the loss of overtime and reduction of total work hours.

Mr. O'BRIEN of Michigan. With the enactment of the law we passed last year, Public Law 134, the wartime temporary increase of \$300 terminated, and in October 1945 there was terminated likewise the Saturday overtime compensation.

Mr. O'KONSKI. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of Michigan. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. Are the star route postal employees included in this bill?

Mr. O'BRIEN of Michigan. They are on a contract basis. It is my understanding that they are not employees of the postal service. If I am not correct on that, I trust the chairman will state the fact, but I understand they are not employees but work on a contract basis.

Mr. O'KONSKI. Is there any legislation pending which will improve their lot?

Mr. O'BRIEN of Michigan. There is legislation pending, introduced by the distinguished gentleman from Louisiana [Mr. MCKENZIE], of our committee, who has given very thorough consideration to that subject.

Mr. O'KONSKI. I am very much for this bill. I think the star route postal employees deserve a break also, and I hope that legislation will be reported out.

Mr. O'BRIEN of Michigan. The gentleman from Louisiana has given very thorough consideration to it. He is a very ardent champion of these men and very effective in presenting their situation.

Mr. HARTLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. BUTLER].

Mr. BUTLER. Mr. Chairman, I am happy to again have an opportunity to express my approval of legislation benefiting postal employees. Postal employees have worked during war years under conditions hardly realized or thought of by most American people. While postal employees did receive a bonus in their salary last year because of a reorganization of the Post Office Department and elimination of the 6-day week, they are receiving far below the 1944 level of salaries. From the standpoint of considering the value of the services of these men we all agree they are entitled to a living wage. There is one thing with which we are all familiar and

that is whether a man receives \$1,500 or \$10,000 a year he must pay the same amount for a pound of butter or a dozen of eggs.

I have always been very favorably impressed with the work done by postal employees, and I am sure the rest of the Members of this body feel the same way. The postal group is among the most loyal and efficient of public servants we have in the Government. The thousands of postal workers constitute one of the most indispensable groups in the Government. This dependable and conscientious group of Federal employees are compelled to keep their homes and families on less pay than before receiving the increase of \$400. They should be given a permanent increase which would permit them to conduct their homes and raise their families more in keeping with the American standard of living.

During recent years the postal service has handled the greatest volume of mail in its history and has given highly commendatory service in spite of many handicaps. Postal employees were not exempt from the draft and over 60,000 postal workers were inducted into the armed forces, leaving a seriously depleted force to cope with an unprecedented increased load of work. The job they did in giving the best postal service in the world to the people of the United States and to the millions of servicemen throughout the world is little short of miraculous. I want to urge Members of this House to stand by these loyal workers and give them this well-earned increase in salary.

Mr. HARTLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. BREHM].

Mr. BREHM. Mr. Chairman, I simply want to express my appreciation in being permitted to serve as a member of the Post Office and Post Roads Committee. We have a grand chairman, a splendid and efficient clerk, and all in all, a fine group of men on that committee. When the Congress passes this legislation we are passing a bill to partially compensate a grand bunch of people who have done a grand job.

Mr. HARTLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. HESELTON].

Mr. HESELTON. Mr. Chairman, H. R. 5059, as reported by the Committee on the Post Office and Post Roads, represents the minimum in fundamental justice to the postal employees of the Government. Although it originally provided a temporary increase of \$300, with an increase of 15 cents per hour for hourly or part-time employees and additional compensation of 15 percent for postmasters at post offices of the fourth class, the committee amendment provides a permanent increase of \$400, with a 20-cent increase for hourly or part-time employees and additional compensation of 20 percent for postmasters in fourth-class offices.

The committee report states concisely the reasons for the committee's decision and the purpose of the legislation. No useful purpose will be served by any prolonged debate over a proposition so basically sound as this legislation. I have not supported and never shall support the

expenditure of Federal funds I believe to be unjustified. But, in recognizing the facts as to the increased cost of living, as they apply to this group of Federal employees, the expenditure involved is fully justified. Certainly we should all be concerned as to the waste and extravagance involved in the overstaffing and duplication existing in some Federal agencies. But this is definitely not apparent in our post offices. Rather we are dealing with a group of public servants scattered throughout this Nation and in every territory who, day in and day out, have won the complete confidence and respect of the country by their loyal, industrious, and efficient work. Their fidelity to their duty is beyond question. It is no exaggeration to say that this group of Federal employees, by their own efforts, has established itself as the most trusted and most highly respected of any in the Federal service. While it would be a miracle if there were no exceptions in such a large group, it is safe to say that the overwhelming majority more than earn every cent this Government pays them.

Therefore, they have every right to expect just treatment from us and to expect us to work with them to provide the American people with constantly better postal service. The first, and most immediate, step in that direction is the recognition of the fact that since last July 1 their compensation has been reduced by circumstances over which they had no control. The committee amendment seeks to meet that situation as fairly as possible to all concerned. The case of these employees has been presented, as is always true, thoroughly to the committee. I understand that it meets with the substantial approval of the postal employees and my mail confirms that. I hope that the result will receive the prompt and overwhelming endorsement of the House this afternoon and that it may become law in the immediate future.

Mr. HARTLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Iowa [Mr. DOLLIVER].

Mr. DOLLIVER. Mr. Chairman, as a member of the Committee on Post Office and Post Roads, I heard the testimony given in the hearings on this bill. Early in the hearings I became convinced that the bill ought to become law and that the principles involved were just and proper. I am glad to say that all my colleagues from Iowa in the House of Representatives took a similar view of the situation. We filed with the committee as part of the hearings, the following statement:

The undersigned Iowa Members of the House of Representatives wish to be recorded as favoring the principle of H. R. 5059. We earnestly commend the committee for its consideration of the interests of the postal employees whom we recognize as most faithful and competent Government workers.

As the hearings proceeded, it became more and more apparent that the amount written in the Burch bill as originally introduced, was insufficient. Most of the testimony indicated a substantially larger amount was necessary to restore to the postal employees a reasonable pay and a reasonable standard of living. It was especially clear that those who are in the lower salaried brackets were suffering from low pay, and accordingly, it seemed

just that a level amount be applied to the post-office workers in all categories and that a comparable hourly increase in wages be allowed to those who work on an hourly basis.

I voted for the bill as reported in the committee. I heartily support it on the floor of the House. While it may be true that this increase in pay will cost the Post Office Department a substantial amount, I feel it is justified, because the employees of the United States Post Office are as faithful and meritorious and hard-working a group as we have in Government service. It is also true that the post-office employee comes in closer contact with the average citizen than any other employee of the Federal Government. His contacts with the post office patrons are continuous. The service which the post office renders is of the utmost importance from a social, economic, and cultural standpoint. Therefore, I feel that the Congress, in considering and passing this legislation is acting not only in the interests of the paid personnel of the Post Office Department but also is acting in the best interests of the entire country.

Mr. HARTLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. CORBETT], a member of the committee.

Mr. CORBETT. Mr. Chairman, I sincerely urge that every Member of the House votes for the passage of H. R. 5059. The salary increases provided in the bill for the postal employees are both necessary and desirable. They represent the minimum increases that should be granted.

It has become quite apparent to all who have studied the situation that the pay raises granted by the Congress last year have been largely nullified by the return to the 40-hour week, the elimination of overtime work, and the increased costs of living.

We know also that in the very near future a substantial pay raise will be voted for all other Federal employees. Consequently it is entirely in order that the postal employees whose efficiency, loyalty, and devotion to duty leaves little to be desired should receive the raise here proposed.

I would like to serve notice, however, that I am far from content with the salary situation which will exist after the passage of this bill. As regards the compensation of many groups and many individuals within the ranks of the postal employees there remains numerous inequalities and injustices. To such groups and individuals, as a member of the Post Office and Post Roads Committee, I promise my best efforts to secure proper adjustments.

Mr. HARTLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. AUCHINCLOSS].

Mr. AUCHINCLOSS. Mr. Chairman, I am in favor of this bill, and I hope it will pass by a very large majority. All of us know that the men in the postal service have, during the past few years, handled the greatest volume of mail that anyone ever dreamed could be handled, and this work has been done with dispatch and efficiency. Such could not be

the case unless there was tremendous loyalty and esprit de corps on the part of the employees of the Post Office Department. They have carried out their duties with the same degree of loyalty and devotion to duty as anyone in Government service, and I do not exempt the armed forces when I say this.

In July 1945, the postal employees received an increase in their basic pay, although their previous salary classification was established in 1925. In 1943 a modest bonus of \$300 a year was given them. When the classification bill was considered in 1945, the Little Steel formula was being used as a yardstick for salaries and wage adjustment, and this formula was based upon a 15-percent increase over wage rates in effect in January 1941, and for many reasons the application of this formula to postal employees was inequitable.

At the same time the cost of living for postal employees was going up just as rapidly as it was for other citizens, and yet they did not enjoy any proportional increase in pay. The proposed increase in this bill is a modest one and is highly deserving, and there is no question that the Government can afford it. The servants of the postal service should have every reasonable recognition from a grateful people whom they served so well.

Mr. BURCH. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. NEELY].

Mr. NEELY. Mr. Chairman, the distinguished gentleman from Virginia [Mr. BURCH] and all the other members of the Committee on the Post Office and Post Roads deserve the appreciation of the Congress and the country for the service they have rendered in bringing before the House the pending bill to provide additional compensation for postmasters and all other postal employees.

To refuse any of these the proposed increase of \$400 a year would be to repudiate the time-honored aphorism that "the laborer is worthy of his hire." In usefulness to the public and indispensability to the prosperity and happiness of the American people, the postal employees never have been and never will be surpassed. The entertainment, information, education and success of many millions are largely dependent upon the service of those who collect, transmit, and deliver the mail. These highly important faithful public servants have long been deplorably underpaid.

In my opinion, the measure before us should be amended so as to provide every postal employee an increase of \$600 a year. To my regret, it is not within the realm of possibility to obtain approval of this additional compensation at this time. The cause of my regret and the justification for it are fully disclosed by the record of the hearings that were conducted on the bill.

For example, the present compensation of the higher paid fourth-class postmasters is but 54 cents an hour, while that of the lower paid of such officials, is but 28 cents an hour. Naked, unblushing candor compels the humiliating admission that this rate of pay is totally insufficient to enable those who are dependent upon it to enjoy even the bare

necessities of daily life. In this age, the Government cannot, without becoming a candidate for disgrace, maintain such a standard of compensation for any efficient, deserving employee.

Those in every classification of the postal service may rest assured that for their untiring, praiseworthy service to the United States Government and its people they have the unlimited gratitude of practically the entire membership of the House. But gratitude alone keeps the wolf from no man's door. Therefore, let us, at the earliest propitious moment, translate our grateful sentiments into reality by so augmenting the increase of compensation which we are about to approve that it will eventually mean a full measure of justice "pressed down and running over" for every postal employee in the land.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. NEELY. I yield.

Mr. CHELF. I heartily concur with the gentleman in the statement that he has made to the effect that the postmasters of all fourth-class towns or cities are underpaid.

It so happens that there are approximately 300 post offices in the Fourth Congressional District of Kentucky. Very recently two of these small post offices had to be abolished simply because the salary was so miserable we could not induce or encourage anyone to take them over. As a result, we had to incorporate the postal service which the good people of these particular offices used to enjoy and which they were entitled to have into rural route extensions.

Mr. NEELY. I am sure that the able gentleman from Kentucky will enthusiastically improve this day's opportunity to remedy the deplorable condition of which he has just spoken by voting for the bill.

Mr. CHELF. I shall of course support the bill.

The CHAIRMAN. The time of the gentleman from West Virginia [Mr. NEELY] has expired.

Mr. BURCH. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. HEALY].

Mr. HEALY. Mr. Chairman, I am happy to be a member of the Committee on the Post Office and Post Roads because of the opportunity it gives me to be of service to the loyal, hard working, and efficient employees of the Postal Department of the United States.

At the present time the cost of living has more than caught up with their salary grades. I am strongly in favor of a pay raise at this time to offset the loss in take-home pay caused by the elimination of overtime work.

I am not entirely satisfied with H. R. 5059 because I believe that the minimum increase should have been not less than \$500. Also, there are other inequities which this bill does not correct. However, the Post Office Committee of the House of Representatives should be commended for amending the original bill by increasing the raise from \$300 to \$400 and, even more important, making it a permanent raise. As you probably know,

I was the only member of the committee who offered an amendment to the bill to make the raise more than \$400. The committee did not see fit to adopt my amendment and, since this bill is the best possible compromise, I urge that every Member of Congress shows his appreciation of the good work of our postal employees by voting for H. R. 5059.

Mr. BURCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. PRICE].

Mr. PRICE of Illinois. Mr. Chairman, when H. R. 5059, a bill to grant additional compensation for postmasters and employees of the postal service, was under consideration before the Committee on the Post Office and Post Roads of the House I appeared in support of it and in particular in favor of the proposal to grant a \$500 permanent increase in annual salary. Naturally, I will go along with a compromise to make this increase \$400, but I am still of the belief that these workers are more than deserving of the \$500.

No group of Federal workers are closer to the public, and no group gives greater public service. The postman is the Government's closest link to the ordinary citizen.

Last July the Nation's postal employees got their first pay raise in 20 years. The following October an order eliminating overtime pay in post offices came out. That had the effect of more than wiping out the increase granted in July, since it reduced take-home pay about 35 percent. After deductions for pensions and taxes, a large number of postal employees are today receiving smaller checks than they did in 1925.

In view of the present cost of living it is not surprising that many of their families are reported to be in actual want. The increase granted by this legislation is none too much when one considers that the only raise postal workers have had in two decades has fallen short of bringing them up to the living standards they enjoyed in the middle twenties.

Mr. HARTLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. WELCH].

Mr. WELCH. Mr. Chairman, I wholeheartedly favor the immediate passage of this bill, H. R. 5059, which belatedly grants increases in salaries to postal workers.

The postal workers of the Nation who render a direct service to almost every person within our borders, fall in the category of so-called white-collar Federal employees, whose wages are not adjusted from time to time by wage boards to meet changing living conditions and costs. Their salaries are fixed by law and they are among the most poorly paid group of workers in this country, despite the paltry increase given to them last July under the Salary Classification Act which became effective at that time.

Although the increase given these faithful Government servants was the first pay increase they received at the hands of Congress in 20 years, and which only added the gross amount of \$400 per annum to their salaries, actually, with increased withholding tax, retirement deductions, and the loss of overtime pay,

their net increase as of today, is practically nothing.

The thousands of postal workers in every city, town, village, and rural area of the Nation constitute one of the most indispensable groups of workers in the entire Government service. They are the very life lines of our entire system of communication that keeps our whole national economy moving. They have proven their dependability throughout the years by maintaining those lines of communication at all times and under all conditions. A grateful Nation should see to it through this Congress, that these dependable and conscientious Federal employees should not be compelled to maintain their homes and families on the pay they now receive.

Mr. Chairman, they should receive a permanent increase which will enable them to conduct their homes and raise their families in keeping with the American standard of living at all times. I urge the passage of this bill.

Mr. HARTLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. CANFIELD].

Mr. CANFIELD. Mr. Chairman, passage of this bill today by the House will be welcome news to the wives of our postal workers. Increased living costs are creating an impossible burden on them and their families. They have had to stand by too long awaiting for the time when their husbands would be placed on an equitable pay basis with other Government employees and workers in private industry.

When I appeared before the committee to urge a prompt report to the House on this measure, I contended that if we had the mechanics of taking a national referendum on this cost-of-living-take-home-pay request the results would be preponderately in favor. I have had hundreds of letters urging favorable action, not one in opposition. Referring to this Nation-wide sympathy for these faithful workers, the Paterson (N. J.) Evening News says:

They are a steady, hard-working crew of men who labor steadily and without too much promise of advancement, they are among the most poorly paid group, collectively, in Government service. Most of them are married men, of good habits, with families to support.

And the Paterson (N. J.) Morning Call, saluting the men, declares:

They, too, like the rest of us, are feeling the burden of heavy taxation and we are certain our people, be they in the cities or rural communities, are behind them in this campaign.

I urge prompt enactment and I hope our vote will be unanimous.

Mr. HARTLEY. Mr. Chairman, I yield such time as he may require to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, in any inflationary movement, it is up to the legislative bodies at all levels of government to see to it that the governmental employees are not hurt by the inflationary rise any more than can be avoided. In the course of an inflation, as has been too well demonstrated in

other countries, those persons hit first and hardest are those on small fixed incomes, including annuitants and pensioners, and the next group include employees of the various levels of government. This group embraces, of course, the employees of the Federal Government but it includes likewise town, city, school district, county, and State employees. Their salaries are fixed by act or ordinance of the legislative body having jurisdiction.

The case before us involves the Federal postal employees. The increase in dollars of wages proposed in this bill, H. R. 5059, is not properly an increase in real wages. It is rather an upward leveling of real wages that have fallen below par due to inflation. I doubt that it is adequate and I would support a further dollar increase in wages to restore the purchasing power that inflation has stolen from them. They certainly are entitled to all the percent increase that any other group of workers have received.

Mr. HARTLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Oregon [Mr. ANGELL].

Mr. ANGELL. Mr. Chairman, I am glad to add my voice in support of H. R. 5059 which is now before us for final passage. I want to compliment the chairman and members of the Committee on the Post Office and Post Roads for their excellent handling of this important legislation and for their report in favor of passage of the bill. When the bill was under discussion by the committee, I appeared before it and urged that it receive favorable consideration and also recommended that the increase be not less than \$500. I regret that the bill provides for only \$400 per annum increase and I feel that this should be increased. However, I appreciate that it is the considered judgment of the committee after careful and full study that the amount of increase be fixed at \$400 per annum. I am also pleased to note that the committee recommends striking the word "temporary" from the legislation so that it will become permanent legislation.

This group of Federal employees is among the most trusted and diligent of the Federal employees family. They have long commended themselves to the American public for their diligence and faithfulness and for the high quality of service rendered to the Government. Unfortunately they have not been adequately compensated for the important work they are performing and their schedule of compensation is far below the pay for like services in many other departments of the Government and for most of private employees doing work of this importance. It is legislation long overdue and I am, indeed, glad to be one of the Members of the House to vote for the legislation and I trust it will not receive a dissenting vote. The terms of the bill are simple and provide:

That all postmasters, officers, and employees in the postal service whose rates of compensation are prescribed by the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945,

shall receive additional compensation at the rate of \$400 per annum: *Provided*, That employees paid on an hourly or part-time basis shall receive additional compensation at the rate of 20 cents per hour: *Provided further*, That postmasters at post offices of the fourth class shall receive additional compensation at the rate of a sum per annum equal to 20 percent of their basic annual compensation.

Sec. 2. The provisions of this act shall not apply to skilled-trades employees of the mail-equipment shops, job cleaners in first- and second-class post offices, and employees who are repaid on a fee or contract basis.

Sec. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

Sec. 4. This act shall take effect on January 1, 1946.

Amend the title so as to read: "A bill to provide additional compensation for postmasters and employees of the postal service."

Mr. HARTLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, I am wholeheartedly in favor of the passage of the pending bill, H. R. 5059, which will grant some relief to the employees in the postal service. All remember the effort which was made to extend some relief to this group of our people last year, but at the close of the war, and the overtime pay lapse, and the circumstances which have intervened, our postal employees have been thrust back into the same, or nearly the same, situation in which they found themselves before that attempt was made. It is now time that the Congress recognize the worth and valor of our postal employees, and their needs and necessities, and I, speaking as one Member, will gladly cast my vote of approval of the pending bill, which is deserved by those employees.

Mr. Speaker, I will vote for this bill, because our postal employees have been faithful and they have ever done a good job; our letter carriers go forth in their daily task, in fair weather and in foul, and they continue to bring to your door your daily newspapers, your letters, and all of us accept them, yet, we scarcely give any thought to the great effort which is put forth by those who deliver these papers, packages, letters, and parcels to us. The postal system is a great agency of our Government. It is now self supporting, or practically so, and these faithful Government servants are entitled to an increase in their pay, and it is my fervent hope that they receive it, and promptly. I will vote for this bill, because the postal employees deserve an increase in their salary and wages.

Too long this increase has been deferred, but today, the Members of the lower House of Congress fully realize the merit in this pending legislation, and I am convinced these same Members are ready to act, and to act in favor of the postal employees by passing this bill, and I hope it will be passed by the unanimous vote of the Members in the House.

Mr. Chairman, before I take my seat I desire to congratulate and compliment the chairman, and the members of the committee for bringing this legislation before the House, in order that every Member may express himself upon its merits, and it is my hope that the vote will be a record vote, so each Member will be recorded upon this issue.

Let us go forward, together, in the effort to aid our constant and faithful employees in the postal service, and let us grant to them that which they so richly deserve, and let us pass this bill.

Mr. HARTLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. EDWIN ARTHUR HALL].

Mr. EDWIN ARTHUR HALL. Mr. Chairman, every year we have a field day here when the question of raising the pay of postal employees comes up. For the past 7 years it has been my privilege to vote for some bill providing for a pay increase. Unfortunately, however, legislation of this kind, although there is a great deal of lip service and tribute paid, never seems to come to a head. At this time I want to see this bill passed and go through and become law in a short time. It is high time that the postal employees of America, the employees of the oldest department in the Government, were given a square deal. They are supposed to be able to maintain a standard of living, and I think they ought to be able to do so.

In closing, I want to pay tribute to the Committee on the Post Office and Post Roads for their courage and their ability in getting legislation of this kind before the House; to the chairman of that great committee the gentleman from Virginia [Mr. BURCH], and to the ranking minority member the gentleman from New Jersey [Mr. HARTLEY], as well as the other members.

I hope this measure will be passed without delay.

Mr. HARTLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. GILLIE].

Mr. GILLIE. Mr. Chairman, I am glad to add my voice in favor of the passage of this bill.

It was my privilege during my first term in Congress to serve as a member of the Post Office Committee, and during that time I developed a considerable familiarity with the problems of postal employees and their struggles for fair treatment. On many occasions since then I have appeared before the committee and joined with other colleagues in urging legislation that would be of help to these workers.

I do not see how anyone familiar with all the facts can reasonably oppose the provisions of this bill. The increase provided is not large in relation to the rise in the cost of living.

These faithful employees cannot bring up their families and loved ones, particularly their children, in dignity and honor and send them to proper schools at the current rate of pay. I believe that cold, hard facts demand this increase, and I believe we should support it as a matter of common justice.

Mr. HARTLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. BUCK].

Mr. BUCK. Mr. Chairman, I thoroughly approve this bill and urge its unanimous adoption.

Mr. HARTLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. McDONOUGH].

Mr. McDONOUGH. Mr. Chairman, I am wholeheartedly in favor of the passage of H. R. 5059. The postal employees have earned this increase. No group of Federal employees deserve an increase more than this group. We are very proud of our postal employees in Los Angeles; they have done a fine, efficient job under difficult circumstances with a large increase in population, perhaps the largest increase of any large city in the Nation, the burden of serving this large population has fallen upon the postal employees.

The cost of living has increased, which makes this increase in salary justified.

I am confident that the public whom the postal employees serve so well approve of this adjustment of salary.

I believe the Members of the House will unanimously agree on the passage of H. R. 5059, which is a deserving tribute to these faithful postal employees.

It is unfortunate that this adjustment was not made a year ago when the postal employees' salary bill was before us. I am glad that we now have an opportunity to correct it at this time.

I urge all Members of the House to support H. R. 5059.

Mr. BURCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Minnesota [Mr. STARKEY].

Mr. STARKEY. Mr. Chairman, as a member of the committee, I heartily favor the passage of this legislation. I merely take this time to make my position known that I do not believe that the increase is great enough and that I do believe there are inequalities in the postal service. I intend to introduce legislation to correct these inequalities. One of them deals with the supervisory service where the supervisory employees have not had a sufficient increase to continue the spread between those whom they supervise and themselves. The other inconsistency is in the clerks at the windows who sell stamps. Not only do they have to work very diligently but they have to carry the financial responsibility of any mistakes they may make. I am taking this time to serve notice that I am going to introduce legislation to correct these two matters.

There were several members of the committee who likewise felt that the \$400 increase was not sufficient, but it was reported to us that other agencies of Government did not look with favor on an increase beyond \$360 a year. Our committee desired to report out a bill which we could feel was reasonably sure of final enactment, and the figure of \$400 was agreed on.

An examination of the facts will indicate that postal employees, when measured by the same yardstick as that used for industrial workers, are entitled to more than the \$400. The increases granted last year were in keeping with the increases granted private employees between 1941 and 1945 and were within the Wage Stabilization Act. The \$400 now proposed actually amounts to 19.2 cents per hour, which is only a fraction of a cent above the 18.5 cents recently granted in basic industries and is as close to the 18.5 cents as possible when you use an even annual amount. Therefore,

postal employees are still lagging behind because they received no increases from 1925 to 1942, while industrial workers did. However, the committee felt, as stated above, that it was better to agree on the highest possible figure that we felt reasonably sure would be finally and speedily enacted into law.

As to the inequalities in supervisors' pay. In the 1945 salary adjustment bill, the salary of supervisors was raised less than that of many of the employees whom they supervise which results in such a slight spread between supervisors and those they supervise that there remains no incentive for employees to strive for the more technical and responsible positions. It is not only unfair to those now in supervisory positions but I fear it will result in a lack of desire for advancement and it is altogether possible that the service will suffer because of this condition.

As to the so-called window clerks who make the sale of stamps, they carry a greater responsibility than the other clerks because they are held responsible and are compelled to pay out of their own pocket for any mistakes they make against themselves, while if at any time they should be over, the Department does not allow one mistake to balance the other but compels the employee to turn into the Department any amount he might be over when checked. We all realize that anything that is human is not infallible and mistakes are bound to be made. I attempted to rectify this condition by a Department regulation which I feel could well be justified and within the power of the Department. However, I met with no success because the Department did not want to take the responsibility of making such a ruling. To me it seems indefensible that the mistakes should always motivate against the employees and if Congress does not want to pass a law changing that regulation then in all fairness to the employees they should grant them more compensation than those who do not carry the same responsibility.

As I said at the beginning of my remarks, I intend to offer such legislation as will correct the above-mentioned inequalities. I did not attempt to include such adjustments in this bill because I, and the rest of the committee, did not want to complicate the salary bill or include anything that might confuse the Members of the House. I feel that both of these matters mentioned herein can stand on their own merits and handled separately will not jeopardize the welfare of the other postal employees.

Mr. BURCH. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I am in favor of H. R. 5059. As a member of the Post Office and Post Roads Committee during my first 2 years in Congress, I came to know the problems facing the postal employees.

A finer, more loyal group of intelligent public servants cannot be found. Due to the loss of overtime and the rise in living costs, the standard of living of postal employees must inevitably fall, unless a generous raise is granted.

My statement before the Post Office Committee called for a \$500 annual rise. I regret that this bill only provides a \$400 annual raise and an hourly raise of 20 cents to hourly or part-time employees.

I shall, of course, vote for this raise of \$400 annually. It will be a welcome addition to the postal employees' present wage.

Mr. BURCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Rhode Island [Mr. FORAND].

Mr. FORAND. Mr. Chairman, I am glad to note that the temper of the House is such as to guarantee almost a unanimous vote for this bill, H. R. 5059, giving postal employees a pay increase of \$400 a year. This group of Government employees is recognized to be perhaps the most efficient on the Government pay roll, and the increase provided by this bill will mean a great deal to help them meet the increased cost of living. It is well deserved, and I am most happy to support the bill.

Mr. BURCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. LUDLOW].

Mr. LUDLOW. Mr. Chairman, I think this bill, H. R. 5059, brought in by the beloved chairman of the Post Office Committee, is a very sound and meritorious piece of legislation and I hope it will pass unanimously.

This bill will give the postal workers an increase of \$400 a year in salary which will come as a godsend to as faithful and loyal a group of workers as there is in the world. If I have any criticism of the bill it is that the raise in salary is less than the postal workers merit. I believe that an increase of \$500 would be amply justified by the soaring costs of living.

It has been my privilege to do all it was humanly possible for me to do to assist the postal workers to secure the pay increase to which I believe they are entitled. I appeared before Mr. Burch's committee and urged it to report the bill with an amendment increasing the salary of postal employees \$500 a year. The committee amended the bill by increasing the amount from \$300 to \$400 and in this form we now find it before us for action.

The bill as reported, allowing the postal employees \$400 a year more than they are now getting, will bring cheer and encouragement and gladness to many a household throughout this land. I do not know when I have voted for a bill with more genuine satisfaction.

My great interest in the postal employees has developed into a very close association because for 11 years I have been chairman of the subcommittee of the appropriations committee that prepares the annual supply bill for the postal service.

I give it as my considered opinion that there is no more efficient, no more faithful, no more devoted group of workers in the world than the postal employees of America. Weather handicaps never faze them or deflect them from the path of duty. In rain or shine or storm or sleet or snow they see that the mail is carried and delivered. Often they work

under circumstances that are a test of men's souls, yet, they go ahead unflinchingly in the performance of their duties. In my opinion the increase that is being granted them was too long deferred. For 20 years there was no revision of basic postal pay and in that time the costs of living have risen enormously and the very least that we, as Members of Congress, representing the people of America, could do for them, is to pass legislation bringing their salaries up to a just standard of compensation.

I am an earnest proponent of economy in governmental expenditures and I believe in and practice economy as a general rule, but I do not believe in or endorse a false economy that saves dollars by penalizing a vast group of underpaid workers.

I cannot approve a policy of so-called economy that means deprivation and suffering to thousands of faithful employees and their families. When we are spending billions of our taxpayers' money under lend-lease and UNRRA to aid the peoples of other countries let us spend a relatively minor amount in doing justice to our postal workers at home.

In considering whether or not we should grant an increase of pay to postal workers at this time, let us look at the facts realistically. The postal workers represent a great white-collar group that has been caught between two millstones—the lower millstone of fixed salaries and the upper millstone of rising costs of living. Costs of living have increased enormously during the last two decades, and if ever a bill was justified on sheer merit this bill is justified. The patrons of the postal service have their eyes on Congress today. If they could take a referendum vote they would approve this bill overwhelmingly, and they are expecting us, their representatives, to do justice to the postal employees in our votes on this measure.

Mr. BURCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. Flood].

Mr. FLOOD. Mr. Chairman, I feel that if this bill were submitted to a referendum of the people it would meet with overwhelming approval.

Mr. Chairman, during this session of Congress I have had occasion, in the performance of my duties, to address myself to problems of both national and international importance. In serving upon the Committee on Foreign Affairs many have been these problems of great significance, and, now, in serving upon the great Committee on Appropriations, numerous additional matters of great concern to our country I have been privileged to speak on.

Recently, before the Post Office Committee of the House, I appeared and gave testimony in behalf of this bill and I was happy, indeed, to do so. I was born and raised in Luzerne County, Pa.; went to school with many of the men and women now in the postal service, and all during my life I have known their joys, their sorrows, and their problems as their intimate friend and neighbor. It is beyond the power of my words to portray with proper elements the loyalty and devotion to duty exemplified by the employees of the great postal service of our Govern-

ment. Down through the long avenue of years, which gives us a broad vista of the history of America, there has never been any single group of public servants whose singleness of purpose and efficient application to the traditions and demands of their employment the equal of the Post Office Department employees.

I say now, as I have said twice before in the debates on the increases for postal employees during this session, and I say it now for the purpose of emphasizing my opinion, and that is if the question of this raise to postal employees was submitted to a referendum for the public vote of the American people, this bill would be passed overwhelmingly from one end of the country to the other, for there is not a hamlet on the western prairie, or a great city of the eastern seaboard, a rural village of the Southwest, or a lake village of the North which will not unanimously attest to the vital importance of these public servants and of the great contribution they make to our way of life.

There is on this subject, for me, a great temptation to speak at considerable length, to eulogize, compliment, and portray the true merits of these deserving workers.

But I have attended the sessions of the committee and I have been present here on the floor all day as this bill is being considered by the House, so that I know full well the attitude of my colleagues. I will be greatly surprised and shocked if this bill does not pass with a unanimous vote.

There is only one thing the matter with this bill, in my opinion, and I also stated this before the committee. This increase at this time should be for \$500. I am aware, of course, that most legislation under our democratic form of government is ultimately passed as the result of some compromise, and I am aware that the \$400 provision in this bill is a compromise between the \$300 called for in the original bill and the \$500 that I proposed. But I do not want to let this opportunity pass without reiterating that my judgment has not been changed by the testimony or by the developments of this debate. I still insist that this increase today should be for \$500. If all the arguments advanced in connection with the cost of living and the increase in prices, commensurate with the whole field of our economic existence today, I say, if all of these arguments are to be given their full merit, then plain logic would dictate a \$500 increase. But do not misunderstand me, I can see now that we are not going to get the \$500, so I want to hurry up at once and agree for the \$400; and if that is the most we can get, that is what we will take—at least for the time being.

There are several other matters and glaring inequities with postal employees that I felt should have been made part of this bill. But since, under the circumstances, we were not able to include all these things at this time, and because of the dire emergency and necessity of getting through this pay increase immediately, I shall not dwell any longer upon some of the problems that have not been solved by this legislation. I simply want to make it clear that this bill by no means

cures all the inequities and inequalities that still exist with relation to the postal workers of the United States Government, and reserve to myself the right, at the proper time, to reopen these matters and reexamine the inequities, with the avowed purpose of solving them for the best interests of all concerned.

There is no need for me to talk further at this time. If I do, I will only delay the passage of the bill, because I am sure of its passage; but let me say, Mr. Chairman, that I hope and trust the bill can go through the Senate and be signed by the President and become law with record speed.

Mr. BURCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Rhode Island [Mr. Fogarty].

Mr. FOGARTY. Mr. Chairman, I am certainly gratified that the House has, at long last, gotten around to providing an increase in the pay of the postal employees. My only disappointment with this bill stems from my sincere belief that the increase is insufficient. I do not believe \$400 is enough to place postal employees on a par with other groups of wage earners.

In my opinion the postal employees have had a tough time making the grade all through the war. They were way behind in getting the \$300 which the Congress provided for in 1944. Even with that increase the postal employees were a considerable distance behind the rise in the cost of living.

In recent months they have been at a greater disadvantage. The Post Office Department has been eliminating overtime and generally getting back to normal operations. The postal employees have had their take-home pay reduced considerably in the face of constantly rising prices.

The \$400 to be given them in this bill will not, in my opinion, even come close to making things come out even.

Federal employees generally are subjects of considerable criticism. However, all over the country one seldom hears anything but the greatest of praise for the employees of the post office.

When one stops to think of such things it is positively amazing to contemplate the extent to which we depend on the letter carrier and the clerk in the post office.

I am genuinely proud of my association with these postal employees because of the great service they render to the American public. It is impossible to imagine a private industry that approaches the Post Office Department in the services it renders. We have grown to consider this great service as no more than natural. We expect it. We look forward to the daily call of the letter carrier, no matter what the weather or the difficulties with which he must cope. As a matter of fact, it is when the difficulties are greatest that we expect the best service. When disaster strikes—when conditions cause us to worry for friend or loved one—then we expect the Post Office Department to force itself to extremes in order to bring to our hands the latest word, the last bit of advice or information. And, surprisingly, that is generally just what happens.

The letter carrier is far more than just a public servant. True he is the most faithful and most dependable of all public servants, but more than that, he is the human link between all the families and industries and shops and stores and institutions of all kinds that go to make up this great land of ours.

This we all acknowledge. Why, then, must we be niggardly in compensating these men for the service they render to us? Frequently I have hoped the mail man would skip a call at my office when we have been snowed under the mail, but what would we do, the Members of this House, if we did not have the clerks and carriers to keep us in such intimate touch with the wants and the thoughts of the people we have the honor to represent.

It is my sincere hope that we shall soon see a complete overhauling of the postal pay structure. It should be brought into line. These men should not be penalized because they are faithful to their trust.

Mr. HARTLEY. Mr. Chairman, I yield such time as she may desire to the gentleman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I think no group of Federal employees deserves an increase in salary more than the postmasters and employees of the postal service. They perform a great and tireless service. I am heartily in favor of the bill.

Mr. HARTLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON. Mr. Chairman, we people in the city of Pittsburgh are very proud of our post office and postal employees. I favor not only this raise but another in the near future.

Mr. BURCH. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, I am strongly in favor of this bill. I have so expressed myself before the committee. Faithful and efficient Government workers are invaluable to any democratic nation. No group in our Government service have, through the years, done a more exemplary job than have the postal workers. The increase provided in this bill will no more than compensate the postal workers for the increase that has taken place in the cost of living. It is deserved; it is justified from an economic standpoint; it is overdue. It should pass without a dissenting vote.

Mr. BAILEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BAILEY. I rise to ask the Chair if the Chair does not think we would save time by calling the roll.

The CHAIRMAN. That is not a parliamentary inquiry. The chairman of the committee has control of the time.

Mr. BURCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Oklahoma [Mr. WICKERSHAM].

Mr. WICKERSHAM. Mr. Chairman, I desire to compliment the chairman of the committee and its members for having done an excellent job on this bill. I hope that when the Ways and Means

Committee brings in my bill to increase the meager pensions which the old folks receive—and which will make it payable direct from the Federal Treasury—it will be given as favorable consideration.

Furthermore, I think that two other bills which a group of us are backing are equally as important and should receive prompt consideration by Congress, to wit:

The House should also give immediate consideration to my bill to provide terminal leave pay to enlisted men equivalent to that given officers;

The Thomas parity bill to revise the antiquated parity formula;

The Pace parity bill which would include labor in the parity formula relating to agriculture; and

The Poage bill for disposition of surplus bulldozers, caterpillars, and so forth, to soil conservation districts.

Mr. BURCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, I appeared before the House Committee on the Post Office and Post Roads and urged favorable action on H. R. 5059 when hearings were held on this bill. As a former Member of the Post Office and Post Roads Committee, I have made a special study of the working conditions and compensation which postal employees of America have labored under for the last 20 years. During the period of our war emergency, when great numbers of postal employees were called to the service, the remaining personnel patriotically assumed added work during the regular hours and also in overtime periods.

Our postal workers extended a major contribution to our victory. I hope this bill passes the House and Senate unanimously, as this increase is very much needed for the postal worker to meet the added cost of living and aid in protecting himself and his family for the future.

Mr. COLE of New York. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COLE of New York. May I inquire, Mr. Chairman, whether it will be in order for me to propose a unanimous-consent request at this time that all Members may have the privilege of extending their remarks at this point in the RECORD on the pending bill?

The CHAIRMAN. That permission will have to be given in the House.

Mr. BURCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. LYNDON B. JOHNSON].

Mr. LYNDON B. JOHNSON. Mr. Chairman, for at least two reasons which appeal mightily to me, I hope the Members of this House give unanimous approval to the bill before us.

My first reason is that there is no more faithful public servant than the man or the woman who handles the mail. For this vast army of workers, the mail carrier is, in a manner of speaking, the front man. He represents the postmaster, the clerk, and all the dozens of others who see that you get today the letter written to you yesterday.

In rain and in sleet, or under a relentlessly hot sun, the carrier shoulders his pouch and trudges from house to house with your messages which are for the most part messages of happiness. I have never known the man or woman who did not look forward to his letters. From our loved ones, from our friends—in the absence of all else, even the monthly bills are of some comfort. We know somebody is thinking of us. And every postman I have ever known brought more than mail. He always brings a cheerful greeting. He stops to pass the time of day and you would never guess how his feet must be aching.

My second reason is this: This small pay increase is a step in the direction of lending dignity to public service. Man does not work alone for what he is paid; if that were so, our public schools would be deserted. But every man yearns for recognition from his fellows. One manner of recognition is a pay commensurate with the job. Too long we have practiced a niggardly policy in our public office. It should be a most highly honored calling. This bill will help make the hire worthy of the laborer.

Mr. HARTLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Vermont [Mr. PLUMLEY].

Mr. PLUMLEY. Mr. Chairman, in order that it may not appear that the half-dozen of us who have not spoken on this bill are opposed to it, I have been requested by that group to say that we are heartily in favor of its passage.

Mr. HARTLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. SHARP].

Mr. SHARP. Mr. Chairman, this Post Office bill has caused a lot of wondering as to just what condition it might be in when it came before the House for consideration.

I attended one of the hearings of the committee, and at that time I insisted that \$500 was little enough increase. But the bill as it comes before the House provides for a \$400 increase. I happen to be a former post-office clerk and as assistant postmaster myself, and naturally, I am very anxious to see them get a \$500 increase, but I suppose the committee, after a number of hearings and executive sessions, and after giving the matter considerable thought, decided upon a compromise of \$400. Of course, I am disappointed it could not have been the \$500 raise, and that the hourly paid workers were only increased 20 cents an hour instead of the 25 cents they requested. And fourth-class postmasters will receive but 20 percent of their basic annual salary, instead of the desired 30 percent. These men, as you know, are paid only on the receipts of the post office, which in many cases is very little, most of these fourth-class postmasters accepting the positions only to augment the trade that may come to their business.

The post-office clerks and carriers are wholly in a class by themselves when it comes to any department of the Government. They work hard, have to provide their own uniforms, and so forth, and I do not know of any department in any branch of the Government that works harder than they do. They have

to be polite and courteous, and always on schedule. I hope this bill passes unanimously.

Mr. BURCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Idaho [Mr. WHITE].

Mr. WHITE. Mr. Chairman, I am in favor of the provisions of this bill, H. R. 5059, to increase the compensation of the post-office employees, men and women who give so much in the way of service in performing one of the most important functions of the Government, handling the mail that the people of this country may have communication with people everywhere. I shall vote for the bill.

Mr. BURCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. FEIGHAN].

Mr. FEIGHAN. Mr. Chairman, every Member of this House is fully cognizant of the increased cost of living, and must realize the hardship that results when take-home pay of workers, in whatever endeavor they may be engaged, is sharply reduced without corresponding reductions in the cost of living. Such has been the lot of the loyal employees of the postal service. H. R. 5059, as amended, seeks to give to the postal employees who have rendered excellent and efficient service some measure of redress because of this situation.

We Members of Congress are anxious to enable the workers of this Nation to be sufficiently recompensed for their labors to enable them to enjoy a high standard of living. Surely the postal employees are entitled to just and adequate compensation, and this measure, as amended, endeavors to so provide.

I wish to congratulate the distinguished chairman the gentleman from Virginia [Mr. BURCH] and the members of the Committee on the Post Office and Post Roads for their very sincere and conscientious work on behalf of the postal employees. It is my feeling that this bill should pass unanimously.

Mr. BURCH. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. MCKENZIE].

Mr. MCKENZIE. Mr. Chairman, it is my privilege to be assigned by the committee to make the closing arguments for this bill, H. R. 5059. However, in view of the apparently unanimous approval of the bill by the Members of the House any remarks by me would be superfluous and a waste of time so I move the passage of the bill.

Mr. HARTLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. STEVENSON].

Mr. STEVENSON. Mr. Chairman, as a member of the Committee on the Post Office and Post Roads I am heartily in favor of the passage of this bill giving the postal clerks and postal employees an increase of \$400 per year on a permanent basis.

This bill has met with the unanimous approval of the committee because the postal employees as a group have been the lowest paid of all Federal employees performing duties with similar responsibilities to the public. They have been patient, waiting for 20 years to receive just compensation for the loyal work they have been doing for their Government. While other department employees and

other Government workers have been getting increases in salaries, our postal employees have been on the job in winter and in summer, in snow and in rain, never complaining and never failing the public in the performance of their duties; but never being rewarded for their loyalty with an increase in take-home pay.

During all these years the cost of living has steadily risen. Let me give you some examples of the increase in the cost of everyday staples such as groceries, meats, and wearing apparel since 1939. Here are a few articles the cost of which I have taken from ads in my home-town newspaper of September 1, 1939, and October 4, 1945. From these increases in prices of foodstuffs and clothing, you will note the cost of living has risen during that period over 133 percent on the average.

SEPTEMBER 1, 1939

Hamburger, 14 cents per pound.
Sirloin steak, 17 cents per pound.
Chuck roast, 15 cents per pound.
Veal chops, 17 cents per pound.
Leg of lamb, 19 cents per pound.
Pork chops, 18 cents per pound.
Bologna, 14 cents per pound.
Ham, 17 cents and 19 cents per pound.
Slab bacon, 9 cents per pound.
Early Ohio potatoes, 19 cents per peck.
Flour, all standard brands, 49-pound sack, \$1.49.

Peanut butter, 11 cents per pound.
Sweetpotatoes, 6 cents per pound.
Carrots, 4 cents per bunch.
Bartlett pears, \$1.49 per bushel.
Prunes, 69 cents per box.
Small oranges, 15 cents per dozen.
Ladies' sport coats, \$9.50 and \$19.50.
Fur-trimmed coats, \$16.50 and \$37.50.
Snow suits, \$3.95.
Men's suits, \$22.50 and \$27.50 with two trousers and vest—all wool suits, and no black market.

OCTOBER 4, 1945

Hamburger, 25 cents per pound.
Sirloin steak, 40 cents per pound.
Chuck roast, 26 cents per pound.
Veal chops, 33 cents per pound.
Leg of lamb, 35 cents per pound.
Pork chops, 33 cents per pound.
Bologna, 27 cents per pound.
Wieners, 39 cents per pound.
Slab bacon, 39 cents per pound.
Ohio potatoes, 49 cents and 52 cents per peck.
Same standard brand flour, 49-pound sack, \$2.39.

Peanut butter, 20 cents per pound.
Sweetpotatoes, 10 cents and 11 cents per pound.
Carrots, 10 cents per bunch.
Pears, \$4.99 per bushel.
Prunes, \$3.29 per box.
Oranges, same size, 30 cents per dozen.
Ladies' sport coats, \$45 and \$55.
Fur-trimmed coats, \$69 and \$135.
Snow suits, \$14.95.
Men's suits, \$45 and up, with only one pair of trousers and no vest, all wool except the stripes—and plenty of stripes.

I have read ads in newspapers advertising men's sport shirts at \$6.50 and \$25 each. You cannot buy a good white dress shirt now.

These are facts that cannot be refuted. The proof is that the cost of living has gone up over 100 percent and in some cases over 200 percent in articles and clothing we have to purchase, not as luxuries, but as necessities.

An increase in the take-home pay of our postal employees should therefore be awarded them as a matter of moral obli-

gation to our faithful postal workers. The average increase of 20 percent this bill provides is but a tardy recognition on the part of the Government of faithful work performed for many years past.

The amount of appropriation necessary to cover the increase in pay provided by this bill is but a bagatelle when compared with the billions of dollars we have given to foreign nations since the end of World War I which has not been repaid by them, and which will never be repaid. We have made gifts to foreign nations, eleven billions of which is still unpaid. Some of these same nations are now requesting us to make them new loans which will turn out to be gifts 50 years hence—totaling many more billions of dollars.

If we can make gifts of billions of dollars to foreign nations, surely we can, and we should, take care of our obligation to the postal employees of this country of ours, which will not cost as much as the interest we are losing every year on the loans to foreign nations which have not been repaid since 1918.

The State Department just entered into an agreement with one of these nations to turn over to that government brand new civilian surplus goods and property inventoried at more than \$6,000,000,000, for the small sum of six hundred millions, a mere 10 percent of the appraised value of the goods and merchandise sold. In one business transaction our State Department thus has made a gift of more than \$5,000,000,000 of surplus property to a foreign government. This \$5,000,000,000 worth of surplus property could well be made use of by our own people. If our Government can make gifts running into the billions by one stroke of the pen in the hand of the State Department, surely we should not be niggardly with our own postal employees, who have done a good job for the American public in doors and out, at all hours of the night and day, with but one thought ever in their minds to see a full day's work well done.

I repeat, Mr. Chairman, this bill should be passed by unanimous vote of the House. The committee voted the bill out unanimously, and the House should do likewise.

Mr. BURCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Missouri [Mr. CARNAHAN].

Mr. CARNAHAN. Mr. Chairman, I want to take this time to congratulate the committee on bringing us this fine piece of overdue legislation. I am going to vote for it and wish that the increases were a little more than provided for in this bill.

Mr. BURCH. Mr. Chairman, I have no further requests for time.

Mr. HARTLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. LATHAM].

Mr. LATHAM. Mr. Chairman, I wish to urge that you favorably report H. R. 5059, but with amendments which would provide a permanent increase in wages of \$500 to postal workers, and that those paid by the hourly rate be given a comparable increase.

The postal workers are, in my opinion, the most underpaid and, at the same time, one of the most faithful group of Federal employees. They are today

caught in a vise between the rising cost of living and the low take-home pay which they receive.

The raise voted them last year by Congress was almost completely dissipated by the elimination of the \$300 cost-of-living bonus, and of overtime, the actual raise amounting to only about \$100. The cut of the working week to 40 hours, as to those paid on an hourly basis, in many instances resulted in the employees being paid less than before the raise was granted.

A mail handler in the top grade, with 20 years service, has a take home pay of only \$33.64 a week. This is so obviously unfair it must be corrected.

Mr. HARTLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. WOLVERTON].

Mr. WOLVERTON of New Jersey. Mr. Chairman, the purpose of this bill is to provide more adequate compensation for postal employees in view of the greatly increased living costs and to place them on a more equitable basis as compared to other Government employees and workers in private industry.

The hearings held by the committee leave no doubt, as the result of the evidence presented by representatives of the various postal employees' organizations, that there is a need for an increase in compensation of postal employees. Detailed figures were submitted showing the greatly increased cost of food, clothing, household furnishings, fuel, rent, and other necessities of life, and, furthermore, it does not seem that such living costs have yet reached their peak.

I am convinced that the postal employees merit the proposed increase in compensation. The bill has my full-hearted support.

Mr. HARTLEY. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, our beloved chairman, the distinguished gentleman from Virginia, Hon. THOMAS G. BURCH, has outlined very clearly the provisions of this bill.

It has had the thorough and the sympathetic consideration that has always characterized our committee's consideration of legislation affecting postal employees. There has been no partisanship on either side of the committee, rather there has been a united determination to do as much for the postal employees as we felt reasonably certain could finally be enacted into law.

I personally, and I am sure that there are other members of the committee who feel the same way, wish that it were possible that the amount be raised at least an additional \$100 to \$500. However, I wish to call attention to the fact that the bill as reported has been increased by \$100 over the original bill and instead of being temporary legislation has been made permanent legislation.

This action was taken only after our committee had concurred that this was the maximum amount which had a reasonable chance to be enacted into law.

Certainly the best interest of our postal workers would not be served by insisting on a higher amount only to have the legislation stymied with the result that these worthy employees would receive no increase at all.

Our committee has always had the best interests of these employees at heart and it is our considered opinion that we have reported the best possible bill that can be passed at this time.

The CHAIRMAN. The time of the gentleman from New Jersey has expired. All time has expired.

The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That all postmasters, officers, and employees in the postal service whose rates of compensation are prescribed by the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, shall receive additional compensation at the rate of \$300 per annum: *Provided*, That employees paid on an hourly or part-time basis shall receive additional compensation at the rate of 15 cents per hour: *Provided further*, That postmasters at post offices of the fourth class shall receive additional compensation at the rate of a sum per annum equal to 15 percent of their basic annual compensation: *And provided further*, That the additional compensation as herein provided shall not be considered in computing or fixing basic compensation for any purpose.

Sec. 2. The provisions of this act shall not apply to skilled trades employees of the mail-equipment shops, job cleaners in first- and second-class post offices, and employees who are paid on a fee or contract basis.

Sec. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

Sec. 4. The provisions of this act shall continue in force until terminated on such date as the Congress by concurrent resolution may prescribe.

Sec. 5. This act shall take effect on January 1, 1946.

With the following committee amendment:

Strike out all after the enacting clause and insert "That all postmasters, officers, and employees in the postal service whose rates of compensation are prescribed by the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, shall receive additional compensation at the rate of \$400 per annum: *Provided*, That employees paid on an hourly or part-time basis shall receive additional compensation at the rate of 20 cents per hour: *Provided further*, That postmasters at post offices of the fourth class shall receive additional compensation at the rate of a sum per annum equal to 20 percent of their basic annual compensation.

Sec. 2. The provisions of this act shall not apply to skilled trades employees of the mail-equipment shops, job cleaners in first- and second-class post offices, and employees who are paid on a fee or contract basis.

Sec. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

Sec. 4. This act shall take effect on January 1, 1946."

The CHAIRMAN. The question is on the committee amendment.

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. COOLEY, Chairman of the Committee of the Whole House on the State of

the Union, reported that that Committee having had under consideration the bill (H. R. 5059) to provide temporary additional compensation for postmasters and employees of the postal service, pursuant to House Resolution 580, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

The SPEAKER. The question is on the passage of the bill.

Mr. BURCH and Mr. HARTLEY demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 369, nays 1, not voting 61, as follows:

[Roll No. 73]

YEAS—369

Abernethy	Coo'ey	Grant, Ala.
Allen, Ill.	Cooper	Grant, Ind.
Allen, La.	Corbett	Green
Almond	Courtney	Gregory
Andersen,	Cravens	Griffiths
H. Carl	Crawford	Gross
Anderson, Calif.	Crocker	Gwynn, N. Y.
Andreessen,	Cunningham	Gwynne, Iowa
August H.	Curtis	Hagen
Andrews, Ala.	D'Aleandro	Hale
Andrews, N. Y.	Daughton, Va.	Hall,
Angell	Davis	Edwin Arthur
Arends	Dawson	Hall,
Arnold	De Lacy	Leonard W.
Auchincloss	Delaney	Hallock
Bailey	James J.	Hare
Baldwin, Md.	Delaney	Harless, Ariz.
Baldwin, N. Y.	John J.	Harness, Ind.
Barden	D'Ewart	Harris
Barrett, Pa.	Dingell	Hart
Barrett, Wyo.	Dirksen	Hartley
Barry	Dolliver	Havener
Bates, Ky.	Domeneaux	Hays
Bates, Mass.	Dondero	Healy
Beall	Douglas, Ill.	Hebert
Beckworth	Drewry	Hedrick
Bell	Durham	Heffernan
Bennet, N. Y.	Earthman	Henry
Bennett, Mo.	Eaton	Herter
Biemiller	Eberharter	Heselton
Blackney	Elliott	Hess
Bland	Ellis	Hill
Bloom	Ellsworth	Hinshaw
Boiton	Elsaesser	Hobbs
Bonner	Elston	Hoch
Boren	Engle, Calif.	Hooven
Bradley, Mich.	Ervin	Hoffman
Bradley, Pa.	Fallion	Holifield
Brehm	Feighan	Holmes, Wash.
Brooks	Fellows	Hook
Brown, Ga.	Fenton	Hope
Brown, Ohio	Flanagan	Horan
Bryson	Flood	Howell
Buck	Fogarty	Huber
Buffett	Folger	Hull
Bulwinkle	Forand	Izac
Burch	Fuller	Jackson
Butler	Fulton	Jenkins
Byrne, N. Y.	Gallagher	Jensen
Campbell	Gamble	Johnson, Calif.
Canfield	Gardner	Johnson, Ill.
Cannon, Mo.	Gary	Johnson, Ind.
Carlton	Gathings	Johnson,
Carnation	Gavin	Luther A.
Case, N. J.	Gearhart	Johnson,
Case, S. Dak.	Geelan	Lyndon B.
Celler	Gerlach	Johnson, Okla.
Chelf	Gifford	Jones
Chenoweth	Gillespie	Jonkman
Church	Gillette	Judd
Clark	Gillie	Kean
Clason	Goodwin	Kearney
Clevenger	Gordon	Kee
Clippinger	Gore	Keefe
Coffee	Gorski	Kelly, Ill.
Cole, Kans.	Gossett	Keogh
Cole, Mo.	Graham	Kilburn
Cole, N. Y.	Granahan	Kilday
Combs	Granger	King

Kinzer	O'Neal	Slaughter
Kirwan	O'Toole	Smith, Maine
Klein	Outland	Smith, Va.
Kopplemann	Pace	Smith, Wis.
Kunkel	Patman	Somers, N. Y.
Landis	Patrick	Sparkman
Lane	Patterson	Spence
Larcade	Philbin	Springer
Latham	Phillips	Starkey
Lea	Pickett	Stefan
LeCompte	Pittenger	Stevenson
Lemke	Ploeser	Stewart
Lewis	Plumley	Sullivan
Link	Poage	Summer, Ill.
Ludlow	Powell	Summers, Tex.
Lyle	Price, Ill.	Sundstrom
Lynch	Priest	Taber
McConnell	Quinn, N. Y.	Thomas, N. J.
McCormack	Rabin	Thomas, Tex.
McCown	Ramey	Thomason
McDonough	Randolph	Talbot
McGlinchey	Rankin	Talle
McGregor	Rayfiel	Tarver
McKenzie	Reed, Ill.	Taylor
McMillan, S. C.	Reed, N. Y.	Thom
McMillen, Ill.	Rees, Kans.	Thomas, N. J.
Madden	Resa	Trimble
Mahan	Rich	Vinson
Maloney	Richards	Voorhis, Calif.
Manasco	Riley	Vorys, Ohio
Mankin	Rivers	Walter
Mansfield,	Rizley	Wasilewski
Mont.	Robertson,	Weaver
Mansfield, Tex.	N. Dak.	Wichel
Marcantonio	Robertson, Va.	West
Martin, Iowa	Robinson, Utah	White
Martin, Mass.	Robison, Ky.	Whitten
Mason	Rockwell	Whittington
Mathews	Rodgers, Pa.	Wickersham
May	Roe, Md.	Wigglesworth
Merrow	Roe, N. Y.	Wilson
Michener	Rogers, Fla.	Winstead
Miller, Calif.	Rogers, Mass.	Winter
Miller, Nebr.	Rogers, N. Y.	Wolcott
Mills	Rooney	Wolffenden, Pa.
Monrone	Rowan	Wolverton, N. J.
Morgan	Ryter	Woodhouse
Morrison	Sabath	Woodruff
Mundt	Sasscer	Worley
Murphy	Savage	
Murray, Tenn.	Schwabe, Mo.	
Murray, Wis.	Schwabe, Okla.	
Neely	Scrivner	
Norblad	Sharp	
Norrell	Sheppard	
O'Brien, Mich.	Sheridan	
O'Hara	Simpson, Ill.	
O'Konski	Simpson, Pa.	

NAYS—1

Smith, Ohio

NOT VOTING—61

Adams	Dworshak	Murdock
Bender	Engel, Mich.	Norton
Bishop	Fernandez	O'Brien, Ill.
Boykin	Fisher	Peterson, Fla.
Brumbaugh	Gibson	Peterson, Ga.
Buckley	Hancock	Pfeifer
Bunker	Hand	Price, Fla.
Burgin	Hendricks	Rabaut
Burnes, Wis.	Holmes, Mass.	Rains
Camp	Jarman	Reece, Tenn.
Cannon, Fla.	Jennings	Russell
Chapman	Kefauver	Sadowski
Chiperfield	Kelley, Pa.	Shafer
Clements	Kerr	Short
Cochran	Knutson	Sikes
Colmer	LaFollette	Stockman
Cox	Lanham	Wadsworth
Curley	LeFevre	Wood
Doughton, N. C.	Lesinski	Zimmerman
Douglas, Calif.	Luce	
Doyle	McGehee	

So the bill was passed.

The Clerk announced the following pairs:

General pairs until further notice:

Mr. Boykin with Mr. Short.
 Mr. Hendricks with Mr. Shafer.
 Mr. Kerr with Mr. LeFevre.
 Mr. Pfeifer with Mr. Knutson.
 Mr. Doyle with Mrs. Luce.
 Mr. Colmer with Mr. Bishop.
 Mr. Kelley of Pennsylvania with Mr. Adams.
 Mr. McGehee with Mr. Stockman.
 Mr. Buckley with Mr. Bender.

Mr. Peterson of Florida with Mr. Brumbaugh.
 Mr. Murdock with Mr. Reece of Tennessee.
 Mr. Zimmerman with Mr. Engel of Michigan.
 Mr. Rabaut with Mr. Byrnes of Wisconsin.
 Mr. Sadowski with Mr. Chiperfield.
 Mr. Cochran with Mr. Dvorshak.
 Mr. Sikes with Mr. Hancock.
 Mr. Rains with Mr. Jennings.
 Mr. O'Brien of Illinois with Mr. Holmes of Massachusetts.
 Mrs. Douglas of California with Mr. Hand.
 Mr. Cox with Mr. Wadsworth.
 Mrs. Norton with Mr. LaFollette.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to provide additional compensation for postmasters and employees of the postal service."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. BURCH. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

SPECIAL ORDER GRANTED

Mr. KLEIN. Mr. Speaker, I ask unanimous consent that on Thursday next after disposition of business on the Speaker's desk and at the conclusion of any special orders heretofore entered I may address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. KLEIN asked and was given permission to extend his remarks in the RECORD and include an editorial entitled "Labor News and Comment," and comment by Victor Riesel.

APPOINTMENT OF ADDITIONAL FOREIGN-SERVICE OFFICERS IN THE CLASSIFIED GRADES

Mr. SABATH, from the Committee on Rules, reported the following privileged resolution (H. Res. 581, Rept. No. 1842), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5244) to authorize the appointment of additional foreign-service officers in the classified grades. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour to be equally divided and controlled by the chairman and ranking minority members of the Committee on Foreign Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

COMMUNICATION FROM HOUSE OF ASSEMBLY, BERMUDA

The SPEAKER laid before the House the following communication which was read:

HOUSE OF ASSEMBLY, BERMUDA,
February 14, 1946.

The Honorable SAM RAYBURN,
Members of Congress, Speaker of the House of Representatives, Washington, D. C.

DEAR MR. SPEAKER RAYBURN: As speaker of the House of Assembly of the Parliament of Bermuda and joint president of the Bermuda branch of the Empire Parliamentary Association, I am writing to you to extend an invitation for four Members of your House of Representatives to visit Bermuda for a period of about 10 days from June 10 next, as guests of the Bermuda branch of the association.

During that time the Bermuda branch will be the hosts in the colony to delegations of members of all parties from the Parliaments of the United Kingdom and the Dominion of Canada. It is hoped also to have representatives of the Parliaments of the Australian Commonwealth, New Zealand, and the Union of South Africa, and possibly a representative of the central legislature of India.

The Bermuda branch of the association have lively recollections of the courtesies extended to their representatives who took part in the parliamentary gathering at Ottawa in 1943 at the invitation of the Dominion of Canada branch of the association, and who subsequently visited Washington as the guests of the Congress of the United States. Being impressed with the value of the parliamentary contacts and interchanges of views which took place on that occasion, the members of this legislature would propose, if this invitation is accepted, to provide opportunities during the visit for the discussion of some matters of common interest at informal conferences.

I should like to assure you that if it is found possible to accept this invitation, which I earnestly hope will be the case, the representatives of your House will receive a warm welcome from the parliament and people of these islands.

I take this opportunity of extending to you personally my most cordial greetings and of expressing to you in your high office my feelings of deep admiration and respect.

Yours sincerely,
 REGINALD CONYERS,
Speaker, House of Assembly, and Joint President of the Bermuda Branch of the Empire Parliamentary Association.

EMPIRE PARLIAMENTARY ASSOCIATION

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Concurrent Resolution 58.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That the Senate and House of Representatives hereby accept the invitation tendered by the President of the Legislative Council of Bermuda and Joint President of the Bermuda Branch of the Empire Parliamentary Association, to have four Members of the Senate and four Members of the House of Representatives attend a meeting to be held in Bermuda, beginning June 10, 1946, at which the Bermuda Branch of the Empire Parliamentary Association will be host to delegations from the Parliaments of the United Kingdom and the Dominion of Canada, and at which it is hoped also to have representatives of the Parliaments of the Australian Commonwealth, New Zealand, and the Union of South

Africa, and possibly a representative of the Central Legislature of India. The President of the Senate and the Speaker of the House of Representatives are authorized to appoint the Members of the Senate and the Members of the House of Representatives, respectively, to attend such meeting and are further authorized to designate the chairmen of the delegations from each of the Houses. The expenses incurred by the members of the delegations appointed for the purpose of attending such meeting, which shall not exceed \$5,000 for each of the delegations, shall be reimbursed to them from the contingent fund of the House of which they are Members, upon the submission of vouchers approved by the chairman of the delegation of which they are members.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

CALENDAR WEDNESDAY

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of this week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PETERSON of Georgia. 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 Georgia?

There was no objection.

PERSONAL EXPLANATION

Mr. PETERSON of Georgia. Mr. Speaker, I was out of the Chamber on an official matter at the time the roll was called on the Federal pay increase bill. I realize that there was virtually no opposition to this bill, but I want the RECORD to show I am heartily in favor of the passage of this bill and would have voted for it had I been present.

EXTENSION OF REMARKS

Mr. WOODRUFF asked and was given permission to extend his remarks in the RECORD.

Mr. RANDOLPH asked and was given permission to extend his remarks in the RECORD.

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include the legislative program of the National Grange. In the event it exceeds the prescribed limit, I ask that it be printed nevertheless.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. DE LACY asked and was given permission to extend his remarks in the RECORD and include a resolution adopted by the Thomas Jefferson Camp.

Mr. HAGEN asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. HOFFMAN asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. WICKERSHAM asked and was given permission to extend his remarks in the RECORD and include a resolution.

Mr. MCCORMACK asked and was given permission to extend his remarks in the RECORD and include an address recently delivered by Dr. Joseph F. Thorning.

The SPEAKER. Under previous order of the House the gentleman from Wisconsin [Mr. MURRAY] is recognized for 1 hour.

TAKE-HOME PAY FOR AMERICAN AGRICULTURE

Mr. MURRAY of Wisconsin. Mr. Speaker, I wish to discuss the take-home pay for American agriculture. I realize that the first step to knowledge is to know that we are ignorant. I am not quoting Cecil. So I start out in the humble way of trying to present some facts that I think the American people should have. We hear about this group and that group getting more and more and more, but it seems that according to the formula the farmer is to get less, or else he is going to be frozen where he is. Take the 25,000,000 people out of the 140,000,000 people of this country that live on the farms. There are 12,000,000 of these people who work on the farms and who deserve equal consideration with the people that live anywhere else in this Nation. Since incomes have been discussed in terms of hourly rates of wages, it is most fitting to present the hourly wage received by labor on farms in the United States.

The United States Department of Agriculture has for years made a study in the various States based on hourly rate returns for labor expended. They also have carried on a study for 16 years, and 10 years of this has been under the leadership of Dr. Wiley Goodsell in which they have also expressed in terms the hourly returns of labor to the men who own and operate the farms. These reports are just as valuable as the figures that are obtained from the Bureau of Labor Statistics or any other agency of the Government. I have followed them for years, and I can attest to that fact for the many years I have followed them. I am going to include a few of these tables that they publish in my remarks in order to bring out these facts. This information should be of particular interest to every Member at this time because the production and the distribution of food is evidently becoming more and more of world importance each day.

In other words, food can be called the handmaiden of peace and happiness in the world. If we had some way of dropping from a balloon a sufficient amount of food to all the sore spots in the world today, I am sure the troubles of the world would be pretty well eliminated.

While the United States is a great industrial country, we must not overlook the fact that we have the largest area of rich productive land to be found in this whole world. It seems to me that many

of us do not take that into consideration. We have 500,000,000 acres of land under cultivation, and 350,000,000 of this is being cropped at the present time. Untold millions of acres of productive land are still available. Part of this land will have to be cleared. There are millions of acres that can be irrigated and other millions—and 4,000,000 in my own State—that can be tiled and made really productive fertile land. The land in use, together with the undeveloped millions of acres, can be made to easily double the present national food production if the incentive is there to justify this increase in production.

I might say that you can also take out the thousands or the millions of acres of land that have been put under cultivation and should now go back into forests, or should not be used for agricultural purposes.

In addition, improved seeds, improved breeding practices, improved soil fertility could and will make a contribution to this doubling of food production. Anyone who has seen a very great part of the United States knows that this food production could be doubled at any time the people of the United States want it to be doubled. A few days spent down here at the United States Department of Agriculture, at the experiment station at Beltsville, is further evidence of what could be accomplished so far as obtaining maximum food production in the United States of America.

Personally, I feel that the President could well have had some farm representation down at the White House, and included the producers of the food and fiber of this country, when he took up the management and labor conference because the whole farm picture is injected into any settlement that takes place between management and labor. Management is interested, and so is labor, in this whole farm problem because 30 to 40 percent of the manufactured products of the Nation are purchased by the rural people, and this certainly should justify the inclusion of this group in any consideration of the effect this will have on the economy of all of our people.

I repeat that for months we have seen the prices of this, that, and the other thing increased. We have seen this group and that group, sometimes with merit to their claims, asking for more and more. However, the farm people, the producers, who have had their prices frozen, which means their hourly returns for labor are frozen, are not only being assured that their present prices are not to be maintained but are being told by the United States Department of Agriculture to adjust themselves to a \$3,000,-000,000 smaller income in 1946 than in 1945. It probably would not be surprising to many people to know that milk, representing around 20 percent of the national farm income, sold for less in 1945 than it did in 1944.

The saddest, the most distressing part of this whole situation is that while the Secretary of Agriculture is stating to various groups that they should have more and more, he and his department

are telling the 6,000,000 American farmers, the 12,000,000 citizens that labor on the farms, that they can expect less per hour for their labor but they can expect to pay more for what they buy. What is a fair, acceptable amount? Should we have a set-up that tells one group of 6,000,000 farm owners that they are to have 15 percent less at a time they are supposed to be paying 10 percent more for what they buy? I just cannot figure out that kind of economics.

TABLE 3.—*Return per hour to all labor used, total labor used, typical family-operated farms, by type, 1930-40*
RETURN PER HOUR TO ALL LABOR USED

Calendar year	Dairy		Corn Belt				Spring wheat (Northern Plains)			Winter wheat (Southern Plains)		Cotton		
	Central New York	Southern Wisconsin	Cash grain	Hog-beef fattening	Hog-beef raising	Hog-dairy	Wheat-corn-livestock	Wheat-small grain-livestock	Wheat-roughage livestock	Wheat	Wheat-grain sorghum	Southern Plains	Black Prairie	Delta of Mississippi
1930	Dollars	Dollars	Dollars	Dollars	Dollars	Dollars	Dollars	Dollars	Dollars	Dollars	Dollars	Dollars	Dollars	Dollars
1930	0.27	0.27	0.09	0.09	0.06	0.18	0.12	0.05	0.07	0.23	0.14	0.10	0.15	0.11
1931	.23	.04	-.04	-.04	0	.07	0	-.05	-.04	.01	.11	.10	.12	.11
1932	.10	.06	-.02	.02	.02	.06	-.01	-.02	.03	-.11	-.15	.13	.09	.08
1933	.14	.07	.19	.02	.07	.07	.04	.11	.05	.11	.07	.21	.15	.12
1934	.18	.09	.16	-.09	-.03	.09	-.06	-.02	-.04	0	.13	.02	.18	.20
1935	.29	.32	.28	.43	.31	.31	.29	.24	.20	.18	.19	.30	.22	.20
1936	.24	.24	.38	.09	.07	.21	.01	-.02	-.10	.32	.28	.17	.24	.25
1937	.25	.32	.25	.32	.23	.25	.20	.26	.15	.10	.32	.36	.22	.20
1938	.27	.25	.26	.26	.21	.23	.22	.14	.16	.20	.21	.26	.20	.19
1939	.22	.20	.33	.19	.18	.18	.31	.23	.23	.09	.36	.26	.25	.21
1940	.23	.29	.37	.29	.28	.22	.26	.25	.25	.24	.34	.31	.24	.20

During the war period farmers who were engaged in producing winter wheat received an hourly return quite comparable to what they would have received if they had worked in war plants. They received from \$1.75 up to \$2.05 an hour during the past 2 years. In central New York in the best dairy sections of the State of New York, the hourly return for the man who owned the farm and anyone who worked on his farm was 86 cents an hour. In southern Wisconsin on these selected farms, and do not think for a moment that these are averages, throughout the State, they received 83 cents an hour. These are only wartime returns. These hourly returns were based on what labor would receive per hour on a city job. There are two things about this, and one of them is they are not my figures; they were not made up by me, but were made up by a responsible bureau of the United States Department of Agriculture. The second thing is, do not say that they made a living off the farms because that is not a fact. The way these records are kept they have two columns, one for net cash and one for the net cash and the noncash returns. The figures I have used are the ones comparable to a city wage or the net cash plus the noncash returns. In other words, credit is given for rent, garden crops, and other farm benefits that are not enjoyed by city labor. These hourly returns indicate all the subsidies received by the farmers, such as AAA checks and so forth. This hourly return is for labor regardless of whether it was performed by the farmer himself, one of his family, or by hired help. There is nothing included in this hourly return for managerial services or experience. In other words, if he is a good operator and has the know-how, he just throws that in and gets his return in the form of hourly wages so far as these compila-

The time has come when the food producers of the Nation are entitled to have a little more to say about the programs that are being put into effect by the bureaucrats. The law at least should be followed.

Whether or not there is an incentive to justify expansion of the food producing acreage of our country depends on many factors; in fact, whether or not the acreage already under cultivation is all farmed or fully worked also depends on

many factors, among which are the returns per hour for labor expended. The cities are showing increases in population, while our farm population is constantly being reduced. The hourly return for work per hour in the city or on the farm merits equal consideration.

At this point in the RECORD I shall include a table, a kind of a résumé of a study that has been made by Dr. Wiley Goodsell, covering the years from 1930 to 1940 of the different types of farming in different parts of the United States:

RETURN PER HOUR TO ALL LABOR USED

tions are concerned. The 1945 hourly labor return in southern Wisconsin was 83 cents per hour and in 1939 the hourly return in southern Wisconsin was 20 cents on the same farms. The average on these selected farms in Wisconsin was 14 cents an hour.

Now, what does Dr. Wiley Goodsell's study show for 1939? That is the last year before we began to have the increase in prices before the war came along. The average cotton farmer in 1939 in Georgia received net cash plus noncash returns, that is, his whole income of 9 cents an hour. The net cash return was 3 cents an hour. You may be interested in knowing that when he went to town with 3 cents in his pocket, for every hour that he worked on his farm he received 2 of those cents from the United States Treasury as a subsidy payment.

In the Mississippi Delta, the cotton farmer in 1939, which you will remember as the seventh year of the more abundant life, received cash plus net cash income of 15 cents an hour with a net cash return of 7 cents an hour.

In Wisconsin, the typical dairy farmer in 1939, as I just told you, received 20 cents with a net cash return of 15 cents an hour.

Recently the following item appeared in many Wisconsin papers:

Wisconsin farmers' return in cash amounts to four times the rate per hour in the wartime peak as it did in 1939—but the catch is they only received 14 cents per hour in 1939.

Mr. GWYNN of New York. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I am pleased to yield to the gentleman from New York.

Mr. GWYNN of New York. That accounts for the loose talk we hear about increased percentages for farmers and loose talk that they are getting along

great in comparison with other people. Here is an editorial from the National Education Association, dated March 1946, saying that farm income has increased by 196 percent. I show it to the gentleman and would like to have him comment on it.

Mr. MURRAY of Wisconsin. That is the NEA. As far as the diagram is concerned, the diagram is probably factual, but that does not tell the whole story, nor give the real picture. The story is they start out with 1939 when farm prices were 30 to 70 percent of parity. So the fact that they have doubled in price does not mean anything, because that would not give any indication of what the farmer is entitled to by any means.

I might say that that table was used when they were promoting OPA. They used the 1939 figures and then they used the 1942 and 1943 figures to show how much increase there had been in the price of farm products. They forgot to tell that farm produce was bringing only probably 50 or 70 percent, or sometimes as low as 30 percent of parity in 1939.

Mr. MUNDT. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield.

Mr. MUNDT. I am glad the gentleman from New York [Mr. GWYNN], who is a valuable and active Member of the Committee on Education in this House, brought that rather astounding editorial from the National Education Association Journal into the discussion. It happens that I also saw that diagram and that same article in the National Education Association Journal. I was horrified to find in a professional magazine an article discriminating so obviously against rural America, because just a moment's reflection indicates, as the gentleman has so sagaciously pointed out, that while the diagram itself is actually correct, the story that it tells is

highly propaganda and highly colored against the farmers of this country. It takes a particular group of years when the farm prices were at an artificial or substandard level. I hope that the editor of the National Education Association Journal, or whoever is responsible for putting that slander against rural America in that journal, will correct it in a subsequent issue. I propose to send to that magazine the remarks and the figures introduced by the gentleman from Wisconsin so that they will have available to them downtown the true situation as it applies to agriculture generally.

Mr. MURRAY of Wisconsin. Will the gentleman in sending it to them just state it concisely by stating, in the humble opinion of the gentleman from Wisconsin, he thinks the man who presented this diagram was either balmy himself or he had taken too many sips out of the New Deal fountain of philosophy.

Mr. MUNDT. I will be glad to do that. I will send him the RECORD, and I know the gentleman will leave his remarks in the RECORD.

I think that professional journals, such as the NEA Journal, which includes membership of teachers from cities as well as the country districts, should be careful and be certain that New Deal propagandists do not insert their particular bias and prejudice into the pages of what should be a professional magazine, for this reason: The salaries of teachers in rural America are unfortunately much lower than they should be. One reason why those salaries are so low is because the income of the people living on the farms is so low. When a magazine which purports to raise educational levels tries to paint a picture indicating that the farmers are being overpaid, it is directly discriminating against teachers in the small towns and country schools of this country. I do not believe that a professional journal should discriminate against the teachers in small towns in rural America in favor of the teachers in the metropolitan areas and on the university campuses. For that reason, I will call the attention of the editor of the Journal to the fact that he come clean and correct that error dealing with raising educational levels throughout this country and not only in the congested population centers.

Mr. MURRAY of Wisconsin. It is apparent that teachers, and doctors, and other professional people will be attracted to locations where the hourly rate for labor is not the 5 to 10 and 15 cents per hour that prevailed in many rural sections from 1930 to 1940.

Mr. HILL. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield. Mr. HILL. I have a question along the same line. The total aggregate income of the farmer does not mean that he is so prosperous that he has more money to spend than he ever had before, because of the fact that the corresponding expense of producing those crops has climbed even faster than the total income that the farmer has received. I will give you one illustration, and I am

sure it will be an indication of what is happening all over the country.

Let us take farm labor for sheep herders, for instance. They are not the lowest, but one of the cheapest type of labor that we secure. What was the farmer paying in 1939? We are not discussing whether it was right or wrong or whether he should have paid more or less or whether he should have fed him more or fed him less. The question is, What was he paying in 1939 and 1940? The record will show he was paying from \$40 to \$65 a month. That, of course, includes board and keep. In 1943 and 1944 that had risen to as high as \$175 a month.

Mr. MURRAY of Wisconsin. The answer to the sheep question, as near as I can figure it out, is that if someone does not do something for the sheep industry rather soon we will have to take our grandchildren to the zoo in order to see a sheep. There will not be any on the farms at the rate they have been decreasing the last few years. We have not anything like the number of sheep we had 50 years ago although we have some wonderful grazing lands.

Mr. SMITH of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield. Mr. SMITH of Wisconsin. I am wondering if the gentleman can tell me if the so-called liberal group in this country have at any time risen in support of better return to the farming group in this country?

Mr. MURRAY of Wisconsin. They evidently are not much in sympathy with the Pace amendment. I make the observation and state that I have often wondered why these self-styled liberals would call our distinguished colleague the gentleman from Georgia [Mr. PACE], bad, bad names because he was trying to get a few cents more for the people of his district who receive from 9 to 18 cents per hour. They seem to be willing that other groups should have more increase in salary than the farm laborers in Georgia are getting at the present time for their labor. I might say that the Georgia figures for 1939 show, as I just said, 9 cents an hour. In 1945 the income for Georgia, as I remember, had gone up to 18 cents an hour. In South Carolina the rate for farm labor was 17 cents an hour. Up in Wisconsin the owners averaged probably between forty and fifty, but to be safe I would say between fifty and sixty, and the farm laborer in Wisconsin averaged 33 cents an hour or thereabouts in 1945. Frankly, I cannot see why we should not have constructive legislation to improve the hourly return to farm labor or the sharecroppers. The only way to increase the sharecropper's income is to allow his products to bring enough to provide him a fair hourly return. If we can legislate for the benefit of peoples all over the world, we surely could legislate for a few thousand sharecroppers if there were any real desire to do so.

Mr. SMITH of Wisconsin. Is it not a fact also that the income which the farmers are getting more than doubles by the time it is reflected back into the ordinary channels of industry and business?

Mr. MURRAY of Wisconsin. There is not any doubt about that. He does well to get half of what the consumer pays. I remember a year ago when we passed the OPA bill—some of you remember it, when we passed the Bates-Barkley bill. The Bates-Barkley bill guaranteed the packers a profit on every squeal of every pig that came into their slaughter plants, on every bleat of every lamb that came into their plants, or every blatt of every calf that came in, on every moo of every cow that came in, and every bellow of every bull that went through their plants. It carried overwhelmingly in this House and in the other body. Then we had the Wherry amendment. A peculiar thing was that the Wherry amendment which had for its purpose to see that the farmer should have cost of production for the produce he was producing to win the war, the Wherry amendment was voted down in this House and also voted down in the other body. So I figure that the rural people have a long, hard row to hoe, but we expect it, we are used to it. A few weeks ago we passed a bill providing a billion dollars to help folks who get up in the air so they could get a good place to land. Let me remind you that in this country there are still over 2,500,000 miles of dirt country roads, miry and difficult to use in the spring, and in many instances inadequate. So I figure that these rural people as a class have become used to being the last to be considered.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield. Mr. H. CARL ANDERSEN. I feel, Mr. Speaker, that the gentleman from Wisconsin is doing a worth-while service to agriculture in promoting this discussion today. I presume he noticed in the CONGRESSIONAL RECORD of March 29 the comments of the Senator from Kentucky [Mr. BARKLEY], where Senator BARKLEY stated:

As we all know, the President has repeatedly recommended minimum wage legislation. He recommended the fixing of the minimum at the 65-cent figure contained in this bill—

Speaking about the bill then under consideration in the Senate. Then Senator BARKLEY goes on to say:

But he feels he is compelled, and he has authorized me to say to the Senate, that if the Pace amendment—

Which the gentleman knows would simply give parity to agriculture—as carried now in the Russell proposal is adopted by the Senate and comes to him as part of the legislation which we are now considering, he will be compelled to veto the measure.

In other words, does not my colleague from Wisconsin consider it strange that while the President is willing to accord to industrial labor the 65 cents minimum wage, later on to be increased to 75 cents per hour, he will not even give to agriculture recognition for the labor it has by today's standards when considering parity? Is that a square deal or is that the New Deal that we hear mentioned so frequently?

Mr. MURRAY of Wisconsin. So far as the minimum wage is concerned, I

come from a State where industry, business, and agriculture are pretty much equal, probably more so than in any State in the Union. You take 90 percent or more of the dairy farmers in that State realize that people must have an income of \$22 a week if they are going to buy many dairy products. I will say, however, that I think the President should be in favor of legislation for the many and not for the few, and I think he should advocate straight, across-the-board increases in salaries. There is much merit to the resolution of our colleague from Oklahoma in which he asks the President to appoint a fact-finding committee to determine what the hourly return should be for agriculture. He could more acceptably find a worth-while recommendation from an agricultural fact-finding committee than he could expect from the fact finders that have been appointed for determining the wages of other groups. He could start with the Bureau of Economics of the Department of Agriculture. The President would be in position to know the facts. He could then appraise the Pace amendment in its right light. Just because some group tells him he should do it is not a good approach to the proposition. He must have some basis

of fact to operate on. The agricultural fact-finding committee would give him these facts and he might be surprised when he obtained them too.

Mr. H. CARL ANDERSEN. The gentleman will perhaps recall that the Secretary of Agriculture came before our Subcommittee on Appropriations for Agriculture and his reply to a question which I asked of him as to what constituted a fair return to the 18 percent of the American people engaged in agriculture was to the effect that 9½ to 10 percent of the income of America was a fair return for that 18 percent of our population. Now, is that also in line with the thinking of the New Deal or would you call that a square deal, may I ask the gentleman?

Mr. MURRAY of Wisconsin. I do not know as I can answer that question directly. I may answer it by saying that it is a long process. This is not something that just sprung up during the last few minutes or few hours. That has always been the situation and it has always been a hard thing to correct. We have seen it in operation for many years. A good example of it is to note the many things that have been done in the name of agriculture that really did

it harm, more harm than good. Further answering the gentleman's question, if I were Secretary of Agriculture I would be worrying about whether or not the farm people of this country were going to have another 5 to 10 cents hourly return for 9 years like from 1930 to 1940. In my particular State they did not average over 10 cents an hour during the period which included 2 years of the previous administration and 7 years of the more abundant life. Some people appear to want the 1939 farm prices back from the way they talk and act.

Mr. Speaker, I wish to place in the RECORD at this point a table to show exactly what has taken place on the basis of hourly return from subsidies. You may be interested in knowing that in some of the years during the thirties particular types of farming received as high as 23 cents an hour for not raising wheat. That was in the Southern Plains area. Now, of course, they have been kind of whittled down until they are down to 4 cents per hour. You will note that in 1945 the milk producers in Wisconsin received 10 cents an hour as a subsidy, based on the hours they put in, while in New York they received 14 cents an hour.

The table is as follows:

Estimated Government payments per hour of man-labor, typical family-operated farms, by type, 1935-45¹

Year	Winter-wheat farms, Southern Plains		Corn Belt farms				Dairy farms		Cotton farms		
	Wheat	Wheat grain sorghum	Hog-dairy	Cash grain	Hog-beef raising	Hog-beef fattening	New York	Southern Wisconsin	Delta of Mississippi	Southern Plains	Black Prairie
1935	Dollars	Dollars	Dollars	Dollars	Dollars	Dollars	Dollars	Dollars	Dollars	Dollars	Dollars
1936	0.22	0.22	0.04	0.05	0.04	0.06	(?)	0.01	0.03	0.06	0.05
1937	.21	.35	.03	.06	.04	.05	(?)	.02	.02	.05	.03
1938	.09	.20	.01	.02	.02	.01	0.01	.01	.01	.08	.02
1939	.10	.20	.01	.04	.02	.02	.02	.01	.01	.04	.06
1940	.23	.36	.03	.09	.04	.06	.01	.03	.05	.14	.08
1941	.18	.26	.03	.08	.04	.05	.01	.02	.06	.12	.08
1942	.20	.25	.03	.08	.04	.05	.01	.02	.05	.12	.08
1943	.19	.25	.03	.10	.04	.06	.01	.02	.06	.06	.03
1944	.16	.22	.03	.07	.04	.05	.03	.03	.02	.06	.03
1945 ²	.05	.08	.01	.02	.01	.01	.13	.09	.01	.05	.01
	.04	.07	.01	.01	.01	.01	.14	.10	.01	.04	.01

¹ Total Government payments including dairy subsidy, divided by total hours of man labor used on the farm.

² Less than \$0.01 per hour.

³ Preliminary.

Division of Farm Management and Costs, Bureau of Agricultural Economics.

I think that is a part of this picture because we have to determine whether or not the people are going to have a fair return for their product or whether we are going to pay in the form of subsidies. Subsidies have really become a part of farm income and have reached a point where they are not a subsidy in some instances.

Mr. MUNDT. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield to the gentleman from South Dakota.

Mr. MUNDT. I wonder if the gentleman could explain in a little more detail what he means by the farmer getting 23 cents an hour for not raising wheat. How would the gentleman determine, for example, how much an hour a farmer gets for not raising 10,000 bushels of wheat? I just cannot figure that out.

Mr. MURRAY of Wisconsin. During the thirties, though we imported more wheat for 2 years than we exported, we had a program of cutting down production, and in order to cut down production Wallace paid them money for not raising

wheat, so the wheat growers must have had 23 cents an hour for not raising it. The wheat farmers did not have to worry about the 10,000 bushels, because they received 23 cents an hour for not raising it. But during the last 3 or 4 years it has been put on a different basis. Now it has been put more on a basis of paying him for doing something rather than on a basis of paying him money for not doing something.

Mr. MUNDT. If I remember the figures, Mr. Campbell, of Montana, during that period received \$50,000 for not raising wheat; is that not correct?

Mr. MURRAY of Wisconsin. I cannot remember the amount, but I think he did pretty well for himself.

Mr. MUNDT. Can the gentleman tell us how many hours he spent for not raising wheat and getting \$50,000?

Mr. MURRAY of Wisconsin. I cannot answer that question.

Mr. H. CARL ANDERSEN. Mr. Speaker, if the gentleman will yield further, the gentleman from Colorado was referring to going farm wages in that

region of the United States. Does not the gentleman from Wisconsin feel that if the Government takes into consideration the fact that we in Minnesota, for instance, must pay from \$100 to \$125 a month, plus board and room, for a man, when 4 years ago we paid \$47.50 a month, plus room and board, that there is a legitimate reason for farmers being forced to ask for an increase as far as figuring parity is concerned?

Mr. MURRAY of Wisconsin. The gentleman is correct. It has reached the point where it depends on whether people do or do not want food produced. But I will say to the gentleman from Minnesota that he has used reliable figures, because in 1939 this table shows that in Minnesota they paid \$41.35 per month for farm labor, and in 1945, \$99.25. The gentleman from Colorado, the Honorable WILLIAM HILL, surely did pretty well, because the table shows the average for his State of Colorado is \$132 for 1945. Certain sheep herders might have received \$175.

Mr. H. CARL ANDERSEN. The gentleman from Wisconsin, of course, realizes that I am not guessing as to the figures, because that is the exact amount that I have paid and am paying the men working on my farm in Minnesota.

Mr. MURRAY of Wisconsin. The following official tables show the monthly farm labor rates for 1939 and 1944 and 1945:

Annual average farm wage rates, by States 1944 and 1945

State	Per month without board	
	1944	1945
United States total	\$76.06	\$88.90
Alabama	42.00	47.50
Arizona	124.00	128.00
Arkansas	50.25	56.50
California	156.00	173.00
Colorado	103.00	119.00
Connecticut	109.00	119.00
Delaware	81.00	91.00
Florida	62.00	78.00
Georgia	39.25	44.75
Idaho	123.00	142.00
Illinois	83.75	95.75
Indiana	76.00	82.00
Iowa	92.00	107.00
Kansas	85.00	105.00
Kentucky	54.50	63.50
Louisiana	45.75	53.75
Maine	106.00	120.00
Maryland	70.00	81.00
Massachusetts	117.00	124.00
Michigan	90.00	99.50
Minnesota	85.00	99.25
Mississippi	41.00	48.00
Missouri	62.50	76.75
Montana	120.00	132.00
Nebraska	86.25	107.00
Nevada	115.00	159.00
New Hampshire	110.00	116.00
New Jersey	103.00	120.00
New Mexico	86.50	105.00
New York	96.50	110.00
North Carolina	52.00	58.00
North Dakota	87.00	107.00
Ohio	73.25	79.50
Oklahoma	69.00	83.00
Oregon	142.00	155.00
Pennsylvania	78.50	85.25
Rhode Island	119.00	125.00
South Carolina	38.00	42.50
South Dakota	92.50	107.00
Tennessee	45.75	53.50
Texas	71.50	87.25
Utah	131.00	140.00
Vermont	94.00	108.00
Virginia	55.25	62.00
Washington	146.00	165.00
West Virginia	54.00	65.00
Wisconsin	88.00	99.50
Wyoming	108.00	132.00

Annual average wage rates and average length of farm workday for hired workers, by States, 1939

State	Annual average wage rates, per month, without board	Average length of farm workday for hired workers	
		September	December
United States	\$35.82	Hours 10.1	Hours 9.3
Alabama	19.50	10.0	9.0
Arizona	55.00	9.5	9.0
Arkansas	23.60	9.9	8.9
California	70.20	9.2	8.9
Colorado	45.90	10.3	9.0
Connecticut	63.80	10.0	10.0
Delaware	37.60	10.0	9.2
Florida	26.60	9.3	9.0
Georgia	17.90	10.0	8.8
Idaho	53.70	10.0	9.0
Illinois	42.80	10.7	10.0
Indiana	37.70	10.0	9.2
Iowa	41.70	11.0	10.0
Kansas	35.50	10.8	9.0
Kentucky	29.10	10.0	9.0
Louisiana	22.80	9.7	9.0
Maine	47.10	9.5	9.5
Maryland	38.70	10.0	9.5
Massachusetts	62.10	9.9	9.9

Annual average wage rates and average length of farm workday for hired workers, by States, 1939—Continued

State	Annual average wage rates, per month, without board	Average length of farm workday for hired workers	
		September	December
Michigan	\$42.20	10.4	10.1
Minnesota	41.60	11.2	10.0
Mississippi	20.50	9.9	8.8
Missouri	31.30	10.2	9.1
Montana	54.20	10.5	9.0
Nebraska	35.40	10.8	10.0
Nevada	60.20	8.6	8.6
New Hampshire	55.00	9.3	9.3
New Jersey	53.60	9.8	9.8
New Mexico	43.30	10.0	9.0
New York	45.60	10.6	10.0
North Carolina	25.00	9.8	9.0
North Dakota	40.30	11.5	9.7
Ohio	39.00	9.9	9.5
Oklahoma	29.80	10.5	9.0
Oregon	53.50	9.5	9.0
Pennsylvania	41.70	10.0	9.7
Rhode Island	65.40	10.2	10.0
South Carolina	18.50	9.7	9.0
South Dakota	39.80	11.3	10.0
Tennessee	24.00	10.0	8.9
Texas	29.60	10.0	9.0
Utah	56.90	8.7	8.6
Vermont	47.70	10.7	10.7
Virginia	30.50	9.9	9.0
Washington	54.90	9.8	9.0
West Virginia	32.00	9.1	9.0
Wisconsin	41.40	11.4	10.8
Wyoming	52.80	9.8	9.0

Source: Bureau of Agricultural Economics.

In 1939 a person receiving \$19.50 in Alabama for a month's work of 252 hours received 7 cents per hour and in 1945 received 18 cents per hour. Wisconsin in 1939 shows 14 cents per hour, and in 1945 33 cents per hour for farm labor. What does your State indicate?

Mr. MUNDT. Mr. Speaker, if the gentleman will yield, my congressional district adjoins the district of the distinguished gentleman from Minnesota, who is an actual dirt farmer himself. It happens that I was back in South Dakota over the week end, and in my home town of Madison, S. Dak., I was informed that the United States Employment Service has requests for 30 men to work on the farms, and the farmers had agreed to pay \$100 per month and board and room, but still they were unable to get the men to work on the farms at that price. So obviously they will have to pay more than \$130 or not produce food.

Mr. MURRAY of Wisconsin. That is right. It is something that is of public interest to every man, whether he lives in the city or wherever he lives.

Mr. MUNDT. Not only public interest but of world-wide importance in connection with this whole peace program.

Mr. MURRAY of Wisconsin. That is right.

Mr. MUNDT. I might say that just this afternoon I placed in the RECORD a petition of a large number of farmers in my State stating that they need two things if this food program is going to succeed. The first was that they had to have access to farm machinery and they had to have it quick. The second was, there must be an increase in the prices of their products, because farm labor was going up astonishingly high. We all agree we must do our part in feeding the world, because that is a direct measure toward peace. Consequently it is important to work out a Government policy

encouraging the farmers to raise the food the world needs so badly today.

Mr. MURRAY of Wisconsin. I notice in the Wisconsin papers lately they are advertising farm machinery from Canada. I did not know they had any over there, but at least they are advertising it. I included the tables showing the farm labor of all States so that if anyone wishes to figure it out for his own State he can readily do so.

In considering the whole study of hourly rates made by Dr. Goodsell in relation to the men who operate the farms, it would appear natural that the man who owns the farm would have it figured out so that he gets a higher return than the fellow he hires.

In conclusion, I wish to state that there are four factors that are important at this time in addition to the farm labor and machinery shortage.

First. The Cooley bill should be passed promptly. It will aid agricultural reversion very materially.

Second. A minimum wage for agriculture should be provided by a permanent support price that will provide agriculture a minimum wage comparable to the minimum wage afforded other groups of our society.

Third. We must have an Agriculture Department that inspires the confidence of the rural people. We must insist that the promises made by the Agriculture Department be carried out and that all commitments be religiously fulfilled.

Fourth. The farmer must receive a return in keeping with his costs of producing, and these costs of producing are becoming higher and higher each day.

SPECIAL ORDER GRANTED

Mr. SAVAGE. Mr. Speaker, I ask unanimous consent that on Wednesday, April 10, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 30 minutes.

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

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Kansas [Mr. REES] is recognized for 15 minutes.

THE CIVIL SERVICE COMMISSION DOES NOT COMPLY WITH INTENT OF VETERANS' PREFERENCE ACT

Mr. REES of Kansas. Mr. Speaker, several months ago, I pointed out to Congress how the Civil Service Commission had issued rules and regulations which nullified congressional intent as expressed by the Veterans' Preference Act. At that time, I asked for the appointment of a veteran as a member of the Civil Service Commission. Again, I renew this request, because I now find that the Commission continues to prejudice the civil-service rights of veterans.

This deplorable situation is illustrated by a recent confidential interoffice Commission memorandum, dated December 7, 1945, which states that—

In the future the investigation and consideration of an appeal under section 14 of

the Veterans' Preference Act involving the reallocation downward of a position will not concern itself with the element whether or not the appellant (veteran) could have been assigned to another position carrying duties and responsibilities of his grade and compensation so that it would not be necessary to reduce him in rank or compensation.

This memorandum, which was signed by L. A. Moyer, executive director and chief examiner, by direction of the Commission, shows clearly that Civil Service Commission policy is directed against the best interests of the veteran. Because of its importance, Mr. Speaker, I ask unanimous consent to have the memorandum printed in its entirety following my remarks.

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

There was no objection.

Mr. REES of Kansas. What is the effect of such a policy? Let me illustrate by citing actual cases involving two veteran preference employees at the New York Navy Yard, which were brought to my attention by the Veterans of Foreign Wars. These two veteran engineers were shifted around, reallocated, and assigned new duties, until finally they were demoted from P-3 to P-2 positions—a reduction of \$700 annually. No question was raised against their efficiency, and no one denies that they are qualified for P-3 work, or even higher. The only question was whether, under section 14, the Commission should allow the Navy Department to demote veterans while there were still over 100 nonveteran temporary or war-service employees occupying positions which could be filled by the veterans. In its December 7 memorandum, the Commission ruled that no consideration can be given this question. The net effect of this order is that a veteran may be virtually reallocated, reassigned, and demoted out of the Federal service in order that by administrative action protection may be afforded non-veteran, war-service appointees. This is a deplorable condition and must not be tolerated.

In case the veterans do not fully understand the effect of this ruling of the Civil Service Commission, allow me to clarify my illustration and extend it to the Government service as a whole. Today there are thousands of war-service temporary employees in the Government who entered the service during the war. Also, there are thousands of veterans who have just returned to their civil-service jobs, or have entered the service for the first time. Because of cuts in appropriations, and a consequent reduction in the size of Government employment to peacetime levels, many employees will be reduced in classification or eliminated entirely. Now the question is whether, under sections 12 and 14 of the Veterans' Preference Act, the Congress intended veterans to have a preferred status when it becomes necessary to reduce employees in grade, or eliminate them entirely from the Government service. I believe every Member of this House will agree with me when I say we intended that veterans not be discharged, eliminated, removed, demoted, classified downward, or their rights otherwise af-

fected until all war-service, temporary, nonveterans were removed or demoted. The Civil Service Commission not only says we are wrong, but exercises its bureaucratic authority in accordance with its own opinions, notwithstanding the intent of Congress.

No one appreciates more than I do the invaluable and self-sacrificing patriotic service which many of our Government employees rendered during the war. They are entitled to every bit of credit that can be accorded them. However, there are, also, those radical and other elements in some of our Government departments and agencies, who still dominate in some quarters, and who are willing to "push the veterans around" by demotions, reclassifications, reallocations, reassessments, discharges, and all manner of administrative procedures. These unfair methods must be stopped.

I have today forwarded a letter to the Civil Service Commission, requesting copies of all orders, memoranda, and other interoffice communications which prescribe the manner in which veterans are to be treated under the Veterans' Preference Act passed by Congress. I ask unanimous consent to have this letter printed in the RECORD following my remarks. When an answer is received, I shall advise the Congress of its contents.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. On September 14, 1945, I introduced a bill, H. R. 4069, which would compel the Civil Service Commission to protect the veterans' civil-service rights in connection with reductions in force. Since that time, I have investigated further and have found the Commission violating, not only section 12, but also section 14 of the Veterans' Preference Act, which I have pointed out today. Therefore, I have enlarged the scope of my original bill to include provisions to make sure that veterans are definitely protected against illegal discrimination through demotions, reallocations, and reclassifications downward. I have today introduced a new bill covering all these points. It is similar to the original bill, H. R. 4069, except for the further protective features just mentioned. I am asking the chairman of the Civil Service Committee to set an early date for hearings.

I have discussed the problem with representatives of various veterans' organizations. They state they know something is wrong with respect to the administration by the Civil Service Commission of the Veterans' Preference Act, but that it is difficult to put their finger on it. When these agency and department officials want to eliminate veterans, they proceed to issue instructions which provide that any agency may demote or reclassify downward any veteran civil-service employee arbitrarily, and, in my opinion, illegally.

I have taken considerable time discussing this all-important subject, because I believe it goes to the heart of the entire Federal civil service. Civil-service officials appear before our congressional committees and state that large pay raises for Government employees

are absolutely necessary, when, at the same time, in too many cases, legal rights of our veterans are prejudiced.

When, on other occasion, I pointed to the failure of the Commission to properly administer the Veterans' Preference Act, I was severely admonished by the Commission, who pointed to figures showing how many veterans had been given Government jobs during a certain period. I want it clearly understood that of the veterans who have secured positions in Federal service in the last 6 months, fully two-thirds secured their own jobs without the aid of the Commission, or were returning to the jobs which they left during the war. Furthermore, for the present, at least, the Commission has delegated all responsibility over recruiting to the departments and agencies. Since it is clear that the Civil Service Commission has failed in exercising its duties and functions under the Veterans' Preference Act, I sometimes wonder just what the Commission is doing, anyhow?

I, for one, raised no objection to recent increased appropriations for the Civil Service Commission for the coming fiscal year, because I was advised the major portion of the funds would be used in connection with aiding veterans and protecting their rights.

Since it is clear the Commission has not protected the civil-service rights of veterans as it should in too many cases, and since its history for the past 10 years has been one of delegation of authority to departments and agencies on vital matters ranging from qualifications to classifications, and in view of the number of veterans employed and seeking employment in Government, I think the time has come for President Truman to appoint an outstanding veteran as a member of the Commission. He should be a veteran who believes in a strong, well-policed merit system. The veterans of this country are entitled to it, and should have it. The Civil Service Commission should support such action by the President.

Our Civil Service, very unfortunately, has too much veneer, and is not a real civil-service merit system as people understand it to be. By reason of inefficiency in management, discrimination, and favoritism in too many of the agencies of our Government, we are drifting into a situation whereby we have a spoils system within our Civil Service that is growing and spreading in larger and larger proportions. The situation to which I have directed your attention today further illustrates this very thing.

DECEMBER 7, 1945.

To All Regions:

In May 1945, there was transmitted to all regions a copy of a letter, dated May 23, 1945, to the director of the twelfth region regarding the case of Mr. Frederick B. Courtney, an employee of the War Department, San Bernardino, Calif. The case of Mr. Courtney was an appeal under section 14 of the Veterans' Preference Act of 1944, from a reduction in salary resulting from the change of Mr. Courtney's position from graded to ungraded.

In that letter it was stated that with particular reference to appeals under section 14 involving allocations or reallocations resulting in reductions in rank or compensation, certain elements should be investigated and considered, including the element whether

or not the appellant could have been assigned to another position carrying duties and responsibilities of his grade and the compensation so that it would not be necessary to reduce him in rank or compensation.

The Commission has recently reconsidered the elements which should be entered into in an investigation and consideration of an appeal under section 14 involving a reduction in rank or compensation as the result of the allocation or reallocation of a position. The Commission concluded that the rights of the preference-eligible employee who appeals under section 14 will be fully safeguarded and the provisions of section 14 will be fully met if the following elements are investigated and considered:

1. Whether the position has been correctly allocated. If the appellant does not question the allocation, this feature need not be gone into. The allocation feature has to do with the correctness or incorrectness of the allocation or reallocation of the position and the issue involved is fully a question of classification standards applicable to the duties and responsibilities of the position.

2. Any other matters pertinent to a determination as to whether an injustice has been done the appellant. Such matters may be that discrimination, prejudice, or bias entered into the action taken, that the employee was purposely assigned different duties and responsibilities so that it will become necessary to allocate his position downward, that the allocation was based on administrative action personal to the employee and not on the duties and responsibilities of the position and any other complaints set forth by the appellant.

Briefly, the only change in policy is that in the future the investigation and consideration of an appeal under section 14 involving the reallocation downward of a position will not concern itself with the element whether or not the appellant could have been assigned to another position carrying duties and responsibilities of his grade and compensation so that it would not be necessary to reduce him in rank or compensation.

This information is furnished you for your immediate guidance. Suitable material on this point will be inserted in the Manual of Instructions.

By direction of the Commission:

L. A. MOYER,

Executive Director and Chief Examiner.

Copies to Field Operations, Veterans' Service Section.

APRIL 2, 1946.

Mr. HARRY B. MITCHELL,
President, United States
Civil Service Commission,

Washington, D. C.

DEAR MR. MITCHELL: It will be appreciated if you will furnish me a copy of all regulations and any and all instructions which have been issued by the Civil Service Commission to its employees, regions, or divisions, or any department or agency of the Government, in connection with the administering of the Veterans' Preference Act, approved June 27, 1944, Public Law 359, Seventy-eighth Congress.

Sincerely,

EDWARD H. REES.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from North Dakota [Mr. ROBERTSON] is recognized for 30 minutes.

THE WHEAT SUPPLY

Mr. ROBERTSON of North Dakota. Mr. Speaker, the visible wheat supply in the United States on March 1, 1946, as reported by the Northwestern Miller for 20 principal milling centers and afloat, was only 47,000,000 bushels as against 103,000,000 bushels a year ago. Wheat in

farm granaries in December 1945 was 22,000,000 bushels less than in December 1944, as reported by the Commerce Department survey.

The Government admits, says the Modern Miller, that shortage of railroad boxcars is the chief bottleneck on shipments of food grains and flour to feed Europe, and that this boxcar shortage will continue through the calendar year.

Mr. SAVAGE. Mr. Speaker, will the gentleman yield?

Mr. ROBERTSON of North Dakota. I yield.

Mr. SAVAGE. I wonder if the gentleman was advocating that the Government should tell the railroads what they had to do. I think the railroads are to blame and not the Government, since the Government does not have control of the railroads in this instance.

Mr. BRADLEY of Michigan. Mr. Speaker, will the gentleman yield?

Mr. ROBERTSON of North Dakota. I yield.

Mr. BRADLEY of Michigan. The point I should like to make is this: I understand that the railroads own these elevators at the railroad sidings. The policy of the Government is to force the funneling of that grain into railroad cars. As the gentleman from North Dakota [Mr. ROBERTSON] has pointed out, those cars are not available, but there are trucks driving the highways which could be impressed into hauling this grain to market and to the seaboard, but by some of our bureaucratic regulations those same trucks are not permitted to haul that grain. The Interstate Commerce Commission, if I am not mistaken, has the right to do it by law, but the Interstate Commerce Commission has not permitted those trucks to go to those elevators and take a load of this grain and carry it to the seaboard. That is the only proposition I am expounding.

Mr. SAVAGE. But the Government is not controlling the railroads, and it is not preventing the trucks from doing it. I would like to see the situation alleviated.

Mr. BRADLEY of Michigan. The Interstate Commerce Commission controls both the trucks and the railroads.

Mr. SAVAGE. But the railroads, of their own volition, are preventing the trucks from doing the job.

Mr. BRADLEY of Michigan. That is true, subject to regulation by the Interstate Commerce Commission. Is that not true?

Mr. ROBERTSON of North Dakota. That is correct. Let us intelligently ask this question—Has the farmer got any wheat left that he is holding back from Europe?

Perhaps he has. He has enough left for seed to plant the 1946 spring wheat crop, and enough to feed the farmer and his family and neighboring small towns of his home State from planting time to harvest, a probable period of 6 months. Were this not true, there would be no spring wheat harvest in 1946.

If the political propagandists had their way and the farm bins were drained of wheat now, the population of the world's hungry and starving would by winter time be increased by a tremendous percentage, even in the United States.

If stabilization professes to mean anything, excepting political thinking, the time has arrived at spring planting time to—candidly—let the farmer alone. Give him the manpower and the machinery and the use of enough railroad boxcars at fair freight rates, and then grant him his liberty.

It is now nearly a year since the war was over in Europe and 6 months since we gained victory over Japan. We find now that we are faced with the problem of feeding the liberated countries together with our own folks, and how does our planned economy—and remember it was planned—now propose to meet the postwar food problem? Here are a few samples of the measures now offered in this year of decision:

First. Compulsory military training of youths, without provision for exempting farm boys who are needed to raise the crops to feed a starving world.

Second. An extension of the draft law into peacetime, again including the farm boys needed to produce the grain, dairy and livestock products, essential alike to producers and consumers to maintain the American standard of living and production, besides feeding the world.

Third. An added 18½ cents an hour for industrial workers over and above wartime high wages as an incentive to draw from the farm its already badly depleted hired workers.

Fourth. Strike waves and boosted price waves increasing farm production costs with Government price ceilings on what the farmer has to sell.

Fifth. Decreased production of farm machinery by withholding the necessary steel to make seeders and harvesters, threshing machines and farm tractors—a postwar supply of farm equipment more depleted than even existed during the 4 years of World War II.

Sixth. Government ignorance or lack of concern in the basic conditions always present in agriculture, namely, that the farmer is faced with a gamble of weather, rust, grasshoppers, unstable markets, and Government priorities. All of these are stacked against the success of the farmer.

You will all recall that before election in 1944, word went out that a flood of farm machinery was on the way. Where did it go? It never reached the farm. It probably was used in lend-lease. I have no particular objection here, except to say that even at that early date the farm machinery was becoming obsolete, the age of the average tractor being 10 to 11 years. Most surely this machinery did not go into the middle western farm sections where the wheat is grown, which is now called upon to empty its granaries to feed a foreign world.

Mr. BRADLEY of Michigan. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Wisconsin. I yield.

Mr. BRADLEY of Michigan. I am very glad to have the gentleman bring out the question of farm machinery, because I recall here a few days ago on the floor—the gentleman from Illinois [Mr. SABATH], the dean of the House—and I respect him, I have the highest regard for him—stated that he thought the farmers' hours, day after day, had been

greatly shortened by the use of farm machinery. My information, however, is that we have some stupendous strikes still going on in the farm machinery industry that very effectively keep the modern farm equipment out of the market in addition to the fact that there are undoubtedly many thousands of farm tractors and other farm machines that the armed forces employed overseas in the making of these tremendous airports that were needed successfully to prosecute the war, machines that are still overseas and which are waiting to come back, but once they come back, their distribution through the Surplus Commodity Corporation to the farmers has not been satisfactorily handled to date.

Mr. ROBERTSON of North Dakota. The gentleman is right. Let me say further to the gentleman from Michigan that strikes have in large measure stopped the production of needed new machinery, and the machines already in use on the farms need repairs this coming year more than ever before, but again as a result of the strikes in the early quarter of the year it is most difficult to obtain spare parts; and broken and worn-out machines cannot be used without repair.

Mr. BRADLEY of Michigan. If the gentleman will yield further, the point I am trying to make is that unless and until the Federal Government definitely puts these farm machines back on the farms we shall not be able to meet our present domestic requirements, to say nothing of taking care of these glorified world demands that Uncle Sam is called upon to meet as usual.

Mr. ROBERTSON of North Dakota. The gentleman is correct. I heartily concur in his philosophy.

Let me make my case very clear—I register no objections to lending a helping hand to Europe in its state of hunger. I saw it all too plainly myself. These are factual conditions which must be met. My concern is—are we meeting other factual conditions that can be solved? What are the postwar prospects for farm machinery? The United States Labor Bureau recently reported in December 1945, that there was 10 percent less labor employed in the manufacture of farm machinery and tractors than in December 1944. Recent strike waves in the steel and steel products industries during the first quarter of 1946, and especially in the production of farm machinery, have cut the 1946 postwar production below even the low production of farm equipment during the 4 years of World War II.

So if some of these well-intentioned gentlemen bent on draining America of wheat to feed Europe will get down to realities, their first two steps should be to pass legislation to adjust strike waves and to see to it that the wheat growers are provided with machinery essential in this country rather than shipping the machinery to Europe.

The farm labor problem is just as acute as the farm machinery shortage. Available labor on American farms is approximately 40 percent less than it was 20 years ago.

Mr. BRADLEY of Michigan. Mr. Speaker, will the gentleman yield again?

Mr. ROBERTSON of North Dakota. I yield to the gentleman from Michigan.

Mr. BRADLEY of Michigan. The gentleman has just referred to this strike situation that we unfortunately have been facing in this country for many months. In my personal opinion, the first thing this Congress should do is to take the Government out of the labor-management picture as the definite fact-finding body, the judge, and the jury in settling labor-management disputes. Secondly, as was done so eloquently in the Senate last Friday, the Congress should insist that farm labor is entitled to the same hourly wages that anybody gets in industry. When that issue is before us on this floor I intend to support the fact that a farmer is entitled to the same hourly wage as any man working in industry.

Mr. ROBERTSON of North Dakota. I appreciate the gentleman's contribution and in a moment I hope to touch on that very point.

At the same time farm wages in this postwar period are 150 percent above the prewar level of 1935 to 1939. The recent strike wave which has resulted in a boost of 18½ cents an hour in the hourly wage rates of industry will have the effect to draw even more heavily upon farm labor to desert the agricultural field for high-paid jobs in mills and factories.

And thus we have this sorry spectacle, that in the year 1946 the farmer and his family—and in many cases without sons—must raise the wheat, first to feed America, and second to feed the starving world. Not within the memory of man before the present postwar era has the farm and the food production of America rested upon the labor of men over 65 years of age and children under 14 years of age. Our old men and children are now asked by the exponents of the planned economy to work early and late to feed not only America but much of starving Europe and parts of Asia and Africa.

Just the other day the Land O' Lakes Creamery farm-owned stockholders, a large cooperative dairy association in the Northwest, held a convention to petition Congress and the President to call a halt to the draft of farm boys in peacetime. They reported that the 1946 induction of farm youth into military service made it more difficult to secure needed farm labor now than during the war.

The second demand of the farm cooperative upon the Government was an allotment of materials for manufacture of farm machinery.

The third demand upon the Government was for the OPA to remove the ceilings which prevent the free flow of farm products according to the natural law of supply and demand.

In short, they did the very intelligent thing of calling upon the Government to let the farmer alone and return to him his commercial freedom to feed the world. The same demand made by this cooperative is and can be made by the wheat growers, the livestock growers—in fact, by all agriculture.

In Colonial times, five generations ago, the check upon the freedom of the American farmer to produce and market his crop came from abroad. Today it seems to come from the very Government which

the farmers helped to put in power. It comes from a Federal bureaucracy which commands the farmer to feed the world, and at the same time deprives him of the manpower, the machinery and the freedom to carry on with full efficiency the work necessary to feed the hungry.

Imagine the strange commentary in the Nation when the President serves notice through his leader, Senator ALBEN W. BARKLEY, that any legislation that revises the parity formula to include farm wages will be vetoed. And yet only a few weeks ago under the force of the President's office, the great Chester Bowles increased the price of steel to raise the wages of labor in conformance with the President's demand.

A picture of this bureaucracy appears in the current issue of *Liberty* magazine in an article by Senator BYRD, chairman of the Joint Senate and House Committee on Federal Economy, bearing the significant head "Let's stop the gravy train."

He tells us that the last total of Federal employment in 1946 was 3,155,192. This is more than all the hired labor employed on American farms—this farm labor which the Federal Government now calls upon to feed the world.

The Department of Agriculture finds less than 3,000,000 hired farm workers. More than three-fourths of all the farm work is done today by family workers. And the sons of farmers, the boys who handle the machinery, are being drafted into military service in peacetime. Think of the fact that there are more hired workers hired to farm the United States Treasury than to harvest the crops to feed the hungry world.

Senator BYRD, chairman of the Joint Economy Committee, is of the belief that the Federal Government would be more efficiently run if the pay roll were cut in half with an annual saving of \$5,000,000,000. If a million Federal employees were taken from the public pay roll and given farm work, and peacetime draft of farm boys brought to a halt, the farmers of America might have the required manpower to fill the postwar orders for increased foods.

If, in addition to this manpower aid, the Federal Government had the backbone to assist the Congress to pass legislation to check the strike waves and provide the steel for making the necessary farm machinery, the farmers then would be able to raise and harvest the crops necessary to feed the world.

But even a third step is necessary. Take this paralyzing Federal arm off the farmer and off all the activities necessary to the production, transportation, distribution, and marketing of American food, and of the food which we hope to ship to the hungry abroad.

Our present predicament in setting out to feed a hungry world when we have insufficient farm manpower and machinery to feed properly our own people would never have happened had the Government listened to some degree to the farmers. The Secretary of Agriculture kept saying for months and months through the war, "Food will win the war and food will write the peace." But the Government itself never did anything about it. The Government continued to

draft farm boys and cut down farm machinery production when a sane and sound war program would have included food production.

I feel the farm was just as necessary as the factory to the boys on the firing line. The quartermaster who looks out for the grub is just as necessary to victory as the officer who shouts "March." A priority against the farmer who needs a machine to cut the wheat is just as serious to the life and vigor of the marching troops as a priority against any munitions producer.

My State, which during the 4 years of the World War, has been one of the country's largest wheat producers with an average yearly yield of 150,000,000 bushels of No. 1 hard wheat, lost through war and migration to war industries somewhere between 12½ and 16.4 percent of its total population. There are 10 North Dakota counties which in the first 2 years of the war lost from between 20 to 33 percent of their 1940 population.

You will all recall that North Dakota was discriminated against by the Government, one of—if not the only—State in the Union receiving no war contracts to employ its boys and girls at home. And in the face of this fact the State was called upon not only to give its boys and girls to the service, but was not allowed farm machinery and tractors for the necessary maximum production of food. And still in the face of it all, following this national discrimination, it stands high in the record of the States of the Union in the buying of bonds.

The proposed extension of the draft, without exemption of farm youth, will positively cut down the tonnage of food, which both Mr. Hoover and LaGuardia say is required for us to save starving Europe.

If we are going on to draft the sons of the farmers now at spring-wheat planting time, while what boys are left are driving the seed drills, this Government will give to the world a demonstration of the kind of brains we have had here in support of this hypocritical pretense—food will win the war.

The distance between the mid continent wheat fields where wheat planting is going on now and the White House is just about half as far as it is from the White House to hungry Europe. Is it not possible for our Government to visualize the fact that a boy—say in North Dakota—cannot at the same time drive a seed drill and do military work under direction of an officer. If we must have wheat to feed Europe, why not let the farm boys alone? Let the farmers themselves alone and they will produce the food necessary. They did an excellent job during the war with every conceivable handicap.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. ROBERTSON of North Dakota. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I agree with the gentleman that it is very important to increase the pay for the agricultural people. It is the only way and I think the only inducement there will be for the veterans to go back to

the farms. They would like to go back but they feel the pay is so low. I think the gentleman is making a very splendid contribution and I hope he will be successful.

Mr. ROBERTSON of North Dakota. I am heartily in accord with the gentlewoman's views, and I think that is very necessary.

Mrs. ROGERS of Massachusetts. And I also understand that the Committee on Expenditures reported out a bill the other day that gives the veterans priorities, as the gentleman knows, on various surplus commodities. I introduced a bill, and I do not know whether it is my bill or somebody else's bill, but I know the gentleman is very heartily in favor of that.

Mr. ROBERTSON of North Dakota. I am very much in favor of that.

EXTENSION OF REMARKS

Mr. REES of Kansas asked and was given permission to extend his remarks in the RECORD and include a table.

UNKNOWN SOLDIER

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, on yesterday the Price bill was reported out of the Committee on Military Affairs, which bill provides for the bringing home of the remains of an unknown soldier who lost his life while serving overseas in the United States military forces during the second war. Last autumn I introduced two bills which went to the Committee on Military Affairs, and they provided for the bringing back of two unknown warriors, one who served in the European theater of war and the other in the Pacific theater of war.

Mr. Speaker, I am going to try to have the bill amended or a bill similar to mine, which was introduced by Senator Johnson, passed in the Senate. It seems to me that we ought to have the two bodies buried in Arlington Cemetery, with appropriate honors, alongside of the World War I hero who is buried there. My idea was that they should take an unknown hero, a marine or sailor, who lost his life in the Pacific theater, since our Navy was so much in evidence there, and perhaps a soldier from the European theater. I asked for a hearing before the Committee on Military Affairs last November and was promised one, but was never called. The Navy reported favorably on my bill and said that the Bureau of the Budget had no objection to the passage of the measure. I hope that the Price bill or the Johnson bill, which is similar to mine, will pass in the Senate, because I think we should honor one hero from the Pacific and one from the Atlantic theater of war to lie on either side of the grave of the unknown soldier of World War I.

Mr. Speaker, I spoke to the gentleman from Washington [Mr. JACKSON] who held the hearings on the civil-service Federal salary pay increase, and also the

gentleman from Kansas [Mr. REES], minority member on that committee, and the chairman of the committee, the gentleman from West Virginia [Mr. RANDOLPH], regarding the fact that the doctors and the nurses and the dentists, and so forth, in the Veterans' Administration, would not come under the provisions of the pay-raise bill. An amendment will have to be offered, and all three, Mr. RANDOLPH, Mr. JACKSON, and Mr. REES, said that they would accept an amendment which would give the added increases to them. I shall offer an amendment. It is essential to pay adequately the personnel who are to care for our disabled veterans.

Mr. BRADLEY of Michigan. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Michigan.

Mr. BRADLEY of Michigan. I think our congressional secretaries should also be included in that raise.

Mrs. ROGERS of Massachusetts. I agree with the gentleman. I understand they are included in it.

Mr. BRADLEY of Michigan. I do not believe so. I think the bill is confined to civil-service employees. If that is true, I intend to offer an amendment to bring our congressional secretaries and all the clerks, the page boys, and everybody in the employ of the legislative branch within the bill.

Mrs. ROGERS of Massachusetts. They are very much overworked at the present time; in fact, they are worn out.

Mr. SPARKMAN. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Alabama.

Mr. SPARKMAN. May I say that the chairman of the subcommittee that considered the bill, the gentleman from Washington [Mr. JACKSON], has assured me that legislative employees are included in the bill.

Mrs. ROGERS of Massachusetts. That is my understanding, and I am delighted to have it confirmed.

Mr. BRADLEY of Michigan. Do I correctly understand that it includes the page boys and everybody else in the legislative branch?

Mr. SPARKMAN. I believe it includes all legislative employees.

Mr. BRADLEY of Michigan. I thank the gentleman.

Mrs. ROGERS of Massachusetts. It should include all legislative employees. If an amendment is necessary, I shall support it.

REPUBLICAN POLICIES

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes and to revise and extend my remarks.

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

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, within the last several days I have noticed in the newspapers and have heard over the radio that a gentleman who may possibly be a Republican Presidential candidate in 1948, former Gov. Harold Stassen, of Minnesota, claims

to have been appointed the chairman or sponsor of a Republican forum to set forth weekly Republican Party views on coming issues. Seemingly, based on literature I have received from him in my office bearing the address of the Republican National Committee, he professes to be sponsored by the Republican National Committee. He has outlined a program to be discussed each week on, for instance, What should be our policy toward Moscow? What should be our labor policy? and so forth.

I want to say this as one Republican Member of Congress, duly elected by the registered electors of our own district. I do not now and I never have subscribed to the theories or the policies of one Harold E. Stassen, and I serve notice now that I protest his usurpation of the right to speak for the Republican Party.

I call upon our newly elected chairman, the gentleman from Tennessee, the Honorable B. CARROLL REECE, to own him or disown him. Surely, no discredited past nor no professed actively interested future candidate for the Presidential nomination should thus be permitted to obviously become a self-starter.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. STOCKMAN, for Tuesday and Wednesday, on account of important business.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1657. An act to amend Public Law 779 of the Seventy-seventh Congress, entitled "An act to provide for furnishing transportation for certain Government and other personnel necessary for the effective prosecution of the war, and for other purposes," approved December 1, 1942, and for other purposes; and

S. 1739. An act to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of fires which occurred at various Navy shore activities.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 4 o'clock and 58 minutes p. m.) the House adjourned until tomorrow, Wednesday, April 3, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will meet at 10:30 a. m. on Wednesday, April 3, 1946, to consider private bills.

COMMITTEE ON IRRIGATION AND RECLAMATION

The Committee on Irrigation and Reclamation will continue hearings on H. R. 5124, on Wednesday, April 3, 1946, at 10 a. m., in room 328, Old House Office Building. The hearings will continue through Thursday, April 4, and probably through Friday, April 5.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hear-

ing Thursday, April 4, 1946, at 10 a. m., to consider the bill, H. R. 5892, providing for a medal for service in the merchant marine during the present war.

COMMITTEE ON RIVERS AND HARBORS

Revised schedule of hearings on the omnibus rivers and harbors authorization bill to start Tuesday, April 9, 1946, at 10:30 a. m., is as follows:

Tuesday, April 9

Portland Harbor, Maine.
Fall River Harbor, Mass.
Wickford Harbor, R. I.
New Haven Harbor, Conn.
Bridgeport Harbor, Conn.
Stamford Harbor, Conn.
Barneget Inlet, N. J.
Absecon Inlet, N. J.
Delaware River, Biles Creek, Pa.

Wednesday, April 10

Sacramento River, Calif., deep water ship channel.

Thursday, April 11

Schuylkill River, Pa.
Middle and Dark Head Creeks, Md.
Mattaponi River, Va.
Newport News Creek, Va.
Norfolk Harbor, Va.
Savannah Harbor, Ga.
St. Johns River, Fla., Jacksonville to Lake Harney.
Hollywood Harbor (Port Everglades), Fla.

Withlacoochee River, Fla.

Friday, April 12

Sabine River, Adams Bayou, Tex.
Sabine-Neches Waterway, Tex.
Trinity River below Liberty, Tex.
Mill Creek, Tex.
Aransas Pass, IWW, Tex.
Brazos Island Harbor, Tex.

Monday, April 15

Franklin Canal, La.
Mermontau River, La.
Lake Charles Deep Waterway, La.
Plaquemine and Morgan City route, Louisiana.

Red River below Fulton, La.

Tuesday, April 16

Cumberland River, Tenn. and Ky.
Big Sioux River, S. Dak.
Mississippi River Seepage, Iowa, Minn., and Wis.
Mississippi River at Lansing, Iowa.
Mississippi River at Wabasha, Minn.
Mississippi River at Lake Pepin, Minn.
Mississippi River at Hastings, Minn.

Wednesday, April 17

Fairport Harbor, Ohio.
Cleveland Harbor, Ohio.
Great Lakes connecting channels, Michigan.
Calumet-Sag Channel, Ind. and Ill.
Chicago River, north branch of Illinois.

Napa River, Calif.

Coos Bay, Oreg.

Columbia River at Astoria, Oreg.

Columbia River at The Dalles, Oreg.

Columbia River, Foster Creek Dam, Wash.

Monday and Tuesday, April 29 and 30

Arkansas River, Ark. and Okla.

Wednesday and Thursday, May 1 and 2

Tombigbee-Tennessee Rivers.

Monday and Tuesday, May 6 and 7

Big Sandy River, Tug and Levisa Forks, Va., W. Va., and Ky.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1185. A letter from the Secretary of the Treasury, transmitting the Annual Report of the Secretary of the Treasury on the state of the finances for the fiscal year ended June 30, 1945 (H. Doc. No. 409); to the Committee on Ways and Means and ordered to be printed, with illustrations.

1186. A letter from the Director, Bureau of the Budget, transmitting, as required by the Federal Employees Pay Act of 1945 (Public, No. 106, 79th Cong.), the third quarterly report of personnel ceilings as determined and fixed by him, pursuant to section 607 of the act, for the quarter ending March 31, 1946; to the Committee on the Civil Service.

1187. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill for the relief of certain members of the Yakutat Cooperative Market; to the Committee on Claims.

1188. A letter from the Chairman, Reconstruction Finance Corporation, transmitting report of its activities and expenditures for the month of December 1945; to the Committee on Banking and Currency.

1189. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1947 in the amount of \$3,860 for the legislative branch, House of Representatives (H. Doc. No. 521); to the Committee on Appropriations and ordered to be printed.

1190. A communication, from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1947 in the amount of \$4,239,047 for the legislative branch, Library of Congress (H. Doc. No. 522); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BATES of Kentucky: Committee on Rules. House Resolution 580. Resolution providing for the consideration of H. R. 5059, a bill to provide for temporary additional compensation for postmasters and employees of the postal service; without amendment (Rept. No. 1837). Referred to the House Calendar.

Mr. HOBBS: Committee on the Judiciary. H. R. 5924. A bill to enable debtor railroad corporations, whose properties during a period of 7 years have provided sufficient earnings to pay fixed charges, to effect a readjustment of their financial structure without further proceedings under section 77 of the Bankruptcy Act, as amended; without amendment (Rept. No. 1838). Referred to the Committee of the Whole House on the State of the Union.

Mr. SABATH: Committee on Rules. House Resolution 576. Resolution providing for the consideration of H. R. 5939, a bill to increase the rates of compensation of officers and employees of the Federal Government, and for other purposes; with amendment (Rept. No. 1839). Referred to the House Calendar.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1840. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. BULWINKLE: Committee on Printing. House Resolution 578. Resolution authorizing the printing of additional copies of House Report No. 1677, current session, entitled "The Use of Wartime Controls During the Transitional Period," for the use of the Special Committee on Postwar Economic Policy and Planning; without amendment (Rept. No. 1841). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 581. Resolution providing for the consideration of H. R. 5244, a bill to authorize the appointment of additional foreign-service officers in the classified grades; without amendment (Rept. No. 1842). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. HARNESS of Indiana:

H. R. 5963. A bill to provide no criminal or civil liability for acts done or omitted in good faith in accord with regulations, orders, and rulings of Federal departments and agencies, and for other purposes; to the Committee on the Judiciary.

By Mr. HINSHAW:

H. R. 5964. A bill to provide for erecting a monument or memorial to Albert Abraham Michelson upon the grounds of the United States Naval Academy at Annapolis; to the Committee on Naval Affairs.

By Mr. LANDIS:

H. R. 5965. A bill to amend section 2 of the Emergency Price Control Act of 1942, as amended, with respect to maximum prices in the case of canned or processed agricultural commodities which are the products of seasonal canning or processing; to the Committee on Banking and Currency.

By Mr. JONKMAN:

H. R. 5966. A bill to amend the Social Security Act, as amended, so as to change the age for old-age and survivor benefits from 65 to 60; to the Committee on Ways and Means.

By Mr. JUDD:

H. R. 5967. A bill to increase family allowances under the Servicemen's Dependents Allowance Act of 1942; to the Committee on Military Affairs.

By Mr. ANDREWS of New York:

H. R. 5968. A bill to provide that there shall be no liability for acts done or omitted in accordance with regulations of the Director of Selective Service, and for other purposes; to the Committee on Military Affairs.

By Mr. CLIPPINGER:

H. R. 5969. A bill to authorize a preliminary examination and survey of Lost Creek, Hamilton and White Counties, Ill., for flood control, for run-off and water-flow retardation, and for soil-erosion prevention; to the Committee on Flood Control.

By Mr. KEOGH:

H. R. 5970. A bill to permit the members and stockholders of charitable, educational, and religious associations incorporated in the District of Columbia to vote by proxy or by mail; to the Committee on the District of Columbia.

By Mr. SOMERS of New York:

H. R. 5971. A bill to reenact and amend the organic act of the United States Geological Survey by incorporating therein substantive provisions confirming the exercise of long-continued duties and functions and by redefining their geographic scope; to the Committee on Mines and Mining.

By Mr. SPARKMAN:

H. R. 5972. A bill to extend the Selective Training and Service Act of 1940, as amended, until May 15, 1947, and for other purposes; to the Committee on Military Affairs.

By Mr. THOM:

H. R. 5973. A bill to authorize the Secretary of Agriculture to assist in increasing lumber

production, and for other purposes; to the Committee on Agriculture.

By Mr. McGLINCHY:

H. R. 5974. A bill relating to the reappointment of warrant officers (junior grade) of the Regular Army who served during World War II as commissioned officers; to the Committee on Military Affairs.

By Mr. PIÑERO:

H. R. 5975. A bill to amend the Nationality Act of 1940 to preserve the nationality of a citizen born in Puerto Rico who resides abroad; to the Committee on Immigration and Naturalization.

By Mr. TALLE:

H. R. 5976. A bill to promote the conservation of wildlife, fish, and game, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. CHELF:

H. R. 5977. A bill to incorporate the Veterans' Flying Association of America; to the Committee on the Judiciary.

By Mr. HOEBS:

H. R. 5978. A bill to amend section 113 (b) (1) (B) of the Internal Revenue Code with respect to the adjustment of the basis of property for depreciation, obsolescence, amortization, and depletion; to the Committee on Ways and Means.

By Mr. REES of Kansas:

H. R. 5979. A bill to provide for the protection of veterans and career-service employees in connection with reductions in force in the Federal service; to the Committee on the Civil Service.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BARTLETT:

H. R. 5980. A bill for the relief of Mike Clipper; to the Committee on Claims.

By Mr. ELSAESSER:

H. R. 5981. A bill for the relief of the estate of W. Paul Dearing, deceased; to the Committee on Claims.

By Mr. HAVENNER:

H. R. 5982. A bill for the relief of George Chan; to the Committee on Immigration and Naturalization.

By Mr. JUDD:

H. R. 5983. A bill for the relief of Masao Omachi and Mrs. Tsuku Omachi; to the Committee on Immigration and Naturalization.

By Mr. O'NEAL:

H. R. 5984. A bill for the relief of the estate of Clemens P. Theisen and for the relief of Louis G. Theisen; to the Committee on Claims.

By Mr. ROE of New York:

H. R. 5985. A bill for the relief of Mrs. Margaret K. Cahn; to the Committee on Claims.

By Mr. SMITH of Virginia:

H. R. 5986. A bill for the relief of Georgios Andreas Apostolopoulos; to the Committee on Immigration and Naturalization.

By Mr. TIBBOTT:

H. R. 5987. A bill for the relief of Joseph M. Henry; to the Committee on Claims.

PETITIONS, ETC.

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

1753. By Mr. CHURCH: Petition of Charles T. Knudsen and other railroad employees of Chicago and suburbs, urging an amendment to House bill 1737, providing for a 30-year pension—or 60 years of age at \$150 a month—two-thirds for the widow, providing she is 55 years of age and does not marry; to the Committee on Interstate and Foreign Commerce.

1754. By Mr. HART: Petition of H. C. Fredericks Ship, No. 5653; Charles Cushing Post, No. 14; Camptown Post, No. 1941; and Sgt. J. W. Hennessey Post, No. 712; all of Essex County (N. J.) Council, Veterans of Foreign Wars, protesting against housing bill as passed by the House of Representatives, and urging that said bill be recalled from the Senate and that the original Wyatt housing bill be passed and enacted into law; to the Committee on Banking and Currency.

1755. By Mr. MUNDT: Petition of Norman Bass and farmers of South Dakota, asking for assistance in increasing food production by increasing supply of farm machinery and raising prices on farm products; to the Committee on Banking and Currency.

1756. By the SPEAKER: Petition of the board of directors, Dallas Cotton Exchange, petitioning consideration of their resolution with reference to approval of the British loan; to the Committee on Banking and Currency.

SENATE

WEDNESDAY, APRIL 3, 1946

(Legislative day of Tuesday, March 5, 1946)

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

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

Father of all mankind, together we pause at this appointed time to behold in the still clear waters of the morning the steady vision of Thy eternal goodness. In a day when all we value most seems so often to be at the mercy of all we value least, so direct Thy servants who here serve the Republic that the best which is expected of them and of which their dedicated faculties are capable may be brought to bear, without fear or favor, upon the confused issues of this critical day. Grant us such resolution in striving for a peace built on justice and decency and on the respect and the rights of nations, great and small, and such courage and patience in defending these high principles, despite any disheartenment, that the children of coming generations shall rise up and call us blessed. In the dear Redeemer's name. Amen.

ATTENDANCE OF A SENATOR

ROBERT F. WAGNER, a Senator from the State of New York, appeared in his seat today.

THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, April 2, 1946, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

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