EXECUTIVE COMMUNICATIONS, ETC.

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

1517. A letter from the Assistant to the President, the American Academy of Arts and Letters transmitting the official report of the American Academy of Arts and Letters for the year ending December 31, 1945; to the Committee on the Library.

1518. A letter from the Chairman, National Advisory Council on International Monetary and Financial Problems, transmitting a draft of a proposed bill to permit investment of funds of insurance companies organized within the District of Columbia in obligations of the International Bank for Reconstruction and Development; to the Committee on the District of Columbia.

1519. A letter from the Assistant Secretary, National Institute of Arts and Letters, transmitting the official report of the National Institute of Arts and Letters for the year ending December 31, 1945; to the Committee on the Library.

1520. A letter from the Acting Secretary of the Interior, transmitting one copy each of various legislation passed by the Municipal Council of St. Croix and the Legislative Assembly of the Virgin Islands; to the Committee on Insular Affairs.

1521. A letter from the Attorney General, transmitting a report showing the special assistants employed during the period from January 1 to June 30, 1946, under the appropriation "Compensation of special attorneys, etc., Department of Justice"; to the Committee on Expenditures in the Executive Departments.

1522. A letter from the Attorney General, transmitting a draft of a proposed bill to authorize payment of claims based on loss of or damage to property deposited by alien enemies; to the Committee on the Judiciary.

1523. A letter from the Acting Director, Bureau of the Budget, transmitting the fourth quarterly report of personnel ceilings as determined and fixed by him, for the quarter ending June 30, 1946; to the Committee on the Civil Service.

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. COLMER: Committee on Rules. House Resolution 747. Resolution providing for the consideration of H. R. 7037, a bill to amend the Social Security Act and the Internal Revenue Code, and for other purposes; to take from the Speaker's table, and to request a conference thereon; without amendment (Rept. No. 2714). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 748. Resolution providing for the consideration of S. 2235, an act to provide a system of relief for veterans, and dependents of veterans, who served during World War II in the organized military forces of the Government of the Commonwealth of the Philippines while such forces were in the service of the armed forces of the United States pursuant to the military order of July 26, 1941, of the President of the United States, and for other purposes; without amendment (Rept. No. 2715). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 751. Resolution providing for the consideration of H. R. 2788, a bill to amend title 28 of the United States Code in regard to the limitation of certain actions, and for other purposes; without amendment (Rept. No. 2718). Referred to the House Calendar.

Mr. MAY: Committee on Military Affairs. S. 2460. An act to provide additional inducements to citizens of the United States to make a career of the United States military or naval service, and for other purposes; without amendment (Rept. No. 2720). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'TOOLE: Committee on the Library. Senate Joint Resolution 158. Joint resolution to provide for the appointment of a National Commission on Individual War Memorials, and for other purposes; without amendment (Rept. No. 2721). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAY: Committee on Military Affairs submits a report pursuant to House Resolution 20 (79th Cong., 1st sess.), investigations of the national war effort (Rept. No. 2722). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Small Business. Second interim report pursuant to House Resolution 64 (79th Cong., 1st sess.), creating a Select Committee on Small Business of the House of Representatives and defining its powers and duties (Rept. No. 2723). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

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

Mr. BLOOM: Committee on Foreign Affairs. S. 334. An act for the relief of the Trust Association of H. Kempner; with amendment (Rept. No. 2719). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. WINSTEAD:

H. R. 7227. A bill to provide for a special study of the standards or specifications for allocating positions in records administration and records management in the various departments and independent agencies, and for other purposes; to the Committee on the Civil Service.

By Mr. IZAC:

H. R. 7228. A bill to provide for a commission to adjudicate claims of American nationals who were prisoners of war of Japan, for payment of its awards, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BLOOM:

H. R. 7229. A bill creating a commission to examine and render final decisions on all claims by American nationals against the Governments of Bulgaria, Germany, Hungary, Italy, Japan, and Rumania, as a consequence of loss or damage incurred subsequent to January 1, 1937, and prior to January 1, 1947; to the Committee on Foreign Affairs.

By Mr. IZAC:

H. R. 7230. A bill to provide for the establishment of civil government for the inhabitants of the islands of the Pacific Ocean (except Hawaii) under the jurisdiction of the United States, and for the establishment of the Office of the Administrator of the Pacific Areas; to the Committee on Insular Affairs.

By Mr. O'TOOLE:

H. R. 7231. A bill to provide additional compensation for veterans of World War II; to the Committee on Ways and Means.

By Mr. WEICHEL:

H. R. 7232. A bill to provide for examination and investigation of inventories of Government-owned property; to the Committee on Expenditures in the Executive Departments.

By Mr. HUBER:

H. J. Res. 393. Joint resolution proposing an amendment to the Constitution relating to the abolition of capital punishment in the United States; to the Committee on the Judiciary.

By Mr. HOWELL:

H. Con. Res. 167. Concurrent resolution directing a change in the enrollment of the Armed Forces Leave Act of 1946 (H. R. 4051), so as to provide that benefits in lieu of accumulated leave shall be paid in cash in all cases; to the Committee on Military Affairs.

By Mr. VURSELL:

H. Con. Res. 168. Concurrent resolution to create a joint congressional committee to investigate the operation of the veterans' emergency housing program; to the Committee on Rules.

By Mr. IZAC:

H. Con. Res. 169. Concurrent resolution providing for civil authority of Pacific Islands gained by the armed forces; to the Committee on Insular Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to pass H. R. 6932 of the Seventy-ninth Congress, second session, a bill providing for promotion of agricultural marketing services and agricultural research; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. McCORMACK introduced a bill (H. R. 7233) for the relief of Rustom H. Dalal, which was referred to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII,

2142. Mr. GEELAN presented a resolution to Congress adopted by the Italian-American World War Veterans of the United States, Inc., Department of Connecticut, in convention on the 28th day of July 1946, that it grant Italy a peace which will insure her a position of honor among nations, in accordance with the promises made her, commensurate with the sacrifices of Americans of Italian descent, which was referred to the Committee on Foreign Affairs

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SENATE

FRIDAY, AUGUST 2, 1946

(Legislative day of Monday, July 29, 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:

Our Father God, who art without beginning or end of days, who countest the nations as the dust of the balance, who puttest down the mighty from their seat and has exalted the humble and the meek, allowed by Thee, we have been called to be servants of the Nation in a

tense and tortured time, when the world has been plowed with violence, when the sun was blackened and the moon became as blood, when wars and rumors of war vexed the earth. In such a day Thou didst summon us to unleash the might of freedom against rampant evil bent on enslaving all peoples and didst lead us to a victory which insures to men of good will a golden chance to build a world that at last shall be a fit dwelling place for Thy children.

Through this crucial period we have been at best unprofitable servants. Now unto Thy holy keeping we commit ourselves, and all that we have done and said, as this day there is written "The end" to the chapter of our endeavors during these momentous times. With a solemn sense of the finality of it all the volume is closing. For all our regrets we cannot cancel one word or erase one act. Wilt Thou bless and strengthen all that here has been worthily done, as we have followed flickering lights in a dark hour. Pardon and overrule what has been done unworthily, or left undone, or done amiss.

And now may the Lord bless us and keep us, may the Lord make His face to shine upon us and be gracious unto us, may the Lord lift up the light of His countenance upon us and give us peace—peace in our own hearts, peace in this dear land of ours, and peace throughout all the earth, now and evermore.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, August 1, 1946, was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. WHITE. Mr. President, I ask unanimous consent that the Senator from South Dakota [Mr. GURNEY] may be excused from attendance upon further sessions of the Senate during this Congress.

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

MESSAGE FROM THE HOUSE

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

S. 2100. An act to remove the limitations on the amount of death compensation or pension payable to widows and children of certain deceased veterans;

S. 2125. An act to amend the act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, and the acts amendatory thereof and supplementary thereto;

S. 2256. An act to amend the Servicemen's Readjustment Act of 1944;

S. 2286. An act to amend the act entitled "An act for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital," approved May 29, 1930;

S. 2332. An act to provide that the unexpended proceeds from the sale of 50-cent pieces coined in commemoration of the two hundred and fiftieth anniversary of the founding of the city of Albany, N. Y., may be paid into the general fund of such city;

S. 2408. An act to amend the act of February 9, 1907, as amended, with respect to certain fees;

S. 2460. An act to provide additional inducements to citizens of the United States to make a career of the United States military or naval service, and for other purposes;

S. 2477. An act to authorize the Veterans' Administration to reimburse State and local agencies for expenses incurred in rendering services in connection with the administration of certain training programs for veterans, and for other purposes;

S. 2479. An act to amend the act entitled "An act to regulate within the District of Columbia the sale of milk, cream, and ice cream, and for other purposes," approved February 27, 1925;

S. 2480. An act authorizing the appointment of Robert Sprague Beightler as permanent brigadier general of the line of the Regular Army; and

S. 2498. An act to provide for fire protection of Government and private property in and contiguous to the waters of the District of Columbia.

The message also announced that the House had passed the bill (S. 334) for the relief of the trust association of H. Kempner, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 2093. An act for the relief of J. P. Kerr and Robert P. Kerr;

H. R. 2586. An act to authorize the leasing of Indian lands for business, and for other purposes; and

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

The message also announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 2480. An act for the relief of Wesley A. Mangelsdorf;

H. R. 5093. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Albert Whilden;

H. R. 6381. An act for the relief of Thomas L. Brett; and

H. R. 6399. An act for the relief of Caesar Henry.

The message further 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 Senate to the bill (H. R. 5560) to fix the rate of postage on domestic air mail, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the President pro tempore:

H. R. 341. An act relating to the status of Keetoowah Indians of the Cherokee Nation in Oklahoma, and for other purposes, and authorizing conveyance of the Seger Indian School to Colony Union Graded School District No. 1, Colony, Okla;

H. R. 434. An act to provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship through voting in a political election in a country not at war with the United States during the Second World War;

H. R. 1002. An act for the relief of Marvin Sachwitz;

H. R. 1070. An act for the relief of Elmer C. Hadlen;

H. R. 1088. An act for the relief of the Eastern Contracting Co., Inc.;

H. R. 1351. An act for the relief of the estate of Estelle Daniel Boyle, deceased, and E. B. Rosegarten;

H. R. 1402. An act for the relief of certain Basque aliens;

H. R. 1459. An act for the relief of Mr. and Mrs. J. W. Williams, Jr.;

H. R. 1497. An act to amend subsection 9 (a) of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939, as amended.

H. R. 1519. An act relating to marine insurance in the case of certain employees of the War Department who suffered death, injury, or other casualty prior to April 23, 1943, as a result of marine risks;

H. R. 1570. An act for the relief of Edward Pittwood;

H. R. 1631. An act for the relief of William Tolar Smith;

H. R. 1788. An act for the relief of Mr. and Mrs. Conrad Newman;

H. R. 1860. An act to authorize the Secretary of the Interior to issue a duplicate of Porterfield scrip certificate No. 53 to the Muskegon Trust Co., Muskegon, Mich., as trustee of the John Torrent trust;

H. R. 1887. An act for the relief of Mrs. Leroy A. Robbins;

H. R. 2033. An act authorizing Federal participation in the cost of protecting the shores of publicly owned property;

H. R. 2161. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Algernon Blair, his heirs, or personal representatives, against the United States;

H. R. 2222. An act for the relief of J. L. Harris;

H. R. 2377. An act to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of Iowa into the Union as a State;

H. R. 2485. An act for the relief of Moses Tennenbaum;

H. R. 2504. An act to discontinue certain reports now required by law;

H. R. 2523. An act to provide for lump-sum payment of compensation for accumulated leave and current accrued annual leave to certain officers and employees, and authorizing the appropriation of funds for that purpose;

H. R. 2663. An act for the relief of W. C. Jones, Myrtle M. Jones, and W. W. Tilghman;

H. R. 2716. An act to provide for health programs for Government employees;

H. R. 2850. An act for the relief of Felix Napiorkowski;

H. R. 3099. An act for the relief of Coy C. Brown;

H. R. 3197. An act for the relief of William F. Patchell, Jr.;

H. R. 3361. An act to amend paragraph (1) of section 73 of the Hawaiian Organic Act, as amended;

H. R. 3593. An act relating to the disposition of public lands of the United States situated in the State of Oklahoma between the Cimarron base line and the north boundary of the State of Texas;

H. R. 3742. An act for the relief of Burgess C. Moore, as administrator of the estate of Lela May Tomlinson, deceased, and as legal

guardian of Kay Tomlinson and Larry Max Tomlinson;

H. R. 3833. An act for the relief of Viola McKinney;

H. R. 3908. An act to provide increased pensions to members of the Regular Army, Navy, Marine Corps, and Coast Guard who become disabled by reason of their service therein during other than a period of war;

H. R. 3944. An act authorizing the President of the United States to award a special medal to General of the Armies of the United States John J. Pershing;

H. R. 3973. An act to amend the act entitled "An act to provide reemployment rights for persons who leave their positions to serve in the merchant marine, and for other purposes," approved June 23, 1943 (57 Stat. 162), and for other purposes;

H. R. 4114. An act to authorize the Secretary of the Interior to sell certain land of Alice Scott White on the Crow Indian Reservation, Mont.;

H. R. 4190. An act granting the consent of Congress to the Pennsylvania Railroad Co. to construct, maintain, and operate a railroad bridge across the Allegheny River at or near Warren, Pa.;

H. R. 4341. An act for the relief of James B. McGoldrick;

H. R. 4375. An act for the relief of Charles Martin;

H. R. 4386. An act to facilitate and simplify the administration of Indian affairs;

H. R. 4406. An act for the relief of Loyal F. Willis;

H. R. 4410. An act to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to make regulations to prevent and control the spread of communicable and preventable diseases," approved August 11, 1939;

H. R. 4428. An act to adjust the rate of dividends paid by the Federal Savings and Loan Insurance Corporation on its capital stock and to decrease the premium charge for its insurance;

H. R. 4435. An act to establish the Theodore Roosevelt National Park; to erect a monument in memory of Theodore Roosevelt in the village of Medora, N. Dak., and for other purposes;

H. R. 4466. An act for the relief of Francis T. Lillie and Lois E. Lillie;

H. R. 4497. An act to create an Indian Claims Commission, to provide for the powers, duties, and functions thereof, and for other purposes;

H. R. 4562. An act to insure the preservation of technical and economic records of domestic sources of ores of metals and minerals;

H. R. 4608. An act for the relief of Mrs. Mary D. Johnson;

H. R. 4686. An act for the relief of the estate of Harry Wright;

H. R. 4720. An act to amend the act of December 7, 1944, relating to certain overtime compensation of civilian employees of the United States;

H. R. 4842. An act to amend the act of April 29, 1943, so as to afford a preference for veterans in acquiring certain vessels;

H. R. 4947. An act for the relief of Ethel Guenther;

H. R. 5198. An act for the relief of Marjorie B. Marable;

H. R. 5223. An act to extend temporarily the time for filing applications for patents, for taking action in the United States Patent Office with respect thereto, for preventing proof of acts abroad with respect to the making of an invention, and for other purposes;

H. R. 5261. An act for the relief of David Weiss;

H. R. 5278. An act to legalize the admission to the United States of Virginia Harris Casardi;

H. R. 5368. An act for the relief of W. G. Magruder;

H. R. 5372. An act for the relief of Jessie Wolfington;

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. 5414. An act for the relief of Marie Gorak;

H. R. 5537. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Susquehanna River at a point between the Borough of Plymouth, in Plymouth Township, and Hanover Township, in the county of Luzerne, and in the Commonwealth of Pennsylvania;

H. R. 5654. An act to provide basic authority for the performance of certain functions and activities of the Bureau of Reclamation;

H. R. 5725. An act for the relief of Sadie Frey and the estate of Marie Hviding;

H. R. 5756. An act for the retirement of public-school teachers in the District of Columbia;

H. R. 5851. An act for the relief of Second Lt. Francis W. Anderson;

H. R. 5874. An act for the relief of Joseph Maezer;

H. R. 5928. An act to name the bridge located on New Hampshire Avenue, Washington, D. C., over the Baltimore & Ohio Railroad tracks "The Charles A. Langley Bridge";

H. R. 5932. An act providing for the conveyance to the town of Ipswich, in the State of Massachusetts, of lighthouse property at Castle Neck, for public use;

H. R. 5970. An act 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;

H. R. 5991. An act to simplify and improve credit services to farmers and promote farm ownership by abolishing certain agricultural lending agencies and functions, by defining the lending powers of the Secretary of Agriculture, by authorizing Government insurance of loans to farmers, by creating preferences for loans and insured mortgages to enable veterans to acquire farms, by providing additional specific authority and directions with respect to the liquidation of resettlement projects and rural rehabilitation projects for resettlement purposes, and for other purposes;

H. R. 6023. An act providing for the conveyance to the city of Atlantic City, in the State of New Jersey, of lighthouse property at Atlantic City, for public use;

H. R. 6030. An act to amend the Civil Aeronautics Act of 1938, as amended, so as to improve international collaboration with respect to meteorology;

H. R. 6057. An act to amend the act of July 11, 1919 (41 Stat. 132), relating to the interchange of property between the Army and the Navy, so as to include the Coast Guard within its provision;

H. R. 6097. An act to amend the act of March 10, 1934, entitled "An act to promote the conservation of wildlife, fish, and game, and for other purposes";

H. R. 6141. An act to provide funds for cooperation with the school board of Hunter School District for the construction and equipment of a new school building in the town of Hunter, Sawyer County, Wis., to be available to both Indian and non-Indian children;

H. R. 6148. An act to exempt certain vessels from filing passenger lists;

H. R. 6223. An act to authorize the Highway Departments of the States of Kentucky and West Virginia to construct, maintain, and operate a free highway bridge across the Tug Fork of the Big Sandy River at or near Williamson, W. Va.;

H. R. 6231. An act for the relief of Frank A. Gorman;

H. R. 6248. An act for the relief of Capital Office Equipment Co.;

H. R. 6263. An act to amend the act of June 23, 1943, so as to authorize inclusion of periods of education and training in an Army Transportation Corps civilian marine school as "service in the merchant marine";

H. R. 6298. An act to protect and facilitate the use of national-forest lands in township 2 north, range 18 west, Ohio River survey, township of Elizabeth, county of Lawrence, State of Ohio, and for other purposes;

H. R. 6307. An act for the relief of Francesco D'Emilio;

H. R. 6408. An act to authorize the War Shipping Administration and the Maritime Commission to make available certain surplus property to certain maritime academies;

H. R. 6423. An act for the relief of Mrs. Ivan B. Hofman;

H. R. 6488. An act to amend the act to provide for the issuance of devices in recognition of the services of merchant sailors;

H. R. 6536. An act for the relief of Southeastern Sand & Gravel Co.;

H. R. 6593. An act for the relief of Milton A. Johnson, and for other purposes;

H. R. 6610. An act to waive certain restrictions of the Hawaiian Organic Act, relating to land exchanges, for the acquisition of certain lands at Hilo, T. H.;

H. R. 6629. An act to provide basic authority for the performance of certain functions and activities of the National Park Service;

H. R. 6642. An act for the relief of certain postmasters;

H. R. 6811. An act relating to veterans' pension, compensation, or retirement pay during hospitalization, institutional or domiciliary care, and for other purposes;

H. R. 6817. An act to provide for the appointment of additional commissioned officers in the Regular Army, and for other purposes;

H. R. 6859. An act to amend section 121 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended, to authorize the appointment of three additional deputies for the register of wills;

H. R. 6890. An act to amend the First War Powers Act, 1941;

H. R. 6896. An act to grant to the city of Miles City, State of Montana, certain land in Custer County, Mont., for industrial and recreational purposes and as a museum site;

H. R. 6899. An act to authorize the Indiana State Toll Bridge Commission to construct, maintain, and operate a toll bridge, or a free bridge, across the Ohio River at or near Lawrenceburg, Dearborn County, Ind;

H. R. 6900. An act to grant increased service pensions in certain Spanish-American War cases not included in recent legislation providing increases to other Spanish-American War veterans and their dependents, and for other purposes;

H. R. 6918. An act to provide emergency relief for the victims of the seismic waves which struck the Territory of Hawaii, and for other purposes;

H. R. 6932. An act to provide for further research into basic laws and principles relating to agriculture and to improve and facilitate the marketing and distribution of agricultural products;

H. R. 6953. An act authorizing the city of East St. Louis, Ill., its successors and assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near a point between Delmar Boulevard and Cole Street in the city of St. Louis, Mo., and a point opposite thereto in the city of East St. Louis, Ill.;

H. R. 6967. An act to improve, strengthen, and expand the Foreign Service of the United States and to consolidate and revise the laws relating to its administration;

H. R. 7004. An act to revise the boundaries of Wind Cave National Park in the State of South Dakota, and for other purposes;

H. R. 7020. An act to provide for the acquisition by exchange of non-Federal property within the Glacier National Park;

H. R. 7030. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a

toll bridge across the Allegheny River, between a point in or near the Borough of Tarentum, in the county of Allegheny, and a point near the boundary of the city of New Kensington and Lower Burrell Township in Westmoreland County in the Commonwealth of Pennsylvania;

H. R. 7039. An act to further amend section 304 of the Naval Reserve Act of 1938, as amended, so as to grant certain benefits to naval personnel engaged in training duty prior to official termination of World War II;

H. R. 7109. An act to amend section 6 of Public Law No. 516 of the Seventy-ninth Congress, approved July 16, 1946;

H. R. 7126. An act to amend section 2 of the act of July 16, 1946 (Public Law 514, Seventy-ninth Congress), relating to the establishment and operation in the District of Columbia of nurseries and nursery schools, so as to permit payment of compensation for services rendered after June 30, 1946, and prior to the enactment of such act;

H. J. Res. 366. Joint resolution authorizing and directing the Director of the Fish and Wildlife Service of the Department of the Interior to investigate and eradicate the predatory sea lampreys of the Great Lakes;

H. J. Res. 370. Joint resolution granting certain property to the Commonwealth of Pennsylvania and relinquishing jurisdiction therein; and

H. J. Res. 387. Joint resolution granting permission to Thomas Parran, Surgeon General of the Public Health Service; Rolla E. Dyer, Assistant Surgeon General, Public Health Service; Howard F. Smith, Assistant Surgeon General, Public Health Service; Herbert A. Spencer, medical director, Public Health Service; Vance B. Murray, medical director, Public Health Service; and Gilbert L. Dunnahoo, medical director, Public Health Service, to accept and wear certain decorations bestowed upon them by France, Cuba, Mexico, Chile, Finland, and Luang-Prabang.

TRANSACTION OF ROUTINE LEGISLATIVE BUSINESS

As in legislative session,

By unanimous consent the following routine business was transacted:

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on August 1, 1946, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 191. An act to amend the Public Health Service Act to authorize grants to the States for surveying their hospitals and public-health centers and for planning construction of additional facilities, and to authorize grants to assist in such construction;

S. 528. An act for the relief of Thaddeus C. Knight;

S. 881. An act authorizing the President of the United States to award posthumously in the name of Congress a Medal of Honor to William Mitchell;

S. 1253. An act 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 structures; to alter or modify their financial obligations; and for other purposes;

S. 2020. An act granting a right-of-way at a revised location to the West Shore Railroad Co., the New York Central Railroad Co., lessee, across a portion of the military reservation at West Point;

S. 2236. An act providing for a medal for service in the merchant marine during the present war;

S. 2304. An act to provide for the training of officers for the naval service, and for other purposes;

S. 2318. An act to amend the act of May 11, 1938, for the conservation of the fishery resources of the Columbia River and for other purposes;

S. 2401. An act to amend the act of May 4, 1898 (30 Stat. 369), as amended, to authorize the President to appoint 250 acting assistant surgeons for temporary service;

S. 2419. An act to amend further the act of April 6, 1938, as amended by the act of July 9, 1941, entitled "An act authorizing the Secretary of the Treasury to exchange sites at Miami Beach, Dade County, Fla., for Coast Guard purposes";

S. 2426. An act providing for the conveyance to the city of Canton, S. Dak., of the Canton Insane Asylum, located in Lincoln County, S. Dak.; and

S. J. Res. 84. Joint resolution authorizing the erection in the District of Columbia of a statue of Nathan Hale.

COMMITTEE ON DEVELOPMENT AND CONTROL OF ATOMIC ENERGY

The PRESIDENT pro tempore. Pursuant to the provisions of the bill (S. 1717) for the development and control of atomic energy, approved August 1, 1946, the Chair appoints the Senator from Connecticut [Mr. McMAHON], the Senator from Georgia [Mr. RUSSELL], the Senator from Colorado [Mr. JOHNSON], the Senator from Texas [Mr. CONNALLY], the Senator from Virginia [Mr. BYRD], the Senator from Michigan [Mr. VANDENBERG], the Senator from Colorado [Mr. MILLIKEN], the Senator from Iowa [Mr. HICKENLOOPER], and the Senator from California [Mr. KNOWLAND] the committee on the part of the Senate.

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON FOREIGN SURPLUS DISPOSAL

A letter from the Acting Secretary of State, transmitting the second report on foreign surplus disposal (with an accompanying report); to the Committee on Military Affairs.

COLLECTION OF CERTAIN SPECIAL TONNAGE DUTIES AND LIGHT MONEY

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to relieve collectors of customs of liability for failure to collect certain special tonnage duties and light money, and for other purposes (with accompanying papers); to the Committee on Finance.

SPECIAL ASSISTANTS EMPLOYED BY DEPARTMENT OF JUSTICE

A letter from the Attorney General, transmitting, pursuant to law, a report showing the special assistants employed during the period from January 1 to June 30, 1946, under the appropriation "Compensation of special attorneys, etc., Department of Justice" (with an accompanying report); to the Committee on the Judiciary.

PERSONNEL CEILINGS

A letter from the Acting Director of the Budget, transmitting, pursuant to law, the fourth quarterly report of personnel ceilings as determined and fixed by the Director (with an accompanying report); to the Committee on Civil Service.

PROGRESS REPORT ON WAR CONTRACT TERMINATIONS AND SETTLEMENTS

A letter from the Director of the Office of Contract Settlement, transmitting, pursuant to law, the eighth quarterly progress report of that office, entitled "War Contract Terminations and Settlements" (with an accompanying report); to the Committee on Military Affairs.

PETITIONS

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

A letter in the nature of a petition from Floyd W. Barstow, of Detroit, Mich., praying for the enactment of legislation providing old-age assistance; to the Committee on Finance.

A resolution adopted by the Independent Voters' League, of Boise, Idaho, relating to the purchase of outstanding patents so as to abolish monopolies and cartels; to the Committee on Patents.

A telegram in the nature of a petition from Cimon P. Diamantopoulos, Ambassador from Greece, expressing appreciation of the action of the Senate in adopting the resolution (S. Res. 82) favoring the award of the Dodecanese Islands to Greece; ordered to lie on the table.

A telegram in the nature of a petition from William Doherty, president, National Association of Letter Carriers; Leo George, president, National Federation of Post Office Clerks; E. A. Meeks, executive secretary, National League of District Postmasters; Thomas G. Walters, president, National Rural Letter Carriers Association; Phil J. Gallagher, president, National Association of Postmasters; John McMahon, president; National Association of Postal Supervisors; Paul Castiglioni, legislative representative, National Federation of Post Office Motor Vehicle Employees, Washington, D. C., praying for the enactment of the bill (S. 5560) to fix the rate of postage on domestic air mail; ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CHAVEZ, from the Committee on Post Offices and Post Roads:

S. 1225. A bill for the relief of William S. Meany; without amendment (Rept. No. 1928).

By Mr. RUSSELL, from the Committee on Immigration:

H. R. 5527. A bill for the relief of Dimitrios Karamouzis (known as James C. Karamouzis or James C. Kar); without amendment (Rept. No. 1929).

REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—ADDITIONAL REPORT ON PERSONNEL CEILING DETERMINATIONS AND VIOLATIONS

The PRESIDENT pro tempore laid before the Senate a letter from Mr. BYRD, chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, transmitting, pursuant to law, an additional report on the subject, Personnel Ceiling Determinations and Violations.

Mr. BYRD. Mr. President, I ask unanimous consent that the report of the Joint Committee on Reduction of Nonessential Federal Expenditures, on the question of personnel ceiling determinations and violations, just laid before the Senate, be printed as a Senate document.

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

PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The PRESIDENT pro tempore laid before the Senate a report for the month of July 1946, from the chairman of a certain committee, in response to Senate Resolution 319 (78th Cong.), relative to

persons employed by committees who are not full-time employees of the Senate or any committee thereof, which was ordered to lie on the table and to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON EDUCATION AND LABOR,
July 30, 1946.

Mr. LESLIE L. BIFFLE,
Secretary of the Senate, United States Capitol, Washington, D. C.

DEAR MR. BIFFLE: I transmit herewith the list of employees of the Subcommittee on Health and Education who are not full-time employees of the Senate. The Subcommittee on Health and Education is reimbursing the Federal Public Housing Authority for the month of July, for the service of these employees.

Best wishes to you, and

Always sincerely,

CLAUDE PEPPER,
Chairman.

SUBCOMMITTEE ON HEALTH AND EDUCATION
JULY 31, 1946.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of July 1946, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Charles Bragman	Arlington Village Apts., Arlington, Va.	Federal Public Housing Authority, 1201 Connecticut Ave. NW.	$7,341.60
Dolores B. Raschella	3028 Wisconsin Ave. NW., Washington, D. C.	do	2,720.20

CLAUDE PEPPER, *Chairman.*

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

(Mr. ANDREWS introduced Senate bill 2505, to provide for the extension and completion of the United States Capitol, which was referred to the Committee on Public Buildings and Grounds, and appears under a separate heading.)

By Mr. BYRD (for himself and Mr. BUTLER):

S. 2506. A bill to bring Federal revenues and expenditures into balance; to the Committee on Finance.

By Mr. MEAD:

S. 2507. A bill relating to the effective date of death compensation and death pension awards in the case of interned dependents of deceased veterans; to the Committee on Finance.

By Mr. TAYLOR:

S. 2508. A bill to provide income-tax credits for individual taxpayers whose income falls below level necessary for minimum decent standard of living, and to equalize treatment given individuals as compared to corporations under the Internal Revenue Code; to the Committee on Finance.

By Mr. MEAD (for himself, Mr. KNOWLAND, Mr. LANGER, Mr. MAGNUSON, Mr. TUNNELL, Mr. MITCHELL, Mr. TAYLOR, Mr. HUFFMAN, Mr. GUFFEY, Mr. WAGNER, Mr. THOMAS of Utah, Mr. WALSH, and Mr. MORSE):

S. 2509. A bill for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

(Mr. ANDREWS introduced Senate Joint Resolution 188, proposing an amendment to the Constitution of the United States relating to the Judiciary, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

(Mr. ANDREWS introduced Senate Joint Resolution 189, proposing an amendment to the Constitution of the United States authorizing Congress to provide for the trial of certain crimes and of suits at common law by juries of fewer than 12 members, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

EXTENSION AND COMPLETION OF THE UNITED STATES CAPITOL

Mr. ANDREWS. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill providing for the extension and completion of the United States Capitol.

In this connection, let me say that in 1937, under the leadership of the Senator from Texas [Mr. CONNALLY], the bill was passed by the Senate, but it was rejected by the House. However, I understand that now the leadership of the House is committed to the provisions of that bill, which provides for the completion of the front portion of the Capitol, which never has been completed, and which is architecturally incomplete. Anyone can understand that if he will get into an airplane or a blimp and pass over the Capitol and see just exactly how the dome of the Capitol projects out over the front portico. Also, the front is made of standstone, and the pillars are made of sandstone, and it is necessary to keep them constantly painted and repaired. They are entirely different from the beautiful fluted granite columns which front the eastern portion of the Senate wing and the eastern portion of the House wing.

Mr. President, in this connection, I desire to make an explanation of why this condition has existed and how long it has existed. I ask unanimous consent to have the bill, together with a statement in connection with the introduction of the bill, printed at this point in the RECORD as a part of my remarks for future guidance of Congress.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred, and the bill and statement will be printed in the RECORD.

The bill (S. 2505) to provide for the extension and completion of the United States Capitol, introduced by Mr. ANDREWS, was read twice by its title, referred to the Committee on Public Buildings and Grounds, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the central portion of the Capitol shall be extended, reconstructed, and replaced in substantial accordance with either scheme A or scheme B of the architectural plan submitted by the joint commission of Congress and reported to Congress on March 3, 1905 (H. Doc. No. 385, 58th Cong., 3d sess.), with such modifications as the Commission may determine, excepting so much of said plan as relates to a sculptural group in the pediment of the House wing, and excepting so much of said plan as relates to the west front of the Capitol and to the two broad flights of terrace steps on the west of the Capitol. The joint commission hereinafter provided for shall determine whether the substance of scheme A or scheme B shall be adopted.

SEC. 2. The extension, reconstruction, and replacement herein authorized shall be carried out under the direction and supervision of a commission, which is hereby created, to be known as the Commission for the Extension and Completion of the United States Capitol, and to be composed of the President of the Senate, the Speaker of the House of Representatives, the chairman and the ranking minority member of the Senate Committee on Public Buildings and Grounds; the chairman and the ranking minority member of the House Committee on Public Buildings and Grounds, the minority leader of the Senate, the minority leader of the House of Representatives, and the Architect of the Capitol. The Architect of the Capitol shall perform such services under this act as the Commission may direct.

SEC. 3. The construction contemplated under this act, including the necessary traveling expenses, the letting of contracts, advertising, purchase of materials, supplies, equipment, and accessories in the open market, the employment of all necessary architectural, engineering, and other personal services (all without reference to sec. 35 of the Public Buildings Act approved June 25, 1910, as amended, Sec. 3709 of the Revised Statutes, or the Classification Act of 1923, as amended), and the purchase of necessary technical and other books, shall be under the control of the Architect of the Capitol, subject to the direction and supervision of the Commission.

SEC. 4. The total cost of the extension, reconstruction and replacement, and other items enumerated in section 3 herein authorized shall not exceed the sum of $5,000,000, and a contract or contracts for any portion or all of such amount may be entered into in accordance with section 3. A sum not exceeding $5,000,000 is hereby authorized to be appropriated to carry out the provisions of this act.

SEC. 5. Appropriations made pursuant to this act shall be disbursed in the same manner as other appropriations under the Architect of the Capitol through the Division of Disbursements, Treasury Department.

The statement presented by Mr. ANDREWS is as follows:

EXTENSION AND COMPLETION OF THE UNITED STATES CAPITOL

The United States Capitol Building, as presently constructed, has never been completed architecturally. The north wing of the old building, containing the Supreme Court Room, was constructed during the period 1793 to 1800. The south wing of the old building, containing Statuary Hall, was constructed during the period 1800 to 1811. After the burning of the Capitol in 1814 these sections of the building were reconstructed

and the central portion of the old building constructed during the period 1815 to 1829.

The Senate and House wings, containing the present Senate and House Chambers, were not constructed until the period 1851 to 1865, and the old wooden dome was not replaced with the present cast-iron dome until the period 1856 to 1865.

The present Senate and House wings and dome were designed by and constructed under the direction of Thomas U. Walter, who served as Architect of the Capiol during the period 1851 to 1865. Mr. Walter's plans never contemplated leaving the old building in its present state. His plans contemplated extending the old portion of the building eastward and reconstructing in marble this portion of the building which is constructed of Acquia Creek sandstone, a material that is not durable and is disintegrating with the years, notwithstanding the fact that this portion of the building is painted about every 4 years.

In his annual report to Congress November 1, 1863, Mr. Walter stated:

"The eastern portico of the old building will certainly be taken down at no very distant day, and the front be extended eastward, at least to the front line of the wings, so as to complete the architectural group and at the same time afford additional accommodations to the legislative department of the Government. * * *"

In his annual report to Congress the following year, November 1, 1864, Mr. Walter again stated:

"Now that the new dome and the wings of the Capitol are approaching completion it must be apparent to everyone that the extension of the center building on the east to the line of the new wings becomes an architectural necessity. I have, therefore, prepared plans for thus completing the work in harmony with what has already been done and will place them in the Capitol for future reference.

"I do not suppose, nor would I recommend, that any action be taken by Congress in reference to such an improvement until the war is ended and the financial condition of the country becomes settled and prosperous; but inasmuch as it is my purpose to retire from these works as soon as the dome is finished, I deem it incumbent upon me to leave upon record my views as to their final completion."

Numerous efforts have been made during the past 80 years by the three men who have served as Architect of the Capitol since 1865, including the present Architect, to carry into effect Mr. Walter's plans for the extension and completion of the Capitol. Bills have been introduced in the House and Senate for this purpose from time to time and hearings held by the Public Buildings and Grounds Committees of the House and Senate, but the necessary enabling legislation has never been enacted.

Extensive hearings were last held by both the Senate and House committees in 1935 and again by the Senate committee in 1937. On both of these occasions the Senate passed a bill authorizing the extension and completion of the Capitol, but in each instance the bill was not reported out by the House committee.

The bill which I am introducing today provides for the extension and completion of the Capitol. It creates a Joint Congressional Commission under whose direction the work would be accomplished. It provides for the reconstruction of the old portion of the east front of the Capitol in marble, and the extension of this section of the building eastward—the exact distance to be determined by the Commission. The project is to be carried forward in substantial accordance with either scheme A or scheme B of the architectural plan submitted by a previous Joint Commission of Congress in House Document No. 385, Fifty-eighth Congress, March 3, 1905. The bill authorizes an appropriation of $5,000,000 for the project.

In offering this bill, I again wish to emphasize that the extension and completion of the United States Capitol is recommended in order that (1) there may be corrected the architectural defect in the building which exists due to the skirt or base of the dome extending over the east portico in such a manner as to give the appearance of an apparent lack of support to the dome; (2) the Members of the Congress may be provided with much-needed additional accommodations; and (3) a durable construction for the central portion of the building may be provided by the replacement of the existing sandstone with marble.

AMENDMENT TO CONSTITUTION RELATING TO THE JUDICIARY

Mr. ANDREWS. Mr. President, I ask unanimous consent to introduce a Senate joint resolution proposing an amendment to the Constitution of the United States. The amendment relates to the judiciary. I wish I had time to explain it. I realize that perhaps this may be the last day of the present Congress, and I also realize that probably this is the last day I shall appear on this floor. But this is a matter on which I have worked for several months, and I trust that the joint resolution will be favorably considered by our Judiciary Committee. I feel that it the committee looks into the matter thoroughly, it will recommend the passage of the joint resolution by this body. Its passage and the subsequent ratification of the constitutional amendment will mean much to our beloved Constitution and I wish I had time to explain all the details of the matter.

I request that the joint resolution be printed in the RECORD.

There being no objection, the joint resolution (S. J. Res. 188) proposing an amendment to the Constitution of the United States relating to the Judiciary, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution, in lieu of section 1 of article III thereof, when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. The judicial power of the United States shall be vested in a Supreme Court, and in circuit courts of appeal, district courts, and such other inferior courts as the Congress may from time to time ordain and establish. The justices and judges of said courts shall be appointed by the President, by and with the advice and consent of the Senate. They shall hold their offices during good behavior and as herein provided, and shall receive at stated times for their services a compensation which shall not be diminished during their continuance in office.

"SEC. 2. The Supreme Court shall be composed of a Chief Justice, appointed from the United States at large, and not less than eight associate justices, not more than one of whom shall be appointed from territory within the jurisdiction of the same circuit court of appeals.

"SEC. 3. Any justice of the Supreme Court and any judge of any circuit court of appeals or district court who shall have held a commission or commissions as such justice or judge for a period of 10 years may voluntarily retire upon attaining the age of 70 years, and thereafter, upon his request shall continue to receive the same annual compensation. Any retired Justice of the Supreme Court or any senior judge of a circuit court of appeals shall be subject to call by the Supreme Court to sit as a member thereof in any case in which a member or members are disqualified by reason of interest, or unable to participate because of illness, or unavoidable absence. Any case before the Supreme Court involving the interpretation or construction of a State or Federal Constitution shall not be adjudged except upon concurrence of a majority of the full Court.

"SEC. 4. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 5 years from the date of its submission to the States by the Congress."

AMENDMENT TO CONSTITUTION RELATING TO TRIAL OF CERTAIN CRIMES AND SUITS AT COMMON LAW BY JURIES

Mr. ANDREWS. Mr. President, I have one more joint resolution to amend the Constitution of the United States. It would authorize Congress to provide for the trial of certain crimes and suits at common law by juries consisting of fewer than 12 members. If we try a lawsuit at common law in any of our States, it is tried before a jury of six. Many criminal cases, except capital cases, are tried before juries consisting of only six members. There is no reason why the United States Government should not be able to try its cases before juries consisting of the same number of members as are used in the trials of cases in our various State courts. In many cases in which the United States Government is involved, jurors are sometimes required to attend court for days at a time and, in the end, perhaps render a verdict against some poor man who has stolen, for example, $5 worth of stamps. It is like the laboring of the mountain which brought forth a mouse. If this resolution is adopted it will save the Government many hundreds of thousands of dollars, and without any sacrifice of justice.

I ask unanimous consent to introduce the joint resolution for appropriate reference, and I request that it be printed in full in the RECORD.

There being no objection, the joint resolution (S. J. Res. 189) proposing an amendment to the Constitution of the United States authorizing Congress to provide for the trial of certain crimes and of suits at common law by juries of fewer than 12 members, introduced by Mr. ANDREWS, was received, read twice by its title, referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when

ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SEC. 1. The Congress shall have power to provide, by appropriate legislation, that the trial of any crime for which the maximum penalty is less than death or life imprisonment or that the trial of any suit at common law shall be by a jury of fewer than 12 members.

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress."

PUTTING PRINCIPLES INTO ACTION—ARTICLE BY JACK. W. HARDY

[Mr. KNOWLAND asked and obtained leave to have printed in the RECORD an article entitled "Putting Principles Into Action," by Jack. W. Hardy, National Commander of AMVETS, published in the August 1946 issue of National Amvets, which appears in the Appendix.]

TEN-POINT PROPOSAL FOR IMPROVEMENT OF THE FEDERAL GOVERNMENT SERVICE

[Mr. TAYLOR asked and obtained leave to have printed in the RECORD a 10-point proposal for the improvement of the Federal Government service, prepared by the Government Employees Council of the American Federation of Labor, which appears in the Appendix.]

THE PALESTINE QUESTION—LETTER FROM WILLIAM B. ZIFF TO PRESIDENT TRUMAN

[Mr. LANGER asked and obtained leave to have printed in the RECORD a letter from William B. Ziff, of New York City, to President Truman, under date of July 25, 1946, dealing with the Palestine question, which appears in the Appendix.]

REPORT OF SANITARY CONDITIONS IN THE DISTRICT OF ARNSWALDE-NEUMARK, SOUTH POMERANIA

[Mr. LANGER asked and obtained leave to have printed in the RECORD a report of sanitary conditions in the district of Arnswalde-Neumark, South Pomerania, which appears in the Appendix.]

EXTRACTS FROM REPORT ON THE REFUGEE PROBLEM IN THE DISTRICT OF Y, NEUMARK

[Mr. LANGER asked and obtained leave to have printed in the RECORD extracts from report on the refugee problem in the district of Y, Neumark, which appears in the Appendix.]

EXTRACTS FROM A LETTER OF HERRN B. P. FROM BAYREUTH TO FRAU J. SCH.

[Mr. LANGER asked and obtained leave to have prined in the RECORD extracts from a letter of Herrn B. P. from Bayreuth to Frau J. Sch. in Weimar, dated Jan. 15, 1946, which appears in the Appendix.]

EVACUATION AND CONCENTRATION CAMPS IN SILESIA

[Mr. LANGER asked and obtained leave to have printed in the RECORD extracts from reports dealing with evacuation and concentration camps in Silesia, which appears in the Appendix.]

GERMAN CATHOLIC CARITAS CENTER

[Mr. LANGER asked and obtained leave to have printed in the RECORD a statement with respect to the German Catholic Caritas Center in Germany, which appears in the Appendix.]

A FEDERAL GERMANY?—ARTICLE BY ALEXANDER BOEKER

[Mr. LANGER asked and obtained leave to have printed in the RECORD a statement entitled "A Federal Germany?" by Alexander Boeker, published in the July 10, 1946, issue of Human Events, which appears in the Appendix.]

WANT A HOUSE? BUILD YOUR OWN WALLS DIRT FREE—ARTICLE BY A. B. LEE

[Mr. LANGER asked and obtained leave to have printed in the RECORD an article entitled "Want a House? Build Your Own Walls Dirt Free," by A. B. Lee, published in the Washington, D. C., Legion News issue of July 1946, which appears in the Appendix.]

USE OF SURPLUS PROPERTY CREDITS ABROAD FOR THE EXCHANGE OF STUDENTS—STATEMENT BY SENATOR FULBRIGHT

[Mr. FULBRIGHT asked and obtained leave to have printed in the RECORD a statement released by him regarding Senate bill 1636, and a statement by Assistant Secretary of State William Benton relative to the administration of Senate bill 1636, which appear in the Appendix.]

INVESTIGATION OF WALL STREET BANKS—ARTICLE FROM IN FACT

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an article entitled "Secret U. S. Investigation of Wall Street Banks Seeks To Break Monopoly Hold on Nation's Commerce," published in the August 5, 1946, issue of the weekly news letter In Fact, which appears in the Appendix.]

INVESTIGATION OF WAR PROFITS—STATEMENT BY SENATOR MITCHELL

[Mr. MITCHELL asked and obtained leave to have printed in the RECORD a statement by him regarding investigation of war profits by the Special Committee Investigating the National Defense Program, which appears in the Appendix.]

ACTIVITIES OF POWER COMPANIES IN WASHINGTON — CORRESPONDENCE OF SENATOR MITCHELL

[Mr. MITCHELL asked and obtained leave to have printed in the RECORD a letter from him to the Chairman of the Federal Power Commission, and a telegram received by him from various organizations of Washington State, which appear in the Appendix.]

PACIFIC NORTHWEST DEVELOPMENT—LETTER BY SENATOR MITCHELL

[Mr. MITCHELL asked and obtained leave to have printed in the RECORD a letter written by him to Henry P. Carstenson, master of the Washington State Grange, which appears in the Appendix.]

EDITORIAL TRIBUTES TO SENATOR WHEELER

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an editorial tribute to Senator WHEELER written by Roy A. Roberts, managing editor of the Kansas City Star, together with an editorial on the same subject from the Hartford Courant, which appear in the Appendix.]

CALL OF THE ROLL

Mr. HILL. Mr. President, I desire to address the Senate for a few moments at this time, to make some reference to the speech delivered by the junior Senator from Connecticut [Mr. HART] last week. I should like to have him present, and, without losing my right to the floor, 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:

Andrews	Hill	O'Mahoney
Austin	Hoey	Overton
Ball	Huffman	Pepper
Barkley	Johnson, Colo.	Radcliffe
Bilbo	Johnston, S. C.	Revercomb
Bridges	Knowland	Russell
Byrd	La Follette	Smith
Capper	Langer	Stewart
Chavez	McClellan	Swift
Connally	McFarland	Taft
Cordon	McKellar	Taylor
Donnell	McMahon	Thomas, Okla.
Downey	Magnuson	Thomas, Utah
Ferguson	Maybank	Tunnell
Fulbright	Millikin	Vandenberg
George	Mitchell	Wagner
Gossett	Moore	Walsh
Green	Morse	Wheeler
Guffey	Murdock	Wherry
Hart	Murray	White
Hayden	O'Daniel	Wiley

Mr. HILL. I announce that the Senator from North Carolina [Mr. BAILEY] is absent because of illness.

The Senator from Nevada [Mr. CARVILLE] is absent by leave of the Senate.

The Senator from Virginia [Mr. BURCH] and the Senator from Rhode Island [Mr. GERRY] are necessarily absent.

The Senator from Missouri [Mr. BRIGGS], the Senator from Mississippi [Mr. EASTLAND], the Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], the Senator from Nevada [Mr. MCCARRAN], and the Senator from Pennsylvania [Mr. MYERS] are detained on public business.

The Senator from New Mexico [Mr. HATCH] is absent on official business, having been appointed a member of the President's Evaluation Commission in connection with the test of atomic bombs on naval vessels at Bikini.

The Senator from Louisiana [Mr. ELLENDER] and the Senator from Maryland [Mr. TYDINGS] are absent on official business, having been appointed to the commission on the part of the Senate to participate in the Philippine independence ceremonies.

Mr. WHERRY. The Senator from Maine [Mr. BREWSTER], the Senator from Delaware [Mr. BUCK], the Senator from New Jersey [Mr. HAWKES], the Senator from Kansas [Mr. REED], the Senator from Kentucky [Mr. STANFILL], and the Senator from Indiana [Mr. WILLIS] are necessarily absent.

The Senator from Vermont [Mr. AIKEN], the Senator from Illinois [Mr. BROOKS], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Indiana [Mr. CAPEHART], the Senator from South Dakota [Mr. GURNEY], the Senator from Wyoming [Mr. ROBERTSON], the Senator from New Hampshire [Mr. TOBEY], and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from Nebraska [Mr. BUTLER] is absent on official business, being a member of the commission appointed to attend the Philippine independence ceremonies.

The Senator from Iowa [Mr. HICKENLOOPER] is absent by leave of the Senate on official business as a member of the Special Committee on Atomic Energy.

The Senator from Massachusetts [Mr. SALTONSTALL] is absent on official business, having been appointed a member

of the President's Evaluation Commission in connection with the test of atomic bombs on naval vessels at Bikini.

The Senator from Iowa [Mr. WILSON] is absent on official business.

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

Mr. HILL. Mr. President, it had been my intention to address the Senate for a few minutes at this time. I find, however, that the distinguished senior Senator from Vermont [Mr. AUSTIN] will have to leave shortly in order that he may assume his new duties as our delegate on the United Nations Council. I share with him the desire to have an opportunity to vote on the pending resolution.

I am, therefore, going to yield the floor at this time in order that we may proceed with the World Court resolution, and shall ask recognition at a later time in the day.

REORGANIZATION OF CONGRESS—STATEMENT BY THE PRESIDENT

As in legislative session,

Mr. LA FOLLETTE. Mr. President, the President of the United States has just affixed his signature to the Legislative Reorganization Act of 1946, in the presence of all the members of the joint committee who were in the city. I ask unanimous consent that the clerk may read the statement which the President issued at the time he signed the bill.

The PRESIDENT pro tempore. Without objection, the clerk will read as requested.

The Chief Clerk read as follows:

The Legislative Reorganization Act of 1946, which I signed today, is one of the most significant advances in the organization of the Congress of the United States since the establishment of that body.

Both as United States Senator and as President, I have had occasion to observe some of the outmoded organizational and procedural traditions that have burdened the legislative branch. The problem of reorganizing and modernizing the Congress has been a peculiarly difficult one, and session after session the Members of the Congress found themselves unable to take decisive steps in tackling the problem.

The Seventy-ninth Congress, however, approached the task with vigor and in a sound and orderly manner. I have nothing but admiration for the way in which the investigation of congressional organization was conducted and particularly for the leaders who formed the special investigating committee and who wrote and sponsored the bill.

I realize that in the process of congressional consideration, compromises and adjustments had to be made and some desirable provisions were deleted. However, the passage of this act shows that progress can be made, and I anticipate that the Congress will continue to pay attention to those parts of the legislative-reorganization problem not yet solved.

The present act should permit easier and closer relations between the executive agencies of the Government and the Congress. The expanded staff of the congressional committees and of the agencies in the legislative branch can become a valuable link between the policy-making deliberations of the Congress and the practical administrative experience of the executive branch.

The legislative budget and the provisions on the handling of appropriations will undoubtedly result in clearer and more realistic relationships between the income and expenditure sides of the budget. Further, the changes in the dates for the transmitting of the President's economic report and the report of the Joint Committee on the Economic Report, required under the Employment Act of 1946, will result in proper integration between the legislative budget and the national program for maximum employment. The joint committee will now present its findings and recommendations to the Congress before February 1. The four revenue and appropriation committees in carrying out their new responsibilities under the Reorganization Act, therefore, will have the benefit of the joint committee's report for their over-all appraisal and recommendations on Federal receipts, expenditures, debt, and surplus. This timing is essential today when Federal fiscal policy is so closely related to the Nation's economic conditions.

One other provision of the bill deserves special praise—that which raises the salary of Members of Congress from $10,000 to $12,500 plus an expense allowance of $2,500. This is a long overdue step in providing adequate compensation for our Federal legislators.

AUTHORIZATION FOR SPECIAL COMMITTEE TO INVESTIGATE PETROLEUM RESOURCES TO FILE FINAL REPORT AFTER ADJOURNMENT OF CONGRESS

As in legislative session,

Mr. O'MAHONEY. Mr. President, I ask unanimous consent on behalf of the Special Committee to Investigate Petroleum Resources that the committee may be permitted to file its final report after the adjournment of this session by depositing it with the Secretary of the Senate.

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

PRODUCTION, TRANSPORTATION, AND MARKETING OF WOOL—ARTICLE BY CHARLES E. B. DICKINSON

As in legislative session,

Mr. WALSH. Mr. President, in view of the discussion that has taken place in the Senate recently with reference to legislation relating to the production, transportation, and marketing of wool, I ask to have inserted in the RECORD an article recently published in the New York Daily News Record of July 31, 1946, entitled "Needed Cooperation Between Dealers and Growers."

This article discusses the question from the standpoint of the grower and the dealer.

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

CITES NEED OF COOPERATION BETWEEN DEALERS AND GROWERS

(By Charles E. B. Dickinson)

It is not unnatural that wool growers demonstrated a certain amount of feeling about the defeat for this term of the wool measure. That they should demonstrate the attitude that there is another day, and another year, is something different, in its implication.

It may be a natural follow-up to the fact that wool enjoyed a special privilege in a sense during the war and is approaching the time when it must be weaned away from the nursing-along attitude that accompanied the recognition of the essential nature and need for that commodity, for peacetime purposes.

One important thing the wool grower has not properly appraised as yet and that is that operations in the wool textile industry as a whole, have moved away from old methods, and that the actual community of interest that exists in the business must be accepted at its proper rating.

It is unfortunate that users of wool have been allowed to become as dissatisfied as they have. One of the most important figures in the industry said not long ago, "I know of no other industry in which the source of the raw material is as indifferent to the welfare of its customers as is the wool-growing industry."

That is a real misfortune in these days of increasing interest in the conditions of resale of one's product. It was on that basis that the critic spoke.

Subsidies are unpopular in this country, for the one who actually pays the bill, the consumer, knows they are only a blind for political purposes. There is a 7½- to 10-percent differential in favor of the use of better grades of Australian wool, due to the greater care in baling and delivering in a cleanly manner.

It may annoy the grower to have the dealer call this to his attention. It is his duty, however, and he would be derelict if he did not do so. Foreign-grown wools find their way into his machinery too readily for that to happen, overlong.

In this period, when there is political intrigue in matters pertaining to the tariff it behooves the grower to get closer to the dealer rather than to drive him away. In fact getting closer together has been the trend in the industry for the last score of years.

Long ago the retailer demonstrated a desire to get closer to the machinery by asking for monthly meetings at which the troubles of the industry could be threshed out. That trend resulted in more and more fixed positions, such as the chains, the tie-ups, and the specialization. These put a very effective limitation upon trading and gambling in the industry for each move was designed to heighten the efficiency of that particular division of the industry under its changed set-up.

Fixed prices have prevailed for the product of the chains for a long time. Economic gyrations due to political or social upheavals cannot be avoided. However, no one branch of the industry can operate in a free, unrestricted manner while others have their limitations.

Notwithstanding, long ago, it was prophesied that ultimately the wool business would be done on a brokerage basis, the time for that has not arrived as yet, and the dealer should not be penalized in a time when earnings on a larger scale are necessary for tax purposes, is absolutely essential.

He has openly said that the legislation, now considered dead, for this term of Congress anyway, would put him out of business. That should not be, for the dealers, as has been said before, perform a very useful function.

Perhaps it would not be amiss if the growers made an effort, or those who represent them, to learn the reason for the other fellow's point of view. That has been the policy of the cloth manufacturer for a long time and it has paid dividends in inventories. The community-of-interest idea that is growing so steadily in the industry includes the grower, the dealer in wool, and the processor thereof. What affects one affects the other.

WORK OF THE SENATE COMMITTEE ON NAVAL AFFAIRS, SEVENTY-NINTH CONGRESS

As in legislative session,

Mr. WALSH. Mr. President, I ask unanimous consent to have printed in the RECORD a report made by me of the work of the Senate Committee on Naval Affairs, Seventy-ninth Congress.

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

WORK OF THE SENATE COMMITTEE ON NAVAL AFFAIRS, SEVENTY-NINTH CONGRESS

(By DAVID I. WALSH, chairman)

Prior to the beginning of the Seventy-ninth Congress, January 1945, and during the early months of the war, the Committee on Naval Affairs of the Senate completed practically all of its work in connection with authorizing the construction of naval vessels, planes, bases, shore facilities, and the procurement of naval personnel to effectively prosecute the war.

Although most of the committee work during the Seventy-ninth Congress concerned postwar activities, several major bills in connection with the prosecution of the war were considered:

Public Law No. 13, approved March 1, 1945, authorized an additional expenditure of $1,500,539,500 for the development or establishment of naval shore facilities. Approximately $1,000,000,000 of this amount was for advance base construction for the Pacific, $230,000,000 for ship repair and laying-up facilities, $28,000,000 for hospital facilities, and $59,416,500 for aviation facilities.

Public Law No. 140, approved July 6, 1945, amended the law relating to the conservation, care, custody, protection, and operation of the naval-petroleum and oil-shale reserves. This bill amended existing law by authorizing the extraction of oil from the Elk Hills Naval Petroleum Reserve under a unit contract plan, to provide additional oil which was required for military operations in the Pacific Ocean areas.

Public Law No. 142, approved July 6, 1945, increased the amount of oil which could be taken from the naval-petroleum reserves from 15,000 barrels per day to 55,000 barrels per day. Since the end of the war the daily amount produced has been greatly reduced.

On July 12, 1945, a bill, S. 1258, was introduced authorizing the acquisition and conversion of 200,000 additional tons of auxiliary vessels for the United States Navy. At the request of the Navy Department, no action was taken on this bill. In view of the progress of the war it became apparent that these additional vessels would not be needed for war service in the Pacific area.

Recent laws require the Naval Affairs Committees of the Senate and the House of Representatives to approve proposed purchases, leases, or disposals of land by the Navy Department, thus greatly increasing the work of the committees. Approximately 1,500 requests for purchase, lease, or disposal have been submitted for the consideration of the committees. All but a few of these departmental requests were approved. The committee has consistently recommended a reduction in the number of leases and has urged that no additional purchases be made.

Under existing law, all persons temporarily promoted above the rank of captain in the Navy, and colonel in the Marine Corps, must be confirmed by the Senate. All initial appointments in the Regular Navy and all transfers from the Reserve Corps, or transfer of temporary officers, to the Regular Navy, must also be confirmed by the Senate. Approximately 16,000 nominations were approved by the committee and favorably reported to the Senate. Many of these nominations were routine, but several were of major importance.

POSTWAR ACTIVITIES

The greater part of the work of the Committee on Naval Affairs during the present Congress relates to the establishment of a postwar Navy.

On June 19, 1945, the Committee on Naval Affairs of the Senate, and the Committee on Naval Affairs of the House of Representatives, met jointly to consider, in executive session, the Navy Department's plans with respect to a postwar Navy. On September 10, 1945, Senate Concurrent Resolution No. 30 was introduced to express the sense of the Congress with respect to the composition of the postwar Navy. No action was taken on this resolution by the Senate Committee on Naval Affairs at the request of the President of the United States. The President stated that he was not prepared to make a final decision on this matter until after he had made a study of the postwar defenses required by our country as a whole. Although no action was taken upon the basic resolution fixing the size of the postwar Navy as to the size of naval craft, it was decided, unofficially, to proceed to establish the size of the postwar Navy with respect to personnel. Public Law No. 347, approved April 18, 1946, authorized an increase in the number of line officers in the Regular Navy from 12,760 to 23,760, with proportionate increases in the Marine Corps and the Staff Corps of the Navy. The bill also authorized the transfer of Reserve officers, and temporary officers, to the Regular Navy, and the Regular Marine Corps.

Many of the bills which have been considered by the Senate Committee on Naval Affairs since VJ-day have related to the status and rights of officer and enlisted personnel. The most important of these are as follows:

S. 2304, a bill to provide for the training of officers for the naval service to meet the shortage of officers which the Naval Academy is unable to supply. This bill increased the number of students at Naval Reserve Officer Training Corps colleges to 15,400, and provided that these young men will receive their education at Government expense. It is anticipated that hereafter appointments to the Regular Navy will be approximately 50 percent from the Naval Academy, and 50 percent from Reserve officers or enlisted men.

Public Law 305, approved February 21, 1946, authorized the President to retire certain officers and enlisted men of the Navy, Marine Corps, and Coast Guard. During the war Navy selection laws providing for the retirement of naval officers were suspended. The purpose of Public Law 305 is to authorize the retirement of older officers whose retirement would have been effected had the war not intervened, and to reduce the excessive number of officers commissioned in the higher ranks during the war.

S. 1438, a bill to provide additional inducements, including retirement and retirement pay benefits, to citizens of the United States who make a career of the United States military or naval service, was passed by both Houses of the Congress. Certain features of this bill were not satisfactory to the Army, and the provision authorizing the transfer to the Fleet Reserve of enlisted men who have had 16 years of active service was eliminated. This bill is one of the most important ever proposed to invite young men to join and make the Navy a career, to provide for their transfer to the Fleet Reserve, retirement, or commissioning as officers in the Navy. S. 2460, a substitute bill for S. 1438, passed the House on August 1, 1946. Although it was impracticable to insert in this bill provisions authorizing transfer of enlisted men to the Naval Reserve after 16 years of active service, it is hoped that at the next session of the Congress it will be possible to establish, for the Navy at least, authorization for enlisted men to transfer to the Fleet Reserve after completing 16 years of active service.

Other important personnel legislation enacted is as follows:

Public Law No. 244, approved December 3, 1945, to adjust the pay and allowances of members of the Navy Nurse Corps.

Public Law No. 255, approved December 11, 1945, to provide for a temporary increase in the age limit for appointment to the United States Military Academy and the United States Naval Academy.

Public Law No. 250, approved December 7, 1945, to authorize the head of the Postgraduate School of the United States Navy to confer masters' and doctors' degrees in engineering.

Public Law No. 402, approved June 10, 1946, to establish the civilian post of academic dean of the Postgraduate School of the United States Naval Academy.

Public Law No. 284, approved December 28, 1945, provided more efficient dental care for the personnel of the Navy and Marine Corps.

S. 2401, which passed the Senate on July 29, 1946, and the House on July 31, 1946, authorized the President to appoint 250 acting assistant surgeons for temporary service in the Navy. The purpose of this bill is to provide an efficient method of obtaining young doctors for the Naval Service.

Public Law No. 297, approved February 12, 1946, amended article 38 of Articles for the Government of the Navy relating to general courts martial. This act improved the general courts martial system in the Navy, and its purpose was to speed up courts martial procedure.

S. 2253, reported to the Senate on June 14, 1946, provided for retirement and retirement annuities of civilian members of the teaching staff at the United States Naval Academy and the postgraduate school at Annapolis, Md. The purpose of this bill was to improve the conditions at Annapolis so as to insure the best possible type of teachers and instructors for future naval officers.

Several laws were enacted relating to and consolidating previous laws and practices regarding the transportation of naval personnel and their dependents, and their household effects. Many Navy claims and relief bills were approved by the committee and passed by the Senate.

Three important bills were enacted by the Congress relating to the rehabilitation of the island of Guam. The Navy intends to fortify and maintain Guam as a permanent naval base in the Pacific.

The committee held many hearings in the fall of 1945, and the winter of 1946, investigating the demobilization programs of the armed forces, and suggested procedures which speeded up and made more efficient the demobilization of military personnel. This was most helpful in hastening demobilization.

The committee spent a great deal of time studying the conditions of employment at navy yards, and the Navy's procedure in laying off excess employees at naval shore establishments. Although no new legislation was enacted on this subject, the Navy Department and the Civil Service Commission changed in many respects the so-called efficiency-rating system and amended the regulations with respect to discharges. The committee is of the opinion that the method now in effect can be substantially improved.

Several other important matters considered by the committee, and upon which the committee took action, were as follows:

House Joint Resolution No. 307, approved June 25, 1946, authorized the use of naval vessels to determine the effect of atomic weapons upon such vessels.

S. 1917, approved by the Senate on July 26, 1946, enacted certain provisions which were formerly included in the annual Naval Appropriation Act into permanent law.

Public Law No. 512, approved July 16, 1946, authorized assistance to the Republic of China in augmenting and maintaining a naval establishment. The enactment of this act reduced the necessity of maintaining large numbers of naval and Marine Corps personnel in far-eastern waters.

S. 1547 received final approval of the Senate on July 26, 1946. This bill authorizes the distribution of obsolete vessels, trophies, relics and material of historical interest by the

Secretary of the Navy to States, cities and other municipalities, and to various historical and nonprofit organizations.

On July 23, 1946, the Senate gave final approval to H. R. 5911, which established an Office of Naval Research in the Navy Department to plan, foster, and encourage scientific research in naval matters.

It was found impractical at this session of the Congress to complete the following:

The establishment of a postgraduate school at a permanent location on the west coast to provide for the postgraduate training of naval officers. A subcommittee has been appointed to investigate possible sites.

The construction of aviation facilities at or near the Naval Academy, Annapolis, Md., for the indoctrination of midshipmen in aeronautics. The committee reported a bill which passed the Senate.

Extensive hearings were held on the plan to merge the War and Navy Departments into a Department of National Defense which would more effectively integrate and coordinate the activities of the three major components of our national defense, namely, the Ground Forces, the Naval Forces, and the Air Forces. Action was not completed on this proposal and the hearings should be resumed at the next session of the Congress.

NUMBER OF BILLS

A total of 227 bills or resolutions were referred to the Committee on Naval Affairs during the Seventy-ninth Congress. The Congress was in session for approximately 18 months. During this time the committee met 101 different days. The usual committee meeting was of 2 hours' duration but on many occasions hearings were held both in the morning and afternoon, at which times from 5 to 6 hours per day were spent on committee business.

CONCLUSION

The Senate Naval Affairs Committee was established December 10, 1816, and is one of the 11 original standing committees of the Senate. Prior to 1816, select committees were appointed to handle any particular legislation as it came up on the Senate floor.

During the 130 years of its existence, the Committee on Naval Affairs has recommended to the Congress and the Congress has approved legislation providing our country with a Navy which has been capable of preventing any enemy outside of the continental limits of the United States from bringing war to our shores. During this time we have maintained a Navy capable of meeting and defeating our enemies at sea and keeping war at a safe distance from our own coasts.

Upon the expiration of the Seventy-ninth Congress, the Committee on Naval Affairs will cease to exist and will be merged with the Senate Military Affairs Committee, under the reorganization of Congress, into a Committee on the Armed Forces. It is hoped that the new committee will establish and will continue to adhere to a sound naval policy which will enable us to command the sea and air approaches to the Western Hemisphere, and provide the instrumentalities of war capable of protecting us until such time as means other than warfare are developed to settle international disputes.

TRUST ASSOCIATION OF H. KEMPNER

As in legislative session,

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 334) for the relief of the Trust Association of H. Kempner, which was, on page 2, line 17, to strike out "Secretary of the Treasury" and insert "Trust Association of H. Kempner."

Mr. CONNALLY. I move that the Senate concur in the House amendment, since it involves merely the correction of a clerical error.

The motion was agreed to.

AMENDMENT OF SOCIAL SECURITY ACT AND INTERNAL REVENUE CODE—CONFERENCE REPORT

As in legislative session,

Mr. GEORGE. Mr. President, since the conference report on the social security measure, House bill 7037, must go to the House for final action, I now submit the conference report and I ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the clerk will report the conference report.

The Chief Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7037) to amend the Social Security Act and the Internal Revenue Code, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 42 and 52.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 2½, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, and 41 and agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: On page 2, line 13, of the Senate engrossed amendments strike out "July 17" and insert "July 16"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: On page 3, line 3, of the Senate engrossed amendments, strike out "July 1, 1947" and insert "January 1, 1948"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "Notwithstanding any other provision of this title, no compensation shall be paid to any individual pursuant to this title with respect to unemployment occurring prior to the date when funds are made available for such payments."; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with amendments as follows: On page 5, line 6, of the Senate engrossed amendments, strike out "'$15,000,000'" and insert in lieu thereof "'$11,000,000'"; in line 10, strike out "$7,500,000" and insert "$5,500,000" in line 11, strike out "$50,000" and insert "$35,000"; in line 12, strike out "$7,500,000" and insert "$5,500,000"; in line 17, strike out "'$7,500,000'" and insert "'$5,500,000'"; in line 19, strike out "'$10,000,000'" and insert "'$7,500,000'"; in line 23, strike out "$5,000,000" and insert "$3,750,000"; in line 24, strike out "$40,000" and insert "$30,000"; in line 25, strike out "$5,000,000" and insert "$3,750,000."

On page 6, line 6, strike out "'$5,000,000'" and insert "'$3,750,000'"; in line 8, strike out "'$5,000,000'" and insert "'$3,500,000'"; in line 10, strike out "'$30,000'" and insert "'$20,000'"; in line 14, strike out "$1,500,000" and insert "$1,000,000."

And the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(c) The amendments made by subsection (b) shall not require amended allotments for the fiscal year 1947 until sufficient appropriations have been made to carry out such amendments, and allotments from such appropriations shall be made in amounts not exceeding the amounts authorized by the amendments made by this section."

Amendments numbered 43, 44, 45, 46, 47, 48, 49, 50, and 51: That the House recede from its disagreement to the amendments of the Senate numbered 43, 44, 45, 46, 47, 48, 49, 50, and 51, and agree to the same with amendments as follows: In lieu of the matter proposed to be stricken out and in lieu of the matter proposed to be inserted by such Senate amendments insert the following:

"SEC. 501. Old-Age Assistance.

"(a) Section 3 (a) of the Social Security Act, as amended, is amended to read as follows:

"'SEC. 3. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for old-age assistance, for each quarter, beginning with the quarter commencing October 1, 1946, (1) an amount, which shall be used exclusively as old-age assistance, equal to the sum of the following proportions of the total amounts expended during such quarter as old-age assistance under the State plan with respect to each needy individual who at the time of such expenditure is sixty-five years of age or older and is not an inmate of a public institution, not counting so much of such expenditure with respect to any such individual for any month as exceeds $45—

"'(A) Two-thirds of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $15 multiplied by the total number of such individuals who received old-age assistance for such month, plus

"'(B) One-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A);

and (2) an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Administrator for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for old-age assistance, or both, and for no other purpose.'

"(b) Section 3 (b) of such Act is amended (1) by striking out 'one-half', and inserting in lieu thereof 'the State's proportionate share'; (2) by striking out 'clause (1) of' wherever it appears in such subsection; (3) by striking out 'in accordance with the provisions of such clause' and inserting in lieu thereof 'in accordance with the provisions of such subsection'; and (4) by striking out ', increased by 5 per centum'.

"SEC. 502. Aid to Dependent Children.

"(a) Section 403 (a) of the Social Security Act, as amended, is amended to read as follows:

"'SEC. 403. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to dependent children, for each quarter, beginning with the quarter commencing October 1, 1946, (1) an amount, which shall be used exclusively as aid to dependent children, equal to the sum of the following proportions of the total amounts expended during such quarter as aid to dependent children under the State plan, not

counting so much of such expenditure with respect to any dependent child for any month as exceeds $24, or if there is more than one dependent child in the same home, as exceeds $24 with respect to one such dependent child and $15 with respect to each of the other dependent children—

"'(A) Two-thirds of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $9 multiplied by the total number of dependent children with respect to whom aid to dependent children is paid for such month, plus

"'(B) One-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A);'

and (2) an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Administrator for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for aid to dependent children, or both, and for no other purpose.

"(b) Section 403 (b) of such Act is amended by striking out 'one-half' and inserting in lieu thereof 'the State's proportionate share.'

"SEC. 503. Aid to the Blind.

"(a) Section 1003 (a) of the Social Security Act, as amended, is amended to read as follows:

"'SEC. 1003. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the blind, for each quarter, beginning with the quarter commencing October 1, 1946, (1) an amount, which shall be used exclusively as aid to the blind, equal to the sum of the following proportions of the total amounts expended during such quarter as aid to the blind under the State plan with respect to each needy individual who is blind and is not an inmate of a public institution, not counting so much of such expenditure with respect to any such individual for any month as exceeds $45—

"'(A) Two-thirds of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $15 multiplied by the total number of such inviduals who received aid to the blind for such month, plus

"'(B) One-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A);

and (2) an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Administrator for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for aid to the blind, or both, and for no other purpose.'

"(b) Section 1003 (b) of such Act is amended by striking out 'one-half', and inserting in lieu thereof 'the State's proportionate share.'

"SEC. 504. Effective Period.

"Sections 501, 502, and 503 shall be effective with respect to the period commencing October 1, 1946 and ending on December 31, 1947."

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

"TITLE VI—VETERANS' EMERGENCY HOUSING ACT OF 1946

"SEC. 601. Section (a) of the Act of June 11, 1946 (Public Law 404, Seventy-ninth Congress) is amended by striking out the period at the end thereof and inserting a semicolon and the following: 'and the Veterans' Emergency Housing Act of 1946'."

And the Senate agree to the same.

WALTER F. GEORGE,
DAVID I. WALSH,
ALBEN BARKLEY,
TOM CONNALLY,
ROBERT M. LA FOLLETTE, JR.,
A. H. VANDENBERG,
ROBERT A. TAFT,
Managers on the Part of the Senate.

R. L. DOUGHTON,
JOHN D. DINGELL,
A. WILLIS ROBERTSON,
W. D. MILLS,
HAROLD KNUTSON,
DANIEL A. REED,
ROY O. WOODRUFF,
Managers on the Part of the House.

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

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

Mr. WHERRY. Mr. President, will the Senator briefly explain it?

Mr. GEORGE. I shall be glad to do so. There were of course a great many amendments made in the Senate to House bill 7037. Many of them were technical. Generally speaking, all the technical amendments and clarifying amendments were accepted by the House. The material changes made in important provisions of the bill relate primarily to title IV of the bill dealing with maternal and child welfare. Roughly speaking, the House concurred in all these several amendments, but reduced by about one-third the appropriation provided in the bill as passed by the Senate. In round figures the Senate had brought up these several appropriations to approximately $30,000,000, and the effect of the conference was to reduce these increases made by the Senate to about $21,000,000 or $22,000,000.

The first item, for instance, was increased from $5,820,000, to $15,000,000 by the Senate, but the conferees cut that increase back to $11,000,000. And so on, through the various categories dealing with child welfare and maternal welfare appropriations.

The other important amendment made related to title V of the bill, the so-called variable grants provision, which the Senate inserted and which personally as chairman of the Senate conferees I regretted much to give up. The net effect of the agreement reached in conference was to eliminate the variable grants provision. But in the case of old age and blind benefits the Federal Government, under the conference report, is to match two-thirds up to $15, and above $15 up to $45. The matching is to be as provided in the present law, 50-50 on the part of the State and the Federal Government. So that every State will actually receive an additional allotment out of Federal funds, whether they be the so-called low income States or the high income States.

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

Mr. GEORGE. I yield.

Mr. LANGER. I did not quite understand about the matching in the case of old-age assistance benefits. Up to what amount is the Government to contribute two-thirds.

Mr. GEORGE. Up to $15 for each aged person or each blind person.

Mr. LANGER. Might I inquire whether the age was left at 65?

Mr. GEORGE. The age was left at 65, just as under existing law. I might say now that this provision is temporary, and contrary to the provisions made for maternal welfare, and so forth, which become permanent in the law; but this provision is temporary and runs for only five quarters, beginning with the quarter commencing October 1, 1946, running through the entire calendar year 1947.

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

Mr. GEORGE. I yield.

Mr. WHERRY. As I understand, after the rate of $15 is reached the States and the Government match equally up to $45.

Mr. GEORGE. That is correct. Forty-five dollars is the technical limit fixed in the bill. Actually, of course, if the State is paying $50, it will receive $25 from the Federal appropriation. But if the State is paying only $45, it will still receive $25 out of the Federal appropriation.

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

Mr. GEORGE. I yield.

Mr. LANGER. Does the Federal Government contribute two-thirds of $15, regardless of the total amount?

Mr. GEORGE. Yes; that is the effect of the provision.

Mr. LANGER. So if the total amount is $40, the Federal Government contributes two-thirds of the first $15, and the remainder is matched on a 50–50 basis.

Mr. GEORGE. The Senator is correct. That is true in the case of the aged and blind. In the case of dependent children, the Federal Government matches to the extent of two-thirds, up to $9. There has been a readjustment of the ceiling for the first child and for subsequent children; but in each case the Federal Government will match two-thirds of the first $9 paid in the case of a dependent child or children.

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

Mr. GEORGE. I yield.

Mr. WHERRY. Is it the idea, in making this provision temporary, that there may be further legislation in the next Congress which will be more in keeping with the bill as passed by the Senate?

Mr. GEORGE. The idea is, of course, that the whole social-security system must be overhauled.

That leads me to say that title VI of the bill, which called for a study and report by the Joint Committee on Internal Revenue Taxation by October 1 next year, was disagreed to by the House, and the Senate conferees acquiesced in that dsagreement. The House conferees took the position rather strongly that many of the members of the House Ways and Means Committee, which has a membership of 25, wish to participate in any social-security studies which are made, so the Senate conferees were persuaded to eliminate that provision.

Mr. WHERRY. That does not mean that the Senate committee will not continue to study the question, does it?

Mr. GEORGE. No. It simply means that there will not be an express provision of the law requiring the joint committee to make a study.

Mr. WHERRY. I am hopeful that the study will continue under the able leadership of the chairman of the Finance Committee, because I feel that we certainly need to put forth every effort possible to put into effect at least the provisions of the bill as passed by the Senate.

Mr. GEORGE. I think that is the view that is almost unanimously accepted by the members of the Finance Committee, as well as by members of the Ways and Means Committee of the House.

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

Mr. GEORGE. I yield.

Mr. FULBRIGHT. If the State pays $15, will the Federal Government pay an additional $10, so that the total will be $25? Suppose the State pays $15, will the Federal Government pay an additional $10?

Mr. GEORGE. No. It is the other way around. Of the first $15 paid by the State for any aged or blind person, the Federal Government will contribute $10, or two-thirds of the $15. If the State pays benefits beyond that amount, the matching is on a 50–50 basis, as under existing law.

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

Mr. GEORGE. I yield.

Mr. MAYBANK. I wish to commend the Senator for the excellent report, and the great assistance it will mean to many of those who have been in dire need of increased pensions.

Mr. GEORGE. My hope is that all the States will bring their minimum payments to the aged and blind at least up to $15. Only $5 of it would be payable by the State during the next five quarters, and $10 would be paid out of the Federal Treasury. That should act as an incentive to bring the minimum payments up to $15.

One further amendment, relating to certain provisions of our income-tax laws, was disagreed to very vigorously by the House conferees, and that amendment was stricken in the conference report.

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

Mr. GEORGE. I yield.

Mr. BARKLEY. Was that the amendment with reference to annuities which I offered in the committee?

Mr. GEORGE. That is the amendment which the distinguished Senator from Kentucky offered, and which was approved by the Senate.

Mr. BARKLEY. Mr. President, I wish to express my very deep regret that that amendment was eliminated in the conference. What the amendment did was to provide that when an employee and an employer enter into a contract by which an annuity is purchased, and under which the employer makes a contribution for the purchase of an annuity for the benefit of the employee at some future date, the employee should not be required to regard that contribution for the purchase of an annuity as income for the year in which the annuity is purchased. It should be regarded as income for income-tax purposes only when the employee begins to receive benefits by reason of the annuity. For a long time the Treasury adopted that policy by its own regulations. All the amendment did was to provide that contracts made between 1938 and the effective date of the Revenue Act of 1942 should not be charged to the employee as income until he begins to receive benefits from the annuity. The amendment was eminently fair. The idea of charging an employee, in the year in which the annuity is purchased, the entire amount as income for that year seems to me to be the rankest injustice. The Senate approved the amendment. I understand that the Treasury opposed it, although it had adopted it as a policy prior to 1942.

I merely wish to state that in connection with the next tax bill I intend to press this amendment in the committee and in the Senate. I hope it will be agreed to hereafter, because it seems to me only common justice that employees who enter into contracts with employers for the purchase of annuities ought not to be charged income tax until they begin to receive benefits from the annuities.

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

Mr. GEORGE. I yield.

Mr. TAFT. I agree with the Senator from Kentucky. I believe that when the next tax bill comes over from the House we ought to undertake a comprehensive study of the pension-trust provisions. This is only one of the respects in which I believe the Treasury has assumed a very arbitrary position, and assumed power which I think is not in accord with the provisions of the law which was enacted in 1942.

Mr. BARKLEY. I thank the Senator. I agree entirely. This amendment could not possibly have been of any great importance to the Treasury, although it is of considerable importance to the individuals who, as employees, have entered into contracts for the purchase of annuities under which they do not begin to reap benefits until years in the future. I hope that in addition to this injustice we may correct some of the other injustices in the present tax laws.

Mr. LA FOLLETTE. Mr. President, will the Senator from Georgia suffer a brief interruption in order that I may make a short statement?

Mr. GEORGE. I am glad to yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. As one of the conferees, I regret very much that this bill did not reach the Senate in time for a full consideration of the urgent necessity for an overhauling of the Social Security Act. I think it should be emphasized—because some do not understand it—that the Senate cannot act on a matter of this kind until the House acts first, because under the Constitution, legislation carrying taxes must originate in the House of Representatives. I, for one, regret very much that the House conferees would not accept the amendment offered by the able Senator from Michigan [Mr. VANDENBERG] providing for a thorough study, commencing at once, by the staff, under the auspices of the Joint Committee on Internal Revenue Taxation, of the entire problem of social security.

However, the House conferees objected to the amendment. They resisted it strenuously, and we had to yield. But, with all due respect to the very able membership of the House Ways and Means Committee, and with all due respect to their prerogatives under the Constitution, in having the power to initiate legislation of this character, I wish to express, very respectfully, the hope that at the beginning of the next session of Congress, speedy and adequate consideration will be given by the Ways and Means Committee to the urgent necessity of eliminating some of the horrible injustices which exist under the present system; that the House will act in sufficient time so that the Senate, as the coordinate body, may have its full right, under the Constitution, to consider this matter; and that then, if there are differences between the two Houses, ample time will be afforded for an adequate, full, and free conference, such as we cannot have now, when faced with adjournment.

I thank the Senator.

Mr. GEORGE. Mr. President, I wish to concur wholeheartedly in the statement made by the able Senator from Wisconsin. I think it a matter of great regret that this bill did not reach the Senate until Friday of last week, so that we were not able to do many things which should be done in connection with our social-security law.

Mr. President, it would seem unnecessary to call attention to other amendments, inasmuch as they are set forth in the conference report. One of the amendments was agreed to in order to avoid the possibility of the raising of a point of order in the House.

Therefore, Mr. President, I move the adoption of the conference report.

Mr. CONNALLY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Texas?

Mr. GEORGE. I yield.

Mr. CONNALLY. I wish to say a word on this matter. As one of the conferees on this bill, I agree with the statement made by the Senator from Wisconsin. I think the whole subject matter should receive thorough study and examination.

Mr. President, some years ago, in an effort to aid the weak and poor States with regard to old-age assistance, I introduced in the Senate a bill providing for a Federal contribution of two-thirds of the money up to $15, and thereafter for a Federal contribution of 50 percent. That provision is what is now incorporated in the present conference report. I did not move its adoption in the conference, because I was under instructions to sustain the Senate's position. The adoption of that provision was moved by the House conferees. They moved the adoption of the plan whereby Federal money supplies two-thirds of the payments up to $15, and thereafter Federal money provides 50 percent of the payments. I am very highly gratified

that the plan was finally adopted, rather than the present harsh method of a 50-50 arrangement, which results in having the old-age assistance which is paid to a man who lives in a poor State amount to a mere pittance, whereas a man living in a rich State will receive a large amount.

Mr. President, I think that ultimately we shall have to revamp the whole system; but this is at least a beginning of the right kind.

Therefore, I express approval of the conference report, and I hope it will be adopted.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

Mr. McFARLAND. Mr. President, the adoption by the Senate of the conference report on the social security bill, which includes increases for the needy aged, the blind, and dependent children, is an event of more than passing interest to millions of America's senior citizens, our needy blind, and also our dependent children. I believe the Congress is deserving of commendation for having taken this important step because we thereby give recognition to the fact that the greatly increased cost of living had left these aged persons, the blind, and dependent children in an anomalous position.

Personally, I feel rather strongly about this legislation. More than 2 years ago I sought to secure approval of an amendment which would have eliminated the so-called need clause from the Social Security Act. I felt then, and I still believe, that the need clause was and is an unfair imposition on many deserving people who are the recipients of old-age assistance in every State in the Union.

Despite the fact that revenue matters and tax changes must originate in the House of Representatives, I introduced in March of 1945 an amendment to the Social Security Act which would have permitted those who receive old-age assistance to obtain outside employment and allowing the income from such employment to supplement their old-age assistance payments without prejudice to the amount of such payment. Subsequently, in January of this year I offered legislation which would have increased by 35 percent the amount of the Federal contribution to the various States for old-age assistance, aid to the blind and to dependent children. I pointed out at that time that the Congress had given general recognition to the fact that the cost of living in this country had risen tremendously by increasing substantially the salaries of practically all Federal employees. Moreover, our Government had recognized this increase in cost of living by endorsing substantial hourly wage increases in all industry. Unfortunately, that proposal for a variable increase in old-age assistance and for the blind and dependent children met with opposition from representatives of some of the States.

In June of this year I introduced another amendment which provided for a flat increase of $5 per month to be borne by the Federal Government in payments to those receiving old-age assistance and for payments to the blind. An increase of $3 per month for dependent children was also provided. In that amendment I was joined by 12 Members of this body, and we finally have been successful in securing the adoption of this proposal to the Social Security Act amendment which we have now passed.

I would like to point out that this amendment will not cost any State a penny. The entire increase is to be borne by the Federal Government. Frankly, I still believe that the increase which we are approving is still far from sufficient to meet the greatly increased cost of living which those who are to receive this payment must face. I believe it is important to remember that these aged persons, the blind, and dependent children rarely if ever have any means of supplementing their present wholly inadequate and meager income. In many States the total amount of the old-age assistance payment is so small that these people find it difficult to exist, let alone live decently. In my own State of Arizona the maximum payment to the aged is $40 per month. If the State contributes a maximum of $20 per month as it now does this legislation will increase that payment by $5 per month, bringing the total maximum payment to $45 per month. Similarly, the maximum monthly payment to the blind in Arizona will be increased by $5 while the maximum monthly payment to dependent children will be increased from $18 to $21 for the first child and for each additional child from $12 to $15.

I hope that my State will immediately take the necessary steps to see to it that the State contribution is not decreased so that the aged, the blind, and dependent children will have the benefit of the increased Federal payment which we have now secured.

I am happy that we have accomplished at least this much in adding to the income of these needy citizens and future citizens of this country. I look forward to the day when our senior citizens may further implement their income so that they may be able to live in decent comfort during their declining years.

OPA PRICES ON COTTONSEED, COTTONSEED OIL, AND BYPRODUCTS

Mr. MAYBANK. Mr. President, as in legislative session, I ask unanimous consent to have printed in the body of the RECORD a statement which was sent to Mr. Paul Porter, Administrator of the OPA, by the junior Senator from Georgia [Mr. RUSSELL], the junior Senator from Mississippi [Mr. EASTLAND], and myself. The statement is in reference to cottonseed problems, and what we believe to be in the best interests of the southern farmer who produces cottonseed, cotton linters, and their byproducts. I wish to state that we sent this statement to Mr. Porter after holding conferences on the subject, and after careful deliberation among ourselves. Our purpose in sending it to Mr. Porter and the OPA was so that the OPA would know the situation of the cotton farmer and would do something before very long about it, because the cotton crop is already commencing to move. We wish Mr. Porter to be fully aware of the fact that the present price ceilings on cotton linters and cottonseed are adversely affecting our farmers, and will continue to do so unless the prices are adjusted in keeping with other prices.

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

The price of cottonseed at the oil mills should be $70 per ton to allow cotton producers a price for their cottonseed which will compensate them for the increase in the cost of their production and bring the price of one of their principal products in line with the prices received by producers of other oil-bearing seeds and competitive animal fats and oils.

The price which the farmer receives for cottonseed has actually decreased during the war. In 1941 Leon Henderson, Civilian Price Administrator, announced that $60 per ton was a fair price for cottonseed, based upon the cost of production at that time. Since 1941 the cost of living has increased 34 percent, while the cost of producing cotton and cottonseed has increased over 100 percent. Far more labor is required in producing cotton and cottonseed than in any other major crop, and the labor cost on the cotton farms of the South has increased 333 percent. In 1942 cottonseed was actually lower than in 1941. The United States Department of Agriculture's support price on cottonseed that year was established at $50 per ton for the 1942 crop. In 1943 the farm price was $53 per ton, as a result of an increase of $10 per ton allowed in cottonseed mill prices in that year, and no change has been made in the support prices from that time to date.

It must be remembered that cottonseed is not a byproduct, but that the average cotton farmer supports his family 4 to 5 months during each year on the income from his cottonseed. The income from cotton is usually used up by the time the crop is made, and the farmer lives during the fall and winter largely from the cottonseed income. Normally, 25 percent of a cotton farmer's total income comes from the sale of cottonseed.

The argument is used and we present it at this point in this brief to clear up a popular misconception that cottonseed prices today are above parity. This statement has been made by a Government official and is foolish. During the base parity period of 1909–14 there was practically no cottonseed industry. Cottonseed at that time was used principally as a low grade, cheap nitrate fertilizer and, of course, was not worth very much. This industry has grown up since the base parity period and is today the principal source of vegetable fats, oils, and proteins, in America.

Government support prices on competing oil seeds, however, have been increased considerably during the same period. Soybean prices were increased from an average of $1.55 per bushel in 1942 to $2.04 per bushel for the 1946 crop which is equivalent to about $14.50 a ton or 31.6 percent. Flaxseed prices were increased from $2.40 per bushel in 1942 to $3.60 on the 1946 crop or about $40 per ton or 50 percent. Oil from flaxseed does not compete with cottonseed because it is inedible but flaxseed meal competes directly in mixed feeds. Peanut support prices were increased from $133 per ton on shell peanuts in 1942 to $160 per ton for the 1945 crop which will probably mean around $165 a ton or a total increase of $32 a ton or about 24 percent. Though cottonseed is the most important single source of vegetable oil, cottonseed has received no incentive when the cost of production has increased enormously.

Although comparable support prices have not been in effect on other competitive oil seed products the results show that their

prices have increased also. Prices received by farmers for tung oil increased about $10 per ton while prices on olives for crushing increased $80 per ton in the same period.

The average increase in support prices on the principal vegetable oil-bearing seeds if applied to the support price of cottonseed would mean a price for seed at almost $70 per ton at the mill today.

The reason these cottonseed prices have been held down is largely because the price of the byproducts, cottonseed oil, cottonseed meal, linters and hulls have been steadfastly held down. Ceiling price on cottonseed oil was fixed in 1941 at a rate which averaged about 12⅝ cents a pound for the standard quality and has never been changed. The price of cottonseed meal was increased $10 a ton in 1943 and in May of this year increased again $14 a ton. Hulls were stabilized under the maximum average price regulation in 1941 and were fixed by the OPA in 1943 at $13 a ton and have not been changed. Linters were fixed in 1941 at from 9 to 11 cents per pound for first cuts depending on quality and from 4 to 4¼ cents per pound for second cuts. These prices were rolled back in January 1946, to 7 cents for first cuts and 3.8 cents for second cuts, which was done to help the rayon industry. Cottonseed linters are used extensively in the manufacture of rayon and the price roll back this year was done unfairly and unjustly to lower the cost of production of rayon and thus enable them to compete with products of American Cotton Textile Industries. Prices which farmers have received for cottonseed have averaged from $4 to $5 per ton under the support price at the mills which accounts for the cost of transportation and ginning.

Increases in prices on butter, a direct competitor to cottonseed oil which is used in oleomargarine and other butter substitutes, have shown even further increases from 34 cents a pound for 92-score butter at the wholesale markets in New York in 1941 to 47 cents a pound June 14, 1946, then 57.4 cents a pound June 17, 1946, and to 71½ cents a pound recently. Lard prices were 8.9 cents a pound for prime steam tierces in Chicago in 1941, 13.8 cents a pound during the war and recently were quoted at 15.05 a pound.

The world price on all cottonseed products is considerably higher than the present prevailing prices of the United States. The world price for first-cut cottonseed linters is 13 cents per pound, while OPA is holding down the American producer to the pitifully low level of 7 cents per pound. In fact, foreign-produced cottonseed linters are imported into this country at 13 cents per pound and UNRRA has been paying the Brazilian producers this same amount for first-cut linters produced in that country. This is also true of second-cut linters. The world price level is 7 cents per pound against 3.8 cents which OPA has forced upon the American producers and in addition cottonseed oil from Mexico sells today at 26 cents per pound against 12.58 cents in this country, while cottonseed meal and cottonseed in Mexico are worth $100 per ton.

The price of cottonseed today is not sufficient to return to the grower enough to pay for the picking of his cotton as it has always done. For years the cotton farmer has depended on the money he gets from the sale of his cottonseed to pay the cost of picking his crop. He has usually been able to do that but labor has advanced to the point where the income from the seed will no longer pay for picking the crop.

Last year the cost of cotton picking averaged about $2 per 100 pounds across the belt according to BAE figures. In the irrigated sections of the West it was considerably higher, in the Mississippi Delta it was set at $2.40 per 100 pounds with extra allowances, and many had to pay as much as $3 in some sections of the belt. At this rate, it costs the farmer about $28 to pick a 500-pound bale of lint cotton which is made from 1,400 pounds of seed cotton (the average proportion is 500 pounds of lint cotton to 900 pounds of seed). This season we know the cost of picking will be higher. Picking costs have opened in south Georgia at $3.50 per 100 pounds this season and will be $3.50 and $4 across the belt before the season is over. This means the farmer will have to pay $49 to $56 a bale to get his cotton picked.

The present supported price of cottonseed at $56 per ton at the gin means about $52 to the farmer, after allowing the cost of ginning, which means only about $23.40 a bale to be credited against the cost of picking. This is $4.50 less than it cost him to pick his cotton this past year and about $25 to $30 less than it will cost him to pick his cotton this coming season at $3.50 and $4 per 100 pounds. Those who have to pay more for picking will have to dig deeper into the proceeds from the sale of lint cotton. It is true now as much as ever before that the proceeds from the lint are barely sufficient to pay for the use of the land, interest, taxes and furnish provisions for the labor during the year because costs have gone up so greatly.

Wages for picking cotton last year according to USDA figures were 333 percent of the 1939 average and general wages for hired help in cotton States are shown in a May 1946 USDA report to be 300 percent of the 1939 base wage. Other costs the farmer has to pay have also gone up appreciably. In the latest available estimates for 1945 the over-all costs of things the farmer buys not including labor were about 150 percent of 1939 and are undoubtedly up considerably more today.

The return from the lint cotton has always been used to reimburse the farmer for the cost of making his crop including the furnish to the tenants and all the out-of-pocket costs for seed and fertilizer, insecticide, and the extra costs of cultivating, planting, chopping and poisoning, defoliating, etc., in addition to interest, taxes and return on the land and the risk which during recent bad weather years has meant serious losses.

To permit this price the byproducts of the seed must be allowed to sell in line with other products with which they compete. A ton of cottonseed contains 313 pounds of oil which at the last average price fixed by OPA of 12⅝ cents per pound is worth $39.51, 822 pounds of meal which at the last OPA price averaged $60 a ton is worth $24.66, 585 pounds of hulls worth $3.80 at the prevailing ceiling June 30, 1946 of $13 per ton and 180 pounds of linters worth about $8.12 assuming 35 percent are first cuts selling at the 7 cents ceiling and 65 percent are second cuts selling at the 3.80 cents per pound ceiling. The remainder is waste material with little or no market value. The total value of the products at former OPA prices was $76.09. The spread between the value of seed at the mill and the value of the products before the war was around $12 per ton, according to Commodity Credit Corporation, which was the amount to cover cost of processing and handling the seed.

In order to maintain the price of seed at $70 per ton at the mills and selling price of the oil and first cut linters have to be increased slightly.

Linters are now entirely out of line with other general prices having been rolled back below prices established in 1941. The world price of linters, some of which are said to have come into this country, is twice the domestic price. First cut linters should be several cents per pound more than they are today, at least what they were in 1941, which was from 9 to 11 cents per pound depending upon quality. An increase of 1 cent per pound of first quality linters in a mattress or upholstering for a chair or for wadding would hardly be noticeable. In an ordinary cotton mattress with a 50-pound filler the increase would be only 50 cents out of a cost of $12 to $15.

An increase of two-tenths of a cent per pound is needed in second-cut chemical linters to raise present ceiling from 3.80 cents to 4 cents per pound. Such a small increase would help to improve the value of cottonseed, but would not even be detectable in the price of a shirt or any article of clothing made from rayon produced from linters. Only about 1 pound of rayon goes into a shirt and the cotton linters is only a fraction of the cost of the rayon fiber—less than 20 percent.

No increase is warranted in cottonseed meal and hulls because of the feed situation and in view of the fact that an increase has recently been granted in meal prices.

Oil should be increased a few cents per pound from an average of 12⅝ cents to 15 cents per pound. In view of the fact that vegetable-oil products have not increased in price all during the war, some small increase would be in order and in line with increases in animal fats and dairy products. As the waste in producing shortening and other vegetable-oil table and kitchen products is only about 10 percent, the increase in prices of these products caused by an increase in cottonseed-oil prices would be very small. As a result, shortening and oleomargarine might be increased from about 25 and 26 cents to only 27½ or 28½ cents per pound.

With these recommended increases, the new values of the byproducts would be as follows:

Oil, 313 pounds at 15 cents	$46.90
Meal, 822 pounds at $60	24.66
Hulls, 585 pounds at $13	3.80
First-cut linters, 40 pounds at 10 cents	4.00
Second-cut linters, 140 pounds at 4 cents	5.60
Total	84.96

Mill-processing costs have increased about $3 per ton over margin of $12 allowed by CCC in 1942, according to survey of 72 percent of all cottonseed-oil mills just completed. Subtracting $14.96 for mill margins on the average gives $70 for the value of the seed at the oil mill. Freight from the gin usually averages $2 per ton, which means about $68 at the gins. Gin costs average about $3 per ton, which means that the farmer might expect to receive about $65 a ton for his seed.

An increase in the farm price of seed is necessary to protect him against the high cost of living and give him the decent income to which he is entitled.

For the past 5 years the gross income per person in the farm population in the 10 Southern States was only $370 a year, compared with $163 for the thirties.

Even during the war the cotton-farmer's income has been about three-fifths of the average farm income for the country and one-fourth of the average income from the nonfarm population.

BAE figures show that typical cotton farmers in the Piedmont put in 1.4 hours' work on their farms for every pound of cotton they produce. While some of this time is in caring for the stock, the corn, and other complementary crops, all the time is necessary for the production of his cotton. At this rate, at today's cotton prices, the farmer's return is less than 23 cents per hour. How can this compare with the hourly return of industrial workers, which is now about $1.04?

The average tenant makes only 3½ bales of cotton a year. If it costs $25 more to pick each bale than he gets from his seed, his net return would be seriously depleted.

APPOINTMENT AND EMPLOYMENT OF CERTAIN RETIRED OFFICERS—CONFERENCE REPORT

As in legislative session,

Mr. JOHNSON of Colorado submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5626) to authorize the Veterans' Administration to appoint and employ retired officers without affecting their retired status, 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 amendment.

WALTER F. GEORGE,
DAVID I. WALSH,
EDWIN C. JOHNSON,
ROBERT M. LA FOLLETTE, Jr.,
ROBERT A. TAFT,
Managers on the Part of the Senate.

CARL T. DURHAM,
ROBERT L. F. SIKES,
CHARLES R. CLASON,
LESLIE C. ARENDS,
Managers on the Part of the House.

Mr. JOHNSON of Colorado. I ask unanimous consent for the present consideration of the conference report.

Mr. KNOWLAND. Will not the Senator explain the changes that were made?

Mr. JOHNSON of Colorado. The original bill was a measure to authorize and empower the Veterans' Bureau to employ retired Army officers without interfering with their retirement rights. It does not give the officers any more compensation, but it merely enables the Veterans' Bureau to employ them. It covers about 25 employees.

Mr. McFARLAND. Mr. President, as I understand, the conference report eliminates the amendment providing a $5 increase for the crippled and blind, and a $3 increase for dependent children, since that provision has been incorporated in the social-security bill which we have just passed.

Mr. JOHNSON of Colorado. Yes; House bill 7037.

In general, Mr. President, this bill relates to the employment of that group of officers who have been retired from active service in the armed forces because of age or length of service. At present, such officers entitled to yearly retired pay amounting to $2,500 or more may not be employed by the Veterans' Administration, no matter what their experience or ability.

H. R. 5626 is designed to enable the Veterans' Administration to secure the services of a number of such retired officers who served outstandingly as physicians, executives, and hospital managers. They have had highly specialized training and experience in the management of hospitals and offices. These men are urgently needed in the expanding program of the Veterans' Administration.

Under existing law, it is impossible to appoint these officers, when retired for age or length of service, to the positions which they are so well qualified to fill, because of their status as retired officers of the armed forces. The proposed legislation will remove the restriction on appointment, and any retired officer will be permitted to accept employment in the Veterans' Administration without affecting his status as a retired officer. Thus officers retired for age or length of service will be placed in the same position with respect to employment by the Veterans' Administration as officers retired for disability in line of duty.

The authority requested will be exercised only in a limited number of cases where there can be no question of the ability of the individual to perform the highly specialized duties involved.

H. R. 5626 does not in any way alter the limitations with respect to pay contained in section 212 of the Economy Act of 1932, as amended. Thus, generally speaking, officers retired for age, length of service, and disability not incurred in combat with the enemy, or resulting from an explosion of an instrumentality of war in line of duty, will not receive retired pay while employed by the Veterans' Administration if the annual rate of compensation from their civilian position with the Veterans' Administration is $3,000 or more. The enactment of H. R. 5626 will impose no expense on the Government.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the report was considered and agreed to.

USE OF PAPER CUPS AND CONTAINERS AS DISEASE PREVENTIVE

As in legislative session,

Mr. JOHNSTON of South Carolina. Mr. President, experience is a great teacher but too often the lessons learned are forgotten as time dims the memory of that experience.

Some of us remember that during World War I thousands of Americans—servicemen and civilians—died from one epidemic, namely, influenza. This Nation lost more lives through that one respiratory disease than it lost on all the fighting fronts.

As a result of our World War I experience with this major epidemic—influenza—the lesson was not forgotten when we were again called on to prepare for war. Men and materials were mobilized to wage war on disease as well as on the enemy. The medical services of the Army and Navy were ready with their plans for the protection of health. Health defense was an integral part of national defense.

The health sector of the battle line required many various kinds of supplies—some to cure, some to prevent disease. Since respiratory disease was the chief killer in World War I and it had been demonstrated by Lt. Col. James G. Cumming and his associate in research conducted in Army camps that when mess gear was properly washed in boiling water there was less influenza among the troops, it was imperative for the Army and Navy to make every effort to provide clean service for every man at every meal wherever men and women of the services were fed.

The small paper cup and container proved during the years of World War II to be a vital instrument of war. It is true the paper cup and container seems far removed from the larger implements of war like the gun, tank, ship, and plane. Yet paper cups and containers did "go to war" and, through a multiplicity of uses, were a contributing factor to the record production of armament in this country, and they also served as the spearhead of the sanitation phase of all battle fronts.

This was prophesied succinctly and well in an editorial that appeared in the Kingston Daily Freeman of October 31, 1942, under the heading "Paper Cups." It reads as follows:

Sanitation will probably have as much to do with winning this war as anything else. And the humble little paper cup will be doing its part. It's already "in there fighting" by millions, and the industry is running at capacity to fill the swelling demand.

It may seem the height of luxury to supply the Army and Navy with these handy little drinking cups. The fighting services are supposed to consist of he-men not paying much regard to dainty table manners. But it isn't a matter of daintiness. It's a matter of human life, of military safety, of winning the war. Some experts think that terrible influenza epidemic in the last war might have been prevented, or greatly lessened, if the fighting men had been supplied with individual drinking cups.

Millions of paper cups and containers were used by the Army and Navy. In addition to protecting health, they proved exceedingly valuable in the most efficient use of manpower, scarce metals, and needed space, as well as in the distribution and serving of nutritious and appetizing foods. For example, there was neither a dishwasher nor dishwashing equipment on an Army or Navy bomber. Yet the members of such a crew had to have hot, wholesome food at stated times in order that they might successfully carry out their missions. These men often were in the air for hours at a time. Through the use of paper cups and containers they were fed properly and on schedule. There was no need to take a man away from a bombsight or gun to wash and stack dishes, and the space that might have been reserved for dishes or dishwashing equipment was made available for additional bombs.

This is typical of the vital role played by these products in other military activities. They had numerous Army uses, from the millions used in maneuvers to the great number used in medical and dental service. Troop trains, for example, used paper cups for serving fruit juice and ice cream. Sometimes complete meals were served in paper in the coaches when dining-car facilities were limited. Red Cross workers and members of the AWVS who met trains in railroad stations served soups, milk, coffee, and other beverages in paper cups. Post exchanges, too, were big users. Some Army posts used millions of paper cups every year, particularly where dishwashing facilities were nonexistent or inadequate. In officers' clubs, USO canteens, in the field, in camp or on leave, wherever soldiers were fed, paper cups and containers were found to be filling an important role.

The Navy likewise used paper cups and containers on fleet units, at naval bases, and in civilian areas under naval jurisdiction. This policy helped protect the health of the men in uniform as well as

the health of the public in those communities. It also enabled the Navy to save time and labor in the feeding of large numbers of men at transfer points. Almost all fleet units—from PT boats to battleships—carried paper cups and containers for feeding purposes. Large shipments of paper cups and containers were carried to our fighting forces overseas, including the jungle country in the South Pacific where all health measures were of especial importance. No hospital ship was without its supply.

Wherever the American fighter went, the paper cup and container went also, to help protect his health.

At the same time, a new problem arose on the home front. The demands for more and more weapons with which to fight the enemy led to the development of super plants and factories. This Nation became the arsenal of democracy. Employment of men and women soared to a new high. Most industries engaged in turning out the sinews of war were operating on a 24-hour-a-day basis. It was important to keep this army of home-front workers well fed and in good health. Out of this necessity developed the in-plant feeding system. This was the system whereby wholesome and appetizing food was served to the worker within the very shadow of his lathe, crane, or drawpress.

However, this number increased to more than 8,000,000 through the establishment of restaurants and cafeterias at accessible points in plants and shipyards and by mobile units that transported hot, nutritious food to designated stations throughout the working area. The establishment of such feeding operations meant the saving of millions of man-hours. It enabled workers in large and sprawling plants to be well fed during a shortened lunch hour. It also eliminated the inconvenience of waiting in line at outside restaurants for meals. The use of paper cups and containers made it possible also to serve between-meal snacks to workers on the job. Experience proved that these snacks relieved fatigue and by so doing reduced accidents and increased the production of the worker. There was no waste of time via dishwashing in those plants; nor broken china. Paper cups and containers were utilized to serve hot foods hot, cold foods cold, and with a minimum of time and confusion.

Such food kept the men and women workers healthy, reduced the time lost from their job via illness and accidents, and aided greatly in meeting the cry for "more guns, more planes, more tanks, more ships."

The widespread use of paper cups and containers by the military and by operators of in-plant feeding establishments served another vital purpose. It released the scarce metals which would have been needed for dishwashing equipment for the more important manufacture of ships, tanks, and planes. And manpower which would have been needed to operate dishwashing equipment was made available for the manufacturing of fighting tools.

The demand for sure health protection and the problem of dishwashing helped induce one hospital to make preliminary experiments with paper. Those experiments were so successful that the hospital switched to using 30,000 plates, bowls, and cups a day. This replaced the 10,000 pieces of china and glass formerly washed and sterilized twice daily and, of even more importance, released 70 employees for urgently needed duties.

Paper cups and containers also proved extremely valuable in emergency feedings. Millions of cups were sent to and used in feeding the bombed-out residents of England during the blitz; and even more millions were held in readiness for use had they been needed in our own country. Service organizations like the Red Cross, which must be prepared to feed large groups in emergencies, used paper cups and containers extensively. The Red Cross knew paper service helped in its speed of mobilization, serving meals under sanitary conditions, providing hot, nourishing food, and efficiency in cooking, transporting, and serving meals.

Restaurants and other public feeding establishments experienced a boom during the war that led them to feed more people than ever before in their history.

The abhormal increase in business made it difficult for many establishments to keep its eating utensils clean. A War Production Board order, for example, limited the use of iron and steel for dishwashing equipment except for Army, Navy, war plant, and hospital supplies. The War Manpower Commission listed dishwashers as nonessential to the war and dishwashing labor became increasingly scarce; particularly in the vicinity of war plants. The periods of wartime fuel shortages made it difficult for restaurant operators to meet the rigid restrictions of sanitation departments that required scalding water for the sanitizing of eating and drinking utensils. Through the use of paper cups and paper containers, public feeding establishments were able to overcome many of the problems arising from a shortage of equipment and manpower and thus continue their big job of providing sanitary service for millions of men and women engaged in the war effort.

Government agencies quickly realized the prominent part paper cups and containers were playing in the prosecution of the war. With the aid of the industry's advisory committee, the War Manpower Commission classified the paper cup and container industry as essential to the war effort. The War Production Board placed production under a priority system which assured the armed forces, workers in war plants, patients in hospitals, schools, the Red Cross, and certain transportation lines of needed supplies of paper cups and containers. This was accomplished by setting aside virtually the entire output of the industry for essential users.

Much has been said and written about the contributions of American industries to our war effort. Most of the tributes have been paid to the firms which directly, or indirectly, were engaged in the production of guns, ships, tanks, and planes. It is only fitting, however, that recognition also should be given to an industry like this which aided materially in the record production of armament and served as the spearhead of the sanitation phase on all battle fronts. There can be no denying of the fact that the paper cup and container industry rose to extraordinary heights to meet the unusual demand for its products in all segments of our war effort—on the battle fronts, on the supply routes, in the hospitals, in the war plants, and wherever an emergency feeding occurred.

I deem it an honor to extol the wartime record of this industry and to explain the many ways in which the paper cup and container went to war. But the greatest tribute that can be paid this outstanding industry is that together with the medical profession, health agencies, drug manufacturers, and others it was a contributing factor in the prevention of any major epidemic of respiratory disease during the biggest and most terrifying of all wars.

ACCEPTANCE OF COMPULSORY JURISDICTION OF INTERNATIONAL COURT OF JUSTICE

The Senate resumed consideration of the resolution (S. Res. 196) proposing acceptance by the United States Government of compulsory jurisdiction of the International Court of Justice.

Mr. MORSE. Mr. President, unless it be for a matter of a privileged nature, I prefer not to yield during the course of my remarks. I make that suggestion both in the interest of saving time and in the interest of preserving in the RECORD a continuity of my point of view.

I may say at the outset that I wish to discuss the amendment offered by the distinguished senior Senator from Texas [Mr. CONNALLY], the chairman of the Foreign Relations Committee. As a political realist, I wish to say that I think it is perfectly clear that, from the support which the distinguished chairman of the Foreign Relations Committee is giving to the amendment, and the support it is receiving also from the distinguished international lawyer and Member of the Senate from Vermont [Mr. AUSTIN], as well as from other leaders of the Senate, such as the distinguished Senator from Georgia [Mr. GEORGE], it would seem to appear that in all probability the amendment proposed by the Senator from Texas will be adopted this afternoon. I shall regret it if that happens but I suspect that the Senator from Texas has enough votes in favor of the amendment to pass it. In this matter, as in almost all controversial matters, it is not a question of all the merits being on one side and all the demerits being on the other. I think this is a matter of mixed merits.

I think it is only fair to say, in regard to the amendment, that its adoption will not have the effect which some Members of the Senate seem to feel that it will have, namely, of crippling Senate Resolution 196. I believe that was brought out very clearly yesterday by the Senator from Vermont [Mr. AUSTIN] who pointed out, as I tried also to do in the remarks which I made near the close of yesterday's session, that, after all, the machinery and procedure which was set up under the United Nations depends,

so far as its final sanctions are concerned, upon the good faith of the signatories of the San Francisco Charter.

As the Senator from Vermont explained yesterday, if the resolution as submitted by the junior Senator from Oregon is adopted by the Senate, without including the amendment proposed by the Senator from Texas, and the World Court should, in a given case, render a decision which involved not a question of international law but a domestic issue, the United States would have the right, under article 94 of the United Nations Charter to raise that point and refuse to abide by the decision of the World Court. The United States properly could take such a position until at least the Security Council passed judgment on the merits of its position as to whether or not the matter involved a domestic issue rather than one of international law. I think that viewpoint needs to be kept in mind as we weigh the pros and the cons of the discussion on the so-called Connally amendment. I am opposed to the amendment for the reasons which I shall presently set forth. I merely wish to say now, Mr. President, that should the amendment be agreed to by the Senate of the United States this afternoon, I think it would be most unfortunate if the impression went abroad throughout this land and the remainder of the world that the effect of the Connally amendment would be to destroy the effectiveness of Senate Resolution 196.

However, before this amendment comes to a vote, I should like to make another effort to make as clear as possible to the Senate the implications it involves. The report of the committee speaks of both immediate problems and long-range problems of the proposed resolution. The proponents of this amendment limit their discussion, as they must, to its effect on the immediate consequences involved in the resolution, that is to say, the right and duty of the United States to proceed or be proceeded against in the Court.

It must be kept in mind that the thing we are really aiming at is the long-range problem of bringing the entire world under the rule of law. It seems clear that if this rule is to be achieved, the participation of the United States is essential. We have no assurances as to what the consequences of this achievement might be but we entertain the hope, as the Under Secretary of State said during the committee hearing, that this may prove to be a long, and even a decisive step, toward crossing that line which separates world disorder from a world at peace. We are, therefore, attempting by this method to achieve a very high goal, and it is necessary to consider the aspects of the problem from this point of view. If the United States reserves to itself the power to decide an important jurisdictional question, we must act on the assumption that the other states in the world will do likewise.

I emphasize that while the question of domestic jurisdiction is a domestic question in one sense, it is also a question of international law affecting the fundamental jurisdiction of the court. That is true because domestic jurisdiction and international jurisdiction are mutually exclusive concepts. If it is decided that a question is domestic, it therefore means that it is not a question covered by international law. Therefore, if we reserve the right to decide the question, it means that we, and we must assume every other state, is reserving the right to decide an international legal question. This is the situation which has existed in the past and which it is the very purpose of the resolution to eliminate. As has been said many times during the progress of this resolution, the rule of law cannot be established if the various states reserve to themselves the right to decide what the law is. It is from this very broad point of view that it can be said that the alternatives involve the question of future world peace.

Looking to the more immediate problems of the resolution and the consequences of the proposed amendment, it appears quite difficult to deny that the amendment involves a condition of a serious character and that the other states of the world will recognize it as a reservation. It is, in effect, a political veto on questions of a judicial character, and it will be instantly recognized as such by all the other countries. It therefore involves the question of our moral leadership in the world, and it is to be feared that this action may impair the truly distinguished record of leadership which this country has made in recent years.

As the senior Senator from Vermont pointed out yesterday, the United States does have a final political control in this matter. If the court should commit the error of taking jurisdiction of a case plainly within the domestic jurisdiction of the United States, the United States could on this ground refuse to comply with the decision. Is it not far better to wait until such an error is committed rather than to jeopardize the whole principle we are seeking to achieve by assuming in advance that the court is going to commit such an error. After all, in our support of the United Nations, we are committing ourselves to a very large degree to the principle that it is better to entrust these international questions to responsible international institutions on the sound theory that such institutions are able to make better decisions than if they are left to the individual decisions of the States. This basic decision has been reached as a result of long and very hard experience. If history teaches us anything, it is that if States are left to decide these questions on the basis of immediate political expediency the result is power politics and ultimately war. The lesson is that a revolutionary change in international relations is necessary. I submitted Senate Resolution 196 in its present form because I believed it to be a constructive, statesmanlike step in the direction of promoting this change in international relations through law.

I have no disposition to try to deprecate the importance and seriousness of entrusting legal questions to the International Court of Justice. The Court has been constructed with all the wisdom and care world statesmanship can devise. It is inconceivable to me that any judge of the Court could fail to see and be profoundly impressed with the inexpressedly high and important functions with which he is charged. It is inconceivable that any judge could even consider violating his solemn oath to decide these cases impartially on the basis of law and justice and in accordance with established principles of international law.

The United Nations have done their very best to create a Court which can be trusted with responsibility, and I feel that we should place our faith in this institution rather than in the old method which has proved a complete failure of letting each country decide these questions for itself. I reiterate that in this resolution we are referring only to legal questions. As to such questions, let us put the decision where it belongs, namely, in the hands of a legal tribunal, created by the San Francisco Charter and ratified by the United States Senate more than a year ago. A tribunal which, I submit, Mr. President, on the basis of the record—because, after all, it is but a continuation of the old World Court—richly deserves the confidence which my resolution proposes to place in it.

For the reasons I have stated and for the reasons set forth in the hearings on the resolution, Mr. President, it is my view that the amendment submitted by the distinguished Senator from Texas should not be adopted.

In conclusion, Mr. President, I desire to refer to certain sections of the printed hearings on this resolution. First, I desire to refer to pages 71 and 72 of the hearings where there is set forth a resolution adopted by the American Bar Association, which approves Senate Resolution 196 with the provision as to the determination of jurisdiction over domestic issues being left to the Court. Without reading the resolution, I ask unanimous consent that it may be printed at this point in my remarks.

The PRESIDING OFFICER (Mr. HOEY in the chair). Without objection, it is so ordered.

The resolution is as follows:

Resolved, That the American Bar Association is of the opinion that the course of events has shown an urgent need that an increased emphasis shall be placed, in international relationships, upon the authority of law and the role of the World Court, now constituted and ready to function, as one of the principal means of the peaceful settlement or avoidance of disputes between nations which otherwise might endanger international peace and cooperation.

Resolved further, That the American Bar Association expresses its deep regret that the Government of the United States has not yet, as evidence of its adherence to international law and to the full usefulness of the International Court of Justice, taken the appropriate steps to accept for itself, as a majority of the United Nations have determined to do, the compulsory jurisdiction of the Court as to the matters enumerated in paragraph 2 of article 36 of the Statute of the Court.

Resolved further, That the American Bar Association strongly urges that the President and the Congress of the United States should take appropriate action at the earliest practicable time to bring about the deposit, in behalf of the United States, with the Secretary-General of the United Nations, of a declaration pursuant to paragraph 2 of article 36 of the Statute of the International Court of Justice, recognizing as compulsory

ipso facto as to the United States and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the Court in all legal disputes hereafter arising of an international character, concerning the matters enumerated in article 36; such declaration to be valid for a period of 5 years and thereafter for a period of 6 months after like deposit of a notice of termination thereof; the obligation of such declaration to be without prejudice to the right of the parties to have timely recourse to other methods for the peaceful settlement of disputes.

Resolved further, That the American Bar Association renews its earnest recommendation that in negotiating treaties, conventions, and international agreements the United States should propose and urge the inclusion of clauses providing that all legal disputes arising thereunder between the parties shall be referred to the International Court of Justice.

Mr. MORSE. I also, Mr. President, desire to call attention to the remarks of Dr. Laurence Preuss, professor of political science of the University of Michigan, who specifically objected to any further restrictions on the jurisdiction of the Court as to domestic issues in this language:

Yesterday morning Senator AUSTIN made a suggestion, which I believe was tentatively accepted by Senator MORSE, to rephrase exception B to read something like this:

"Disputes which the United States considers to be within the domestic jurisdiction of the United States."

I respectfully submit that that would be an extremely retrogressive step and would be taking away with one hand what we purport to be giving with the other.

Article 36, which is repeated in the Morse resolution, says that the Court shall have jurisdiction concerning the interpretation of a treaty or any question of international law. Certainly some of the same important questions of international law concern the fixing of boundary lines between matters which are not in principle regulated by international law and those which are. Furthermore, the exception of domestic jurisdiction would ordinarily be raised in questions arising out of disputes concerning the Court's jurisdiction.

The last paragraph of article 36, paragraph 7, provides that if there is any dispute concerning the Court's jurisdiction the Court shall decide. Consequently, it is contemplated that if a state raises the exception of domestic jurisdiction, that is a jurisdictional issue which it is for the Court to decide and not for one of the parties to the statute of the Court to decide. It seems to me that the very heart of compulsory jurisdiction would be taken out by the acceptance of this suggestion that the United States itself should define this important legal question as to the extent of domestic jurisdiction, rather than to have the Court itself do so.

I digress for a moment to say that I do not fully agree with Professor Preuss on that point. I do not think that the heart would be taken out of the resolution, because I believe, as I said yesterday in my remarks, even if the Connally amendment should be adopted, the United States does under this resolution commit itself to submit to the obligatory jurisdiction of the Court all questions which arise under international law. I think it was intimated—yes, more than intimated—it was clearly stated by the distinguished Senator from Vermont that it is inconceivable that this country would even hide behind a subterfuge or alibi and claim an international law issue to be a domestic issue.

The United States will never take the position that an issue which clearly is not a domestic issue shall not be determined by the World Court once we accept the obligatory jurisdiction of the World Court over purely international law issues. If we should take such an unconscionable position, it is perfectly clear that the good faith of this country would be clearly challenged by the other nations of the world. Other nations would protest any such conduct on our part just as we would if any other nation should, by way of subterfuge, take advantage of such a reservation once it had committed itself to submit purely international law issues to the obligatory jurisdiction of the Court. In this new "one world" no nation can afford to refuse to permit an international law issue to come before the Court for final determination on the ground or excuse that it is a domestic issue.

As the Senator from Vermont pointed out, there is involved the question of good faith. The primary reason why I find myself opposed to the amendment is that, from the standpoint of psychology, I think it is an unwise amendment. I think it would be better for us to let all issues go to the court for its determination as to jurisdiction, and then, if the court should ever make a mistake or commit an error, the fear of which I think is inherent in the Connally amendment, then we ought to proceed under article 94, through the Security Council, for a determination as to whether the World Court in the given instance has gone beyond its jurisdiction in that it purports to determine an issue which is not an international law issue but is a domestic issue. Under the condition as to domestic issues already set out in Senate Resolution 196 beginning on page 2, line 12, what we agree to is to accept the obligatory jurisdiction of the World Court over international issues and not over domestic issues. Hence I consider the Connally amendment both unnecessary and unwise.

Returning to the testimony of Professor Preuss he says further:

In conclusion, therefore, it would be my suggestion that great improvement in the present resolution could be effected by restoring the wording of the resolution as originally presented to the Senate, and including the phrase which was found in other declarations, "questions which by international law fall exclusively—

Note the word "exclusively," Mr. President—

within the domestic jurisdiction of the United States," and leave the Court to decide this matter rather than an interested party in a dispute.

There is one other point that I wish to make. If we include these wide reservations in an acceptance of compulsory jurisdiction, any other State with which we become involved in a dispute can take advantage of those same exceptions.

A number of years ago the United States was involved in a dispute with Mexico concerning oil expropriations and requested that Mexico submit the case to arbitration. Mexico refused on the ground that her expropriation policy fell within the realm of her sovereignty, her domestic jurisdiction, her exclusive competence. If we should sign the optional clause and if Mexico should do likewise, under this suggestion which was made to alter "b," then a respondent state would be able to escape the compulsory jurisdiction of the Court by declaring unilaterally that it considered this matter to be one of domestic jurisdiction.

I digress again to say, however, that should any state do that, under the United Nations Charter, it would certainly convict itself of bad faith, even if such state were our own country, and I think that such a course of action would mean that the United Nations itself would start to topple.

I return to the Preuss testimony:

It seems to me that we cannot get the right perspective on this matter if we assume that the United States is always going to be in the position of a defendant or respondent. As a matter of fact, the United States has brought many more claims against other states than other states have brought against the United States. The United States is a great claimant state, and it would be highly to our advantage if the number of states accepting the compulsory jurisdiction of the International Court of Justice should be extended; and since only one great power is now a declarant under article 36, I think this would be an appropriate time if the United States were to now make a declaration accepting the compulsory jurisdiction of the Court.

I also call attention, Mr. President, to page 101 of the hearings, where Mr. Finch, recognized authority in the field of international law, responded to the following question put to him by the chairman of the subcommittee, the distinguished Senator from Utah [Mr. THOMAS]:

Senator THOMAS of Utah. Just a minute, Mr. Finch. If we should accept the suggested amendments to "b", on page 2, which Senator AUSTIN mentioned yesterday, would we not introduce into our World Court a species of veto; that is, a veto not on a decision itself, but if, for example, we decided that we will only take those disputes in there, which we ourselves decide are essentially not of domestic jurisdiction, practically that is the way in which it would always come out, and if we state it that way, would we not actually introduce the equivalent of a veto to the compulsory jurisdiction? I realize that you are talking about a different kind of veto.

Mr. FINCH. Yes.

Senator THOMAS of Utah. But at the same time the practical effect of that judgment would make it possible for us, for instance, to talk for a very long time on the Senate floor and to reject a case.

Mr. FINCH. Mr. Chairman, I do not agree with the view expressed by some of the previous speakers on this subject. I think that your resolution as it is now drafted means that these matters shall be decided by each state. I think that the change, the omission of the phrase "matters which are according to international law within the domestic jurisdiction," which appeared in the Covenant of the League af Nations—I think that left it to be a matter of dispute and controversy between the two nations who had a question over which they were not in agreement. I think that when they left out the phrase "a matter which by international law" and left it barely as you have it here, "disputes with regard to matters which are essentially within the domestic jurisdiction of the United States," and which corresponds to the provision of the Charter, I think that it was done intentionally so as to leave no doubt

that each nation itself could file an objection that this was within the domestic jurisdiction.

Now, I would like to qualify that with this—any matter upon which we have made a treaty is one I think which we cannot claim is a matter within our domestic jurisdiction.

Now, we brought up questions of immigration treaties. Certainly we are not obliged to. We have full power under international law now to say who can come into our country, and we can expel them for certain reasons and under certain procedures, and nobody has anything to say about it; no other nation has anything to say about that; but if we make an immigration treaty, then we have taken it, ourselves, out of our domestic jurisdiction, and insofar as that treaty is concerned we are bound to submit that to the Court under this resolution.

Senator THOMAS of Utah. Then constitutionally the minute you ratify your treaty it becomes the supreme law of the land?

Mr. FINCH. That is right; exactly.

I also call the attention of the Senate to the position taken by another authority on this subject, Dr. Reid, as it appears on page 125 of the hearings. She said:

I would not wish—and now I am speaking as an international lawyer rather than AAUW—I would not wish to agree with the implication that under any circumstances, in the phrasing of section (b), either in this form or in its original form, the decision rested with the United States. I think the clear intention of that phrase is that the Court shall decide, and I therefore would strongly oppose the suggestion, which I understand was made yesterday, to the effect that the United States should be the judge in that case. That would seem to me to completely vitiate the value—or perhaps I should qualify that—would modify considerably the value of acceptance of the compulsory jurisdiction.

I digress to say that I think her modification was most appropriate. I do not think the Connally amendment, undesirable as it is, would vitiate the resolution. I simply think it is confusing and unwise and from the standpoint of its psychological effect on the other countries of the world I am afraid that it might be misunderstood.

I return to Dr. Reid's testimony:

It seems to me that the decision as to whether a matter is or is not within the domestic jurisdiction is one which the Court should decide when a case arises.

The last reference to the hearings before the committee I desire to make is a short one. I refer to page 142 of the hearings, where is set forth the view of the State Department, as represented by Mr. Fahy in his testimony, when he said as follows:

The Court determines its own jurisdiction in any case which it has under consideration (art. 36, par. 6 of statute). If one party claims that the Court is not properly seized of the case or that it does not have jurisdiction of a certain aspect of the case, the Court will decide. This is true whether the case is brought before the Court under a special agreement, a treaty, or a general agreement such as the one here under consideration.

The United States and all other members of the United Nations are bound by the Charter (art. 94 (1)) to comply with decisions of the Court in cases to which they are parties. This obligation applies to all cases whether brought before the Court under a declaration of this kind or not. It does not apply to advisory opinions, since there are no parties in such cases.

Although parties to cases are obligated to comply with the decisions of the Court, which is a moral obligation based on the provisions of the Charter, there is no provision for the enforcement of such decisions unless the failure to comply constitutes a threat to the peace or breach of the peace under article 39 of the Charter. There is an article in the Charter (art. 94, par. 2) which provides that a party may resort to the Security Council if the other party fails to carry out the judgment and that the Security Council may, if it deems necessary, make recommendations or decide upon measures to be taken to give effect to the judgment. This Government takes the position that the Security Council's action under this article is limited by the scope of its powers as defined in article 39, that is, it must first be determined by the Security Council that the breach constitutes a threat to, or breach of, the peace or an act of aggression (hearings on the Charter, Senate Foreign Relations Committee, Pasvolsky testimony, pp. 285–287; Hackworth testimony, pp. 330–332).

I say that because of the course of debate in the Senate; and the record will refer to those parts of the hearings and debates.

During the life of the Permanent Court of International Justice, applicant states invoke declarations made under article 36, paragraph 2, in 11 cases. In 2 of these 11 cases, jurisdiction was exercised by the Court without objection. In 4 of the 11, the jurisdiction of the Court was challenged. The Court sustained the objections to its jurisdiction in two of these cases and in part in a third. In the fourth, the applicant state withdrew its reliance upon the declaration.

The two cases which resulted in substantive decisions were the Eastern Greenland cases between Denmark and Norway and the division of water from the Meuse River case between the Netherlands and Belgium. In the Eastern Greenland case, Denmark asked the Court to decide that a Norwegian decree of July 10, 1931, asserting sovereignty over a large area of Greenland, violated the prior claims of Denmark to sovereignty over this territory. The Court sustained Denmark's contention and Norway withdrew the decree. In the Meuse case, the Netherlands entered a claim because of diversion of water by Belgium. The case involved the interpretation of a treaty governing such diversions. Belgium raised no objection to the jurisdiction. The Court rejected both the Netherlands' claim and a counterclaim entered by Belgium.

The two cases in which the Permanent Court of International Justice ruled that it did not have jurisdiction under the "optional clause" were the phosphates in Morocco case between Italy and France and the Panevazys-Saldutiskis Railway case between Estonia and Lithuania. In the phosphates case, the French Government put forward various objections to the Court's jurisdiction, including the contention that the Italian application related to situations and facts which preceded the ratification of the French declaration accepting compulsory jurisdiction and which, therefore, did not fall within its terms. The Court upheld this contention and decided that it had no jurisdiction. In the Panevazys case, the Lithuanian Government contended, on grounds of general international law, that the private claim espoused by Estonia was not national in character and that local remedies had not been exhausted. The Court held that the latter objection was well-founded.

In the Electricity Co. of Sofia and Bulgaria case between Belgium and Bulgaria, the court ruled out one of Belgium's claims on the ground that it had not been a subject of dispute prior to the filing of the Belgium application under article 36, paragraph 2. The court, however, sustained its jurisdiction in another aspect of the case, involving the question whether the dispute had arisen prior or subsequent to the filing of declarations under article 36, paragraph 2.

In the Pajzs, Casky, Esterhazy case between Hungary and Yugoslavia, the Hungarian agent withdrew its application under article 36, paragraph 2, because Yugoslavia's declaration had expired and had not been renewed as expected.

In the remaining five cases, proceedings did not advance to the point where the court had to consider the question of its jurisdiction.

To sum up, the court delivered judgment in two cases brought under article 36, paragraph 2. Of the five other cases which were carried to the point where the Court had to consider its own jurisdiction, the Court ruled in two cases that it had jurisdiction, in two other cases that it did not, and in the fifth case that one of the objections to its jurisdiction was well-founded.

Mr. President, I close by asking unanimous consent to have published in the RECORD at this point in my remarks three editorials in support of my resolution, one appearing in the Washington Post for Sunday, July 28, 1946, one in the Washington Post for Thursday, August 1, 1946, and one appearing in the New York Times of this morning, August 2, entitled "The World Court."

The PRESIDING OFFICER. Is there objection?

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

[From the Washington Post of July 28, 1946]

PEACE UNDER LAW

Peace, like liberty, rests upon the rule of law. We have subscribed to this doctrine in all our internal relationships, and it is but natural that we should apply it as well to our relations with other countries. This is what the Senate Foreign Relations Committee has now unanimously recommended that the Senate do in urging adoption of a resolution accepting on behalf of this country compulsory jurisdiction of the International Court of Justice created by the United Nations. This would mean simply that we would submit to the adjudication of the Court any legal dispute arising out of the interpretation of a treaty or out of any question of international law in relation to any other nation accepting the same obligation. The alternative would be to settle our disputes with other nations by force, and our very membership in the United Nations is a renunciation of such a course.

As signatories of the United Nations Charter, we are among the creators of the International Court of Justice as a successor to the earlier World Court which we never joined. The creation of the Court could not of itself assure that it would be used in case of international differences. Such assurance must come from the individual nations. The statute setting up the tribunal adopted at San Francisco gives it jurisdiction only over cases "which the parties refer to it and all matters specially provided for in the Charter of the United Nations or in treaties and conventions in force." Its jurisdiction may be made compulsory as to any nation only by action of that nation. Nineteen nations have now granted compulsory jurisdiction to the Court, but only one of the major powers, Great Britain, is among these. Adherence by the United States should prove a spur to others.

The resolution recommended by the Senate Foreign Relations Committee would deal with compulsory acceptance of the Court's jurisdiction as a treaty and would thus require ratification by two-thirds of the Senate. This is an entirely satisfactory method of recognizing the Court's authority. Equally satisfactory would have been the proposal

advanced in the House by Representative HERTER to take the same action by majority vote of both Chambers. The State Department has declared either technique thoroughly valid. Since the matter is now before the Senate, we hope that Body will indorse it promptly and overwhelmingly. Among Americans there can be no reluctance to live under a rule of law.

[From the Washington Post of August 1, 1946]

WORLD COURT

There was justification, we think, for Senator MORSE'S action yesterday in forcing consideration by the Senate of the resolution recommended by its Foreign Relations Committee accepting for the United States compulsory jurisdiction of the International Court of Justice. There has been a perplexing procrastination on this issue, and there was reason to fear that the Senate might adjourn without settling it. Acceptance of the Court's jurisdiction would mean simply that we would submit to it any legal dispute arising out of the interpretation of a treaty or out of any question of international law in relation to any other nation accepting the same obligation. It is difficult to see how any law-respecting nation, peaceful in its purposes and committed to the concept of international cooperation, could hesitate to put itself under the authority of a court such as this—especially one which it was instrumental in establishing.

We can see no occasion for delay or for reservations in this matter. Either, indeed, would be disruptive to the confidence which other nations have in the devotion of the United States to the maintenance of peace. This is not a matter which can safely or wisely be allowed to go over until a new Congress assembles next year. The World Court ought to be set in operation just as speedily as possible. The adherence of the United States is indispensable to making it effective, indispensable to adherence on the part of other great powers. We should have been the first to subscribe. Let us not invite suspicion and undermine the Court's prestige by being the last.

[From the New York Times of August 2, 1946]

THE WORLD COURT

One of the important matters debated yesterday in the Senate and scheduled for a vote today is ratification of an agreement which would grant Senate consent to the President's accepting for America the compulsory jurisdiction of the International Court of Justice. This acceptance would mean that in specified cases, touching the interpretation of treaties, international law, the breach of an international obligation, and the nature or extent of reparation to be made for such a breach, we would go to court rather than threaten the use of force. If the United Nations is to be a going concern, if we are sincere in our desire not only to avoid war but to avoid needless friction, this step is absolutely essential. We shall be compelled to do only what it is decent and wise to do.

If we do not ratify now we shall surely ratify later, but a failure to ratify now is bound to create doubt abroad as to our enthusiasm for United Nations ideals. The Senate owes it to our spokesmen in Paris and elsewhere to give the world, now, this assurance of our intentions and of our zeal for peace.

Mr. MORSE. Finally, Mr. President, I wish to state that I have sought to set forth my honest judgment as to why I think it would be better not to adopt the Connally amendment. I have tried to be exceedingly fair about it. I made a thorough and intensive study of it. When Senator AUSTIN, in the hearings first proposed the Connally amendment I was inclined to accept it but after study of it I decided against it. If there was any basis on which I could agree to it, I wanted to accept the amendment, because of the high regard and the great respect I have for the Senator from Texas [Mr. CONNALLY], the Senator from Georgia [Mr. GEORGE], and the Senator from Vermont [Mr. AUSTIN]. However, I have decided that it is an unwise amendment.

I have tried to be fair by pointing out that if the amendment is adopted it does not follow that Resolution 196 is vitiated. If the resolution is adopted with the Connally amendment in it, we will have taken a great stride in the direction of developing a world order under law. We will have placed upon our Government, in my judgment, an even greater moral obligation to keep the faith, because if we should adopt the resolution with the Connally amendment in it, then clearly the eyes of the world will be turned upon us in any case in which any other country with which we find ourselves in dispute seeks to hale us before the World Court. Having asked the Court to take over jurisdiction in any such case, if then we should ever break faith, if we then should ever hide behind this amendment, if it is to be placed in the resolution, and claim that an issue which is clearly international is in fact domestic, we can be most certain that we will lose not only face but, in my judgment, the confidence of the peace-loving nations of the world.

Thus I would say—and Senators may call this an argument against interest if they care to, but at least it is an honest argument, made by one who desires to be absolutely fair in this matter—I would say to those who believe that under no circumstances should the Connally amendment be adopted, if we cannot adopt this resolution without that amendment in it then I think we should adopt it with the amendment in it. However, I shall vote against the amendment because I think it should be defeated. I want to say without hesitation that if we fail to pass this resolution even though it has the Connally amendment in it we will have taken a great step backward, so far as our participation is concerned, in the development of an international order through law.

I believe that the great moral obligation to act in good faith under the amendment which would be placed upon this country if we adopted the amendment would be so overpowering, when a specific case arose involving an issue of international law that we would not dare adopt a subterfuge, or an "out," by way of a false excuse that the question involved a domestic issue.

Thus, I say, Mr. President, that I hope we can adopt the resolution without the amendment, but I hope we will adopt the resolution even with the amendment, if we cannot defeat the amendment.

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

Mr. MORSE. I yield to the Senator from West Virginia.

Mr. REVERCOMB. I wish to say to the able Senator that I am absolutely in favor of an International Court to deal with strictly international questions, but there is one subject which has given me some concern, which perhaps the able Senator from Oregon, who is one of the authors of the pending resolution, may clear up.

The resolution provides that by this act of the Senate we are to grant to an International Court of Justice jurisdiction over, among other things—

a. The interpretation of a treaty.

The Constitution of the United States, article 3, section 1, expressly provides:

The judicial power of the United States, shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish.

Section 2 of article 3 of the Constitution provides:

The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority.

Then it proceeds to state various matters of which the Federal judiciary has jurisdiction.

The question arises in my mind, are we doing violence to that—the express provision of the Constitution—when in the face of that express provision, we grant authority to a World Court to deal with the interpretation of a treaty?

Mr. MORSE. Mr. President, my answer is that I do not think we are doing any violence to it. I think that it properly falls within the treaty-making powers also granted in the Constitution. I think that the power is inherent under the Constitution for the United States to enter into a United Nations, the charter of which sets up a World Court, and under which it is proposed that we shall submit our disputes to that court for final determination, insofar as they involve the interpretation of a treaty, any question of international law, the existence of any fact which, if established, would constitute a breach of an international obligation, and the nature and extent of the reparation to be made for the breach of an international obligation. Certainly I do not think that the provision of the Constitution which the distinguished Senator from West Virginia has cited imposes a prohibition upon the right of the United States under the treaty provisions to accept the jurisdiction of such a World Court tribunal as has been set up under the United Nations.

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

Mr. MORSE. I yield.

Mr. REVERCOMB. I do not doubt for a minute that we can set up an international tribunal and enter into an agreement for the existence of such a tribunal. But when we undertake specifically to state what the jurisdiction of that tribunal shall be so far as we shall subscribe to it, and in detailing the ground of jurisdiction state in an act by the Senate that the interpretation of a treaty shall be one of the grounds of jurisdiction of that international tribunal, the question still arises in my mind, in the face of the explicit language of the Constitution, that "the judicial power shall extend to all cases in law and equity arising under treaties made or which shall be

made under their authority." There is a vast difference between the treaty which we entered into in creating the Charter, saying that such an international tribunal shall be created, and then in another act, through resolution, saying what the jurisdiction shall be. Here we are dealing with the extent of jurisdiction of an international tribunal, and I am confronted with the question whether we have not put something into this resolution which contravenes the express language of the Constitution of the country.

Mr. MORSE. If I thought so I would not be for the resolution.

Mr. REVERCOMB. It is difficult for me to reconcile it. Now then, I come to this question. If the Connally amendment is adopted and added to subsection (b) of the proviso, so it would read:

Provided, That such declaration shall not apply to—(b) disputes with regard to matters which are essentially within the domestic jurisdiction of the United States as determined by the United States.

My question is whether that would not reserve to us the constitutional provision and protection with regard to this explicit language of the Constitution as to treaties. We have always recognized the power in the Federal judiciary to deal with the treaties made by this country, and that is derived from the express language of the Constitution which I have just read. I want an international court; I want it to settle international justiciable issues; but in doing that I do not want to contravene the basic law of this land, the Constitution.

Mr. MORSE. Nor do I.

Mr. REVERCOMB. It seems to me that it is coming close to it. There may be a saving force in the Connally amendment which says that this "declaration shall not apply to disputes with regard to matters which are essentially within the domestic jurisdiction of the United States as determined by the United States." Because the "domestic jurisdiction of the United States" would, I take it, be that jurisdiction which is under the Constitution.

Mr. MORSE. If the Senator holds to that view, then I think he should vote for the Connally amendment. As was pointed out by the Senator from Vermont yesterday, I think the ultimate right of this country to refuse to accept the decision of the World Court if in fact it involves a domestic issue rather than an international issue, is reserved to us under article 94 of the Charter.

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

Mr. MORSE. I yield.

Mr. REVERCOMB. I am quite sure that the Senator does not mean to say that this country can enter into a treaty in contravention of the Constitution of the United States?

Mr. MORSE. I do not think anything I said would so indicate. I certainly join with the Senator from West Virginia in the point of view that we have no such right. I disagree with him that the adoption of the resolution without the Connally amendment would have that effect.

Mr. REVERCOMB. I should like to ask a further question. The power to deal with treaties and the construction of treaties is vested in the Federal courts. We are here asked to subscribe to the creation of another court. The Constitution has created one Supreme Court, and that Supreme Court is the creature of the Constitution itself, and then we have the express language, "and such inferior courts as the Congress may from time to time ordain and establish." The Senator would not want the International Court to be put in the position of being an inferior court created by Congress through treaty?

Mr. MORSE. It seems to me that if the Senator's argument is sound, if he does not think that the treaty-making provisions of the Constitution are sufficiently broad to encompass the granting of such jurisdiction as this resolution calls for, then likewise we contravened the Constitution of the United States when we adopted the United Nations Charter itself, insofar as we gave to the various agencies of that organization considerable power over this country, so far as treaties are concerned. Because when we consider the Security Council itself and the final sanctions that it can exercise, I think the same argument the Senator is now making against this resolution could be made against the powers of the Security Council.

Mr. REVERCOMB. I will say to the able Senator that I am simply inquiring on this subject for clarification.

Mr. MORSE. I appreciate that.

Mr. REVERCOMB. I do not agree at all that entering into a treaty to create the United Nations Charter contravenes the Constitution.

Mr. MORSE. It depends on the power given to that organization.

Mr. REVERCOMB. Yes; that is true; it depends on the power that was given to it.

Mr. MORSE. And I call attention to the great powers we have given to the Security Council.

Mr. REVERCOMB. I know that some take the view that it contravenes the Constitution. I do not take the view that by adopting the Charter of the United Nations we contravened the Constitution. But it is a closer question when we undertake to write into law the power of this tribunal to interpret treaties, when the Constitution says that this power should be vested in the Federal courts of the country.

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

Mr. MORSE. I yield.

Mr. VANDENBERG. I am particularly tender on the subject just raised by the Senator from West Virginia that we should not contravene the obligation which we accepted when we certified our agreement to the Charter of the United Nations. But, surely, it is clear under the Charter of the United Nations that we are not obligated to accept compulsory jurisdiction of the Court at all except at our own option. Therefore, I am sure we do not contravene the Charter, which is the only point I am trying to make, if we exercise our own option in respect to the terms upon which we undertake to subscribe to the Court.

Mr. REVERCOMB. Mr. President, will the Senator yield to me for a moment?

Mr. MORSE. I yield.

Mr. REVERCOMB. I am glad indeed that that point has been brought out, because it clarifies the very thing I have been trying to present first, that the Charter itself does not contravene the Constitution. But if the Senate adopts the resolution, which absolutely and without reservation places the power and the jurisdiction for the interpretation of treaties in the Court, then my question is: Does it not contravene article III, section 2, of the Constitution of the United States which I have read?

Mr. VANDENBERG. Perhaps it does. The only point on which I am commenting at the moment is that we are free agents so far as the Charter of the United Nations is concerned, when we take our action in respect to the option open to us to adhere to this Court.

Mr. MORSE. The Senator was very careful to see to it that that principle was maintained at San Francisco at the time the Charter was adopted and when it was brought back to the Senate.

Mr. VANDENBERG. We were very careful about it because we deliberately intended that that option should exist. Therefore, what I am saying is that I think we are free agents in respect to our action today. I would not want any remote suggestion to be maintained that we are contravening or violating in any way our obligations under the Charter if we act in respect to this resolution as our own judgment dictates.

Mr. MORSE. I quite agree; and I do not think there is anything in the RECORD that would raise such an implication. But the point I make, in response to the Senator from West Virginia, is that when we accepted the San Francisco Charter we accepted a Charter which placed great powers in the Security Council. In my judgment—and time alone will prove whether or not I am right—we placed in the Security Council the power to enforce a treaty, irrespective of what our courts might say about that treaty.

Mr. REVERCOMB. To enforce a treaty after we had agreed that it should be enforced.

Mr. MORSE. A treaty which the Security Council might find we were violating.

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

Mr. MORSE. I yield.

Mr. CONNALLY. In connection with the fear of the Senator from West Virginia that this action might interfere with the operation of our own courts, allow me to say to the Senator that our own courts cannot try cases between the United States and foreign nations.

Mr. REVERCOMB. That is true.

Mr. CONNALLY. So my amendment, by preserving domestic jurisdiction makes it clear that our courts will act upon all questions involving domestic jurisdiction. In the international field, in which our courts cannot operate by the terms of the Charter, the International Court would be operative.

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

Mr. MORSE. I yield.

Mr. REVERCOMB. I am heartily in accord with the statement that our courts cannot deal with strictly international questions between nations. So far as I know, there has been no court except the Court at The Hague to deal with international questions. But the point I am making is that so far as the interests of America are concerned, under our Constitution the jurisdiction to interpret treaties is in the courts of this country. In a case arising between citizens, or a case in which the Federal Government is interested, a question arising in connection with the interpretation of a treaty is exclusively before the courts of this country. What I am trying to get at is this: Will the amendment of the able Senator from Texas clarify the situation so that we can say, under our Constitution "This is a domestic matter."

Mr. CONNALLY. That is the very object of the amendment.

Mr. REVERCOMB. That is the object of the amendment.

Mr. CONNALLY. I think the language is as clear as it can be made, that when it comes to submitting a question to the International Court, if we say that it is a domestic question, the International Court cannot take jurisdiction of it.

Mr. REVERCOMB. That would be a saving clause with respect to the jurisdiction of our own courts under the Constitution of this country.

Mr. CONNALLY. Absolutely.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. THOMAS of Utah. The expression "interpretation of treaties" has been used rather loosely. The only thing that can come before the Court is a real cause, a case, a dispute, which hinges upon the interpretation of treaties. But it is the cause, the case, or the dispute which will be tried by the Court, and not the treaty.

Mr. REVERCOMB. The able Senator has stated the case. No decision can be reached, and the Court will not entertain the issue, unless there is a case before the Court.

Mr. THOMAS of Utah. That is true.

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

Mr. MORSE. I yield.

Mr. MILLIKIN. The Senator from West Virginia has raised a question which has perplexed students of constitutional law for a long time, namely, in what respect can a treaty—considering what is before us as a treaty—modify the Constitution of the United States. I believe that the nearest the authorities have come to agreement on that subject is that a treaty probably could not change an express prohibition in the Constitution.

What I rose to say, however, was that I do not believe that the analogy suggested by the Senator from Oregon, as to what we did with reference to the Security Council, for example, holds good with relation to what we are proposing now to do. The ultimate force, namely, military application, which the Security Council has at its disposal, so far as our share therein is concerned rests on powers which the Constitution has expressly given to Congress to maintain our military forces.

Mr. MORSE. I think that is the ultimate power, but I do not believe the Senator should overlook the fact—as I read the treaty, at least—that there is the power in the Security Council to require or order two nations to go before the World Court and settle their disputes, even though one or both may not have accepted the compulsory jurisdiction of the Court.

Mr. MILLIKIN. If the Senator will permit another interruption, there is another very important distinction between the political commitments which we have made to the Organization and the judicial commitments which we may make here today. We have a veto power in relation to our political commitments, and we do not have a veto power on our judicial commitments.

Mr. MORSE. Under article 94, we would have the veto power when the case went before the Security Council if we took the position, without the Connally amendment, that the decision involved a domestic issue and not an issue of international law.

Mr. MILLIKIN. If that were not the case—and even if it were the case—we would then be stultifying all the proclamations we make, that in legal matters we wish to be ruled by law rather than by political decisions.

Mr. MORSE. I think we shall be stultified also if we ever make use of the condition of the Connally amendment in a case which, in fact, involves an international issue, but which we, for purposes of expediency or for political purposes, are inclined to claim to be a domestic issue.

Mr. MILLIKIN. I would not argue with the Senator that we should compound our stultifications. I am simply making the suggestion that if we ever take advantage of our political power to veto what the Court does, the Court will be finished.

Mr. MORSE. Not if in fact the final jurisdiction or decision over the question of jurisdiction under the Charter rests in the Security Council. I do not think the Court would be finished then. It would be merely reversed.

Mr. MILLIKIN. I suggest to the Senator that the function of the Security Council would be as an enforcing agent if enforcement were necessary in respect to the decisions of the Court.

Mr. MORSE. But in making its decision, as to whether or not to enforce a judgment of the World Court it must reach a judgment as to whether or not the Court was in error on the point of jurisdiction.

Mr. MILLIKIN. The Security Council is not an appeal court for the Organization to which we are adhering today.

Mr. MORSE. No, but——

Mr. MILLIKIN. Whenever there is a political reversal of a legal decision, obviously there is an abandonment of the legal foundation.

Mr. MORSE. I grant that that type of appeal is not the type of appeal which the Senator and I as lawyers usually think of; but if article 94 means what the Senator from Vermont [Mr. AUSTIN] says it means—and I am inclined to believe that he is correct—if under that article there is guaranteed to the signatories to the Charter the right to say to the Security Council: "A decision has been rendered against us, but see how bad the decision is. It is over a clear domestic issue, and not an international issue"—in that sense it is a court of appeal.

Mr. MILLIKIN. I suggest to the Senator that there is nothing in the statute of the Court which contemplates a political reversal of its decisions. There is a review called for in the statute, by the same Court, but no appeal. The only way the Security Council could become involved in the matter, would be in the enforcement of the judgment; and then the Security Council would be at liberty to consider political aspects, legal aspects, and everything else. But I repeat that whenever the Security Council reverses, in effect, a decision of this Court, we shall have a political reversal of a judicial system, and then the Court will pass out of the picture.

Mr. VANDENBERG. Is not that exactly the reason why we should protect against such a possibility, when we adhere to the Court?

Mr. MILLIKIN. I am very much in favor of protecting against it. I am very much in favor of having a judicial system which will be complete in itself, not subject to political veto.

Mr. VANDENBERG. It seems to me that in the light of the statements which have been made by the able Senator from Vermont, it simply becomes a matter of plain, everyday honesty for us to make plain in advance what our attitude is calculated to be in respect to domestic questions.

If the Senator will permit me to interrupt further at this time——

Mr. MORSE. I shall be very happy to have the Senator do so.

Mr. VANDENBERG. The point on which I am most tender——

Mr. MORSE. Mr. President, the Senator from Michigan has no reason to be tender on any point, I say to him.

Mr. VANDENBERG. It is our constant references to our obligations under the Security Council, and so forth. I would not desert by one-tenth of one comma any obligation we have underwritten to the United Nations. I would live up to those obligations without reservation in any aspect. But I insist that when it comes to our decision in respect to the acceptance of the compulsory jurisdiction of the Court itself, we are free agents.

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

Mr. MORSE. I yield.

Mr. MILLIKIN. Of course, we are free agents. No one has challenged that.

Mr. VANDENBERG. I wish to make that plain, because I do not think there is any remote implication of our desertion of any obligation we have under the United Nations when we act as free agents in respect to the terms under which we accept the compulsory jurisdiction of the Court.

Mr. MILLIKIN. Mr. President, it seems to me it is very clear, under the Charter, that our decision as to whether we shall make this adherence is entirely up to us.

Mr. VANDENBERG. Exactly.

Mr. MILLIKIN. And, of course, when we do make it we are acting as free agents. I have heard no challenge of that.

Mr. REVERCOMB. Mr. President, let me say that there was somewhat of a challenge, I believe, in the discussion I had a few minutes ago with the able Senator from Michigan. I am delighted to have the view expressed that the Charter imposes on us no obligation to write this particular portion into the resolution.

Mr. MORSE. I think that is clear, and I have not contended it. I simply have said that it would be preferable if we did not.

Mr. REVERCOMB. In taking action on this important matter, I am absolutely in favor of making it as clear as it can be made at the inception of this agreement and this treaty that this country does not intend to give up its own power to decide what is a domestic question; and when we provide that the Court shall have jurisdiction in regard to the interpretation of a treaty, I think we should likewise provide that such a declaration shall not apply even as to a treaty or a question relative to a treaty, if the question arising under the treaty is solely a domestic question.

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

Mr. MORSE. I yield.

Mr. DONNELL. There are one or two phases upon which I should like to have the judgment of the distinguished Senator from Oregon. The first of them is with respect to the Connally amendment. I wish to ask the Senator, if I may, a few questions along that line.

In the first place, is it not true that there is nothing which will confer compulsory jurisdiction upon the Court, other than that which is contained in the statute of the Court?

Mr. MORSE. That is true.

Mr. DONNELL. Is there any provision, other than article 36 of that statute, which provides for the recognition of compulsory jurisdiction?

Mr. MORSE. I know of none.

Mr. DONNELL. Is there anything in the statute of the Court which authorizes the inclusion in the declaration to be deposited by the United States of any provision which is not consistent with article 36 of the Statute?

Mr. MORSE. I know of none.

Mr. DONNELL. Now I wish to call the Senator's attention particularly to subsection or subdivision 6 of article 36, which was mentioned yesterday.

Mr. MORSE. Is the Senator referring to article 36 of the Charter or article 36 of the Court statutes?

Mr. DONNELL. I am referring to article 36 of the Court statute. I call the Senator's attention to the contents of subdivision 6 of article 36 of the statute, which reads as follows:

> In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court.

I desire to have the view of the Senator as to whether the Connally amendment, which gives the United States the right to determine whether a matter is or is not essentially within the domestic jurisdiction of the United States, would be in conflict with the provision of subdivision 6 which I have just read.

Mr. MORSE. In my judgment there would not be any conflict, because I think article 36 of the Court statute makes very clear that there is reserved to the individual signatories the right to file a so-called obligatory declaration or not to file it, according to their discretion, and that inherent and implied in that right is the right on the part of the signatories, when they do file a declaration accepting the obligatory jurisdiction of the Court, to place on the jurisdiction such conditions as they see fit to place.

Mr. VANDENBERG. Exactly.

Mr. MORSE. In other words, it can go all the way, or 75 percent of the way, or 50 percent of the way, or 15 percent of the way, or zero.

Mr. VANDENBERG. Exactly.

Mr. MORSE. I think article 36 of the Court statute gives to them the right, when they accept the Charter, to change their status, of being bound only as to optional jurisdiction, and to change that status in any degree insofar as compulsory jurisdiction is concerned by way of any conditions which they wish to impose in their declaration, according to their wishes.

Mr. VANDENBERG. Exactly.

Mr. DONNELL. I thank the Senator for that reply. I judge, then, that the Senator from Oregon does not deem the Connally amendment to be violative of subdivision 6 of article 36 of the Court statute.

Mr. MORSE. My answer is that I do not think it is in any way in violation of any section, paragraph, sentence, clause, word, comma, or period of the San Francisco Charter, but I still would prefer not to have it.

Mr. DONNELL. Yes; I understand the Senator's view.

Let me ask the Senator if he still has the same opinion, in light of the fact that subdivision 2 of article 36 is the only provision by which the states parties to the statute may declare that they recognize as compulsory the jurisdiction of the Court, and that subdivision 2 provides that the states parties to the present statute may at any time declare that they recognize as compulsory, ipso facto, and so forth, the jurisdiction of the Court in all legal disputes concerning a, b, c, and d? Does the Senator still deem his answer to be correct?

Mr. MORSE. My answer is still the same, and I wish to point out to my good friend, the Senator from Missouri, that article 36 of the statute of the new World Court is really a repetition of a similar article under the old World Court. When we look to the practices under the old World Court, what do we find? We find a long list of declarations which have been filed under the old World Court, many of which have been automatically continued under the new World Court, and they set forth a variety of conditions, somewhat different in some respects from the conditions set forth in Senate Resolution 196. In my judgment, we have that entire background of, shall I say, a common law of international law as precedents for the interpretation which I am making of section 2, article 36, of the Court statute.

Mr. DONNELL. I thank the Senator for his clear and illuminating discussion of the questions which I have submitted. If I may trespass further for a moment on his time, I assure him that my questions are designed for clarification.

Mr. MORSE. I appreciate the Senator's questions very much.

Mr. DONNELL. The declaration to be deposited by the President of the United States is, under the terms of Senate Resolution 196, one recognizing as compulsory—I will emphasize by my voice the next few words—in relation to any other state accepting the same obligation, the jurisdiction of the International Court of Justice in certain disputes, provided that the declaration shall not apply to three categories of disputes. Those are the categories set forth on page 2 of the resolution between lines 7 and 15, to which are to be added the words and figures adopted by the Senate yesterday.

Mr. MORSE. Plus the Vandenberg amendment of yesterday, being item (c) under the proviso clause following line 14.

Mr. DONNELL. That is the one to which I refer.

Mr. MORSE. Yes.

Mr. DONNELL. Item (c), the third one of the three disputes embodied in these categories.

My question is this: In view of the facts, first, that the recognition to be, by such declaration, made of compulsory jurisdiction is only in relation, to quote the resolution, "to any other State accepting the same obligation"; and, second, that it is to be provided in the declaration which is to be deposited by the President of the United States that the last-mentioned declaration shall not apply to the three categories of disputes which I have mentioned, is it the opinion of the Senator from Oregon that the only States with relation to which the declaration recognizes as compulsory the jurisdiction of the International Court of Justice, are those States which shall have, in their respective declarations, provisions making such respective declarations not applicable to those categories of disputes to which, under the resolution which we shall pass, the declaration of the United States shall not apply?

Mr. MORSE. My answer is "No." It is not so limited. Allow me to speak in hypothetical terms.

Mr. DONNELL. Yes.

Mr. MORSE. Let us assume that nation X has filed with the United Nations an acceptance of the compulsory jurisdiction of the Court subject to certain conditions. Let us assume that among those conditions are the first four as they appear on page 2 of Senate Resolution 196, but not included is the condition with reference to domestic issues as suggested by the Connally amendment. Assume that we get into a dispute with nation X over the interpretation of a treaty. Such a dispute clearly would involve an inter-

national law issue. I am sure the Senator from Missouri will agree that in such a dispute both the United States and nation X would be bound, because of their mutual declarations to adjudicate that dispute within the forum of the World Court. I say that because the declarations of both the United States and nation X would under my hypothetical case cover the same first four conditions as they appear on page 2 of Senate Resolution 196. However, nation X would have the right, in my judgment, if it wanted to do so, to raise a point of jurisdiction and say "But this is not an issue of international law, it is one of domestic law, and because you have reserved the right over domestic issues we can benefit by the same right you have reserved to yourself, although we did not in our declaration specifically make such reservation to ourselves."

I think that will be the effect and the danger of the adoption of Senate Resolution 196 with the Connally amendment in it. It will have the effect of giving the right to every other State, when a dispute with us, to raise a question as to whether or not the dispute involves a domestic issue.

Mr. DONNELL. And to decide the question for itself just as we can decide it for ourselves.

Mr. MORSE. Yes; now, let us hold to the hypothetical. Suppose the dispute, however, is not between the United States and nation X, but is between nation X and nation Y, and suppose that neither nation X nor nation Y included in their declaration the Connally condition that it shall not apply to so-called domestic issues. Under those circumstances they would be bound, in my judgment, to submit the question of jurisdiction itself to the World Court for determination, but neither one of them in a dispute with us would be so bound because they might take advantage of the condition which we reserved unto ourselves by the Connally amendment.

Mr. DONNELL. May I ask the Senator on what language of the Charter, or upon what precedent, if he has one in mind, of the Permanent International Court of Justice he bases the view that in the case of nation X and the United States, nation X might avail itself of a provision identical with that which we have inserted under the Connally amendment, even though nation X had not reserved it in its own acceptation of compulsory jurisdiction?

Mr. MORSE. First, I think it is involved in the optional clause of the United Nations Charter itself where there is reserved to a nation the right to file a declaration accepting the compulsory jurisdiction of the Court. That is article 36 of the World Court statute. As I have already said, I think a nation could accept the compulsory jurisdiction in toto, or in part, subject to such conditions as it might reserve, but when it does file its declaration I think it follows, by clear implication, that other nations in relation to the nation filing the declaration with such a condition in it will be bound only to the extent of the conditions set forth in the declaration of the filing nation in any case of a dispute with the so-called filing nation.

Further, I think that the Senator from Missouri will find that the section cited in the debate yesterday by the distinguished senior Senator from Wisconsin [Mr. LA FOLLETTE] will support my position. I refer to section 32, as follows:

The Court, whose function is to decide in accordance with international law such disputes as are submitted to it, shall apply—

a. international conventions, whether general or particular, establishing rules expressly recognized by the contesting states;

b. international custom, as evidence of a general practice accepted as law;

c. the general principles of law recognized by civilized nations;

d. subject to the provisions of article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.

That language, I am sure, will back up the interpretation which I have made. I think it will be found that, running through the scholarly writings covering this field the authors point out that the historical rule is that nations which filed declarations accepting the obligatory jurisdiction of the old World Court they were bound only to the extent of the terms and conditions of their declaration. I know these authors state the rule that under such circumstances all nations so filing have the right to take advantage of any condition contained in the declaration of any nation with which they find themselves in dispute. I think that interpretation could be read into the Charter, so to speak, under article 38. I know that the Senator from Missouri has discussed the matter with the Senator from Utah [Mr. THOMAS] and I should like to ask the Senator from Utah, first, if he shares my interpretation and, second, if he can put his finger on any specific precedent bearing upon the point.

Mr. THOMAS of Utah. Mr. President, I share completely the interpretation of the Senator from Oregon, and I think it is strongly implied in paragraph 2 of article 36 of the Court statute. All parties to a dispute enter into it on exactly the same level. That is my understanding of reciprocity. The implication is very strong, from a mere reading of article 2, which states:

2. The states parties to the present statute may at any time declare that they recognize as compulsory ipso facto and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the Court in all legal disputes concerning:

a. the interpretation of a treaty;

b. any question of international law;

c. the existence of any fact which, if established, would constitute a breach of an international obligation;

d. the nature or extent of the reparation to be made for the breach of an international obligation.

In respect to any of these various things, they accept the reciprocal situation in regard to all disputes which may arise.

The Senator from Wisconsin [Mr. WILEY] yesterday read from my report, and I should like to refer to it now:

A second major limitation on the jurisdiction conferred arises from the condition of reciprocity. This is again specified in the resolution in the language of the statute, the pertinent phrase being as follows: "recognizing * * * in relation to any other state accepting the same obligation, the jurisdiction of the International Court of Justice. Jurisdiction is thus conferred only as among states filing declarations. In addition, the similar phrase in the statute of the Permanent Court of International Justice was interpreted by the Court as meaning that any limitation imposed by a state in its grant of jurisdiction thereby also became available to any other state with which it might become involved in proceedings, even though the second state had not specifically imposed the limitation.

I read that to show that the idea of reciprocity is complete, and I repeat what was said: the parties to the dispute enter into the Court on precisely the same level.

Mr. PEPPER. Mr. President——

The PRESIDING OFFICER. The Senator from Florida.

Mr. DONNELL. Will the Senator pardon me just a moment?

Mr. PEPPER. I shall ask the Senator to be brief, lest I lose the floor.

Mr. DONNELL. The Senator from Oregon had the floor.

The PRESIDING OFFICER. The Chair thought the Senator from Oregon had finished, and recognized the Senator from Florida.

Mr. MORSE. Mr. President, I ask the Senator from Florida, under those circumstances, if he will extend the courtesy to the Senator from Missouri to complete his questions. I think he has another question or two. He says he will be brief.

Mr. PEPPER. If my able friend will be brief, I gladly yield, otherwise I shall not be able to.

Mr. DONNELL. I do not desire to ask a favor of the Senator from Florida. If the Senator from Oregon does not have the floor, I shall not ask the question. I was engaged in a line of questioning. I do have one or two other questions which I should like to propound.

Mr. PEPPER. Will not the Senator do that later? I wish to make one or two observations, and if he desires later he can ask the questions.

Mr. DONNELL. I shall be very glad to yield the floor to the Senator from Florida.

Mr. PEPPER. I know the Senators have their problems, but I have a little personal problem of my own. I shall be very brief.

Mr. President, I ask that at this point in my remarks article 36 of the statute of the International Court respecting the jurisdiction of the World Court shall be inserted.

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

1. The jurisdiction of the Court comprises all cases which the parties refer to it and all matters specially provided for in the Charter of the United Nations or in treaties or conventions in force.

2. The states parties to the present statute may at any time declare that they recognize as compulsory ipso facto and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the Court in all legal disputes concerning:

(a) the interpretation of a treaty;

(b) any question of international law;

(c) the existence of any fact which, if established, would constitute a breach of an international obligation;

(d) the nature or extent of the reparation to be made for the breach of an international obligation.

3. The declarations referred to above may be made unconditionally or on condition of reciprocity on the part of several or certain states, or for certain time.

4. Such declarations shall be deposited with the Secretary-General of the United Nations, who shall transmit copies thereof to the parties to the statute and to the Registrar of the Court.

5. Declarations made under article 36 of the Statute of the Permanent Court of International Justice and which are still in force shall be deemed, as between the parties to the present statute, to be acceptances of the compulsory jurisdiction of the International Court of Justice for the period which they still have to run and in accordance with their terms.

6. In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court.

Mr. PEPPER. Thereafter, Mr. President, I ask that there be printed in the body of the RECORD at this point Senate Resolution 196.

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

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the deposit by the President of the United States with the Secretary General of the United Nations, whenever that official shall have been installed in office, of a declaration under paragraph 2 of article 36 of the Statute of the International Court of Justice recognizing as compulsory ipso facto and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the International Court of Justice in all legal disputes hereafter arising concerning—

a. the interpretation of a treaty;

b. any question of international law;

c. the existence of any fact which, if established, would constitute a breach of an international obligation;

d. the nature or extent of the reparation to be made for the breach of an international obligation.

Provided, That such declaration shall not apply to—

a. disputes the solution of which the parties shall entrust to other tribunals by virtue of agreements already in existence or which may be concluded in the future; or

b. disputes with regard to matters which are essentially within the domestic jurisdiction of the United States.

Provided further, That such declaration shall remain in force for a period of 5 years and thereafter until the expiration of 6 months after notice may be given to terminate the declaration.

Mr. PEPPER. Immediately following the resolution, I ask that the proposed amendment of the able Senator from Texas be printed.

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

On page 2, line 14, after the word "states", insert the following: "as determined by the United States."

Mr. PEPPER. Mr. President, I do not believe that the amendment of the able Senator from Texas can be adopted without violating the express provisions of the United Nations Charter respecting the jurisdiction of the Court. I make that statement upon the basis of two facts, first, the grant of jurisdiction which is conferred upon the Court in article 36 of the statute of the International Court respecting the jurisdiction of the Court.

Mr. CONNALLY. Mr. President——

Mr. PEPPER. Just a moment. Secondly, the express provision of subparagraph 6 of article 36, which provides:

In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court.

I now yield to the Senator from Texas.

Mr. CONNALLY. I thank the Senator, but he says he is in a hurry, and I shall not interrupt him.

Mr. PEPPER. I promised I would take only a brief time.

Mr. President, this matter was argued and debated at considerable length——

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

Mr. PEPPER. If the Senator will pardon me, I promised to make my remarks brief, and I cannot possibly yield to all my friends.

Mr. FERGUSON. I merely wish to ask whether the Senator has read the sixth section of article 36.

Mr. PEPPER. I yield for a question, and I will also yield to the Senator from Oregon for a question.

Mr. FERGUSON. The language is:

In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court.

Mr. PEPPER. Yes.

Mr. FERGUSON. Of course, that relates only to what is indicated in the preceding language, stating over what the Court would have jurisdiction, that is, international matters, and not domestic matters.

Mr. PEPPER. It means anything the Court shall find to come within the grant of authority conferred upon the Court in subsection 2, paragraphs a, b, and c, namely, "the interpretation of a treaty," "any question of international law," "the existence of any fact which, if established, would constitute a breach of an international obligation."

Mr. FERGUSON. But that does not apply to any domestic question. It applies only as to whether or not the Court has jurisdiction of any of the matters mentioned.

Mr. PEPPER. I agree with the Senator in this respect, there was no need for the reservation which appears in Senate Resolution 196. If the Senator is referring to that, I am inclined to believe he is correct, because of course they are to deal with international disputes, not with domestic questions. But, Mr. President, that holding would also make unnecessary the following portion of Senate Resolution 196, namely:

Such declaration—

Meaning the compulsory jurisdiction of the International Court—

shall not apply to * * * (b) disputes with regard to matters which are essentially within the domestic jurisdiction of the United States.

I do not think it was ever intended that the grant of authority should include matters that are essentially within the domestic jurisdiction of the United States. But, Mr. President, to add that reservation, and then to superimpose upon that reservation another one, that the United States Government is to be the sole judge of its own interest in the matter, it seems to me flies, first, into the very teeth of the purpose and concept of the Court, and in the second place, into violent conflict with subparagraph 6 of article 36, which reads:

In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court.

Mr. President, it did not say, "It shall be settled by the state which is a signatory power to the Charter and has given compulsory jurisdiction to the Court."

Not only that, but if there is anything fundamental in the law, it is that one cannot be the judge of his own case. Yet here we are laying down in one reservation that the World Court shall not have jurisdiction over domestic matters, and in the second place that we will decide whether or not a matter is domestic.

So, Mr. President, it seems to me that when we do that we of necessity fly squarely in the face of the provision of the Charter, which we cannot now, having ratified it, impair or impeach, that when there is a dispute as to the jurisdiction the dispute shall be settled, as of necessity it must be, if the Court is to mean anything, by the Court itself, and not by a party which may be affected.

If, therefore, Mr. President, we accept this amendment, in my opinion it will be a vain act, because we cannot impair the express provision of the Charter; in the second place, it will not only be a vain act, but it will be aimed at undermining the authority of the Court, and that authority must be enhanced, and not impaired, if the Court is to achieve the great function of keeping world peace, for which it was conceived and designed.

Mr. President, here it is. I lay one down, and the other beside it. It is possible for a state to make the declaration that Senate Resolution 196 purports to make, "unconditionally or on condition of reciprocity on the part of several or certain states, or for a certain time." That is in subparagraph 3 of article 36. But, Mr. President, I do not think that was intended to mean that a state may accept the compulsory jurisdiction of the Court and then impair the jurisdiction of the Court which is conferred in the previous subparagraph 2. In other words, we cannot ratify the Court's authority and say that it shall have compulsory jurisdiction in respect to the interpretation of a treaty or any question of international law, and then say, "It shall not have jurisdiction respecting the existence of a fact which, if established, would constitute a breach of an international obligation." We take the Court as one takes his spouse, for better or for worse. We cannot say, once we admit its jurisdiction, that it may exercise only a limited part of its authority by the statute, and exclude another part when we happen to be affected.

No more, Mr. President, can we do that than we could impair the validity of the second article, article 38. Article 38 lays down the principles the Court shall apply in the making of its decision, namely:

(a) international conventions, whether general or particular, establishing rules expressly recognized by the contesting states;

(b) international custom, as evidence of a general practice accepted as law;

(c) the general principles of law recognized by civilized nations;

(d) subject to the provisions of article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.

There is also this language:

2. This provision shall not prejudice the power of the Court to decide a case ex aequo, et bono, if the parties agree thereto.

Mr. President, we cannot impair those principles that the Court may apply. We cannot say that the Court cannot have recourse to the general principles of law recognized by civilized nations, or to international custom. We cannot cut out of article 38 a single paragraph, sentence, or clause that is in it. Our efforts to do that would be analogous to our adopting this amendment which attempts to limit to our own decision the jurisdiction of the Court over matters affecting the United States of America.

So, Mr. President, if we, the United States, shall be the ones first to stick a dagger in the integrity and authority of this Court, it will have infinite ill effects, because we will be the first Nation that will start our adherence to compulsory authority and jurisdiction with a question mark and a reservation.

Mr. President, all history condemns the reservation that the Senate put or tried to put into the League of Nations, and there are many of us who feel that history will level its accusing finger at those who were the authors of those reservations. I know that no one has been stronger than the able Senator from Texas in his effort to bring this magnificent edifice into reality, to give it great strength and power and authority to keep world peace. I feel, however, Mr. President, that the Senator from Texas is being required by some consideration of expediency to feel that he must mollify certain sentiments in the Senate in order to secure the ratification of this resolution which causes him to offer his amendment which he now proposes that we should consider. I am of course not questioning his right to do that or the fine interest, the patriotism and the wholesome support which the able Senator from Texas has unfailingly given to the United Nations Charter. But, no other State, according to my knowledge, has made any reservation when it has adhered to the compulsory jurisdiction of the Court. We would be the first, if we were to do it here today in the Senate.

Mr. President, I am aware of what the able Senator from Michigan [Mr. VANDENBERG] said. We, as a nation, do not have to yield ourselves to the compulsory jurisdiction of the Court unless we will it. We can only reserve its authority for special agreement, that we may enter into with other countries. But, Mr. President, once we give authority for compulsory jurisdiction to attach, then the law as embodied in article 36 of the Statute becomes effective, and we cannot by reservation in conflict with and in opposition to the Charter authority limit the jurisdiction of this Court. It is obvious that, if we are to give the state itself authority to say that the jurisdiction of this Court shall not attach to a matter which the state itself considers to be within its domestic authority, it gives any state the power to nullify the whole authority and jurisdiction of the Court, because it does not say that this reservation may not be effective if the authority is arbitrarily or capriciously employed by the state. If a dispute arising under a treaty is about to be decided by the Court, in our opinion, against us, we can cook up some kind of an excuse, if this reservation becomes effective, and say, "Why, that would affect the essential domestic jurisdiction of the United States, therefore the Court is without authority." And the Court would be utterly paralyzed.

Mr. President, it is fundamental in the law that no one can judge his own case, and here we are trying to judge our own case by reserving the right of a veto on the jurisdiction of the Court to act in respect to matters which we think might adversely affect us.

No, Mr. President; let us go into this Court and its jurisdiction wholeheartedly. Let us enter into it giving it full faith and credit and support, or let us not go into it at all. If we are going to make reservation, then let us stay out of the compulsory jurisdiction of this Court, and merely let it function when we specifically authorize it to function by a special agreement. But for the great United States of America, which has had such a large part in bringing the World Court and the Charter of the United Nations into existence, to be the first to limit its authority and to reserve the power to limit it at our own uncontrolled discretion, Mr. President, does far more damage to the prestige and the authority of the Court than it would sustain if we stayed out of its compulsory jurisdiction altogether.

Mr. FERGUSON. Mr. President——

The PRESIDING OFFICER (Mr. MILLIKIN in the chair). Does the Senator from Florida yield to the Senator from Michigan?

Mr. PEPPER. I yield.

Mr. FERGUSON. Mr. President, as I understand the argument of the able Senator from Florida, he indicates that none of the clauses of article 36, which gives jurisdiction to this Court—and I read the language—

The jurisdiction of the Court in all legal disputes concerning:

a. the interpretation of a treaty;

b. any question of international law;

c. the existence of any fact which, if established, would constitute a breach of an international obligation;

d. the nature or extent of the reparation to be made for the breach of an international obligation—

Includes what we are attempting to do except in the original language of the resolution on page 2 beginning in line 12, namely, "Disputes with regard to matters which are essentially within the domestic jurisdiction of the United States."

Mr. PEPPER. Mr. President, will the Senator let me say this? If the grant of authority in subsection 2, of article 36, subparagraphs a, b, c, and d, covers matters essentially within the domestic jurisdiction of the United States, why is the reservation put into Senate Resolution 96, and why the Connally amendment?

Mr. FERGUSON. Mr. President, if the able Senator is correct in his argument that we do not have to make the reservation as to disputes with regard to matters which are essentially within the domestic jurisdiction of the United States and that they are automatically excepted, because the very language of the Charter excludes them, then we are adding nothing except the precaution that the United States shall determine, in the language proposed by the able Senator from Texas, "as determined by the United States." If we make one exception, and we do not need it, we are adding nothing to the resolution by adding those words.

Mr. PEPPER. Oh, yes; Mr. President, I am aware of the principle of law: "Utile per inutile non vitiatur"—"What is useful is not vitiated by the useless." But, Mr. President, the essential vice of the Connally amendment is this: Under the treaty, and without the Connally amendment, the question whether the Court had authority or jurisdiction, would be determined by the Court, while under the Connally amendment the question of whether the Court had jurisdiction would be determined by the United States in respect to any matter the United States asserted to be essentially within our domestic jurisdiction. That is the difference, and that is the vice of the Connally amendment.

Mr. FERGUSON. But, Mr. President, paragraph 6 of article 36 provides:

In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court.

That relates to the four matters dealt with in subparagraphs (a), (b), (c), and (d).

Mr. PEPPER. That relates to every jurisdiction the Court has. How can the Senator say that subparagraph 6 is applicable to one part of the Court's jurisdiction and not applicable to the other? The provision that it is up to the Court to decide a dispute as to jurisdiction, applies to all the Court's authority. But the Connally amendment would say, "when the dispute is asserted to be domestic in character and outside the jurisdiction of the Court, the Court shall not decide it" as subparagraph 6 says it shall; but the Connally amendment would say "The United States shall decide its own case without appeal."

Mr. FERGUSON. But the United States would not decide that the Court did not have jurisdiction under article 36, subparagraphs (a), (b), (c), and (d).

Mr. PEPPER. That is the only jurisdiction the Court has, unless we confer,

by special agreement, jurisdiction upon it. The Senator is evidently overlooking paragraph 2, which provides:

The States parties to the present statute may at any time declare that they recognize as compulsory ipso facto and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the Court in all legal disputes concerning:

(a) the interpretation of a treaty;

(b) any question of international law;

(c) the existence of any fact which, if established, would constitute a breach of an international obligation.

Except for the question of the extent of reparations to be made in case of a breach, that is all the jurisdiction we are conferring upon the Court, and all we can confer upon it by a declaration submitting ourselves to its compulsory jurisdiction. Any other authority must be conferred upon it by a special agreement.

Mr. FERGUSON. I do not overlook that point. That is just what I have been arguing. The Court has jurisdiction only in legal disputes concerning certain questions. It has no jurisdiction over domestic issues.

Mr. PEPPER. The Senator is overlooking the fact that if a domestic issue is asserted in respect to the interpretation of a treaty, or any question of international law, or the existence of any fact which if established would constitute a breach of an international obligation, if the Court with that authority began to consider the case and the Connally amendment and Senate Resolution 196 were effective, all the United States would have to do to oust the Court of jurisdiction even in respect to authority over those matters would be to say, "That involves a matter within the domestic jurisdiction of the United States and outside the scope of the authority of the Court", and the Court would be powerless to act unless it refused to recognize the validity of such reservations, which I think it would and should do.

Mr. FERGUSON. None of the issues specified in article 36 as a matter of fact or as a matter of law include domestic issues. Therefore as I see it the argument of the able Senator from Florida does not apply, because we would not be making any reservation except with respect to domestic issues.

Mr. PEPPER. Without the Connally amendment, the question whether or not the issue is domestic in character would be determined by the Court. If the Connally amendment were effective the question would be determined by the United States, and not by the Court. That is the reason why the Connally amendment violates paragraph 6.

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

Mr. PEPPER. I must conclude, in order to keep my word to those whom I assured that I would occupy only a brief time, but I yield.

Mr. FERGUSON. If we refer back to chapter 1, article 2, of the treaty itself, under the heading "Purposes and principles," we find this language in paragraph 7:

Nothing contained in the present charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the present charter; but this principle shall not prejudice the application of enforcement measures under chapter VII.

That is conclusive proof that we never intended that the United Nations—and the International Court is a part of the United Nations structure—should ever have jurisdiction of essentially domestic issues.

Mr. PEPPER. That is correct; but the Charter wisely provided that if there were a dispute about any phase of the jurisdiction of the Court the question should be decided by the Court. But the Connally amendment provides that if there is a dispute about the jurisdiction of the Court it will be decided by the United States Government if the United States Government is willing to claim that it is a matter essentially within the domestic jurisdiction of the United States.

In conclusion, Mr. President, let me say that we do not have to impair the treaty and the authority and prestige of the Court by this amendment in order effectively to protect the United States. We do not have to be the first nation giving the Court compulsory jurisdiction to make a reservation to save American interests effectively. As the Senator from Michigan has pointed out, the Court has no authority to enforce its own decisions. It is a judicial body. The power of effective enforcement lies only in the Security Council; and in the Security Council an effective decision cannot be made to take action against a nation unless there is unanimity of the Big Five. Therefore, so far as the United States is concerned, a power which of necessity will always be a party to the Security Council under the provisions which requires the Big Five to be permanent members of the Security Council, the United States will always have the power, through the exercise of the veto, to prevent effective enforcement of a judgment of the Court against the United States if the United States feels deeply enough about it to contend that the Court's judgment encroaches upon the domestic jurisdiction of our Government.

How much better it would be to rely upon the veto power which we have against the effective enforcement of the judgment of the Court than to try to write two reservations into our adherence to the Court's compulsory jurisdiction, one expressly saying that it has no jurisdiction over what is essentially within our domestic jurisdiction, and the other providing that we shall decide what is within our domestic jurisdiction. How do Senators suppose the countries which have already adhered to the compulsory jurisdiction of this Court without reservations will feel when they see that we have made this reservation? Will they not wish to modify their adherence, making it conditional instead of unconditional? They may wish to impose some other condition than the one we are attempting to impose.

America withheld its assent to the World Court a decade or more ago, and we have paid in blood and treasure for that mistake. The United States of America tried to place reservations in the League treaty, and we have paid in broad rivers of blood and uncountable treasures for those reservations. We have thus far gone forward so magnificently, and have entered so wonderfully into the spirit of this great new enterprise for peace that, in my judgment, we should give the world encouragement, confidence, and hope by extending full faith and credit to this great Court. We should not be the first nation to write the insidious question mark above its authority, and the first to violate the fundamental concept of any law, that no litigant shall decide his own case.

Therefore, I hope the Connally amendment will not be adopted.

Mr. CONNALLY obtained the floor.

Mr. THOMAS of Utah. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

Andrews	Hoey	Overton
Austin	Huffman	Pepper
Ball	Johnson, Colo.	Radcliffe
Barkley	Johnston, S. C.	Revercomb
Bilbo	Knowland	Russell
Bridges	La Follette	Smith
Byrd	Langer	Stewart
Capper	McClellan	Swift
Chavez	McFarland	Taft
Connally	McKellar	Taylor
Cordon	McMahon	Thomas, Okla.
Donnell	Magnuson	Thomas, Utah
Downey	Maybank	Tunnell
Ferguson	Mead	Vandenberg
Fulbright	Millikin	Wagner
George	Mitchell	Walsh
Gossett	Moore	Wheeler
Green	Morse	Wherry
Guffey	Murdock	White
Hart	Murray	Wiley
Hayden	O'Daniel	
Hill	O'Mahoney	

The PRESIDING OFFICER (Mr. GOSSETT in the chair). Sixty-four Senators having answered to their names, a quorum is present.

The Senator from Texas has the floor.

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

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 2, in line 14, after the word "states", it is proposed to insert the following: "as determined by the United States."

Mr. CONNALLY. Mr. President, I have long favored the International Court of Justice; and when the issue was before this body, I voted for the resolution. I favor the resolution with the amendment which I have offered.

Mr. President, at San Francisco, when we adopted the Charter, our delegation opposed compulsory jurisdiction at that time, and favored the provisions which remitted the matter to the will of each nation, so that each nation could accept or could reject compulsory jurisdiction.

Under the present Charter, the United States has the option of accepting compulsory jurisdiction or the option of not accepting it and simply relying on special provisions regarding each case which might be accepted by the Court.

So within those extremes we have a perfect right to stipulate the extent of our agreement as to compulsory jurisdiction.

My amendment is tantamount to saying to the International Court and to the members of the United Nations that we will accept jurisdiction on all questions set forth in the Charter and in the treaty, except that we will not accept jurisdiction on questions which we deem to be purely domestic issues.

Mr. President, the Charter recognizes that that is a sound principle and is in conformity with our concepts of jurisdiction as between international affairs and national affairs. That is recognized by the United Nations, because in the Charter the following is set forth in article 2, section 7:

Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state—

Mr. President, that is an absolute prohibition against intervening or invading in the case of a domestic question. Yet, if the judges of the World Court were to decide that what really was a domestic question was not a domestic question, the Senator from Florida [Mr. PEPPER] would have the Court accept jurisdiction to decide the case.

The Charter goes further, for it then says:

Or shall require—

In other words, nothing in the Charter shall require the United States—

the members to submit such matters to settlement under the present charter.

There is nothing in the Charter which requires us to submit a domestic question, and the effect of my amendment is to say that as to domestic questions we will not submit them, but we will submit other matters.

Mr. President, there is nothing violative of the concepts of the Charter or of international law in that course. We can abstain and can stand where we stand now, if we so desire. We are going a long way when we accept all character of jurisdiction except jurisdiction as to domestic questions.

Mr. President, some of us have been in contact in conferences which have been held with the representatives of many other nations. The United States is the object of envy of many nations of the world and many peoples. Our Treasury is most attractive to them. Immigration to our shores is something they dream of. I do not favor and I shall not vote to make it possible for the International Court of Justice to decide whether a question of immigration to our shores is a domestic question or an international question. It is a domestic question, of course; but the Court might contend it is international in character. The Court might say, "A man leaves one country and migrates to another, and therefore an international question is involved, and suit may be brought against the United States because it discriminates against the citizens of a certain country by not giving them a sufficiently large quota."

Mr. President, do we wish to submit to the International Court the question whether we have a right to levy tariffs and duties and to regulate matters of that kind? They are purely domestic questions, and I do not propose to have the International Court have jurisdiction over them.

Do we want the International Court of Justice to render judgment in a case involving the navigation of the Panama Canal? The Court might say, "It is an international stream, like the Dardanelles, and the commerce of the world passes through it, and problems relative to it are international problems," such problems are not international. In the case of the Panama Canal, our treasure bought it, our blood built it, and it is ours by right of construction. We do propose to submit to the jurisdiction of any tribunal at any time the right to say whether a question relative to it is a domestic question.

Mr. President, the Senator from Oregon made a very able and eloquent speech in favor of the resolution and against the amendment of the Senator from Texas. However, I am reminded that in the subcommittee the Senator from Oregon said he had no objection to an amendment such as mine. I quote now from the hearings before the subcommittee, at page 36:

Senator AUSTIN—

And I am glad the Senator from Vermont is here now—

Senator AUSTIN. How much of a restriction would you regard the insertion of certain words in that clause "b," relating to who decides that question of what is domestic jurisdiction—that is, would you regard it as nullifying your purpose, if you inserted into this phrase, "disputes with regard to matters which are essentially within the domestic jurisdiction of the United States," which would make it read: "disputes which are held by the United States to be with regard to matters which are essentially within the domestic jurisdiction of the United States?"

Senator MORSE. I would accept the language.

Senator AUSTIN. You would?

Senator MORSE. I would accept the language.

Senator AUSTIN. Otherwise, I foresee the conflict that naturally would arise over such questions as immigration, the interpretation of a treaty, for example, with respect to the immigration of orientals.

Senator MORSE. I would accept the language as of now.

Senator AUSTIN. Yes.

Mr. President, the Senator from Oregon has accepted it three times, and I hope he will accept it when the roll is called.

Mr. MORSE. Mr. President, what the Senator has read was the first impression of the Senator from Oregon when he listened to the proposal of the Senator from Vermont. He has already stated in his speeches on the floor of the Senate that that was his first reaction to the proposal, and that after making a thorough and complete study of the matter he reached an opposite conclusion.

Mr. CONNALLY. I am sorry the Senator grows more erroneous the longer he studies the matter. Mr. President, yesterday the Senator from Vermont [Mr. AUSTIN] brought out quite accurately that if we do not adopt this amendment, some issue which would be domestic in its nature might arise before the International Court of Justice, but that the Court would hold it to be an international and not a domestic question. It was pointed out that we could protest and appeal to whatever we could appeal to if at all—perhaps to the Security Council—and that when the Court undertook to enforce its judgment by certifying the question to the Security Council, we could tell the Court and the Security Council to take a walk. Of course, that is true. There is no way to compel us to submit. But I do not want to put the United States in that position. I prefer at the very outset to say, "We want to cooperate with the World Court. We are willing to submit every other question on earth except domestic questions." The Charter says that the Court shall have no jurisdiction over domestic questions and we do not propose to have a Court of 15, 14 of whom will be alien judges—I do not reflect upon them—decide that a domestic question is an international question.

Several Senators have argued that by this amendment the United States would put itself in the position of corruptly and improperly claiming that a question is domestic in nature when it is not, thereby taking advantage of an international dispute and saying that since the question is domestic, we will not abide by the decision of the Court. Mr. President, I have more faith in my Government than that. I do not believe the United States would adopt a subterfuge, a pretext, or a pretense in order to block the judgment of the Court on any such grounds. I do not object to submitting to the Court; but before doing that I want to know what are the issues, and what is the jurisdiction of the Court. In international affairs the United States has never adopted a policy of pretext, pretense, subterfuge, or excuse. Our record shows that we are devoted to the welfare of the world. We spent more money in the recent war than was ever spent before in any war on this globe. We spent the lifeblood of hundreds of thousands of our men. We sent armies to Africa, to Russia, to Asia, and to other parts of the world. We dotted the globe with our navies, our submarines, and our aircraft. We did not do so because we wanted a foot of the land of any nation, but because we wanted peace.

Mr. President, our policy in connection with international affairs has not been a selfish one and has not been based on pretext and subterfuge.

As every Member of the Senate knows, the Senator from Vermont is a great lawyer and a great statesman. As I understand, he is unequivocally supporting my amendment. I ask the Senator from Vermont to verify or deny that statement.

Mr. AUSTIN. Mr. President, I am supporting the amendment. I would rather see the resolution not contain it, but for many reasons I shall vote for the amendment.

Mr. CONNALLY. Mr. President, many of the outstanding members of the Committee on Foreign Relations are supporting it. The distinguished Senator from Georgia [Mr. GEORGE] and the

distinguished Senator from Wisconsin [Mr. LA FOLLETTE] are both supporting it. I do not wish to quote other Senators because the roll has not yet been called. A great many of the leading members of the Committee on Foreign Relations are in favor of the amendment.

Mr. President, I am in favor of the International Court of Justice. I am in favor of the United Nations, but I am also for the United States of America. I do not want to surrender the sovereignty or the prestige of the United States with respect to any question which may be merely domestic in character, and contained within the boundaries of this Republic. Our ancestors fought with fortitude and with sacrifice in order to establish our Government. We must preserve it because the best hope of the world lies in the survival of the United States with its concepts of democracy, liberty, freedom, and advancement under its institutions.

So, Mr. President, I hope the Senate will agree to the amendment, and then it will be in position to act affirmatively on the resolution.

SEVERAL SENATORS. Vote! Vote!

Mr. HUFFMAN. Mr. President, it is not my purpose to delay for long the vote on this important resolution, but I do wish to say a few words concerning the vital subject which the resolution involves.

The key to world tranquillity of the future undoubtedly lies in proper world cooperation. As the foremost Nation of the world today, it is incumbent upon America to do her part in bringing about a better understanding among all the nations of the world. The only hope for the prevention of future wars which would eventually destroy civilization lies in the cultivation of a better understanding between our Nation and all other nations of the globe.

In signing the United Nations Charter at San Francisco the 51 members, while accepting the World Court in substance, did not bind themselves to accept its jurisdiction unless they publicly declared themselves willing to do so. Obviously, some of the nations represented at the San Francisco Conference did not accept compulsory participation in the World Court for fear that it might limit their sovereignty, and it is not my conception that the United States, by accepting the jurisdiction of the World Court, need actually surrender any of its fundamental national sovereignty.

By becoming a member of the World Court the United States will be doing its part in establishing an effective international judiciary, and by such action our dreams of an international court to decide legal questions will be realized.

The United Nations cannot administer impartially justice to all the nations of the world unless its most important members subscribe to this policy. Nations which actually desire world cooperation can best express their desire by becoming members of the World Court. Mr. President, through this Body let us hope all nations may finally show their good faith and make it a practical association for international progress.

I am glad to have an opportunity to support Senate Resolution 196, and also the Connally amendment which, while I believe it to be unnecessary under the terms of the resolution as it is written, is an additional safeguard to show our intention in determining when a matter is domestic and when it is international in character. I shall vote for the resolution.

Mr. FERGUSON. Mr. President, I shall not take much of the Senate's time. I was one of the sponsors of the resolution and asked several questions during the course of the debate in order to make my position clear on the record.

The United States was founded upon the proposition that its citizen's should have equal justice under law. We have believe this should apply to States. Since its formation, the United States has led in promoting a reign of law and justice as between nations. In order to continue that leadership, we should now accept the jurisdiction of the International Court of Justice and establish this concept which is so fundamental to us. If the United States, which has the material power to impose its will widely in the world, now agrees to submit to the impartial adjudication of its legal controversies, it will inaugurate and will be carrying out what we have advocated, and the result will be a new and profoundly significant international advance. The failure to take that step would be interpreted as an election on our part to rely on power rather than reason under a judicial system.

The Statute of the Court of International Justice is a part of the Charter. Nowhere in the jurisdiction of the Court do we find essentially domestic matters covered. But since we have included in the resolution which is now before the Senate for ratification the language that "such declaration shall not apply to disputes with regard to matters which are essentially within the domestic jurisdiction of the United States," I see no reason why we should not add the words proposed by the able Senator from Texas, "as determined by the United States." Then we are saying clearly and without equivocation exactly what we are accepting, and as domestic matters are not covered by the jurisdiction of the Court we can leave no doubt that we are going wholeheartedly into the Court; that we are submitting all matters of international relations, as provided for in section 36 of the Statute establishing the Court; but that we have no intention of submitting, and it is not even the intention of the Court, to have us submit, purely domestic questions.

Therefore, Mr. President, I feel that I cannot only support the amendment of the able Senator from Texas, but that I can support the resolution with his amendment in it, because I do not feel that it constitutes a reservation. It should not be classed as a reservation because nowhere is it covered in the Statute of the International Court. But we have seen fit to incorporate this language in the resolution in order to make it as clear as possible exactly what we are doing in accepting the jurisdiction of the World Court.

Mr. THOMAS of Utah. Mr. President, before we vote I wish to say just one word. We have already debated this question, and I have already covered it. I shall not resist the amendment, although for reasons given yesterday I still think it is unnecessary and unwise.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas, which will be stated.

The CHIEF CLERK. On page 2, line 14, after the word "states", it is proposed to insert "as determined by the United States."

Mr. LA FOLLETTE. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. WAGNER (when his name was called). I have a general pair with the Senator from Kansas [Mr. REED]. Not knowing how he would vote, I transfer that pair to the Senator from Missouri [Mr. BRIGGS]. I am not advised how the Senator from Missouri would vote if present. Being at liberty to vote, I vote "nay."

Mr. HILL. I announce that the Senator from North Carolina [Mr. BAILEY] is absent because of illness.

The Senator from Nevada [Mr. CARVILLE] is absent by leave of the Senate.

The Senator from Florida [Mr. ANDREWS], the Senator from Virginia [Mr. BURCH], and the Senator from Rhode Island [Mr. GERRY] are necessarily absent.

The Senator from Virginia [Mr. BYRD] is detained on official business.

The Senator from Missouri [Mr. BRIGGS], the Senator from Mississippi [Mr. EASTLAND], the Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], the Senator from Nevada [Mr. MCCARRAN], and the Senator from Pennsylvania [Mr. MYERS] are detained on public business.

The Senator from New Mexico [Mr. HATCH] is absent on official business, having been appointed a member of the President's Evaluation Commission in connection with the test of atomic bombs on naval vessels at Bikini.

The Senator from Louisiana [Mr. ELLENDER], and the Senator from Maryland [Mr. TYDINGS] are absent on official business, having been appointed to the commission on the part of the Senate to participate in the Philippine independence ceremonies.

Mr. WHERRY. The Senator from Maine [Mr. BREWSTER], the Senator from Delaware [Mr. BUCK], the Senator from New Jersey [Mr. HAWKES], the Senator from Kansas [Mr. REED], the Senator from Kentucky [Mr. STANFILL], and the Senator from Indiana [Mr. WILLIS] are necessarily absent.

The Senator from Vermont [Mr. AIKEN], the Senator from Illinois [Mr. BROOKS], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Indiana [Mr. CAPEHART], the Senator from South Dakota [Mr. GURNEY], the Senator from Wyoming [Mr. ROBERTSON], the Senator from New Hampshire [Mr. TOBEY], and the Senator from

North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from Nebraska [Mr. BUTLER] is absent on official business, being a member of the commission appointed to attend the Philippine independence ceremonies.

The Senator from Iowa [Mr. HICKENLOOPER] is absent by leave of the Senate on official business as a member of the Special Committee on Atomic Energy.

The Senator from Massachusetts [Mr. SALTONSTALL] is absent on official business, having been appointed a member of the President's Evaluation Commission in connection with the test of atomic bombs on naval vessels at Bikini.

The Senator from Iowa [Mr. WILSON] is absent on official business.

The result was announced—yeas 51, nays 12, as follows:

YEAS—51

Austin	Huffman	Overton
Ball	Johnson, Colo.	Radcliffe
Barkley	Johnston, S. C.	Revercomb
Bilbo	Knowland	Russell
Bridges	La Follette	Shipstead
Capper	Langer	Smith
Chavez	McClellan	Stewart
Connally	McFarland	Swift
Donnell	McKellar	Taft
Ferguson	Magnuson	Thomas, Okla.
George	Maybank	Tunnell
Gossett	Millikin	Vandenberg
Green	Mitchell	Walsh
Hart	Moore	Wheeler
Hayden	Murray	Wherry
Hill	O'Daniel	White
Hoey	O'Mahoney	Wiley

NAYS—12

Cordon	McMahon	Pepper
Downey	Mead	Taylor
Fulbright	Morse	Thomas, Utah
Guffey	Murdock	Wagner

NOT VOTING—33

Aiken	Capehart	McCarran
Andrews	Carville	Myers
Bailey	Eastland	Reed
Brewster	Ellender	Robertson
Briggs	Gerry	Saltonstall
Brooks	Gurney	Stanfill
Buck	Hatch	Tobey
Burch	Hawkes	Tydings
Bushfield	Hickenlooper	Willis
Butler	Kilgore	Wilson
Byrd	Lucas	Young

So Mr. CONNALLY'S amendment was agreed to.

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 Senate to the bill (H. R. 7037) to amend the Social Security Act and the Internal Revenue Code, and for other purposes.

The message also announced that the House having proceeded to reconsider the joint resolution (H. J. Res. 225) entitled "Joint resolution to quiet the titles of the respective States, and others, to lands beneath tidewaters and lands beneath navigable waters within the boundaries of such States and to prevent further clouding of such titles," returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was—

Resolved, That the said joint resolution do not pass, two-thirds of the House of Representatives not agreeing to pass the same.

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 2100. An act to remove the limitations on the amount of death compensation or pension payable to widows and children of certain deceased veterans;

S. 2125. An act to amend the act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, and the acts amendatory thereof and supplementary thereto;

S. 2256. An act to amend the Servicemen's Readjustment Act of 1944;

S. 2286. An act to amend the act entitled "An act for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital," approved May 29, 1930;

S. 2332. An act to provide that the unexpended proceeds from the sale of 50-cent pieces coined in commemoration of the two hundred and fiftieth anniversary of the founding of the city of Albany, N. Y., may be paid into the general fund of such city;

S. 2408. An act to amend the act of February 9, 1907, as amended, with respect to certain fees;

S. 2460. An act to provide additional inducements to citizens of the United States to make a career of the United States military or naval service, and for other purposes;

S. 2477. An act to authorize the Veterans' Administration to reimburse State and local agencies for expenses incurred in rendering services in connection with the administration of certain training programs for veterans, and for other purposes;

S. 2479. An act to amend the act entitled "An act to regulate within the District of Columbia the sale of milk, cream, and ice cream, and for other purposes," approved February 27, 1925;

S. 2480. An act authorizing the appointment of Robert Sprague Beightler as permanent brigadier general of the line of the Regular Army; and

S. 2498. An act to provide for fire protection of Government and private property in and contiguous to the waters of the District of Columbia.

INVESTIGATION OF ALL PHASES OF SOCIAL SECURITY

Mr. VANDENBERG. As in legislative session, I ask unanimous consent, out of order, to submit a Senate resolution on behalf of the chairman of the Finance Committee, the Senator from Georgia [Mr. GEORGE] and myself.

The Senate will remember that when it passed upon the social-security problem a few days ago it included in the legislation a requirement for an immediate and complete and adequate special investigation of all phases of social security, so that the Congress might have adequate preparation for actual and realistic action in the near future. Unfortunately, as was reported this afternoon by the Senator from Georgia, the House conferees declined to agree to the Senate amendment, and it was eliminated. The able Senator from Wisconsin [Mr. LA FOLLETTE] commenting upon the action of the House expressed his regret that we were not to have this immediate, concentrated, aggressive inquiry into this problem. It is because there has been no such inquiry, Mr. President, that we find ourselves year after year at the end of each session without any adequate action on the subject.

In the fact of that situation, Mr. President, the Senator from Georgia and I are submitting a resolution which will instruct the Senate Finance Committee on behalf of the Senate, to make precisely the same investigation which we were attempting to obtain by joint action of the House and Senate. The resolution would instruct the Senate committee to appoint an advisory council for the purpose of aiding it in its exploration of this subject.

Mr. President, both the Senator from Georgia and I, and I think I can speak for all the other members of the Finance Committee, are very anxious for action along this line before adjournment. Therefore, I ask unanimous consent to submit the resolution now for reference to the Finance Committee, after which it must be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

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

There being no objection, the resolution (S. Res. 320) authorizing and directing the Senate Committee on Finance to make a full and complete study and investigation of old-age and survivors insurance and all other aspects of social security, particularly in respect to coverage, benefits, and taxes related thereto, was received and referred to the Committee on Finance, as follows:

Resolved, That the Senate Committee on Finance is authorized and directed to make a full and complete study and investigation of old-age and survivors insurance and all other aspects of social security, particularly in respect to coverage, benefits, and taxes related thereto so that the Senate may be prepared to deal with such legislation on these subjects as may hereafter originate in the House of Representatives under the requirement of the Constitution.

The Senate committee is hereby authorized, in its discretion, to appoint an advisory council of individuals having special knowledge concerning matters involved in its study and investigation to assist, consult with, and advise the Senate committee with respect to such study and investigation. Members of the advisory council shall not receive any compensation for their services as such members, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in connection with the performance of the work of the advisory council.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times including periods of Senate recess or adjournment, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable. the cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words.

The committee shall have power to employ and fix the compensation of such officers, experts, and employees as it deems necessary in the performance of its duties under this title, but the compensation so fixed shall not exceed the compensation prescribed under

the Classification Act of 1923, as amended, for comparable duties. The expenses of the committee under this resolution, which shall not exceed $10,000 shall be paid from the contingent fund of the Senate upon vouchers signed by the chairman.

Mr. VANDENBERG. I should like to add that in the absence of the Senator from Illinois [Mr. LUCAS], who is chairman of the Committee to Audit and Control the Contingent Expenses of the Senate—I believe the able Senator from Arizona [Mr. HAYDEN] is the ranking member—I very respectfully and prayerfully commend and commit this resolution to his mercies.

Mr. LA FOLLETTE. Mr. President, I wish to join with the able Senator from Michigan in expressing the hope that the Committee to Audit and Control the Contingent Expenses of the Senate will report the resolution promptly so that we can obtain action upon it before the adjournment of the Congress, because I think it is absolutely essential that we do so if we are to be prepared to go into this very important question when the Congress meets next January.

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

Mr. MILLIKIN. I yield.

Mr. BARKLEY. I wish to associate myself with this request. I think that this is a transcendentally important problem which faces the Congress and will face the next Congress. The amount requested is a modest sum compared with the importance of the problem, and I hope the Committee to Audit and Control the Contingent Expenses of the Senate will report favorably before we recess or adjourn today.

Mr. GEORGE subsequently said: Mr. President, as in legislative session, from the Committee on Finance I report favorably Senate Resolution 320, authorizing and directing the Senate Committee on Finance to make a full and complete study and investigation of old-age and survivors' insurance and all other aspects of social security, particularly in respect to coverage, benefits, and taxes related thereto, which was submitted to the Senate earlier today by the Senator from Michigan [Mr. VANDENBERG].

The resolution (S. Res. 320) was received and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. HAYDEN subsequently said: Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate, I ask unanimous consent to report favorably without amendment Senate Resolution 320, submitted earlier today by the Senator from Michigan [Mr. VANDENBERG] for himself and Mr. GEORGE, and I request its immediate consideration.

There being no objection, the resolution was considered and agreed to.

ACCEPTANCE OF COMPULSORY JURISDICTION OF INTERNATIONAL COURT OF JUSTICE

The Senate resumed the consideration of the resolution (S. Res. 196) proposing acceptance by the United States Government of compulsory jurisdiction of the International Court of Justice.

The PRESIDING OFFICER (Mr. GOSSETT in the chair). Senate Resolution 196 is before the Senate and open to further amendment.

Mr. MILLIKIN. Mr. President, I call up and ask to have read an amendment, which I have offered and sent to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed to strike out the period in line 14, page 2, to substitute a semicolon, and add the word "or" and the following additional proviso:

(c) Disputes where the law necessary for decision is not found in existing treaties and conventions to which the United States is a party and where there has not been prior agreement by the United States as to the applicable principles of international law.

Mr. MILLIKIN. Mr. President, this amendment read in the context of the resolution and omitting parts which need not be read now, would read:

Provided, That such declaration—

That is to say, the declaration of adherence—

shall not apply to disputes where the law necessary for decision is not found in existing treaties and conventions to which the United States is a party and where there has not been prior agreement by the United States as to the applicable principles of international law.

Mr. THOMAS of Utah. Mr. President, I am sure that the amendment offered by the Senator from Colorado in no way interferes with or is in disagreement with the basis of the Charter and with the statute. I see no reason why it cannot be accepted.

Mr. MILLIKIN. Then, Mr. President, unless there is objection, I shall submit the matter without further statement.

Mr. PEPPER. Mr. President, will the Senator state the substance of the amendment?

Mr. MILLIKIN. Yes. The amendment would provide that our declaration of adherence is qualified by the fact that we are not required to submit to the jurisdiction where the law necessary for decision is not found in existing treaties and conventions to which the United States is a party and where there has not been prior agreement by the United States as to the applicable principles of international law.

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

Mr. MILLIKIN. Yes.

Mr. PEPPER. Would the amendment come under article 36 or article 38 of the Charter? Would it apply with reference to extending the jurisdiction of the Court in article 36, or to the law that may be applied by the Court, in article 38?

Mr. MILLIKIN. It would affect article 38, which defines by statute the sources from which the international law shall be derived. There seems to be much opinion that we would not know what the international law might be in any particular dispute affecting this country, which might affect this country vitally.

So this is a limitation intended to protect us where there is uncertainty with respect to or a lack of applicable international law.

Mr. PEPPER. Where would the qualification come; under paragraphs a, b, c, or d, or some other place in article 38?

Mr. MILLIKIN. Article 38 describes the sources from which the international law, as declared by the Court, shall be derived.

Mr. PEPPER. Yes, but where would the Senator's amendment come?

Mr. MILLIKIN. I am not, of course, attempting to amend article 38. I am qualifying our declaration of adherence by limiting the sources where the law may be found which shall bind us without our consent, and making a distinction between that area and the area where our advance consent must be had so far as the applicable principles of law are concerned.

Mr. PEPPER. Article 38 reads as follows:

1. The Court, whose function it is to decide in accordance with international law such disputes as are submitted to it, shall apply—

Here is the law that the Court may apply in the decision of disputes that come properly before the Court:

(a) international conventions, whether general or particular, establishing rules expressly recognized by the contesting states;

(b) international custom, as evidence of a general practice accepted as law;

(c) the general principles of law recognized by civilized nations;

(d) subject to the provisions of article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.

Mr. President, we have adhered, have we not, to the United Nations Charter, which says that that is the source of the law the Court may apply? Now, how can the able Senator from Colorado lay down a different rule of law that the Court may apply? How can he limit or add to the sources of authority laid down in the paragraph I have read? And how can we under the treaty qualify the materials that the Court may employ in the decision of cases?

Mr. MILLIKIN. Mr. President, I shall answer the question this way. That same point was made to the amendment we have just accepted, and so the Senate has decided that we may qualify our adherence in those ways.

Mr. PEPPER. Mr. President, if the Senator will let me ask him a question, I have read the source of authority which I thought the Court might apply as set out specifically in article 38. Which one of those would the able Senator from Colorado qualify in his amendment?

Mr. MILLIKIN. I have said in the amendment that we shall look to the treaties and conventions to which we are parties for the international law, and if it is not to be found there, then we have the privilege of withholding our submission in a particular case until the controlling principles have been declared and have met with our agreement. That does not say that the Court may not consult men learned in the field, may not consult the textbooks, may not consult any of the sources which are listed,

once we decide to submit. Nor does it say that in reaching our decision as to whether or not we shall submit we shall not be influenced by what they have to say.

Mr. PEPPER. Is it not true that if we adopt the Senator's amendment what we shall do will be first, to limit the jurisdiction of the Court, in spite of the jurisdiction being defined in the Charter; and secondly—and rather logically—is not the Senator from Colorado now limiting the law that the Court may apply and giving us, first, the veto power over the Court's jurisdiction, and secondly, the veto power over the law which the Court may apply?

Mr. MILLIKIN. The Senator from Colorado is saying in this amendment that the destiny and the fate of this Nation shall not be committed to unknown law to be invented by anyone.

Mr. PEPPER. Exactly. That is what the Senator intends; and that indicates the lack of faith with which he wishes this country to start.

Mr. MILLIKIN. That does not mean for one moment that we would not abide by the qualification in good faith. It does not mean for one moment that we would use it as a bad-faith device to avoid the jurisdiction of the Court.

Mr. PEPPER. The net effect of what the Senator is doing is to say that we can even limit the law which the Court may apply to law which we like.

Mr. MILLIKIN. The Senate has already said that.

Mr. PEPPER. I agree that the Senate has already erred in respect to jurisdiction. Now the Senator wishes to carry the error forward by limiting the law.

Mr. MILLIKIN. I started by trying to avoid needless argument, but I am perfectly willing to enter into a full exposition of the great area of uncertainty in the field of international law. From such discussion it would become quickly apparent that we dare not give an unqualified acceptance of jurisdiction when we do not know what the principles are that will rule the case. That is not rule by law. That is rule by uncertainty.

Mr. PEPPER. In other words, the Senator from Colorado would limit the right of the World Court to help build up international law. He would say, "You may build up a great body of international law the way the courts build up a great body of constitutional law, but not at the expense of the United States. You will have to build it up at the expense of the rest of the world."

Mr. MILLIKIN. We shall have a perfect right in every case which arises, when the law is not found in our treaties and conventions, to permit the law to be made in the way the Senator suggests.

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

Mr. MILLIKIN. I yield.

Mr. MORSE. I think there is all the difference in the world between the Connally amendment and the amendment proposed by the Senator from Colorado. The Connally amendment simply made clear that we were not granting to the World Court jurisdiction over domestic issues. I do not think it was necessary because the Charter itself makes clear that we did not grant to the World Court jurisdiction over domestic issues. But we have ratified a charter which contains article 38. That Charter sets up a World Court. Article 38 sets forth the functions of that Court. It reads in part as follows:

1. The Court, whose function is to decide in accordance with international law such disputes as are submitted to it, shall apply—

Then it sets forth what the Court may apply in determining cases which arise within its jurisdiction. If we are to accept the jurisdiction of the Court, then we ought to accept it in full under the terms and conditions of article 38. What the amendment proposed by the Senator from Colorado really does is to say that we will accept the jurisdiction of the Court only so long as it applies restricted segments of international law, but that we will not accept the jurisdiction of the Court if it applies all the principles which go to make up international law as authorized under article 38 which we have already ratified. In my judgment the amendment goes to the heart of the resolution, and I think it would be a sad mistake for the Senate of the United States to adopt the amendment proposed by the Senator from Colorado. I would rather not have any resolution at all than to have the resolution with the Millikin amendment in it.

Mr. MILLIKIN. The suggestion that our adherence should be qualified in the manner which I have proposed came from John Foster Dulles, and was presented to the Foreign Relations Committee. As a part of his comment he said:

If the applicable rule of international law is so uncertain that resort must be had to alleged custom, teachings, etc., then the Court can scarcely avoid indulging in a large amount of judicial legislation or political expediency. The United States can properly refrain from subjecting itself to that.

If a case falls under article 36 (2) (b), and if the applicable legal principles are not ascertainable from a treaty or convention to which the United States is a party, they could be stipulated before the obligation arises to submit to the jurisdiction of the Court. That was the procedure followed in the case of the *Alabama* arbitration. Then the applicable law was so vague and uncertain that Great Britain and the United States first negotiated the Treaty of Washington (1871) to establish the "rules to be taken as applicable to the case."

The suggested safeguard is the more appropriate because a majority of the judges of the Court are drawn from countries which are not "common law" countries, but which depend almost wholly on written laws and decrees. Therefore such judges can hardly be expected to be adept in the proper use of common-law methods.

Mr. President, I do not intend to elaborate on this point to a great extent. I simply wish to point out that when we joined this organization on the political side we committed ourselves to something that would reflect our great power in the world. I am referring to our position in the Security Council, which alone gives us a powerful leverage to influence the political policies of the Organization. Then, further to protect ourselves, we reserved the right of veto. I point out to Senators that 91 men in the Senate agreed to that disposition of the political side of this question. Is it not perfectly evident that this country can be destroyed by a bad political decision as well as by a bad legal decision? One can strike at our vitals just as effectively as the other. Yet when we enter into the proposed arrangement we do so without any right of veto, without any special position on the Court, and, as has been pointed out by Mr. Dulles, we go before judges who are not trained in looking at the law in the same way that we look at it.

So if our decision was proper and advisable that, despite the declaration of the Charter that the Court itself shall decide when questions of domestic jurisdiction are involved, we may qualify our adherence to protect ourselves in that respect, then certainly if we wish to rest our future on the rule of law, which I wish to do and am willing to do in international matters, it is equally proper and advisable, it is the first measure of prudence on our part, to assure that we shall have some idea of what the law is going to be. If I may use the figure, we should not commit the destiny of this country to a game in which the rules are made by the referee as he goes along.

Mr. MORSE and Mr. TAFT addressed the Chair.

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

Mr. MILLIKIN. Just a moment.

We are not required under this qualification to pass over the specific sources for international law mentioned in the Charter. We can accept them fully. But if we do not know what they are, if we do not know what rules will govern our destiny in a particular case, we have the right to say, "You may look for them in the conventions and treaties to which we are party but beyond that we must consent in advance."

Mr. AUSTIN, Mr. MORSE, and Mr. TAFT addressed the Chair.

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

Mr. MILLIKIN. I yield first to the distinguished Senator from Vermont, who must leave shortly.

Mr. AUSTIN. Mr. President, I do not wish to mislead the distinguished Senator. My time has already passed. I am not leaving, I am sorry to say. I wish to thank Senators who have tried so hard to accommodate me in this regard.

I should like to ask the distinguished Senator a question. Assuming that every article contained in the statute of the Court is a part of the obligation entered into by the United States—because the statute is an integral part of the treaty—does not the Senator recognize the binding obligation on the United States of these words, reading from article 38, section 1?

The Court, whose function is to decide in accordance with international law such disputes as are submitted to it, shall apply—

Does not the Senator recognize that there is a mandate to the Court which the Senate cannot alone modify, and that if the Senate should adopt the amendment offered by the distinguished Senator from Colorado it would not have

effect until after 50 other nations had accepted it according to their constitutional processes, as an amendment of the convention? That is my question.

Mr. MILLIKIN. Mr. President, I do not accept that conclusion, in view of the decision which the Senate has already made, namely, that we may put protective qualifications into our act of adherence.

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

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

Mr. MILLIKIN. I yield to the distinguished Senator from Minnesota.

Mr. SHIPSTEAD. I should like to ask the Senator whether he sees any possibility of making a line of separation or distinction between a political court and a court of justice, in the documents establishing the Court, so as to keep it a court of justice, on the basis of law, and not a political court. That is what ruined the so-called Court of International Justice which was established under the League of Nations.

Mr. MILLIKIN. I say to the distinguished Senator that in my view of the matter, there is only one way by which we can submit to the rule of law under this Court, if that is what we wish to do, and that is to have a body of law, on which it operates, that is clear and definite, so that we know the rules which will decide our fate, and so that whenever that matter is in question we shall have the right to submit, if we wish, or to refuse to submit.

Mr. SHIPSTEAD. Does the Senator understand that the Court is to be a court of unlimited jurisdiction?

Mr. MILLIKIN. It is a court of unlimited jurisdiction in the fields which have been mentioned in the statute.

Mr. SHIPSTEAD. Let me call attention to the fact that the political decisions of the Court of International Justice established under the League of Nations were what ruined that court. That court was ruined by its own decisions, because it accepted jurisdiction of political issues.

Mr. MILLIKIN. I thank the Senator for his contribution.

Mr. SHIPSTEAD. For instance, when the Court accepted jurisdiction of the tariff treaty between Austria and Germany, it accepted jurisdiction of a political matter.

Mr. MILLIKIN. That is correct.

Mr. SHIPSTEAD. The Court made its decision. France and England were on two different sides of the question. They did not agree on the question of the tariff treaty. France won by one vote.

I have the highest authority, I think, that it is possible to have in respect to that situation. I refer to this matter because Judge Loder, who was the first president of that Court, and who wrote the constitution for the Court, resigned from the Court, and he told me why he resigned. He said:

> I tried to make it a court of justice, but it is nothing but a political court. It took jurisdiction in the Austrian-German Anschluss, and that is nothing but a political tariff matter.

Mr. President, in that case the Court had no business to take jurisdiction in a political matter of that kind, but it did; and after the decision was rendered, newspapers throughout the world called attention to the suspicion that bribery had been used to get that decision.

If a division or line of demarcation can be drawn so as to keep political matters out of the Court, and to have its decisions made on the basis of law, in order to establish justice, that is one thing; but if we are to have a court that will take jurisdiction of political questions, justice will not be done, because the power of sovereignty will interfere with the rendering of justice.

Mr. MILLIKIN. Mr. President, I think the Senator has made a very good point, and it emphasizes the fact that we here should do all we can do to see to it that we have a foundation of law under this Court, rather than invention by a group of judges.

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

Mr. MILLIKIN. I yield.

Mr. TAFT. I wish to make sure that I correctly understand the exact effect of this proposal. By the Senator's amendment we would except from the jurisdiction of the Court disputes in which the law necessary for its decision is not found in existing treaties and conventions to which the United States is a party, and also where there had not been prior agreement by the United States as to the applicable principles of international law.

The question I wish to ask is this: Article 33, I take it, in the statute of the International Court of Justice, to which we now adhere, becomes an existing treaty and convention. Does the Senator from Colorado intend to say, therefore, that there is jurisdiction where international custom is evidence of a general practice, except that the decision must be based on law?

Mr. MILLIKIN. I do not intend to include the language of this act as a modification of what is said under subsection C.

Mr. TAFT. So the Senator says that we are not to be bound by any decision based on it; is that correct?

Mr. MILLIKIN. The decisions are to be based on laws that are found in treaties or conventions to which the United States is a party.

I should like to say that after the League of Nations was set up, a number of committees commenced work on the job of codifying international law. I hope this new organization will redouble the efforts in that respect.

The former committees had much difficulty in codifying international law because they could not get the nations to agree as to the principles which can be accepted as international law.

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

Mr. MILLIKIN. I yield.

Mr. TAFT. Let me say that if the amendment is adopted and if it is interpreted as the Senator from Colorado has just interpreted it, I think it would be far better to adopt no resolution at all. I think the amendment is absolutely destructive of the entire International Court set-up and of the entire idea that we are willing to submit disputes with other nations to the decision of an impartial tribunal. Rather than to say that we are not willing to do that, I think we should not adopt the resolution at all, until we can debate the question, because in my opinion this amendment entirely destroys the basis of decision. I do not think we shall have peace in the world until the nations submit their disputes to impartial tribunals for decisions by them. I do not care whether there is existing law or not, so far as I am concerned, for I am willing to let the Court decide the issues on the basis of justice. I would be willing to let the Court consider such matters without having any treaty as a basis for its decision; and until we do that, I say we cannot have peace, even though we set up all the force we want and all the tribunals we want. My criticism of the United Nations is that it is all based on force and expediencey, and there is no requirement that questions shall be submitted for the decision of an impartial tribunal.

The point of this resolution is to say that the United States will take the lead in submitting disputes to a tribunal which will hear the parties and then make a decision. I do not agree that the Court should take jurisdiction of domestic questions; but other than those, so far as I am concerned, I think the Court should take jurisdiction of all justiciable questions.

To say that if there is no written law, just as there was no written law for many years in respect to the common law of England, the Court shall not take jurisdiction, will mean, I think, that there will be no hope for peace in the world. So far as I am concerned, I am going to vote against the resolution, if it is framed so as to include such a provision.

Mr. MILLIKIN. Mr. President, the Senator from Ohio may, of course, feel at liberty to vote against the resolution if he wishes to do so. I hope he votes for it.

The question he has submitted is whether we can have peace by applying this resolution as it stands. The Senator from Ohio thinks we cannot. I suggest to the distinguished Senator that we never can have peace until, so far as justiciable matters are concerned, we rest them on the rule of law; and basic to that is that we know what the law is, or at least that we are willing to take the speculation.

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

Mr. MILLIKIN. I yield.

Mr. MORSE. First, I wish to say that I am in complete and 100 percent agreement with the statements which have been made on this matter by the Senator from Ohio on this matter. I think he is absolutely correct. We have to make up our minds now as to whether we are going to submit justiciable disputes to a World Court for determination by it, or whether we are going to reserve unto ourselves the right to determine how those disputes will be settled and, if necessessary, whether they will be settled by force exercised by this country.

I wish to call the attention of the Senate—I shall not take time to read the

matter, but I plead with the Members of the Senate that they read it—to page 7 of the committee report. This is the section of the report in which the committee considered the principle of the amendment which the Senator from Colorado now submits to the Senate. The committee pointed out that such a principle should not be adopted, because in effect it would constitute a reservation on our part, under article 38 of the United Nations Charter. The answer to the proposal made by Mr. Dulles is also presented on page 7 of the report, as submitted to the committee by Mr. Fahy, of the State Department.

I think the Senator from Ohio has put the matter very well, Mr. President; namely, that the decision on this amendment calls upon us to decide whether we are going to submit international law issues to the World Court, for determination by it in accordance with the provisions of article 38, or whether we are here and now going to make a reservation—because the amendment is a reservation in the true sense and meaning of the term "reservation."

I agree with the Senator from Ohio that it would be better not to have any resolution, rather than to have a resolution whereby we would reserve unto ourselves the right to determine what international law and what convention would be applied to a dispute in which we might find ourselves with some other nation.

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

Mr. MILLIKIN. I yield.

Mr. CORDON. The Senator from Colorado has clearly set forth what he intends to accomplish by his amendment. I raise the question—and this is wholly beside the point of whether one favors the Senator's views or opposes them—the language which has been suggested in the amendment would, in fact and in law, accomplish the purpose which he has in mind. The proposed amendment provides that, by adding a new paragraph (c) to the resolution, the disputes to which this Government submits itself to the jurisdiction of the Court shall not include "Disputes where the law necessary for a decision is not found in existing treaties and conventions to which the United States is a party", and other language which is not pertinent to the observation which I desire to make.

The point I wish to make, Mr. President, is that the United States is a party to an existing treaty which sets forth what we find as international law in article 38 of the Court statute. In other words, when we adopted the Charter, among other things we agreed—reading from article 93, paragraph 1—to this language:

> All members of the United Nations are ipso facto parties to the Statute of the International Court of Justice.

In view of our having confirmed the treaty and having accepted this obligation as a party to the International Court of Justice, did not our action bring us without the language to which I have referred in the Senator's suggested amendment? In other words, have we not already become members of the Court insofar as the law as set forth in the statute is concerned, and, in the words of the Senator, are we not now parties to an existing treaty wherein that law is established? I should like to have the Senator's views.

Mr. MILLIKIN. Mr. President, I followed the language which Mr. Dulles used. I believe the discussion here illuminates our intent. I should be perfectly willing to include in the amendment some clarifying language. It must be perfectly clear that we would not be cutting out provisions from the effect of the statute if we intended to follow the full force of the statute. I would be willing to amend this language if there were any general sentiment that it should be amended.

Mr. President, if necessary, I was prepared to describe and support by authorities this great field of uncertainty with relation to international law. But I do not believe I will do that. I believe that Mr. Dulles has made it clear, and the testimony of Judge Hackworth, before the Foreign Relations Committee, made it clear. The congressional debates on marginal shore rights, on our rights in the Continental Shelf, on where they begin and leave off, as well as the conflicting views of various nations on that point, make the uncertainty abundantly clear. My central point is that we can be injured and we can be helped as much by a judicial decision as by a political decision. If we wish to commit this country to the rule of law, we should know the law which is to govern us. We should not commit our fortunes to legal speculation and invention.

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

Mr. THOMAS of Utah. I yield.

Mr. VANDENBERG. I wish to make a statement regarding the attitude of Mr. Dulles.

Mr. Dulles submitted these various suggestions to the Senate Foreign Relations Committee, and of course, was very earnest about them. Subsequently, I specifically asked him whether he desired them to be put in the form of amendment, if necessary, and his reply was that he did not consider them of that importance, and that his interest was in having the resolution adopted substantially in its original form.

In fairness to Mr. Dulles I merely thought that I should make that statement.

Mr. THOMAS of Utah. Mr. President, I am glad the Senator from Michigan has made that statement.

In connection with the statement made by me before proceeding with the consideration of the amendment offered by the Senator from Colorado [Mr. MILLIKIN], I should like to say further, out of fairness to Mr. Dulles, that he sent the committee a thoughtful and well-reasoned statement. Among the points which he made was one which, in practice, could be agreed to. It holds particularly with relation to the matter we are now discussing.

But I think I should also say out of fairness to Mr. Dulles, the committee, and all others concerned, that other rather substantial international lawyers appeared before the committee and did not find the same things to be feared that Mr. Dulles found. It is strange that not one of those names has come into our discussion. Mr. Dulles found certain things which he feared, but our Assistant Secretary of State did not find them. The legal adviser of the State Department, Mr. Charles Fahy, did not find them; Mr. Finch, vice president of the American Society of International Law, one of the greatest writers on the subject of international law in the world today, did find them; Dr. Phillip C. Jerrup, professor of international law at Columbia University, who is a member of the same political party as Mr. Dulles and who is responsible for a book on the life of Elihu Root, and one of the most widely recognized international lawyers, did not agree with Mr. Dulles, and did not find the same things to be feared that Mr. Dulles found. Mr. Pitman B. Carter, Dr. Laurence Preuss of Michigan, Dr. Harlan Dwight Reid, the president of the American Bar Association—all of them spoke as though their opinions were unanimous with regard to the matter. We should take into consideration the fact that this resolution had the support of all those whom I have named, and that they were persons of high standing in the field of international law. They did not share the views which Mr. Dulles expressed.

Mr. President, I have been in hope that this amendment and other amendments would not be adopted. But I do not not fear the amendment to the extent that some Senators have expressed a fear of it. I do not think it is in actual contravention to article 38 to which we have agreed, and which lays down a type of law which can be argued and can be pleaded.

For example:

> The Court, whose function is to decide in accordance with international law such disputes as are submitted to it, shall apply—
>
> (a) international conventions, whether general or particular, establishing rules expressly recognized by the contesting states.

As I read the amendment of the Senator from Colorado, he merely wants a prior decision as to what international law shall apply, and if I understand his remarks, he has told us that when we move on to the time when a codification of international law has been practically universally accepted, he will not be averse in the least to accepting that which is written down and which has been accepted.

Mr. President, as I understand the Senator's amendment, it is a general statement that "international conventions, whether general or particular," can be argued in front of the Court as international law, and that is as it should be. But let us take a particular case, which I shall make as simple as I know how to make it. If there is a treaty between Belgium and France which lays down a legal principle, that does not make that principle international law applicable in all cases, at all times, and everywhere. The mere fact that there is a positive international law between two nations makes that positive international law hold good in disputes between those two nations. If a dispute should

arise as to the interpretation of the particular treaty embodying that law, that treaty should be argued before the Court as international law and that treaty should be binding, but if the treaty contains a principle which is out of harmony with a treaty between the United States and China, for example, it would be the worst kind of argument not only from the standpoint of germaneness but from the standpoint of getting justice anywhere in the world if we tried to say that the principle laid down in a treaty between Belgium and France should be used in interpreting a treaty made between the United States and China.

Mr. President, Mr. Dulles felt that these terms were general, and they are general. I do not think there need be any fear, because we have much experience, and we have the treaty itself, we have the United Nations Charter, and we have these general fields. I am in complete disagreement with the Senator from Colorado and in complete disagreement with the Senator from Oregon, the author of the resolution, and my colleague on the committee, the Senator from Vermont [Mr. AUSTIN], in assuming that such an amendment is a reservation and a modification of article 38. I think it would be wrong to accept that thesis.

Reciprocity has already been accepted. If we keep in mind the fact that we are discussing a court and the way in which a court proceeds, we will realize that which is germane to the argument of a case would be heard by the Court, of course.

In an international case a nation cannot be haled into court without preliminaries, without negotiations, without diplomatic writings back and forth, and without understandings. Everyone knows that. So this particular amendment would not interfere.

Mr. President, it does not say that a litigant, or a party to a case—we use that word "party" in international cases—shall not use any argument that the Court will listen to; but we can decide before we go into court; and Mr. Dulles merely wants us to be cautious. I do not think the amendment is necessary. I think we are cautious in every case, and that is demonstrated by the fact that in all cases so far decided by the International Court of Justice not a single nation has refused to abide by the decision.

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

Mr. THOMAS of Utah. We know that in cases between States, even in our own procedure, undoubtedly the governing principles are laid down or there would not be a successful culmination.

The Senator from Colorado knows that I hope his amendment will not be accepted, because I think it is useless and unnecessary, and that all safeguards are present; but to assume that if it is adopted we are modifying article 38, I think is going too far, in the light of international practice.

Remember, a case is never gotten in front of an international court of justice, under the Charter, unless it is a real cause. It is never gotten there unless it is a cause between two particular states, and it is never gotten there unless there is reciprocity in regard to taking the case before the Court, so it can be seen that it would be extreme cases in which any injustice would ever be done any party.

I yield to the Senator from Oregon.

Mr. MORSE. I wish to summarize very quickly the difference in point of view between the Senator from Utah and myself. I think it is a very important difference. I think it is a difference in substance and is no mere matter of form. I think the amendment of the Senator from Colorado goes to the very heart of my resolution and tears it out.

I point out, in the first place, that what we did adopt this afternoon was an amendment submitted by the Senator from Texas which in no way affected or changed our rights under the United Nations Charter.

Under the Charter, as has been brought out over and over again in the debate, we were protected, under its terms and provisions, from any exercise of jurisdiction by the World Court over domestic issues. All that was accomplished by the Connally amendment, which was adopted by the Senate, and against which I voted, because I think it could be said that that amendment was unnecessary—all we did was make doubly sure that the Court would exercise no jurisdiction over domestic issues. But I cannot agree with the Senator from Utah when he says that the amendment now proposed by the Senator from Colorado does not in fact have the effect of modifying our position under article 38, because what the amendment makes very clear is that we shall not be subject to the jurisdiction of the World Court unless there is a prior agreement between us and the nation with whom we are in dispute over the particular law which may be involved in the dispute. We are then reserving unto ourselves, I submit, the power to determine for ourselves whether or not we are going to be bound by the international law which the Court might find, if we let the Court exercise jurisdiction, was binding upon us.

I say we have already ratified the San Francisco Charter with article 38 in it, and article 38 contains provisions far beyond the provisions set forth in the amendment submitted by the Senator from Colorado. His amendment, as I see it, is pretty much limited to section (a) of article 38:

> International conventions, whether general or particular, establishing rules expressly recognized by the contesting states.

He has been very careful to eliminate from the jurisdiction of the Court in any dispute which we might be involved in with another nation coming before the Court, under Senate Resolution 196, sections b, c, and d of article 38.

I think it is important that we read into the RECORD at this time the answer of Mr. Fahy to the amendment proposed by the Senator from Colorado as set forth in the printed hearings on the resolution. I assume that the Foreign Relations Committee members agree with Mr. Fahy because they quote him approvingly in the report of the committee. Mr. Fahy says, reading beginning with the fine print at the bottom of page 7 of the report:

> Mr. Dulles suggests there should be prior agreement—

I digress to say that "prior agreement," in my opinion, is the essence of the amendment proposed by the Senator from Colorado. I repeat:

> Mr. Dulles suggests there should be prior agreement as to what are the applicable principles of international law if the basic law of the case is not found in an existing treaty or convention. He feels that to permit jurisdiction of legal disputes concerning "any question of international law" is too vague at this time.
>
> It is most inadvisable to accept this view. It would seriously impede the progress of the Court in the accomplishment of its purpose. The procedure followed in the case of the *Alabama* arbitration, referred to as an instance where previous agreement on the applicable law was had, was long before the establishment of the Court. The Charter of the United Nations and the present statute of the Court are designed to enlist sufficient confidence in judicial determinations by the Court to enable it to become a useful organ in the settlement of legal disputes. To require now an agreement, in advance of submission to the Court, on the applicable principles of international law would take from the Court one of the principal purposes of its creation. The United States should not insist on such a requirement. Whatever risk to the United States is involved in entrusting cases to the Court for its determination of the applicable basis of decision under international law is outweighed by the tremendous advance which would be made by our acceptance of such risk in the development of judicial processes in the world order.

I want to add a comment of my own on that last sentence of that very notable statement by Mr. Fahy. Of course, Mr. President, if we are going to submit our cases to the World Court and give it jurisdiction to decide international issues, then we ought to be willing to run the risks of adjudication. That is inherent, it seems to me, in accepting the principle of establishing international justice through law. But to come now and to reserve unto ourselves the right to say what segment of international law the Court can apply in any case involving us in any dispute with another nation, seems to me to strike at the very heart of this whole conception of developing a World Court for the settlement of international disputes by way of judicial processes.

In conclusion may I just make these two points. I should like to call attention to a letter which that great President, Theodore Roosevelt, wrote in 1905 to Senator Lodge, because at that time there was a practice of entering into so-called arbitration treaties but making the reservation that in a given case before actual arbitration we would reserve unto ourselves the right to insist upon a prior agreement as to what law should apply. Theodore Roosevelt, when such a treaty was submitted to him in 1905, wrote a letter to Senator Lodge. This was with respect to the proposal that he should agree to the reservation of requiring a prior agreement in an arbitra-

tion treaty as a condition precedent to going forward with the arbitrating of a given case. President Roosevelt wrote:

I think that this amendment makes the treaties shams, and my present impression is that we had better abandon the whole business rather than give the impression of trickiness and insincerity which would be produced by solemnly promulgating a sham. The amendment, in effect, is to make any one of these so-called arbitration treaties solemnly enact that there shall be another arbitration treaty whenever the two governments decide that there shall be one. Of course, it is mere nonsense to have a treaty which does nothing but say, what there is no power of enforcing, that whenever we choose there shall be another arbitration treaty. We could have these further special arbitration treaties in special cases wherever desired just exactly as well if there were no general arbitration treaty at all. Now, as far as I am concerned, I wish either to take part in something or else not to have any part in it at all.

That was the position taken by Theodore Roosevelt on what I consider to be an analogous principle insofar as the basic principle of the Millikin amendment is concerned.

I am going to make now my last comment on this amendment, and I am going to make it with an earnest and sincere plea, that it is to be hoped that the Senate of the United States this afternoon will not let the message go around this globe that we have reserved unto ourselves a restriction under article 38 of the United Nations Charter insofar as our presenting cases to the World Court is concerned. I want to say that I think the point of view inherent in the attempt to get us to accept the restriction of the Millikin amendment is a dead point of view as far as public opinion in America is concerned. The American people by an overwhelming majority want us to support and accept the obligatory jurisdiction of the World Court. I am convinced of that. I pray that we will not place the dead hand of a dead point of view upon the future generations of America and imperil here this afternoon the greatest opportunity I think this Congress will have to foster and advance the establishment of a world order by way of international justice through law.

Mr. DONNELL. Mr. President, after the eloquent and powerful statement made by the Senator from Oregon I hesitate to rise, but, Mr. President, for many years this Nation has seen a progressive movement toward substitution, as against war, of peaceful decisions of international justiciable controversies.

Mr. President, I stand opposed to the amendment suggested by the able Senator from Colorado [Mr. MILLIKIN]. It seems to me it falls away from and fails to conceive the real underlying theory of the Court of International Justice. The analogy of courts as between private litigants still prevails with respect to courts as between nations. The theory, as I understand it, of the Court of International Justice is to apply between the nations of the world the same general idea of the settlement of disputes through peaceful judicial means that has worked so satisfactorily in private controversies between individuals. Mr. President, when we look at the Court of International Justice, founded upon the basis of a substitution of peaceful judicial processes for war, do we find in drawing an analogy between that Court and one in which private litigants appear that there is any such reservation in respect to our courts as that which is suggested by the distinguished Senator from Colorado?

Mr. President, certainly here in our own country, judicial decisions in the ordinary relationships of life are not conditioned upon a reservation that a litigant need not submit himself to judicial decision unless the litigant himself has already agreed as to what is the law applicable to his case. Cases are constantly arising in which the principles of law have not yet been declared in express decision and perhaps not in words at all. The common law, as has been mentioned by the distinguished Senator from Ohio, has been a gradual development over a period of centuries. It is likewise true that as between nations there is a progressive development of international law. Some of it is codified. Some of it is not codified.

Mr. President, it is impossible or may be impossible until after a full hearing has been had in a case between nations of the world to determine what is the applicable law, to determine whether it is codified in existing treaties and conventions to which the United States is a party. I undertake to say that ordinarily, unless there is some dispute or controversy either as to what are the facts or as to what is the law, there cannot be any litigation pending before a court either as between private litigants or as between nations.

So, Mr. President, here we stand this afternoon undertaking to say that our great Nation, which has been steadily progressing toward the idea of the substitution of judicial processes for the evils and horrors of war, will not submit itself to the jurisdiction of a court in the same way that litigants submit themselves in controversies as between themselves.

I submit that the very fact, as the distinguished Senator from Utah mentioned this afternoon, that not one nation—and I take it his statement of fact is accurate; I know it is intended to be such—has refused to accept a decision of the Permanent Court of International Justice, the distinguished predecessor of this Court, is strong argument that our Nation can afford to go into this great plan to make itself the recipient, if you please, of the decisions of a court, fully basing its conclusion on the theory that it will receive justice and will be dealt with fairly.

Mr. President, there are ample safeguards, it appears to me, to our Nation. I appreciate that in any great cooperative endeavor between nations of the world there is, of course, an element of confidence. I appreciate the fact that the United Nations can fail if the nations of the world shall fail to have the confidence or shall fail to deserve the confidence which their fellow nations reposed in them. But, Mr. President, our great Nation, by a vote here one sultry afternoon a year or so ago, by a vote of 89 to 2, determined to take that risk and to participate in a great cooperative effort between the nations of the world. We have sent our representatives to deliberations of that great body. There has been selected to an important position in the United Nations a distinguished gentleman who sits upon the floor this afternoon, the Senator from Vermont [Mr. AUSTIN]. This great Court is set up as a component, integral part of the United Nations Organization which is to determine matters along the line of judicial processes, rather than by a test of strength, of power, of something akin to war or a contest of right as between the different nations.

Mr. President, I say that we do have adequate safeguards in this Court. I realize also that there is a risk. Of course, there is a risk. There is a risk in any human relationship. There is a risk in marriage; there is a risk in partnership; there is a risk in the relationships between nations; but, Mr. President, if we examine the provisions of the United Nations Charter I think we shall find that excellent precautions have been taken. I shall not trespass more than a moment further upon the time of the Senate. I call attention to the one significant fact of the type of men who are to sit upon this court. I also call attention to the fact that the Statute of the International Court of Justice provides:

The Court shall be composed of a body of independent judges, elected regardless of their nationality from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are juris consults of recognized competence in international law.

Mr. President, although our own Nation did not adhere to the Permanent Court of International Justice, nevertheless there were elected a number of distinguished men from our own country, one after the other, to sit upon that court. My good friend, Judge Manley O. Hudson, who has been mentioned in this debate, is one of them. The very fact that men of such standing, character, ability, fairness, and integrity occupied exalted positions on the Permanent Court of International Justice to my mind is a striking illustration and indication of the fact that there is adequate protection against our Nation being ruined by an improvident or dishonest decision of the new World Court.

Mr. President, it is also true that in the very resolution which is now before the Senate there is a restriction of the time during which the declaration to be made by the President in behalf of our Nation shall continue in existence. It shall remain in force for a period of 5 years, and thereafter until the expiration of 6 months after notice may be given to terminate the declaration. I appreciate the fact that damage may be done in 5 years; I appreciate the fact that in the United Nations damage may be done in 30 minutes; yet, Mr. President, if we have confidence in the United Nations as

an entirety why should we not have confidence in one of the component parts of that organization?

I conclude with this observation: In the United States of America over a period of years we have made progressive and successive steps toward the action which we are asked to take this afternoon. I am glad to see that by the terms of the Charter of the United Nations we are already ipso facto a member of this Court. We were not a member of the old Permanent Court of International Justice. Today we are a component part of the Court of International Justice under the United Nations Treaty. I for one am willing to have confidence in the American people, confidence in the people of the world, confidence in the wisdom of those who drafted this instrument, confidence in the provisions of the instrument undertaking to safeguard us. Instead of hamstringing and ruining the provisions of the judicial process by saying that it shall not be applied except when we know in advance and have agreed as to what are the applicable principles of law, I for one am willing to have confidence in this component part of the United Nations organization, and to stand here and declare myself as opposed to the amendment suggested by the Senator from Colorado.

Mr. GEORGE. Mr. President, I shall detain the Senate for only a very few minutes upon this question.

I am one Member of this body who many long years ago voted for adherence to the International Court of Justice, and subsequently voted for it again, when certain reservations were not found to be acceptable to the other signatory powers.

I do not wish to enter into a discussion of this particular subject. I merely wish to say that I believe the distinguished Senator from Utah [Mr. THOMAS] is entirely correct. I do not think that anything we might write into the resolution, unless it were an express attempt to make a reservation to the United Nations Charter, would be a reservation with respect to that Charter. It could not be a reservation.

The Statute of the Court is provided in the United Nations Charter. We can accept the compulsory jurisdiction if we desire to do so; but we are not required to accept jurisdiction. If we can accept compulsory jurisdiction we can accept it on any terms we may wish to enumerate. That is perfectly sound. It is common sense; and it would not constitute any reservation or any attempt to write anything into the Charter.

As I see it, the only question is whether or not it is wise in this instance to undertake to deprive the Court of the sources of information and advice on which it would act in passing upon any question of international law. I know perfectly well, as a lawyer with some little experience, that the term "international law" and the whole concept of international law are very nebulous. International law is by no means strictly or closely defined. What is international law? is a question that comes before many courts. It comes before our own Supreme Court; and the Court looks to writings of men on international law; it looks to the decisions made by legislative bodies; it looks to the interpretations of other courts; and it looks to all sources from which it may gain some information in passing upon a question which is alleged to involve a principle of international law.

So it seems to me that the amendment offered by the distinguished Senator from Colorado is entirely in order; but the question arises as to whether it is an advisable amendment. On that issue alone I find myself unable to agree with the distinguished Senator. I realize the difficulty which may arise. I realize some possible embarrassments to ourselves as a Nation which may arise from time to time by virtue of the decisions of the Court. But, in my judgment, those are simply the incidental things which we much expect and the risks which we must assume—if they be risks—if we are to have any development in the field of international law.

International law will never be codified in the sense that we can codify law in a State or in the Nation, or in any single country. It is a process of evolution. It will grow by continuous precedents, by continuous application of the principles through some established tribunal which will commend itself to the judgment and confidence of mankind. I have great hope that through the development of international law—which I have long thought can come only through the evolutionary process—we may make a real and substantial advance in the field of settling by pacific means controversies which arise between nations. I think that is our chief function.

So, while I have no doubt that the amendment offered by the distinguished Senator from Colorado is not a reservation, and is a proper amendment if the Senate wishes to adopt it, it seems to me that it would be unwise to accept the compulsory jurisdiction of the Court, which we are proposing to accept, and at the same time to limit and restrict the Court in the particular field in which it probably has the widest opportunity for the development of international law and therefore for the service of the people of the world.

I have no doubt that this Nation could accept compulsory jurisdiction and limit the Court's jurisdiction merely to the interpretation of a treaty or treaties, if it desired to do so. On that question I have no hesitancy whatever in agreeing with the position taken by the distinguished Senator from Colorado. It is only concerning the advisability of limiting or restricting the opportunities of the Court to develop international law that I raise any question; and I do so with great diffidence and respect for the judgment of the Senator from Colorado.

Mr. President, I wished to make that statement before voting on this particular amendment.

Mr. MILLIKIN. Mr. President, I entirely agree with the distinguished Senator from Georgia that the Court itself will be a developing influence for international law. The organization of which it is an adjunct will go ahead with the work of codification, and as we codify the law we can accept it because it is certain.

This amendment does not in anyway prevent us from submitting ourselves to litigation if we decide that under the circumstances we are willing to do so in a court operating on principles which are either unknown or uncertain.

I remind my colleagues once more that on the political side we have taken pains to see that in the last analysis this country shall be protected. We occupy a position of exceptional power in the Security Council; and in the last analysis we have the right of veto. But here there is no limitation. Once we submit ourselves—and the issue on the judicial side might be just as serious as on the political side—we are bound by the result.

Under those circumstances the major part of my point is that we should have the right to know the rules of law which will be applied to the facts which come before the Court. Certainly this country deserves nothing less.

Mr. CONNALLY. Mr. President, I greatly admire the ability, eloquence, and logic which the Senator from Colorado has employed in presenting his amendment; but, all things considered, I think it would be unwise for the Senate to adopt it. I think it would hamper very greatly the growth and development of the Court, as such, in the field which we are now entering.

Mr. REVERCOMB. Mr. President, in view of the statement which the able Senator from Texas has made, namely, that adoption of the amendment might very much limit the growth of the Court, let me say that I take it that he means that we would have to subscribe to jurisdiction of the Court without knowing what might lie ahead of us, and we would have to subscribe to the jurisdiction of a court which would have the power to lay down rules which might apply to future matters about which we now know nothing.

Mr. President, it seems to me that the situation is that before we subscribe to absolute and unlimited jurisdiction of the Court over the future of our Nation in international disputes, we should know what rules will be applied, what laws and agreements and treaties may be applicable to us. The reservation provided by the amendment is proposed in order that we may be certain that in the future we will not be subjected to court-made laws about which we know nothing at this time.

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). The question is on agreeing to the amendment of the Senator from Colorado.

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

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. WAGNER. I have a general pair with the Senator from Kansas [Mr. REED]. Not knowing how he would vote, I transfer that pair to the Senator from Missouri [Mr. BRIGGS]. I am not advised how the Senator from Missouri would vote if present. Being at liberty to vote, I vote "nay."

Mr. HILL. I announce that the Senator from North Carolina [Mr. BAILEY] is absent because of illness.

The Senator from Nevada [Mr. CARVILLE] is absent by leave of the Senate.

The Senator from Virginia [Mr. BURCH], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Rhode Island [Mr. GERRY] are necessarily absent.

The Senator from Mississippi [Mr. BILBO], the Senator from North Carolina [Mr. HOEY], and the Senator from Washington [Mr. MITCHELL] are unavoidably detained.

The Senator from Virginia [Mr. BYRD] is absent on official business.

The Senator from Missouri [Mr. BRIGGS], the Senator from Mississippi [Mr. EASTLAND], the Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], the Senator from Nevada [Mr. MCCARRAN], and the Senator from Pennsylvania [Mr. MYERS] are detained on public business.

The Senator from New Mexico [Mr. HATCH] is absent on official business, having been appointed a member of the President's Evaluation Commission in connection with the test of atomic bombs on naval vessels at Bikini.

The Senator from Louisiana [Mr. ELLENDER] and the Senator from Maryland [Mr. TYDINGS] are absent on official business, having been appointed to the commission on the part of the Senate to participate in the Philippine independence ceremonies.

Mr. WHERRY. The Senator from Maine [Mr. BREWSTER], the Senator from Delaware [Mr. BUCK], the Senator from New Jersey [Mr. HAWKES], the Senator from Kansas [Mr. REED], the Senator from Kentucky [Mr. STANFILL], and the Senator from Indiana [Mr. WILLIS] are necessarily absent.

The Senator from Vermont [Mr. AIKEN], the Senator from Illinois [Mr. BROOKS], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Indiana [Mr. CAPEHART], the Senator from South Dakota [Mr. GURNEY], the Senator from Wyoming [Mr. ROBERTSON], the Senator from New Hampshire [Mr. TOBEY], and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from Nebraska [Mr. BUTLER] is absent on official business, being a member of the commission appointed to attend the Philippine independence ceremonies.

The Senator from Iowa [Mr. HICKENLOOPER] is absent by leave of the Senate on official business as a member of the Special Committee on Atomic Energy.

The Senator from Massachusetts [Mr. SALTONSTALL] is absent on official business, having been appointed a member of the President's Evaluation Commission in connection with the test of atomic bombs on naval vessels at Bikini.

The Senator from Iowa [Mr. WILSON] is absent on official business.

The result was announced—yeas 11, nays 49, as follows:

YEAS—11

Andrews	O'Daniel	Thomas, Okla.
Langer	Revercomb	Wheeler
Millikin	Russell	Wherry
Moore	Shipstead	

NAYS—49

Austin	Hill	Overton
Ball	Huffman	Pepper
Barkley	Johnson, Colo.	Radcliffe
Bridges	Johnston, S. C.	Smith
Capper	Knowland	Stewart
Chavez	La Follette	Swift
Connally	McClellan	Taft
Cordon	McFarland	Taylor
Donnell	McKellar	Thomas, Utah
Downey	McMahon	Tunnell
Ferguson	Magnuson	Vandenberg
George	Maybank	Wagner
Gossett	Mead	Walsh
Green	Morse	White
Guffey	Murdock	Wiley
Hart	Murray	
Hayden	O'Mahoney	

NOT VOTING—36

Aiken	Carville	McCarran
Bailey	Eastland	Mitchell
Bilbo	Ellender	Myers
Brewster	Fulbright	Reed
Briggs	Gerry	Robertson
Brooks	Gurney	Saltonstall
Buck	Hatch	Stanfill
Burch	Hawkes	Tobey
Bushfield	Hickenlooper	Tydings
Butler	Hoey	Willis
Byrd	Kilgore	Wilson
Capehart	Lucas	Young

So Mr. MILLIKIN's amendment was rejected.

Mr. THOMAS of Utah. Mr. President, I think we are ready to vote on the resolution.

The PRESIDING OFFICER. It will be necessary to act first on a committee amendment, which will be stated.

The LEGISLATIVE CLERK. On page 1, in line 4, after the word "Nations", it is proposed to strike out "whenever that official shall have been installed in office."

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

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question now is on the adoption of the resolution.

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

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. MAGNUSON. My colleague, the junior Senator from Washington [Mr. MITCHELL] is unavoidably detained. If he were present, he would vote "yea."

Mr. GUFFEY. My colleague, the junior Senator from Pennsylvania [Mr. MYERS] is detained on public business. If present he would vote "yea."

Mr. HILL. I announce that the Senator from North Carolina [Mr. BAILEY] is absent because of illness.

The Senator from Nevada [Mr. CARVILLE] is absent by leave of the Senate.

The Senator from Virginia [Mr. BURCH], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Rhode Island [Mr. GERRY] are necessarily absent.

The Senator from Virginia [Mr. BYRD] is absent on official business.

The Senator from Missouri [Mr. BRIGGS], the Senator from Mississippi [Mr. EASTLAND], the Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], and the Senator from Nevada [Mr. MCCARRAN] are detained on public business.

The Senator from New Mexico [Mr. HATCH] is absent on official business, having been appointed a member of the President's Evaluation Commission in connection with the test of atomic bombs on naval vessels at Bikini.

The Senator from Louisiana [Mr. ELLENDER], and the Senator from Maryland [Mr. TYDINGS] are absent on official business, having been appointed to the Commission on the part of the Senate to participate in the Philippine independence ceremonies.

If present and voting, the Senator from North Carolina [Mr. BAILEY], the Senator from Missouri [Mr. BRIGGS], the Senators from Virginia [Mr. BURCH and Mr. BYRD], the Senators from Nevada [Mr. CARVILLE and Mr. MCCARRAN], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from New Mexico [Mr. HATCH], the Senator from West Virgina [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], and the Senator from Maryland [Mr. TYDINGS] would vote "yea."

Mr. WHERRY. The Senator from Maine [Mr. BREWSTER], the Senator from Delaware [Mr. BUCK], the Senator from New Jersey [Mr. HAWKES], the Senator from Kansas [Mr. REED], the Senator from Kentucky [Mr. STANFILL], and the Senator from Indiana [Mr. WILLIS] are necessarily absent.

The Senator from Vermont [Mr. AIKEN], the Senator from Illinois [Mr. BROOKS], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Indiana [Mr. CAPEHART], the Senator from South Dakota [Mr. GURNEY], the Senator from Wyoming [Mr. ROBERTSON], the Senator from New Hampshire [Mr. TOBEY], and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from Nebraska [Mr. BUTLER] is absent on official business, being a member of the commission appointed to attend the Philippine independence ceremonies.

The Senator from Iowa [Mr. HICKENLOOPER] is absent by leave of the Senate on official business as a member of the Special Committee on Atomic Energy.

The Senator from Massachusetts [Mr. SALTONSTALL] is absent on official business, having been appointed a member of the President's Evaluation Commission in connection with the test of atomic bombs on naval vessels at Bikini.

The Senator from Iowa [Mr. WILSON] is absent on official business.

The Senator from Vermont [Mr. AIKEN], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Indiana [Mr. WILLIS] would vote "yea" if present.

The result was announced—yeas 60, nays 2, as follows:

YEAS—60

Andrews	Gossett	McKellar
Austin	Green	McMahon
Ball	Guffey	Magnuson
Barkley	Hart	Maybank
Bilbo	Hayden	Mead
Bridges	Hill	Millikin
Capper	Hoey	Moore
Chavez	Huffman	Morse
Connally	Johnson, Colo.	Murdock
Cordon	Johnston, S. C.	Murray
Donnell	Knowland	O'Daniel
Downey	La Follette	O'Mahoney
Ferguson	McClellan	Overton
George	McFarland	Pepper

Radcliffe	Taft	Wagner
Revercomb	Taylor	Walsh
Russell	Thomas, Okla.	Wheeler
Smith	Thomas, Utah	Wherry
Stewart	Tunnell	White
Swift	Vandenberg	Wiley

NAYS—2

Langer Shipstead

NOT VOTING—34

Aiken	Eastland	Myers
Bailey	Ellender	Reed
Brewster	Fulbright	Robertson
Briggs	Gerry	Saltonstall
Brooks	Gurney	Stanfill
Buck	Hatch	Tobey
Burch	Hawkes	Tydings
Bushfield	Hickenlooper	Willis
Butler	Kilgore	Wilson
Byrd	Lucas	Young
Capehart	McCarran	
Carville	Mitchell	

The PRESIDING OFFICER. Two-thirds of the Senators present having voted in the affirmative, the resolution is agreed to.

(S. Res. 196, as agreed to, is as follows:)

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the deposit by the President of the United States with the Secretary General of the United Nations, of a declaration under paragraph 2 of article 36 of the Statute of the International Court of Justice recognizing as compulsory ipso facto and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the International Court of Justice in all legal disputes hereafter arising concerning—

a. the interpretation of a treaty;

b. any question of international law;

c. the existence of any fact which, if established, would constitute a breach of an international obligation;

d. the nature or extent of the reparation to be made for the breach of an international obligation.

Provided, That such declaration shall not apply to—

a. disputes the solution of which the parties shall entrust to other tribunals by virtue of agreements already in existence or which may be concluded in the future; or

b. disputes with regard to matters which are essentially within the domestic jurisdiction of the United States as determined by the United States; or

c. Disputes arising under a multilateral treaty, unless (1) all parties to the treaty affected by the decision are also parties to the case before the Court, or (2) the United States specially agrees to jurisdiction.

Provided further, That such declaration shall remain in force for a period of 5 years and thereafter until the expiration of 6 months after notice may be given to terminate the declaration.

Mr. THOMAS of Utah subsequently said: Mr. President, I ask unanimous consent that Senate Resolution 196 and the committee report dealing with it may be printed as a Senate document.

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

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

Commander John F. Robinson for appointment as State director of selective service for Connecticut under the provisions of section 10 (a) (3) of the Selective Training and Service Act of 1940, as amended.

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the report of the Committee on Foreign Relations on Senate Resolution 196.

There being no objection, the report (No. 1835) was ordered to be printed in the RECORD, as follows:

The Committee on Foreign Relations, to whom was referred the resolution (S. Res. 196) providing that the Senate advise and consent to the deposit by the President of the United States with the Secretary General of the United Nations of a declaration under paragraph 2 of article 36 of the Statute of the International Court of Justice recognizing as compulsory ipso facto and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the International Court of Justice in certain categories of legal disputes hereafter arising, hereby report the same to the Senate, with an amendment, with the recommendation that the resolution do pass as amended.

A. TEXT OF RESOLUTION

Following is the text of the resolution, as amended by the committee:

"Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the deposit by the President of the United States with the Secretary General of the United Nations of a declaration under paragraph 2 of article 36 of the Statute of the International Court of Justice recognizing as compulsory ipso facto and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the International Court of Justice in all legal disputes hereafter arising concerning—

"a. the interpretation of a treaty;

"b. any question of international law;

"c. the existence of any fact which, if established, would constitute a breach of an international obligation;

"d. the nature or extent of the reparation to be made for the breach of an international obligation.

Provided, That such declaration should not apply to—

"a. disputes the solution of which the parties shall entrust to other tribunals by virtue of agreements already in existence or which may be concluded in the future; or

"b. disputes with regard to matters which are essentially within the domestic jurisdiction of the United States.

Provided further, That such declaration should remain in force for a period of 5 years and thereafter until the expiration of 6 months after notice may be given to terminate the declaration."

B. HEARINGS OF THE SUBCOMMITTEE

On November 28, 1945, Mr. MORSE submitted Senate Resolution 196 for himself, Mr. TAFT, Mr. GREEN, Mr. FULBRIGHT, Mr. SMITH, Mr. FERGUSON, Mr. AIKEN, Mr. BALL, Mr. CORDON, Mr. WILEY, Mr. TOBEY, Mr. MAGNUSON, Mr. JOHNSTON of South Carolina, Mr. MYERS, and Mr. MCMAHON. The resolution was referred to the Committee on Foreign Relations. On June 12, 1946, Chairman CONNALLY appointed a subcommittee consisting of Senator THOMAS (Utah) as chairman, Senator HATCH and Senator AUSTIN to hear witnesses on the resolution and to recommend any amendments that might seem appropriate.

The subcommittee held hearings on July 11, 12, and 15, with Senator Morse, Dean Acheson (Acting Secretary of State), and Charles Fahy (legal adviser of the Department of State) appearing and a number of other witnesses testifying on behalf of important private organizations. Outstanding jurists and international lawyers also submitted statements for the record. Witnesses appeared or statements were submitted from the following organizations:

American Bar Association.
American Society of International Law.
American Association of University Women.
General Federation of Women's Clubs.
Young Women's Christian Association.
Americans United for World Government.
Friends Committee on National Legislation.
National League of Women Voters.
Federal Bar Association.
Women's Action Committee for Lasting Peace.
Federal Council of the Churches of Christ in America.
Catholic Association for International Peace.
Pennsylvania Bar Association.
National Council of Jewish Women.
National Education Association.

C. OVERWHELMING PUBLIC SUPPORT

The subcommittee was impressed by the fact that all the witnesses who appeared were enthusiastically in favor of the acceptance on the part of the United States of the jurisdiction of the International Court of Justice with respect to legal disputes. The general feeling seemed to be that such a step taken now by the United States would be the natural and logical sequel to our entry into the United Nations. Twelve months' consideration since the signing of the Charter has strengthened the conviction that this action would immediately increase faith in the efficacy of the United Nations to promote order and peace.

This relative unanimity of American public opinion was demonstrated on December 18, 1945, when the house of delegates of the American Bar Association, without a dissenting vote, passed a resolution urging the President and the Senate to take appropriate action at the earliest practicable time to accept the compulsory jurisdiction of the court. The American Society of International Law, on April 27, 1946, likewise adopted a favorable resolution by a unanimous vote. Many other national organizations, with large memberships, including the American Association of University Women, the General Federation of Women's Clubs, the Federal Bar Association, the Inter-American Bar Association, the Federal Council of Churches, the National League of Women Voters, the American Veterans Committee, the National Education Association, the National Council of Catholic Women, and the American Association for the United Nations, have similarly endorsed the proposal.

D. FAVORABLE ACTION BY FOREIGN RELATIONS COMMITTEE

On July 17 and 24 the subcommittee reported its findings to the Senate Foreign Relations Committee. After a discussion of the legal and constitutional issues involved (see secs. G and J below) the committee reported the resolution to the Senate for favorable action. The vote, which was taken on July 24, was unanimous.

E. PURPOSE OF THE RESOLUTION

The immediate purpose of the resolution is to authorize the President to file with the Secretary General of the United Nations a declaration accepting the compulsory jurisdiction of the International Court of Justice over certain categories of legal disputes arising between the United States and any other nation which has accepted the same obligation. The United States would acquire the right and duty to sue or be sued in respect to such other States and would give the Court the power to decide whether the case properly falls within the terms of the agreement.

The ultimate purpose of the resolution is to lead to general world-wide acceptance of the jurisdiction of the International Court of Justice in legal cases. The accomplishment of this result would, in a substantial sense, place international relations on a legal basis, in contrast to the present situation, in which states may be their own judge of the law.

The United States has now become a member of the Court, but membership in itself means comparatively little. It is true that states can agree to submit specified cases to the Court, but they have always been able to settle their disputes by arbitration, assuming they could agree to do so. So long as individual members can refuse to be haled into the Court a regime of law in the international community will never be realized. The most important attribute of this or any other court is to hear and decide cases. For this function it must have jurisdiction of the parties and the subject matter.

F. OBLIGATIONS UNDER THE CHARTER OF THE UNITED NATIONS

The undertaking of this obligation by members of the United Nations is a logical fulfillment of obligations already expressed in the Charter. The preamble expresses the determination of the peoples of the United Nations—

"To establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained," and to this end "to insure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest."

Among the purposes of the United Nations set forth in article 1 is—

"To bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace."

One of the principles of the Organization as set forth in article 2 is that—

"All members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered."

Article 36, paragraph 3, of the Charter provides that the Security Council should "take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the statute of the Court."

In addition, by virtue of the general right of states to bring disputes before the Security Council, any state is liable to have its political disputes brought before the Council without its consent and to be subject to such moral obligation as attaches to a recommendation of the Council (arts. 36 and 37 of the Charter). It is incongruous that such rights and obligations should exist with respect to political disputes but that there should be no similar obligation for the members of the United Nations to submit their legal disputes to adjudication.

G. JURISDICTION CONFERRED, DEFINED, AND LIMITED

The scope of the jurisdiction to be conferred pursuant to this resolution is carefully defined and limited.

There is, in the first place, a general limitation of jurisdiction to legal disputes. The resolution, like article 36, paragraph 2, of the Court statute, states this limitation in general terms and proceeds to define the four categories of disputes thus included. These are:

a. the interpretation of a treaty;

b. any question of international law;

c. the existence of any fact which, if established, would constitute a breach of an international obligation;

d. the nature or extent of the reparation to be made for the breach of an international obligation.

A second major limitation on the jurisdiction conferred arises from the condition of reciprocity. This is again specified in the resolution in the language of the statute, the pertinent phrase being as follows: "recognizing * * * in relation to any other state accepting the same obligation, the jurisdiction of the International Court of Justice."

Jurisdiction is thus conferred only as among states filing declarations. In addition, the similar phrase in the Statute of the Permanent Court of International Justice was interpreted by the Court as meaning that any limitation imposed by a state in its grant of jurisdiction thereby also became available to any other state with which it might become involved in proceedings, even though the second state had not specifically imposed the limitation. Thus, for example, if the United States limited its grant of jurisdiction to cases "hereafter arising," this country would be unable to institute proceedings regarding earlier disputes, even though the defendant state might not have interposed this reservation.

A third limitation specified in the resolution is that the United States should bind itself only as to disputes arising in the future. The United States may not, therefore, be confronted with old controversies as a result of filing the proposed declaration.

A fourth limitation provides that the proposed action shall not impede the parties to a dispute from entrusting its solution to some other tribunal if they so agree. The same provision is found in the Charter of the United Nations, article 95.

The fifth limitation is that the proposed declaration shall not apply to matters which are essentially within the domestic jurisdiction of the United States. A provision similar in principle is found in article 2, paragraph 7, of the Charter, providing that nothing in the Charter shall authorize the organization to intervene in essentially domestic matters. The committee feels that the principle is also implicit in the nature of international law, which, under article 38, paragraph 1, of the statute, it is the duty of the Court to apply. International law is, by definition, the body of rights and duties governing states in their relations with each other and does not, therefore, concern itself with matters of domestic jurisdiction. The question of what is properly a matter of international law is, in case of dispute, appropriate for decision by the Court itself, since, if it were left to the decision of each individual state, it would be possible to withhold any case from adjudication on the plea that it is a matter of domestic jurisdiction. It is plainly the intention of the statute that such questions should be decided by the Court, since article 36, paragraph 6, provides:

"In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court."

It was also brought to the attention of the subcommittee that a number of states, in filing declarations under the statute of the Permanent Court of International Justice, interposed reservations similar to that of the resolution under consideration, but in no case did they reserve to themselves the right of decision. The committee therefore decided that a reservation of the right of decision as to what are matters essentially within domestic jurisdiction would tend to defeat the purposes which it is hoped to achieve by means of the proposed declaration as well as the purpose of article 36, paragraphs 2 and 6, of the statute of the Court.

The resolution provides that the declaration should remain in force for a period of 5 years and thereafter until 6 months following notice of termination. The declaration might, therefore, remain in force indefinitely. The provision for 6 months' notice of termination after the 5-year period has the effect of a renunciation of any intention to withdraw our obligation in the face of a threatened legal proceeding.

Hon. John Foster Dulles, adviser to the State Department in relation to the Dumbarton Oaks proposals and adviser to the United States delegation to the United Nations Conference on International Organization, which drafted the Charter and the statute of the Court, filed a memorandum with the subcommittee favoring agreement by the United States to submit to impartial adjudication its legal controversies. He pointed out that failure to take that step would be interpreted as an election on our part to rely on power rather than on reason.

Mr. Dulles advocated that the United States ought now to make the declaration submitting this country to the jurisdiction of the Court according to article 36 (2) of the Court statute. He suggested, however, clarification of certain matters in the declaration, to wit:

"1. Advisory opinions: The compulsory jurisdiction should presumably be limited to disputes which are actual cases between states as distinct from disputes in which advisory opinions may be sought."

On this point the committee view is that the jurisdiction to be accepted pursuant to Senate Resolution 196 is coextensive with the jurisdiction defined in article 36 (2) of the Statute of the Court, which is limited to legal disputes as distinct from the broader category of cases referred to elsewhere in the statute.

With respect to Mr. Dulles' suggestion, Hon. Charles Fahy, legal adviser of the State Department, made the following reply:

"The declaration under article 36 (2) would grant jurisdiction in 'all legal disputes,' as therein described. But the jurisdiction of the Court (art. 36 (1)) extends to 'cases which the parties refer to it' and 'all matters especially provided for in the Charter of the United Nations or the treaties and conventions in force.' Thus the Court's possible jurisdiction is broader than the jurisdiction conferred by a declaration under article 36 (2). The provisions of article 36 (2) are limited to 'legal disputes.' This compulsory jurisdiction clearly excludes cases which are not legal disputes, such as a case to be decided ex aequo et bono under article 38 (2) if the parties separately so agree. Such agreement, of course, would be over and above any jurisdiction accepted by the proposed declaration under article 36 (2). The only jurisdiction of the Court with respect to advisory opinions (art. 65) is as to a legal question on request of whatever body may be authorized to make such a request under the Charter. It is entirely apart from the compulsory jurisdiction which a state grants by its declaration under article 36 (2). No provision in the declaration would seem necessary to make it clear that the declaration under article 36 (2) is indeed limited to the jurisdiction covered by that article.

"2. Reciprocity: Jurisdiction should be compulsory only when all of the other parties to the dispute have previously accepted the compulsory jurisdiction of the Court."

The committee considered that article 59 of the Court statute removed all cause for doubt by providing:

"The decision of the Court has no binding force except between the parties and in respect of that particular case."

If the United States would prefer to deny jurisdiction without special agreement in disputes among several states, some of which have not declared to be bound, article 36 (3) permits it to make its declaration conditional as to the reciprocity of several or certain states.

Mr. Dulles' objection might possibly be provided for by another subsection in the first proviso of the resolution, on page 2, after line 14, reading:

"c. Disputes arising under a multilateral treaty, unless (1) all parties to the treaty affected by the decision are also parties to the case before the Court, or (2) the United States specially agrees to jurisdiction.

"3. International law: If the basic law of the case is not found in an existing treaty

or convention, to which the United States is a party, there should be a prior agreement as to what are the applicable principles of international law.

The committee considered both the policy and the parliamentary problems this suggestion raises and decided to leave Senate Resolution 196 unchanged as to this point, for the following reasons:

Article 92 provides:

"The International Court of Justice shall be the principal judicial organ of the United Nations. It shall function in accordance with the annexed statute, which is based upon the Statute of the Permanent Court of International Justice and forms an integral part of the present Charter."

The Charter cannot be amended by a mere declaration of some of the states parties to the present statute. What a state may do is limited by article 36 (3):

"The declarations referred to above may be made unconditionally or on condition of reciprocity on the part of several or certain states, or for a certain time."

This does not permit a state to condition submission upon different principles of international law than those which article 38 commands to be used, thus:

"1. The Court, whose function is to decide in accordance with international law such disputes as are submitted to it, shall apply:

"a. international conventions, whether general or particular, establishing rules expressly recognized by the contesting states;

"b. international custom, as evidence of a general practice accepted as law;

"c. the general principles of law recognized by civilized nations;

"d. subject to the provisions of article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.

"2. This provision shall not prejudice the power of the Court to decide a case ex aequo et bono, if the parties agree thereto."

To accomplish substantial alteration of the applicable principles of international law would require consent of all the other parties to the Charter. The purpose of this declaration is to avoid the procedural necessity of "special agreement" and to recognize jurisdiction ipso facto over the specified subject matter and parties.

Hon. Charles Fahy, legal adviser of the State Department, in a memorandum prepared for the committee, replied to Mr. Dulles' suggestion as follows:

"3. Mr. Dulles suggests there should be prior agreement as to what are the applicable principles of international law if the basic law of the case is not found in an existing treaty or convention. He feels that to permit jurisdiction of legal disputes concerning 'any question of international law' is too vague at this time.

"It is most inadvisable to accept this view. It would seriously impede the progress of the Court in the accomplishment of its purpose. The procedure followed in the case of the *Alabama* arbitration, referred to as an instance where previous agreement on the applicable law was had, was long before the establishment of the Court. The Charter of the United Nations and the present statute of the Court are designed to enlist sufficient confidence in judicial determinations by the Court to enable it to become a useful organ in the settlement of legal disputes. To require now an agreement, in advance of submission to the Court, on the applicable principles of international law would take from the Court one of the principal purposes of its creation. The United States should not insist on such a requirement. Whatever risk to the United States is involved in entrusting cases to the Court for its determination of the applicable basis of decision under international law is outweighed by the tremendous advance which would be made by our acceptance of such risk in the development of judicial processes in the world order."

Other points referred to the committee by Mr. Dulles for clarification related to the problem of domestic jurisdiction, the possibility of resorting to other tribunals, and the desirability of establishing a time limit for any declaration the United States might make.

As has been indicated above, domestic jurisdiction is safeguarded by article 1 (1) of the Charter of the United Nations, limiting the purposes of the United Nations to international disputes or situations, by article 2 (7) excluding domestic jurisdiction. The committee accepted article 36 (6) of the statute as covering this point.

"In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court."

The right to submit disputes to other tribunals is reserved in Senate resolution 196, page 2, line 8. This reservation is permitted by article 95 of the Charter.

With respect to a possible time limitation, Senate resolution 196 provides for 5 years' duration, plus time of 6 months following notice of termination of the declaration. A further discussion of these points will be found in the first part of section (G) above.

H. COMPULSORY JURISDICTION PRIOR TO THE UNITED NATIONS

The first important step in the direction of compulsory jurisdiction was taken by the Advisory Committee of Jurists appointed by the League of Nations in 1920 to prepare the Statute of the Permanent Court of International Justice. This committee, which included among its members the Honorable Elihu Root, former member of the Senate Foreign Relations Committee, Secretary of War, and Secretary of State, recommended a draft providing for general compulsory jurisdiction over specified categories of legal disputes. It was proposed that this should be binding upon all parties to the statute. This provision proved unacceptable to some of the larger powers when it was presented to the League Council and Assembly, and there was substituted for it a provision very similar to article 36, paragraph 2, of the present statute, enabling such states as desired to do so to agree among themselves to accept the jurisdiction of the Court as to the enumerated categories of legal disputes.

Under this provision some 44 states, including 3 of the 5 states now permanent members of the Security Council (Great Britain, France, and China), at one time or another deposited declarations accepting this jurisdiction.

Proceedings were invoked in 11 cases under these declarations two of which proceeded to final determination. One of these was the Eastern Greenland case, involving conflicting claims to territory by Norway and Denmark. Upon the rendering of the decision of the Court, Norway withdrew the decrees affecting the territory which had precipitated the dispute. The second case which went to decision involved a claim by the Netherlands against Belgium for alleged wrongful diversions of water from the Meuse River. The other nine cases were terminated on procedural points or were withdrawn.

I. COMPULSORY JURISDICTION UNDER THE UNITED NATIONS

The negotiations leading to the conclusion of the statute of the new International Court of Justice saw a renewal of the effort to obtain general compulsory jurisdiction. It is indicated in the Report of the 1945 Committee of Jurists, which met in Washington to formulate proposals relating to the judicial organ of the proposed world organization, that a majority of the Committee was in favor of compulsory jurisdiction. At San Francisco the discussion was renewed, and again a very substantial body of opinion was shown in favor of general compulsory jurisdiction. Due to the opposition of some states and the doubtful position of others, it was felt, however, that such a provision might endanger acceptance of the Charter, of which the statute was to be an integral part. This was the position of the United States delegation. It was, therefore, agreed to retain the optional provision in a form similar to that employed in the Statute of the Permanent Court of International Jusice. This is the present article 36, paragraph 2 of the statute, pursuant to which the action envisioned by present resolution would be taken.

The San Francisco Conference added an additional paragraph to article 36 of the statute, according to which declarations accepting the jurisdiction of the old Court, and remaining in force, are deemed to remain in force as among the parties to the present statute for such period as they still have to run. Nineteen declarations are currently in force under this provision.

A further indication of the sentiment prevailing among United Nations delegations at San Francisco was the adoption by the Conference of a recommendation to the members of the Organization—"that as soon as possible they make declarations recognizing the obligatory jurisdiction of the International Court of Justice according to the provisions of article 36 of the statute."

J. THE CONSTITUTIONAL ISSUES INVOLVED

During the discussion which took place in the subcommittee three important constitutional issues were raised. These issues were: (1) Can the proposed action be taken by the treaty-making process or is a joint resolution of the two Houses preferable; (2) is it proper procedure to obtain the advice and consent of the Senate prior to the deposit of the declaration by the President; and (3) would the deposit of the declaration by the President establish treaty relations between the United States and the United Nations or between the United States and the various members of the United Nations who have deposited similar declarations.

With respect to the first issue, a declaration of this kind is no doubt unique so far are the United States is concerned. No one, however, can doubt the power of this Government to make such a declaration. The question is one of procedure. During the debates on the United Nations Charter the problem was discussed at some length on the floor of the Senate, and it was generally agreed that the President could not deposit the declaration without congressional action of some kind granting him the authority to do so. To clarify the issue Senator VANDENBERG requested an opinion of Mr. Green Hackworth, then legal adviser of the Department of State. The pertinent paragraph of this opinion, which Senator VANDENBERG read on the floor of the Senate on July 28, 1945, follows:

"If the Executive should initiate action to accept compulsory jurisdiction of the Court under the optional clause contained in article 36 of the statute, such procedure as might be authorized by the Congress would be followed, and if no specific procedure were prescribed by statute, the proposal would be submitted to the Senate with request for its advice and consent to the filing of the necessary declaration with the Secretary General of the United Nations."

Since that time both the President and the Secretary of State have indicated that, in their opinion, either the procedure outlined in Senate Resolution 196 (calling for a two-thirds vote of the Senate) or that outlined in House Joint Resolution 291 (calling for a simple majority vote of the two Houses) would furnish a satisfactory legal basis for acceptance by the United States of the compulsory jurisdiction clause.

Inasmuch as the declaration would involve important new obligations for the United States, the committee was of the opinion that it should be approved by the treaty process, with two-thirds of the Senators present concurring. The force and effect of the declaration is that of a treaty, binding the United States with respect to those States which have or which may in the future deposit similar declarations. Moreover, under our constitutional system the peaceful settlement of disputes through arbitration or judicial settlement has always been considered a proper subject for the use of the treaty procedure. While the declaration can hardly be considered a treaty in the strict sense of that term, the nature of the obligations assumed by the contracting parties are such that no action less solemn or less formal than that required for treaties should be contemplated.

With respect to the second issue the answer may be found in the Constitution itself. Article 2, section 2, provides that the President shall have "power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur." It is evident that the advice and consent of the Senate is equally effective whether given before, during, or after the conclusion of the treaty. In fact, President Washington approached the Senate for its advice and consent prior to the negotiation of treaties, and this practice was followed on occasion by other Presidents. While the practice of prior consultations with the Senate fell into disuse after 1816, a recent precedent may be found in the convention of 1927, extending the General Claims Commission, United States and Mexico, of 1923. The treaty was signed on August 16, 1927, pursuant to a Senate resolution of February 17, 1927. A similar example is the convention of 1929, again extending the life of the Commission. The convention was signed on August 17, 1929, pursuant to the Senate resolution of May 25, 1929.

With regard to the third issue, the proposed declaration would not constitute, in any sense, an agreement between the United States and the United Nations. It is rather a unilateral declaration having the force and effect of a treaty as between the United States and each of the other states which accept the same obligations. It is merely an extension of the general principle that any two states may agree to submit cases to arbitration or judicial settlement. The so-called optional clause would permit a large number of states to take such action with respect to the four categories of legal cases enumerated.

As to whether the United States can enter into a treaty with the United Nations, the question is not here at issue. In any event, it is clear that the United States can conclude agreements with the United Nations, inasmuch as the United Nations Participation Act authorized the President to take such action in conformity with the pledge of the United States to make armed forces available to the Security Council under article 43 of the Charter. Moreover, there appears to be nothing in the Constitution which forbids the conclusion of a treaty between the United States and an international organization.

If it follows that the legal capacity of the United Nations is all that is required to enable the United States and the United Nations to enter into treaty relationships, article 104 of the Charter would seem to establish that authority. Article 104 reads:

"The Organization shall enjoy in the territory of each of its members such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes."

K. DESIRABILITY OF SPEEDY ACTION

Most of the witnesses appearing before the subcommittee expressed the hope that the Senate would act speedily in order to demonstrate once more the conviction of the people of the United States that peace will be possible only if law and justice are firmly embedded in the foundations of the United Nations. To be sure, the extension of the compulsory jurisdiction of the International Court of Justice will not usher the world automatically into an era of peace; it is only one important step in man's long and painful march toward a warless world. The acceptance by the United States of the compulsory jurisdiction clause, however, would constitute a step of great psychological and moral significance. It would help develop a spirit of trust and confidence, particularly on the part of the small states, toward the United States. And it would give impetus to the principle of the peaceful settlement of disputes as the judges of the new Court begin their work at the Peace Palace in The Hague.

On July 28, 1945, the Senate ratified the United Nations Charter by the overwhelming vote of 89 to 2. Since that time the people of the United States, the Senate, the House of Representatives, the President, and the Secretary of State have repeatedly asserted the conviction that the foreign policy of the United States must be centered about the activities and the organs of the United Nations. The International Court of Justice is one of the principal organs of the United Nations. It would seem entirely consistent with our often pronounced policy for the Senate to take speedy action in order to ensure our full cooperation with the work of the Court at the earliest practicable date.

The Senate Foreign Relations Committee, in its report to the Senate on the United Nations Charter, expressed the following view:

"Unless we are prepared to take all steps which are necessary to effectuate our membership in the United Nations, we would be merely deceiving the hopes of the United States and of humanity in ratifying the Charter."

LEAVE OF ABSENCE

Mr. LA FOLLETTE. Mr. President, I ask the Senator from Kentucky whether it is his intention to have the concurrent resolution to adjourn sine die laid before the Senate today?

Mr. BARKLEY. As soon as the conference report on the first supplemental appropriation bill, 1947, is disposed of, I expect to have the resolution laid before the Senate.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent to be excused from further attendance at the session of the Senate today.

The PRESIDING OFFICER. Without objection, leave is granted.

LEGISLATIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to; and the Senate proceeded to the consideration of legislative business.

PLIGHT OF DOMESTIC WOOL INDUSTRY

Mr. O'MAHONEY. Mr. President, last Wednesday I addressed the Senate at some length upon the very important subject of legislation to deal with the wool-growing industry in the United States. I have no intention of making another speech on that subject. I feel that the Senate is in a temper to vote and not to listen to talk. I also feel that the Senate is pretty well convinced that the wool bill in some form should be passed.

As I pointed out on Wednesday, the Senate Committee on Agriculture and Forestry has filed a favorable report on a wool bill. The House Committee on Agriculture has likewise filed a similar report. If I could, with the agreement of the leadership, make a motion to proceed to the consideration of the wool bill now on the calendar, I would move to amend the bill so that it would be identical with the bill which has been recommended by the House Committee on Agriculture and which is also on the Senate Calendar. I desire to inquire of the present occupant of the chair whether I may not be permitted to make such a motion before he lays before the Senate the concurrent resolution providing for final adjournment.

Mr. BARKLEY. Mr. President, I appreciate fully the situation to which the Senator from Wyoming has called attention, and I am sympathetic to his purpose. But the House passed the concurrent resolution for adjournment last Saturday. The House is now awaiting action by the Senate on the resolution. Of course, it merely means that when we conclude business today the two Houses will stand adjourned. It does not mean that we will adjourn immediately on the adoption of the resolution.

Mr. O'MAHONEY. I understand that.

Mr. BARKLEY. I feel that, in view of the fact that the House has waited so long for the Senate to take action, the concurrent resolution should be laid down as a courtesy to the House. If that is not done we may run the risk of being required to amend the resolution or let the matter go by the board. I feel that we can remain as late as the Senate is willing to remain today, but the resolution providing for adjournment of the two Houses of Congress today when each House concludes its business, should be laid down.

Mr. O'MAHONEY. Mr. President, recognizing as I do that the arduous labors which have been performed by both the Members of the Senate and the Members of the House deserve the reward of an adjournment of the Congress, I thought it would be neither charitable nor wise to attempt to prolong the session. Nevertheless, I feel that this issue is of such great importance, and is supported on both sides of the Chamber by so many Members of the Senate that I should be permitted, at least, to ask the Senate to vote upon the measure.

Mr. BARKLEY. The Senator realizes that the Senate may remain in session as long as it is willing to sit.

Mr. O'MAHONEY. I realize that.

Mr. BARKLEY. The House is in the same situation. Under the concurrent resolution, when both Houses of Congress complete their work today the Congress will stand adjourned.

Mr. O'MAHONEY. Mr. President, it is customary, in the conduct of the affairs of the Senate, for Members of the body to reach understandings with the leadership. I should like very much to be able to reach an understanding with the leadership on both sides of the Chamber at this time that, after the concurrent resolution for adjournment has been laid

down and disposed of, I may be recognized to move that the Senate proceed to the consideration of the wool bill.

Mr. BARKLEY. I will state frankly to the Senator, Mr. President, that I would have no objection to his motion. However, I do not control the recognition of the Senator. That is within the province of the Chair. So far as I am concerned, I would have no objection to his motion.

Mr. WHITE. Mr. President, if unanimous consent is being asked for, I am constrained to object.

Mr. O'MAHONEY. I have not asked for unanimous consent.

Mr. BARKLEY. No.

Mr. WHITE. Then, I cannot object.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WHERRY. I should like to know what agreement or understanding has been reached, if any, relative to the request of the able Senator from Wyoming?

Mr. BARKLEY. No agreement has been reached.

Mr. WHERRY. Then the bill is still on the calendar just the same as are the other bills which are there.

Mr. BARKLEY. The Senator is correct.

Mr. McKELLAR obtained the floor.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. McKELLAR. I will yield if it is only for a moment. I have a conference report which I wish to have considered. It is important and should be agreed to.

Mr. O'MAHONEY. The Senator is correct. I merely wish to inquire of the Senator from Nebraska whether I understood correctly that he would be willing, so far as he is concerned, to have a vote on the proposed motion to consider the wool bill.

Mr. WHERRY. I have no objection whatever. I merely wanted to hear what was said. We could not hear on this side of the chamber.

Mr. O'MAHONEY. I had understood that the Senator would not object.

Mr. O'MAHONEY subsequently said: Mr. President, it is not my intention, I may say to the Senate, to make a motion to have the Senate take up the wool bill, because since I spoke earlier in the afternoon I have made a survey of the conditions which exist, and I find there is no possibility of getting action on the bill in the House of Representatives, because of the situation. So I shall not attempt to make that motion now.

Mr. WHERRY. Mr. President, I wish the Senate to know and I wish to make the record clear that those of us from the wool-producing States, who are just as much concerned about the wool legislation as is the Senator from Wyoming, are interested in the question of whether consent was given by the majority leader for the consideration of the bill this afternoon, because we are indeed anxious that the wool legislation be considered.

Mr. O'MAHONEY. I thank the Senator for his statement.

MESSAGE FROM THE HOUSE

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

S. 1560. An act to amend the Service Extension Act of 1941, as amended, to extend reemployment benefits to former members of the Women's Army Auxiliary Corps who entered the Women's Army Corps;

S. 2306. An act to authorize the Secretary of War to grant Georgia Power Co. a 100-foot perpetual easement across certain land in the State of Alabama constituting a portion of the military reservation designated as Fort Benning, Ga.; and

S. J. Res. 186. Joint resolution to provide for the transfer of the painting First Fight of Ironclads, Monitor and Merrimac, now stored in the United States Capitol Building, to the custody of the United States Naval Academy.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 1751) to authorize the course of instruction at the United States Merchant Marine Academy to be given to not exceeding 20 persons at a time from the American Republics, other than the United States.

The message further announced that the House had agreed to the report of the committee on conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 783) for the relief of Karl E. Bond.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5626) to authorize the Veterans' Administration to appoint and employ retired officers without affecting their retired status, and for other purposes.

The message further 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 Senate to the joint resolution (H. J. Res. 390) making additional appropriations for the fiscal year 1947, and for other purposes; that the House recede from its disagreement to the amendments of the Senate Nos. 2, 3, 11, 16, 17, 28, and 29 to the joint resolution, and concur therein, and that the House receded from its disagreement to the amendments of the Senate Nos. 1, 12, 13, 14, 15, 20, 22, and 24 to the joint resolution and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate.

ADDITIONAL APPROPRIATIONS, FISCAL YEAR 1947—CONFERENCE REPORT

Mr. McKELLAR submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 390) making additional appropriations for the fiscal year ending June 30, 1947, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 18 and 19.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 5, 6, 7, 8, 21, and 26, and agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"JOINT COMMITTEE ON PRINTING

"Biographical Congressional Directory: To enable the Secretary of the Senate to pay, upon vouchers approved by the chairman or vice chairman of the Joint Committee on Printing, for compiling and preparing a revised edition of the Biographical Directory of the American Congress (1774–1948) as provided for in House Concurrent Resolution Numbered 163, adopted July 26, 1946, not to exceed $35,000; and said sum or any part thereof, in the discretion of the chairman or vice chairman of the Joint Committee on Printing, may be paid as additional compensation (at not to exceed $1,800 per annum) to any employee of the United States, and shall continue to be available until expended."

And the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$25,000"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"BUREAU OF COMMUNITY FACILITIES

"Emergency relief for the Territory of Hawaii: For carrying out the provisions of section 1 of the Act entitled 'An Act to provide emergency relief for the victims of the seismic waves which struck the Territory of Hawaii, and for other purposes', $1,300,000, to remain available until expended, of which amount not to exceed $65,000 shall be available for administrative expenses of the Bureau of Community Facilities, including travel, the purchase of two passenger motor vehicles, and personal services in the District of Columbia and elsewhere."

And the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows:

"DEPARTMENT OF COMMERCE

"BUREAU OF FOREIGN AND DOMESTIC COMMERCE

"Export control: For an additional amount, fiscal year 1947, for 'Export control', including the objects specified under this head in the Department of Commerce Appropriation Act, 1947, $400,000."

And the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$100,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 2, 3, 11, 12, 13, 14, 15, 16, 17, 20, 22, 24, 28, and 29.

KENNETH McKELLAR,
CARL HAYDEN,
RICHARD B. RUSSELL,
JOHN H. OVERTON,
ELMER THOMAS,
STYLES BRIDGES,
CHAN GURNEY,
JOSEPH H. BALL,
Managers on the Part of the Senate.

CLARENCE CANNON,
LOUIS C. RABAUT,
ALBERT THOMAS,
R. B. WIGGLESWORTH,
EVERETT M. DIRKSEN,
Managers on the Part of the House.

Mr. McKELLAR. Mr. President, I ask unanimous consent for the immediate consideration and adoption of the conference report.

There being no objection, the report was considered and agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House Joint Resolution 390, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
August 2, 1946.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 11, 16, 17, 28, and 29 to the Joint Resolution (H. J. Res. 390) making additional appropriations for the fiscal year 1947, and for other purposes, and concur therein;

That the House recede from its disagreement to the amendment of the Senate numbered 1, to said bill and concur therein with an amendment as follows: In line 6 of the matter inserted by said amendment, after the word "authorized", insert ", subject to the approval of the chairman of the Committee to Audit and Control the Contingent Expenses of the Senate (Committee on Rules and Administration, if and when elected)."

That the House recede from its disagreement to the amendment of the Senate numbered 12, to said bill, and concur therein with an amendment as follows: In lieu of the sum named in said amendment, insert: "$6,885,000: *Provided*, That such additional amounts shall be allotted on a pro rata basis among the several States in proportion to the amounts to which the respective States are entitled for each fiscal year by reason of section 401 of the Social Security Act amendments of 1946."

That the House recede from its disagreement to the amendment of the Senate numbered 13, to said bill, and concur therein with an amendment as follows: In lieu of the sum named in said amendment, insert: "$4,597,500: *Provided*, That such additional amounts shall be allotted on a pro rata basis among the several States in proportion to the amounts to which the respective States are entitled for each fiscal year by reason of section 401 of the Social Security Act Amendments of 1946."

That the House recede from its disagreement to the amendment of the Senate numbered 14, to said bill, and concur therein with an amendment as follows: In lieu of the sum named in said amendment, insert: "$2,617,500: *Provided*, That such additional amounts shall be allotted on a pro rata basis among the several States in proportion to the amounts to which the respective States are enitled for each fiscal year by reason of section 401 of the Social Security Act Amendments of 1946."

That the House recede from its disagreement to the amendment of the Senate No. 15 to said bill and concur therein with an amendment as follows: In lieu of the sum named in said amendment insert "$425,000."

That the House recede from its disagreement to the amendment of the Senate No. 20 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert:

"Hospital and construction activities: For carrying out the provisions of title VI of the Public Health Service Act, as amended (S. 191), fiscal year 1947, including travel; printing and binding; the objects specified in the paragraph immediately following the caption 'Public Health Service' in the Federal Security Agency Appropriation Act, 1947; and the purchase of eight passenger automobiles; $2,350,000, of which not to exceed $126,000 may be transferred to the appropriation 'Pay, etc., commissioned officers, Public Health Service' for not to exceed 28 commissioned officers, and not to exceed $34,175 may be transferred to the appropriation 'Salaries, Office of the General Counsel,' Office of the Administrator, Federal Security Agency: *Provided*, That the availability of this appropriation is contingent upon the enactment into law of said S. 191."

That the House recede from its disagreement to the amendment of the Senate No. 22 to said bill and concur therein with an amendment as follows: In line 5 of the matter inserted by said amendment, strike out the following: "(H. R. 6918, Seventy-ninth Congress)"; and in lines 15 and 16 of the matter inserted by said amendment, strike out the following: "and section 14 (a) of the Federal Employees Pay Act of 1946."

That the House recede from its disagreement to the amendment of the Senate No. 24 to said bill, and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

"VETERANS' ADMINISTRATION

"Automobiles and other conveyances for disabled veterans: To enable the Administrator of Veterans' Affairs to provide an automobile or other conveyance, at a cost per vehicle or conveyance of not to exceed $1,600, including equipment with such special attachments and devices as the Administrator may deem necessary, for each veteran of World War II who is entitled to compensation for the loss, or loss of use, of one or both legs at or above the ankle under the laws administered by the Veterans' Administration, $30,000,000: *Provided*, That no part of the money appropriated by this paragraph shall be used for the repair, maintenance, or replacement of any such automobile or other conveyance and no veteran shall be given an automobile or other conveyance under the provisions of this paragraph until it is established to the satisfaction of the administrator that such veteran will be able to operate such automobile or other conveyance in a manner consistent with his own safety and the safety of others and will be licensed to operate such automobile or other conveyance by the State of his residence or other proper licensing authority: *Provided further*, That under such regulations as the Administrator may prescribe the furnishing of such automobile or other conveyance shall be accomplished by the Administrator paying the total purchase price to the seller from whom the veteran is purchasing under sales agreement between the seller and the veteran."

Mr. McKELLAR. Mr. President, I move that the Senate agree to the amendments of the House to the amendments of the Senate numbered 1, 12, 13, 14, 15, 22, and 24.

The motion was agreed to.

COMPARATIVE STATEMENT OF ESTIMATES SUBMITTED AND APPROPRIATIONS MADE, SECOND SESSION, SEVENTY-NINTH CONGRESS

Mr. McKELLAR. Mr. President, I ask unanimous consent to have printed in the RECORD, as a part of my remarks, to appear immediately after the final action on the deficiency appropriation bill, a comparative statement of estimates submitted at the second session of the Seventy-ninth Congress and of appropriations made during such session. I believe this will be of vast interest to every Senator. It shows that the appropriations were actually $1,591,607,697.61 less than the estimates.

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

Comparative statement of estimates submitted at the 2d sess. of the 79th Cong., and of appropriations made during such session

Title	Regular Budget estimates, fiscal year 1947	Supplemental estimates, fiscal year 1947, and prior fiscal years	Total Budget estimates	Total appropriations, 79th Cong., 2d sess.	Increase (+) and decrease (−) appropriations compared with estimates
REGULAR ANNUAL ACT, 1947					
Department of Agriculture	$585, 230, 572. 00	$5, 175, 100. 00	$590, 405, 672. 00	$581, 240, 121. 00	−$9, 165, 551. 00
District of Columbia	81, 505, 000. 00		81, 505, 000. 00	76, 755, 009. 00	−4, 749, 991. 00
Independent offices	5, 140, 876, 502. 00		5, 140, 876, 502. 00	5, 094, 976, 677. 00	−45, 899, 825. 00
Interior Department	340, 719, 260. 00	9, 637, 970. 00	350, 357, 230. 00	247, 167, 036. 00	−103, 190, 194. 00
Department of Labor, Federal Security Agency, and related independent agencies	1, 080, 831, 700. 00	97, 244, 200. 00	1, 178, 075, 900. 00	1, 155, 015, 670. 00	−23, 060, 230. 00
Labor, Department of	46, 626, 500. 00	85, 074, 600. 00	131, 701, 100. 00	140, 456, 443. 00	+8, 755, 343. 00
Federal Security Agency	714, 399, 700. 00	12, 169, 600. 00	726, 569, 300. 00	696, 183, 527. 00	−30, 385, 773. 00
Related agencies	319, 805, 500. 00		319, 805, 500. 00	318, 375, 700. 00	−1, 429, 800. 00
Legislative branch	53, 410, 086. 66	4, 929, 047. 00	58, 339, 133. 66	53, 809, 736. 16	−4, 529, 397. 50
Military		7, 208, 207, 429. 00	7, 208, 207, 429. 00	7, 263, 542, 400. 00	+55, 334, 971. 00
Navy		3, 765, 399, 000. 00	3, 765, 399, 000. 00	4, 119, 659, 300. 00	+354, 260, 300. 00
State, Justice, and Commerce Departments and the Judiciary	368, 396, 480. 00	119, 901, 121. 00	488, 297, 601. 00	437, 703, 212. 00	−50, 594, 389. 00
State, Department of	91, 705, 100. 00	43, 182, 731. 00	134, 887, 831. 00	128, 008, 752. 00	−6, 879, 079. 00
Justice, Department of	96, 771, 650. 00	1, 292, 000. 00	98, 063, 650. 00	99, 752, 250. 00	+1, 689, 200. 00
Commerce, Department of	163, 336, 000. 00	75, 419, 000. 00	238, 755, 000. 00	193, 884, 720. 00	−44, 870, 280. 00
The Judiciary	16, 584, 330. 00	7, 390. 00	16, 591, 720. 00	16, 057, 490. 00	−534, 230. 00
Treasury and Post Office Departments	1, 634, 217, 190. 00		1, 634, 217, 190. 00	1, 604, 862, 140. 00	−29, 355, 050. 00
Treasury Department	335, 978, 000. 00		335, 978, 000. 00	325, 290, 250. 00	−10, 687, 750. 00
Post Office Department	1, 298, 239, 190. 00		1, 298, 239, 190. 00	1, 279, 571, 890. 00	−18, 667, 300. 00

Comparative statement of estimates submitted at the 2d sess. of the 79th Cong., and of appropriations made during such session.—Con.

Title	Regular Budget estimates, fiscal year 1947	Supplemental estimates, fiscal year 1947, and prior fiscal years	Total Budget estimates	Total appropriations, 79th Cong., 2d sess.	Increase (+) and decrease (−) appropriations compared with estimates
REGULAR ANNUAL ACT, 1947—continued					
War Department civil functions	$321,060,630.00	$17,577,879.00	$338,638,509.00	$333,230,498.00	−$5,408,011.00
Total regular annual acts	9,606,247,420.66	11,228,071,746.00	20,834,319,166.66	20,967,961,799.16	+133,642,632.50
DEFICIENCY AND SUPPLEMENTAL ACTS					
First urgent deficiency, 1946		3,713,000.00	3,713,000.00	3,347,200.00	−365,800.00
Second urgent deficiency, 1946		362,879,807.00	362,879,807.00	364,114,807.00	+1,235,000.00
Third urgent deficiency, 1946		676,444,960.89	676,444,960.89	661,847,988.89	−14,596,972.00
Second deficiency, 1946		71,198,695.02	71,198,695.02	61,601,337.02	−9,597,358.00
Third deficiency, 1946		2,893,567,112.97	2,893,567,112.97	2,652,860,866.96	−240,706,246.01
Veterans' benefits (H. J. Res. 316)		500,000,000.00	500,000,000.00	500,000,000.00	
Veterans' Housing (H. J. Res. 328)		253,727,000.00	253,727,000.00	253,727,000.00	
Pay bill (H. J. Res. 342)		181,416,769.00	181,416,769.00	181,239,469.00	−177,300.00
Coast Guard, 1947		134,920,000.00	134,920,000.00	116,226,000.00	−18,694,000.00
Government corporations, 1947		983,048,848.10	983,048,848.10	60,086,287.00	[1] −922,962,561.10
Second rescission, 1946		135,000,000.00	135,000,000.00	[2]	−135,000,000.00
First supplemental, 1947		3,020,874,510.45	3,020,874,510.45	2,636,489,417.45	−384,385,093.00
Total deficiency and supplemental acts		9,216,790,703.43	9,216,790,703.43	7,491,540,373.32	−1,725,250,330.11
Total, regular, supplemental and deficiency acts	9,606,247,420.66	20,444,862,449.43	30,051,109,870.09	28,459,502,172.48	−1,591,607,697.61
Permanent and indefinite appropriations	7,343,733,410.00	434,000.00	7,344,167,410.00	7,344,167,410.00	
Grand total	16,949,980,830.66	20,445,296,449.43	37,395,277,280.09	35,803,669,582.48	−1,591,607,697.61

[1] The Secretary of the Treasury was authorized and directed to discharge $921,456,561 of the indebtedness of the Commodity Credit Corporation by canceling notes in that amount, thereby permitting a like reduction in the amount of the estimates submitted. This accounts for $921,456,561 of the total reduction of $922,962,561.10.
[2] $135,000,000 of lend-lease funds transferred to United Nations Relief and Rehabilitation Administration.

SUPPLEMENTAL SURPLUS APPROPRIATION RESCISSION ACT

Mr. McKELLAR. Mr. President, I ask unanimous consent to have printed in the RECORD a statement of the Supplemental Surplus Appropriation Rescission Act, 1946, Seventy-ninth Congress, second session.

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

Supplemental surplus appropriation rescission acts, 1946, 79th Cong., 2d sess.

Title	Cash	Contractual authorization	Corporate funds	Limitation on administrative expenses	Total
First Rescission Act, 1946	$47,579,587,542	$4,206,033,879	$1,190,500	$9,318,307	$51,796,130,228
Second Rescission Act, 1946	6,243,217,831	468,673,001	446,890	7,410,000	6,719,747,722
Third Rescission Act, 1946	3,075,090,505	174,178,000			3,249,268,505
Total	56,897,895,878	4,848,884,880	1,637,390	16,728,307	61,765,146,455

Mr. McKELLAR. I ask unanimous consent to have printed in the RECORD a statement of certain appropriations concerning the Army, the Navy, the veterans, the permanent and indefinite appropriations, showing the grand totals, so that the Senate may be fully advised as to what has been appropriated.

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

79th Cong., 2d sess.

Military	$7,263,542,400.00
Navy	4,119,659,300.00
Veterans:	
Veterans' Administration	7,393,966,415.00
Armed forces leave payments	2,431,708,000.00
Housing and facilities for education, etc	328,784,000.00
Total	10,154,458,415.00
Permanent and indefinite appropriations	7,344,167,410.00
Total, above appropriations	28,881,827,525.00
Grand total, appropriations, including permanent and indefinite appropriations (79th Cong., 2d sess.)	35,803,669,582.48
Less total for military, Navy, veterans, and permanent and indefinite appropriations (as listed above)	−28,881,827,525.00
Total, other appropriations (79th Cong., 2d sess.)	6,921,842,057.48

APPROPRIATIONS BY CONGRESS DURING THE FISCAL YEAR

Mr. McKELLAR. Mr. President, I wish to submit for the RECORD the appropriations made for the Veterans' Administration and in behalf of the veterans, so that every Senator, by referring to the figures, may have the exact facts before him.

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

Appropriations to Veterans' Administration and for veterans

VETERANS' ADMINISTRATION

Independent Offices Act, 1947	$4,431,142,415
Public Law 299 (readjustment benefits, 1946)	500,000,000
Second Urgent Deficiency Act, 1946	115,000,000
Pay Act of 1946 (Public Law 349)	54,168,000
Third urgent deficiency, 1946	416,656,000
Third deficiency, 1946	1,847,000,000
First supplemental, 1947 (automobiles and other conveyances for veterans)	30,000,000
Total, Veterans' Administration	7,393,966,415

HOUSING FOR VETERANS AND FACILITIES FOR EDUCATION, ETC.

Public Law 341	$253,727,000
Third deficiency, 1946	75,057,000
Total, housing and facilities	328,784,000

ARMED FORCES LEAVE PAYMENTS

First supplemental, 1947	$2,431,708,000

RECAPITULATION

Veterans' Administration	$7,393,966,415
Housing and facilities	328,784,000
Armed forces leave payments	2,431,708,000
Grand total	10,154,458,415

In addition to the funds appropriated the third urgent deficiency carried a contract authorization of $441,250,000 for hospital construction for veterans.

RIOT AT ATHENS, TENN.

Mr. McKELLAR. Mr. President, I desire to be recognized for about 5 minutes in my own time.

I wish to call attention to an article in today's issue of the Washington Times-Herald, which I suppose every Senator present has read. The following appeared in large headlines:

FOUR TO SIX SLAIN, MANY HURT AS VETS BATTLE CRUMP MACHINE IN TENNESSEE VOTE RIOT

Troops called out as 1,000 storm jail to liberate ex-GI's.

Machine gun fire rakes city streets, deputy sheriffs killed, ballots seized.

I have taken the trouble today to telephone to Athens, Tenn. I talked with a city official. Several persons in that city have been hurt. An election of county officers had been held. It had nothing in the world to do with the State primary election. The article is an absolute falsehood from beginning to end. It seems to have been written by a special corre-

spondent, and I suppose a correspondent sent from here, who probably reported from afar, and did not know the facts.

I wish to say that Athens is a little over half way between Washington and Memphis. The idea of the Crump machine being in Athens is absolutely ridiculous. The two have no more connection than the bachelor Senator from Tennessee has to do with the harem of the Sultan of Sulu, whom he has never seen, and none of the folks in his harem has he ever seen. [Laughter.]

The article is simply ridiculous and absurd. No one was killed. Several were hurt, in a purely local election. It had nothing in the world to do with the State primary. Yet we find these sensational headlines. And the article is just as lurid. I want to read just one thing that was printed:

Special to the Times-Herald. Greatest Tragedy in State's History. Knoxville, Tenn., August 1. At the outbreak of the riot in Athens tonight, a political observer here declared: "This is the most heated campaign we have had for some time." Later when reports of dead and wounded were received, the same observer remarked: "This is the greatest tragedy in the political history of the State of Tennessee."

All of that, Mr. President, is absolutely untrue. I doubt if Mr. Crump ever dreamed of the slightest connection between his organization in Memphis, 375 miles away, and the lovely little city of Athens, which seems to have gotten into some trouble over its local affairs.

The idea of it being a fight between GI's, soldiers, and the Crump machine, is just as ridiculous, because I imagine that the soldiers voted on both sides all over the State. There was certainly no fight on the soldiers of any kind. I am informed that there were as many soldiers in the little town of Athens on one side as on the other.

This illustrates the remarkable way some newspapers have of inventing sensational stories. The newspapermen went down there to find material for such a story, but they could not find it because the political situation was so calm, so unusually calm, if I may put it that way. I suppose it was the calmest election that has ever occurred in Tennessee. It was certainly calm so far as I was concerned, because I was a candidate, and did not even go to Tennessee. I took no part in it. My friend the Senator from Kentucky says that is why it was calm. [Laughter.] If so, I am happy that I took no part in it, because it should have been calm.

What I protest against is falsehood in this newspaper—in this or any other newspaper; I have not examined the others to see whether they have similar headlines, but if they have, they are equally false, and I greatly regret it.

Mr. STEWART. Mr. President, will my colleague yield?

Mr. McKELLAR. I yield to my colleague for a moment, and then I shall yield the floor.

Mr. STEWART. Mr. President, I wish to endorse what my colleague, the senior Senator from Tennessee, has said in respect to the criticism in the late edition of the Times-Herald concerning the so-called riot at Athens, in McMinn County, Tenn.

I do not know the extent of the trouble that occurred. The senior Senator from Tennessee says he has talked over the telephone with persons who are there, but I have not. However, regardless of the extent of the so-called riot, I know, because I have talked with others on the telephone, and I know the situation, that this trouble did not occur in the primary election in which my colleague reached the hall of fame yesterday, having been nominated, which is the equivalent of election, for the sixth time, being one of about half a dozen men in the history of the United States who has ever been nominated to the United States Senate for a sixth term.

The difficulty, whatever it might have been, did not occur in the course of the primary election, as might be inferred from the headlines, which undertake to indicate that the Crump organization had something to do with the trouble. I am not informed as to the cause of the trouble, whatever it might have been, but it was due entirely to a local condition.

On the first Thursday in August every 2 years, under the Tennessee law, we have regular general county elections. Perhaps it is a constitutional provision, I am not sure about it from memory, but some 25 or 30 years ago, at least whenever the Tennessee State primary law was passed, it was decided to hold the primaries on the same day on which the county general elections were held, as a matter of convenience to the people.

The county election is held in one balloting area and the primary election is held in another balloting area. For instance, in the case of Athens, both elections were held, I think, in the courthouse, the general election in one portion of the courthouse and the primary election in another room in another portion of the same building. Each election was conducted by separate officials. They had utterly no connection one with the other.

The ballots were counted in the McMinn primaries all over the county, and likewise counted in Athens, and the senior Senator from Tennessee [Mr. McKELLAR] carried McMinn County by a good majority.

There was no question about the ballots in the primary, but the ballot box in the general election was, according to my information, carried to the jailhouse for some reason, because some rioting or disturbance was created concerning the methods used in counting the ballots in the general election box, or something of that sort. From that the trouble arose. It concerned the control of county politics.

Various county officers were candidates in the general county election, as elsewhere in Tennessee. The office of sheriff was to be filled, and there were several candidates for sheriff. There were other officers to be elected, the county court clerk, I believe, the circuit court clerk, the county trustee, and perhaps other officers such as road commissioners. The ballots for those offices were in an entirely separate box, so there was no connection between the primary election in which my colleague was nominated yesterday and the general county elections held all over the State, including McMinn County and all the other counties.

Mr. President, I wanted to make this statement in order to clarify the situation. I am advised by my colleague that no one has actually been killed, and whatever the extent of the rioting might have been, it had no connection with the State primary. It concerned only a local matter, and only local county officials.

The article refers to GI's. My opinion is that there were as many GI's on one side of the fence as on the other. It is unfortunate such stories are printed, and it is unfortunate that it is necessary to make explanations. Responsible newspapers should not carry such headlines.

Mr. President, I made a brief statement in the Senate a few days ago concerning another newspaper story. I said in that statement that I thought the person who wrote a story which was critical should at least go to sufficient trouble to enable him to learn the truth of the situation. In this case the truth is not portrayed by the story, and the headlines in the Times-Herald are not all justified.

I ask unanimous consent that the entire article from the Times-Herald be printed in the RECORD.

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

FOUR TO SIX SLAIN, MANY HURT, AS VETS BATTLE CRUMP MACHINE IN TENNESSEE VOTE RIOT—TROOPS CALLED OUT AS 1,000 STORM JAIL TO LIBERATE EX-GI'S—MACHINE-GUN FIRE RAKES CITY STREETS; DEPUTY SHERIFFS KILLED, BALLOTS SEIZED

(By Duke Merritt)

ATHENS, TENN., August 2.—Tennessee State Guardsmen were ordered into this city early today as more than 1,000 ex-GI's, backing an all-veteran ticket with blazing guns, fought members of Boss Crump's incumbent Democratic machine in a bloody election riot that left from 4 to 6 deputy sheriffs dead and at least 20 other combatants wounded.

The men were shot to death in and around the McMinn County jail here as the heavily armed veterans sought to storm the building to seize ballot boxes and release other ex-GI's they claimed were being held as hostages by the special deputies—all appointed by the incumbent Crump office holders.

At 2 a. m. (EST) four bodies were reported visible on the porch of the blacked out McMinn County jail. An ambulance, called to remove the dead, was ordered away because of the danger of gunfire.

COURTHOUSE ON FIRE

The McMinn County Courthouse, scene of an earlier pitched battle, was reported ablaze shortly after 2 a. m.

Justice of the Peace H. F. Moses, one of those barricaded inside the jail, said in a telephone conversation early today:

"We need help at once. There are two dead and eight wounded here inside the jail.

"I was wounded about 2 hours ago in the arm, and I'm talking to you while I'm lying on the floor. Please get us some help immediately."

EIGHTEEN REPORTED IN HOSPITAL

An Athens hospital reported that of 18 persons hospitalized there, 8 were seriously wounded from gunfire.

More than a score of automobiles had been lined up at the curb in front of the two-story red brick jail building and were

being used as shields by the attacking veterans.

The election night scene in Athens was one of wild disorder, with gunfire echoing throughout the downtown section for many hours. At least four persons were shot in the first few minutes of the disturbance.

Col. Hilton Butler, adjutant general, ordered the Sixth Regiment of the Tennessee Guard, which is stationed in Chattanooga, to Athens after Sheriff Pat Mansfield, a candidate of the Crump machine, begged help, declaring "the situation is getting bloodier all the time."

JAIL BLACKED OUT

The jail, where ballot boxes from two voting places were taken this afternoon, was blacked out when the first volley was fired.

It was believed 200 special deputies, appointed by Sheriff Mansfield for election-day duty, were barricaded inside the jail.

The rioting broke out at 9:10 p. m. and was continuing early today. Scattered firing was heard from various sections of the city and the rapid barking of machine guns broke out frequently at the courthouse.

Simultaneously with the calling out of the State guard, hundreds of veterans from nearby Blount County left there by bus and auto to join the GI besiegers of the jail.

The veterans engaged in the fight reportedly were being directed by Jim Buttran from headquarters of the GI Nonpartisan League.

MONROE COUNTY DEATH

Gunfire also punctuated the elections in Monroe County, as GI supporters sought to overthrow a political organization that has held sway for 14 years.

Jake Tipton, about 60, was shot dead in front of a voting place in Vale, but one source said he was slain as the result of an "old grudge."

At Sweetwater, two persons were treated for knife wounds incurred during the elections.

Because all telephone lines into this city were burdened with official calls, complete details of the shootings could not be obtained immediately.

In the last telephone call to the jail the caller was told by Sheriff Mansfield:

"I can't talk any more—there's mob violence."

A short while earlier, Mansfield had asked for several hundred deputies.

Col. Butler said he talked with a State guard officer in the county jail a short while before ordering out the Sixth Regiment.

SHOT HEARD OVER PHONE

"He called my attention to shots which I could hear over the telephone," Butler said. "And then another shot apparently severed the connection. Right then I decided to quit investigating and start moving."

The attack on the jail was prompted, it was reported, by arrest of several members of the veterans' faction by Crump machine deputies and an alleged refusal to let members of the veterans' faction act as watchers at the ballot countings.

Throughout the afternoon fist fights and other disorders marked the election, and about 20 veterans were arrested.

OPPOSING FACTIONS

The riot had its beginning 2 months ago when about 500 veterans nominated a nonpartisan, all-vet ticket to oppose the powerful Burch-Biggs-Hall-Cantrell Democratic machine backed by Crump and headed by Paul Cantrell, State senator from McMinn County.

Since it was the first real opposition the Crump-Cantrell group had met in 14 years, Mansfield appointed extra deputies to watch polling places.

James Jarvis, managing editor of the Chattanooga Times, said shortly before the GI faction attacked the jail, two veterans broke out through the glass door of a nearby polling place where they had registered a complaint.

Jarvis said:

"The two men, James Ed Vestal and Charles Scott, fell to their knees as they hit the sidewalk. Squirming through the glass close behind came Deputy Sheriff Windy Wise. Wise emerged with a shiny revolver drawn, shouting something which we did not hear.

"Vestal, a first lieutenant in the Army engineers, who was wounded twice in the Pacific, and Scott scrambled up from their knees and walked slowly across the street to the cover of the crowd with their hands high in the air.

"DEPUTIES SEIZED

"Wise and another deputy leveled pistols at their backs. An angry roar came from the veterans."

Jarvis quoted the mob as saying:

"Let's go get 'em."

"No, we got no guns."

"Slowly Wise backed through the shattered opening," Jarvis said. "In a couple of minutes Chief Deputy Boe Dunn arrived in a sedan heavily loaded with deputies and arms. A double lane of men with drawn guns was formed and the ballot box was carried out to the sedan. The auto jerked up to the corner and down the remaining block to the jail.

"It was 5:05 then. At 6:35 a deputy with a shotgun led the way into the rear entrance to the second of Athens' three voting places. Others with guns in their hands bore the second ballot box into the jail."

A handful of veterans, led by a Republican county election commissioner, then grabbed, disarmed, beat, and hauled away in an automobile the seven deputies.

The 7 and about 100 others had been sworn in by Mansfield for election duty.

The fate of the seven who were taken away in the automobile still was a mystery early today.

Lowell F. Arterburn, publisher of the Athens Post-Athenian, said he could hear shots being fired from behind his newspaper plant and also two blocks away near the city jail.

"It looks like we are right in the middle," Arterburn said.

Arterburn said at least 1,000 persons were surrounding the two-story brick jail, where between 10 and 20 of the war veterans were being held.

"It is extremely tense and anything can happen," Arterburn said.

Arterburn said that shortly before 10 o'clock one of the GI's or a GI supporter, fired a rifle shot through the jail window and demanded that the veterans being held be released one at a time.

SHOTS FIRED INTO JAIL

The jailors refused and the crowd opened up.

At least 40 to 50 shots were fired into the jail.

"It sounded from the newspaper office as volley; as if the shots were fired at a command," Arterburn said.

"I don't know where they got the guns, but I know where they learned to use them," Arterburn said. He was referring to World War II battles.

Sheriff Mansfield, a candidate for the State senate on the regular ticket, said he had 300 armed special deputies on the scene.

Among those wounded was a 50-year-old Negro farmer, Thomas Gillespie, who was shot by one of the special deputies.

Gillespie was taken to Forie Hospital for treatment.

C. R. Hairrell, a GI poll watcher, at the twelfth precinct, suffered a possible skull fracture in another fight and also was treated at the hospital.

PHOTOGRAPHER ARRESTED

A Chattanooga photographer was arrested and jailed late today when he tried to take pictures.

A reporter, Walter Hurt, and a photographer, Bob Henderson, both of the Knoxville News-Sentinel, took refuge in an undisclosed place tonight, telling their newspaper not to reveal where they were hiding.

An Athens reporter who called a Knoxville newspaper discovered his line was tapped and cut off the conversation. He asked that his name not be disclosed.

The regular Democratic faction which has long been in control of county offices here is headed by Sheriff Mansfield and Cantrell.

In today's primary they sought to switch jobs. Mansfield was a candidate for the State senate and Cantrell for sheriff.

The GI veterans did not put up a candidate for the State senate but Knox Henry, a war veteran, was their candidate for sheriff. He had the backing of both nonregular Democrats and Republicans.

A few of Mansfield's deputies are local men. But most of them are strangers. There were more strange faces than familiar ones here this morning.

Early today it was rumored that another 400 war veterans were on their way from Maryville, Tenn., to reinforce Buttram's men. They promised several days ago to come over "if you need us."

BALLOT BOXES IN JAIL

Mansfield had been keeping many of his men grouped around the jail—at least a few score at the time. Car convoys of the deputies brought all the ballot boxes from the 12th and 11th precincts into the jail for counting. Those are the precincts where fights broke out earlier this evening.

"GREATEST TRAGEDY IN STATE'S HISTORY"

KNOXVILLE, TENN., August 1.—At the outbreak of the riot in Athens tonight, a political observer here declared: "This is the most heated campaign we have had for some time." Later when reports of dead and wounded were received, the same observer remarked: "This is the greatest tragedy in the political history of the State of Tennessee."

SENATOR MCKELLAR IS NOMINATED FOR SIXTH TERM

NASHVILLE, TENN., August 1.—KENNETH D. MCKELLAR, veteran of 29 years in the United States Senate, tonight apparently had won his bid for a sixth term over a CIO-PAC candidate.

The Nashville Tennesseean, which backed Edward W. Carmack against MCKELLAR, declared editorially Carmack had lost. The newspaper also conceded the defeat of former Governor Gordon Browning, who also had the paper's support in his race against incumbent Democratic Governor Jim Nance McCord.

M'KELLAR FAR IN LEAD

Unofficial returns from 1,759 out of approximately 2,300 precincts in Thursday's Tennessee Democratic primary gave for United States Senator: E. W. Carmack, 84,297; K. D. McKellar, 144,932; Byron Johnson, 1,640; John R. Neal, 1,704; Herman H. Ross, 1,823.

For governor: 1,760 precincts gave Gordon Browning 94,500; Jim McCord, 142,645; Mrs. Leah Richardson, 1,144.

In the State's seven contested congressional races, Democratic Representative KEFAUVER in the Third District overwhelmed his lone opponent and won renomination for a fourth term. In the First District Republican Attorney General Dayton Phillips was far in front of his nearest competitor in a field of five to fill the vacancy left by Representative B. Carroll Reece, Republican national chairman.

EARTHMAN BEHIND

Representative HAROLD H. (DOC) EARTHMAN, Fifth District Democrat, was more than 2,000 votes behind Joe L. Evins, a young attorney, who campaigned vigorously. In the Sixth District, Representative PERCY PRIEST, Democrat, was slightly ahead in a field of five, but only a few ballots had been counted.

Veteran Representative JERE COOPER, in the Democratic Ninth District, met stiff opposition from Judge Lyle Cherry but with half the votes in COOPER held a 2,000-vote lead.

Mr. McKELLAR. Mr. President, I wish to say just one more word.

I think behind this article is an effort on the part of a newspaper here in Washington, with two newspapers in Tennessee—one especially—to smear Mr. Crump, who is one of the leading citizens of Memphis, one of the most honest and upright citizens of Tennessee, one of the most vigorous and enterprising and valuable men we have in our State. There are no better men anywhere than Ed Crump, and I say without hesitation that in my judgment he is infinitely more honest than those who are undertaking to criticize him in any manner, shape, or form. He has been mayor of our city, was a Representative in Congress for several years, and a fine one. He moves in the highest circles socially and financially, and as a citizen he has no superior anywhere.

PRINTING OF COMPILATION OF CONGRESSIONAL LEGISLATION, EXECUTIVE ORDERS, AND REGULATIONS

Mr. BARKLEY. Mr. President, in October 1942, I asked to have printed as a public document a compilation of congressional legislation, Executive orders, and regulations, with associated data, relative to domestic stability, national defense, and war. On June 23, 1944, I requested unanimous consent that this document (S. Doc. No. 285, 77th Cong.) with revisions and additions bringing it up to date be reprinted. I now ask unanimous consent that Senate Document No. 224, Seventy-eighth Congress, relating to domestic stability, national defense, and the prosecution of World War II, as revised and brought up to date, through July 1946, be reprinted as a Senate document.

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

SUMMARY OF IMPORTANT LEGISLATION, SEVENTY-NINTH CONGRESS, 1945–46

Mr. BARKLEY. Mr. President, it is customary in the closing days of a Congress to insert in the CONGRESSIONAL RECORD a brief summary of important legislation enacted during that Congress. I therefore ask unanimous consent that such a summary for the Seventy-ninth Congress, prepared under the direction of the Secretary of the Senate by the Senate Library, be inserted in the RECORD as a part of my remarks.

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

[The summary appears in the Appendix.]

RESOLUTION FOR SINE DIE ADJOURNMENT

Mr. BARKLEY. Mr. President, I ask the Chair to lay down a privileged concurrent resolution from the House of Representatives.

The PRESIDENT pro tempore laid before the Senate House Concurrent Resolution 165, as follows:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress shall adjourn on Friday, August 2, 1946, and that when they adjourn on said day they stand adjourned sine die.

Mr. BARKLEY. Mr. President, I ask unanimous consent for the immediate consideration and adoption of the concurrent resolution.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Kentucky?

There being no objection, the concurrent resolution was considered and agreed to.

AUTHORIZATION FOR SIGNING OF ENROLLED BILLS, JOINT RESOLUTIONS, AND SO FORTH, FOLLOWING ADJOURNMENT

Mr. BARKLEY. Mr. President, I send to the desk a concurrent resolution, and ask for its present consideration.

The PRESIDENT pro tempore. The resolution will be read.

The Chief Clerk read the concurrent resolution (S. Con. Res. 76), as follows:

Resolved by the Senate (the House of Representatives concurring), That notwithstanding the adjournment of the second session of the Seventy-ninth Congress, the Speaker of the House of Representatives and the President pro tempore of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses which have been examined by the Committee on Enrolled Bills of the House of Representatives and the Secretary of the Senate and found truly enrolled.

The PRESIDENT pro tempore. The question is on agreeing to the concurrent resolution.

The concurrent resolution was agreed to.

AUTHORIZATION TO MAKE APPOINTMENTS TO COMMISSIONS OR COMMITTEES DURING ADJOURNMENT

On Motion of Mr. BARKLEY, and by unanimous consent, it was

Ordered, That notwithstanding the adjournment of the second session of the Seventy-ninth Congress, the President pro tempore of the Senate be, and he is hereby, authorized to make appointments to commissions or committees authorized by law, by order of the Senate, or by concurrent action of the two Houses.

Ordered further, That the Secretary of the Senate be, and he is hereby, authorized to receive messages from the House of Representatives subsequent to the adjournment of the said session.

STATEMENT BY SENATOR BARKLEY ON THE WORK OF THE SEVENTY-NINTH CONGRESS

Mr. BARKLEY. Mr. President, before I take my seat, I wish to say a word. The second session of the Seventy-ninth Congress is about to adjourn sine die. In my judgment, it has been one of the busiest Congresses that has been in session since I have been a Member of either the House or the Senate of the United States. It has been, on the whole, one of the hardest working and one of the hardest worked Congresses that has ever been in Washington. We have not accomplished all we desired to accomplish. We have not enacted every piece of legislation recommended by the President. But there is nothing unusual about that. We have on the whole, and I think the RECORD will justify the assertion, enacted a magnificent mass of legislation.

I regret, and I am sure the Senate regrets, that the minimum wage bill, passed by the Senate, and the national housing bill, passed by the Senate, have failed of enactment. There are other measures which might have been enacted if circumstances had been different. But I think when the record of this Congress has been assessed by the historian—and I say this without regard to politics, and I say it in full appreciation of the cooperation which has been accorded on both sides of the aisle—it will be found that few Congresses have enacted more wise, far-reaching, and fundamental and beneficial legislation involving all classes of our people, than has the Seventy-ninth Congress in the two sessions, the second of which is now drawing to a close.

I congratulate the Members of the Senate regardless of partisanship. We all realized that during the war we had but one objective, and that was to win it as certainly and as speedily as possible, and in that effort all of us were moving in the same direction. We all realized that when the fighting should cease and we came to the postwar period there would be differences and controversies, and there would be individual preferences, individual views with respect to legislation dealing with the postwar period and with the future of our country. In view of these controversies, in view of the individual opinions held by Members of the Congress from all parts of our country, representing geographical sections, representing various political philosophies, it seems to me that we have come to the end of this session under circumstances and with an accomplishment that need not make this Congress ashamed of its work as compared to any other Congress that has assembled in Washington within the recollection of any of us.

Mr. President, I wish for every Member of the Senate on both sides of the aisle—and in this wish there is no dividing aisle—I wish for all of you a well-deserved vacation. I wish for you that spiritual and mental and physical repose that is so essential after long and arduous tasks well performed, and I hope that we may reassemble here in January 1947—'47 that is [laughter]—renewed in spiritual and physical and mental vigor, prepared to undertake the tasks that lie before us in trying to guide this great Nation of ours.

DISSEMINATION BY STATE DEPARTMENT OF INFORMATION ABROAD ABOUT THE UNITED STATES

Mr. CONNALLY. Mr. President, I inquire of the Senator from Kentucky if the Senate shall continue to transact further business?

Mr. BARKLEY. Oh, yes; the Senate will be in session for a while.

Mr. CONNALLY. Mr. President, I hold in my hand House bill 4982, which passed the House, which relates to the work of the State Department in foreign countries, informational service, addresses, and matters of that kind. Under the present law the State Department may perform these services in South and Central America because it has authorization to do so. The Congress has already appropriated money to carry on this work. But the State Department has no authorization to do so except in those areas. Therefore the State Department is very anxious that the bill be passed for that purpose. So I ask unanimous consent for the present consideration of House bill 4982.

Mr. REVERCOMB. Reserving the right to object, may we have the calendar number of the bill?

Mr. CONNALLY. The calendar number is 1804.

Mr. TAFT. Mr. President, I object.

Mr. CONNALLY. Mr. President, I move that the Senate proceed to the consideration of House bill 4982.

Mr. TAFT. 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:

Andrews	Huffman	Pepper
Ball	Johnson, Colo.	Radcliffe
Barkley	Johnston, S. C.	Revercomb
Bilbo	Knowland	Russell
Bridges	Langer	Shipstead
Capper	McClellan	Smith
Chavez	McFarland	Stewart
Connally	McKellar	Swift
Cordon	McMahan	Taft
Donnell	Magnuson	Taylor
Downey	Maybank	Thomas, Okla.
Ferguson	Mead	Thomas, Utah
George	Millikin	Tunnell
Gossett	Mitchell	Vandenberg
Green	Moore	Wagner
Guffey	Morse	Walsh
Hart	Murray	Wherry
Hayden	O'Daniel	White
Hill	O'Mahoney	Wiley
Hoey	Overton	

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

RESIGNATION OF SENATOR AUSTIN

Mr. DOWNEY, Mr. O'MAHONEY, Mr. MEAD, and Mr. HILL addressed the Chair.

The PRESIDENT pro tempore. Before any Senator is recognized the Chair must read a letter which he has just received. It is dated August 2, 1946, and is addressed to the present occupant of the Chair.

UNITED STATES SENATE,
August 2, 1946.

Hon. KENNETH MCKELLAR,
President pro tempore of the Senate of the United States,
Washington, D. C.

DEAR SIR: I have this day transmitted to the Governor of Vermont my resignation as a Senator of the United States, to take effect at the close of the second session of the Seventy-ninth Congress.

Your obedient servant,
WARREN R. AUSTIN.

The present occupant of the chair knows that it is with a great sense of loss that every Member of the Senate realizes that the Senator from Vermont will not be with us longer than this session. He has been a wonderful Senator.

Mr. CONNALLY. Mr. President, as chairman of the Committee on Foreign Affairs I wish to express the deep and abiding regret which I feel at the departure of Senator AUSTIN from the United States Senate. He is a man of great legal ability and untiring energy. He has always been very prompt and diligent in the performance of his duties as a member of the Committee on Foreign Relations. He has a great enthusiasm for world peace and for all the things for which the United Nations Charter stands. I predict for him a very distinguished and useful career in the capacity which he is soon to assume as a member of the United Nations Council.

TWENTIETH ANNIVERSARY OF THE TALKING MOTION PICTURE

Mr. DOWNEY. Mr. President, this year marks the twentieth anniversary of the talking motion picture as we know it today. It was on August 6, 1926, that the Warner brothers—Harry M., Jack L., Albert W., and the late Sam Warner—utilizing a device perfected by the engineers of the Western Electric Co. and the Bell Telephone Laboratories, produced and presented to the public the first commercially successful program of motion pictures in which the characters talked and sang and which embodied all of the normal sounds accompanying the action.

Prior to that time, as many of us will recall, all motion pictures were silent except for the accompaniment of a theater orchestra or the well-remembered movie-house piano player.

The success of that initial talking picture program revolutionized the motion-picture industry and signalized the birth of a new and powerful medium for spreading enlightenment, culture, and entertainment among the peoples of the world.

Since that time the motion picture has recorded for posterity not alone the photographic record of the events of our times but also the sounds and the voices of our great men. Those of us in public life can attest to the value of the talking motion picture in enabling the country's leaders to appear before great numbers of people, a phenomenon which has unquestionably advanced the cause of free democratic government.

We know the contribution the talking picture has made to cultural development. The performances of world-famous musical artists previously heard only by a select circle of individuals in the large metropolitan centers have, through the medium of the talking picture, been brought to everyone within the range of the smallest motion-picture theater. The spoken drama has, too, been brought within the reach of all.

The role played by the talking picture during the war is too well known to require elaboration. It facilitated immeasurably the training of our Army, Navy, and Air Forces; it brought to those of us at home the full reality of the sights and sounds of combat; and on the fighting fronts it brought to our service men and women a relaxation and diversion which has been termed by military authorities as second only in importance to food as a builder of morale.

This summer many phases of the motion-picture, electrical, and communications industries will pay tribute to those who, 20 years ago, made the talking picture possible—to the Warner brothers and to the many scientists, engineers, and inventors who laid the groundwork of technical development.

This tribute is one in which we should all be proud to join, for I know of no medium in the history of the world which has offered such tremendous potentialities for bringing the hearts and minds of peoples into sympathetic understanding. We can be proud of the talking picture as a product of American invention and American development. We can be proud that as an American product it has been used for purposes which are of service to humanity.

American motion-picture producers have consistently maintained their unquestioned leadership in producing the finest motion pictures in the world. Throughout the world the town of Hollywood, Calif., has become a symbol of artistic and technical excellence unequaled anywhere.

No single mind or hand invented the talking picture. It grew out of the inventions of some of this country's most distinguished scientists—Thomas A. Edison, who invented both the phonograph and the motion picture and brought the two into synchronization; Alexander Graham Bell, who first showed the world how to transmit voice over a wire; Dr. Lee de Forest, whose audion tube made electrical amplification possible; Theodore Case and E. I. Sponable, who also pioneered in talking pictures; and the many anonymous heroes of the technical laboratory—these had been the earliest experimenters. Then in the middle 1920's, the engineers of the Western Electric Co. and the Bell Telephone Laboratories, bringing together all of the technical advances up to that time, perfected a satisfactory method of synchronizing pictures and sound. In this Western Electric device, the Warner brothers saw the vision of a motion picture with a voice. After 1½ years of intensive work in which showmanship was combined with technical and artistic genius, the Warners brought into being their first program of talking pictures which was presented in New York City on the evening of August 6, 1926.

It should be remembered that in 1926 the motion-picture industry was already a great and highly successful industry and that its product, the silent motion picture, was at the very peak of its development. Yet these four men, impelled by their faith in a new invention and relying only on their own imagination, enterprise, and willingness to work and sacrifice, were able to found a new industry in the midst of one already established.

This achievement should remind us of the boundless opportunity that lies ahead in the development of our industrial, scientific, and artistic frontiers.

The Nation will be pleased to honor the men who so ably brought honor to their country through the devlopment of the talking picture. It is in the finest tradition of our motion-picture industry that this anniversary has been dedicated not so much to honoring the past as to preparing for the future. Its purpose will be to further even higher standards of artistic and technical excellence in the production of motion pictures and to the motion picture of increasing service to society and civilization.

THE LATE SENATOR JOHN H. BANKHEAD, 2D

Mr. SWIFT. Mr. President, in view of the resolution which has just been agreed to, it will be only a matter of hours before the Members of this body will return to their States and their respective homes.

On June 12, 1946, the State of Alabama suffered a great loss in the untimely death of its then senior Senator, John H. Bankhead, 2d. He was elected to this body on November 4, 1930, reelected November 5, 1936, and again reelected on November 3, 1942. During his entire term as United States Senator he worked ceaselessly and tirelessly for the people of his State, our Nation, and the Democratic Party. His efforts, particularly in the line of agriculture, already have brought fruit, and his influence will be felt long into the future.

To one named temporarily to the vacancy caused by his death until his successor can be elected in the general election on November 5, the respect and esteem in which he was held by his colleagues in this body and the influence he wielded is recognized in its true perspective. In my wholly inadequate efforts to fill his place, the Members of this body have been exceedingly cordial, considerate, and helpful. I thank you, one and all, for myself, the Governor and people of Alabama. I go back to them knowing that each and every one of you wish me to convey to the people of my State your individual sense of the loss you sustained in the death of John H. Bankhead, a great Alabamian, a great American.

STATEMENT BY SENATOR MEAD IN EXPLANATION OF ALIEN PROPERTY RETURN BILL

Mr. MEAD. Mr. President, I ask unanimous consent to have printed in the RECORD a statement which I have prepared explaining Senate bill 2039.

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

EXPLANATION BY SENATOR MEAD OF THE ALIEN PROPERTY RETURN BILL, S. 2039

The Trading With the Enemy Act of 1917, as amended, and the vesting practices pursued under it as a part of our economic warfare during World War II, have been aimed at the financial strength of enemy nations and their supporters, not at their victims. In partial recognition of this fact, President Truman, on March 8 of this year, gave his signature to House bill 4571, enacting into law as Public Law 322, the policy of permitting restoration and restitution of property vested in the Alien Property Custodian to their former owners, except where these owners fall within enumerated categories. Such ineligible persons include nonenemy nationals who voluntarily resided in enemy territory after December 7, 1941, and enemy nationals who were present in enemy or enemy-occupied territory after such date. No exception is made in the enumeration of these ineligibles in favor of individuals who were the victims of racial or religious persecution at the hands of enemy nations in which they had the misfortune to reside or to be present during the war.

Certainly the reasons of justice and humanity which led to the enactment of Public Law 322 apply with even greater force to the members of persecuted religious and racial groups within enemy countries. By no stretch of the imagination can these poor unfortunates who today constitute the displaced persons of central Europe be deemed to have been hostile to the United States. These are, indeed, the ones who have suffered most as the result of Nazi tyranny and cruelty; they should be among the first to receive the sympathy and support of our Government and our people. It would be strange justice if the United States Government were to make adequate provision for those who were fortunate enough to escape with their bodies as well as their possessions, but not for those people who were perhaps the recipients of gifts or legacies or who were able to place some small part of their property beyond the reach of the enemy, but themselves were unable to escape. It would be equally unrealistic to indulge the belief that the residence of these people in enemy countries during the war was voluntary, for it is common knowledge that they were held as prisoners, a majority of them having spent a great number of years in concentration camps.

A few illustrations, called to my attention by Dr. Stephen S. Wise, president of the American Jewish Congress, will serve to point up the manifest injustice of retaining the property of these people. In one instance, L. K., a woman of advanced age, resided in a town in southern Germany. She was deported in 1942 to the concentration camp in Theresienstadt. She was evacuated to Switzerland early in 1945 and has since been supported by UNRRA. L. K. had an interest in an inter-vivos trust which was created for her benefit many years before the war by a relative in the United States. This interest has already been vested by the Alien Property Custodian, and under the provisions of Public Law 322 it would be impossible for L. K. to establish her right to the restitution of this property, she being in an enemy country after December 7, 1941.

Another incident relates that on January 3, 1946, a group of persons arrived in the United States from an UNRRA camp in Philipsville, North Africa. These persons, through the efforts of the War Refugee Board, had been released in early 1945 from the Bergen Belsen concentration camp and had been evacuated first to Switzerland and then to North Africa. Most of these persons were destitute upon their arrival in the United States, but some had small assets in this country, over which the Alien Property Custodian now has jurisdiction. Under Public Law 322, these people have no possibility of having their property restored to them.

A third instance focuses attention upon the problem of nonenemy nationals resident in enemy territory. H. R. escaped from Germany to Holland with his two infant children in 1938. Upon invasion of Holland by the Nazis, he was arrested, imprisoned, and finally deported to Auschwitz concentration camp where he was killed on March 3, 1943. His two children, citizens of Great Britain, were held by the Germans in an internment camp for British civilian internees and after VE-day, they returned to Amsterdam with the aid of the British Government. These children are the only individuals now entitled to certain securities and cash assets which their father held in a bank account in New York City. The evidence is not clear, but assuming that the father was not an enemy national the children would still have the difficult burden of proving that their father's residence in enemy territory was involuntary. Certainly, for the victims of racial and religious persecution or for their heirs, such a burden of proof should not be imposed.

With reference to the three situations cited and to the multitude of similar situations that exist, the point of view has been expressed that Public Law 322 includes by implication the victims of racial and religious persecution who were unable to leave enemy territory. In the case of the nonenemy national, it has been said that persecution or imprisonment would be evidence of "involuntary" residence in enemy territory. In the case of the enemy national, it is suggested that Nazi and Nazi-inspired denaturalization laws effectively canceled the enemy citizenship of the victims of racial and religious persecution. In answer to these technical and legal arguments, I can only say that if persecution or imprisonment is to be considered proof of "involuntary" residence, then it is Congress' function to say so, and thereby eliminate the possibility of confused interpretation. On the other hand, are we to expect administrative and judicial arms of this Government to accord substance to the outrageous legislation of the Nazi regime. Further, assuming that for the purposes of Public Law 322, those deprived of citizenship by Nazi legislation are to be considered stateless persons, are their rights to restitution any more clear-cut. They would have an even more difficult burden of proof than nonenemy nationals in attempting to assert "involuntary" residence. Clearly, express legislation on behalf of these people is necessary in order to insure the protection of their interests.

I pause briefly to mention that in connection with both Allied military government in Europe and with the armistices signed by this country with Italy, Rumania, Bulgaria and Hungary, the interests of the victims of religious and racial persecution are singled out for protection. Thus, for example, the vesting of all the foreign assets of German citizens residing outside of Germany (Allied Military Government Law No. 5, sec. 3, dated October 30, 1945) expressly excluded the property of victims of persecution and discriminatory legislation. If, through our military government abroad, we decline to add to the affliction of these persons by seizing their property in other countries, are we to permit of the possibility of retaining their property in this country? Certainly, this is not within the contemplation of the way this country does business.

As to the over-all effect of the proposed amendment on the total assets held by the Alien Property Custodian, there is reason to believe that only a small fraction of such vested property was owned by persons whom it is now desired to make eligible for its return. The assets involved consist mostly of small holdings, mainly modest legacies or distributive shares in estates of relatives who were residents of this country. Yet, most of the former owners, whose property in their countries of origin or residence has been the object of spoliation, look to these small holdings over here as the only financial resource left to them for the creation of a new life and livelihood. It is little enough for them to expect that this country will not stand in their way. They include those presented because of racial, religious, and political reasons.

SURPLUS PROPERTY FOR VETERANS

Mr. O'MAHONEY. Mr. President, I wish to make an announcement which I

know will be of great interest to all Members of the Senate. It will be remembered that early this year the junior Senator from South Carolina [Mr. MAYBANK], the junior Senator from New Mexico [Mr. CHAVEZ] and I introduced a bill to facilitate the disposal of surplus property among veterans. We felt that a great improvement could be obtained in the method of distribution of surplus property if the law were amended so as to require a specific set-aside of such property to which the veterans should have an exclusive right, in order that they might purchase it for their personal use and for the establishment of businesses in which they wish to engage or are engaged. Of course, there has been a great deal of dissatisfaction because the Government has not had sufficient surplus property to satisfy all the needs.

I have had numerous occasions to discuss this matter with the War Assets Administration, and I am very happy to announce to the Senate now that I hold in my hand a letter from General Littlejohn, the present Administrator of War Assets, who notifies me that he is expanding the inventory of surplus property for exclusive disposal to veterans, in accordance with the provisions of the measure to which I refer. I ask unanimous consent that the letter from General Littlejohn, Administrator of War Assets, may 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:

WAR ASSETS ADMINISTRATION,
Washington, D. C.

Hon. JOSEPH C. O'MAHONEY,
Chairman, Surplus Property Subcommittee of the Senate Military Affairs Committee, United States Senate, Washington, D. C.

MY DEAR SENATOR O'MAHONEY: In the interest of carrying out the provisions and intent of the O'Mahoney-Manasco amendment to the Surplus Property Act (Public Law 375), I am taking action to increase considerably the number of items which will be set aside for exclusive disposal to veterans in accordance with the provisions of section 16 (b) of that act.

The items which I am adding to the veterans "set-aside" at this time are listed below: Wheel type tractors (commonly called farm type tractors); motor graders; concrete mixers (10 sacks and under); fork lift trucks (industrial type) (percentage of present inventory); tool kits (carpenters and other building crafts); barbed wire (suitable for farm use); power saws; refrigerators (reach-in and walk-in type); refrigerator display cases; food preparation electrical appliances (common to commercial use like restaurants, small bake shops, etc.); photographic equipment (items to be selected through collaboration with the commodity division and veterans division); binoculars; musical instruments; life rafts; sleeping bags; surveying equipment (like transits, levels, drafting instruments, etc.); desks, office chairs, filing cabinets, office tables, dictating equipment; cash registers; duplicating machines; adding machines; comptometers; fractional horsepower motors; prefabricated buildings (suitable for housing that have not been taken by the national housing authorities).

There are, of course, other priority claimants, most notably the Federal agencies, who have an interest in certain types of property included in the above amendatory list. This matter will be discussed with interested agencies in making final determinations with respect to the quantities of the items on the list. The same action will be taken with respect to subsequent lists which I expect to make available from time to time in the future.

It is my objective to see that veterans are accorded the rights and prerogatives with respect to surplus property that were granted them under Public Law 375.

I appreciate very much your sincere interest in this matter and, in accordance with your invitation, will look forward with anticipation to conferring with you on this and other subjects allied to the problem of disposal to veterans at your earliest convenience.

Respectfully yours,
ROBERT M. LITTLEJOHN,
Administrator.

ABOLITION OF PARKER RIVER NATIONAL WILDLIFE REFUGE, MASSACHUSETTS

Mr. WALSH. Mr. President, I dislike very much to take even a moment at this hour, because the Senate has been most patient. But while the Senator from Maine and the Senator from West Virginia are in the Chamber, I desire to ask unanimous consent for the present consideration of House bill 4362, Calendar No. 177. The bill has been discussed on the floor of the Senate. It was objected to by the Senator from West Virginia on behalf of some Senators who then were absent, but who since have withdrawn their objections.

Mr. CONNALLY. Mr. President, consideration of the bill at this time can be had only by unanimous consent, because a motion to have the Senate consider another matter is now pending.

Mr. WALSH. I realize that.

The PRESIDENT pro tempore. The bill will be read by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 4362) 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.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Massachusetts?

There being no objection, the bill (H. R. 4362) was considered, ordered to a third reading, read the third time, and passed.

RURAL ELECTRIFICATION ADMINISTRATION

Mr. SHIPSTEAD. Mr. President, I ask unanimous consent to have inserted in the body of the RECORD at this point a statement from the hearings of the subcommittee conducting the investigation of the Rural Electrification Administration, part IV, pages 1065 and 1066.

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

Senator SHIPSTEAD. That is all, then. I just wanted to clear that up.

Mr. BEEDY. That is all straightened out, I take it. The evidence shows that complaint came here to Senator SHIPSTEAD long before this investigation was started, by men in REA who were much concerned by what was going in REA, and came together, a little group of them——

Senator SHIPSTEAD (interposing). People back home?

Mr. BEEDY. Yes. And some people back home, believing, knowing that Senator SHIPSTEAD, as a matter of fact, was the first man in the Senate to bring out this idea of rural electrification here in Washington.

Senator SHIPSTEAD. My first activity with the REA, or with the institution of REA, was in 1934, by suggestion of the President of the United States.

Mr. BEEDY. You called it to his attention?

Senator SHIPSTEAD. I called it to his attention out of the experience I had had in attempting to get electricity for my own State, and as a result of that outline there was a widespread knowledge—I did not intend to testify here, but as long as this has been brought up, I will state it.

Mr. BEEDY. You sat silently by on this matter, and to my knowledge these were the facts that you are about to relate, and since the statement has been made here that selfish persons instituted this investigation and that you, apparently, consulted with them and relied upon them in good faith, I think it is quite natural, that this discussion should grow out of that statement.

Senator SHIPSTEAD. I might as well say, in view of the fact that it has been brought out, that in the summer of 1934 the general opinion was that you could not have a rural electric project without a great power project, water. We did not have that in a great part of the country. We could not have water in my part of the country, so I went to the President and told him I thought we could have electricity without water power, with Diesel engines or buy it from existing agencies. And I told him I thought it could be done on a large scale; that the farmer could have electricity as well as he could have a cheap automobile, if it was done on a large scale, and called attention to the mass production of Henry Ford, and within 2 or 3 days he sent Mr. Cooke and Mr. Herring. Mr. Cooke was chief engineer of the planning commission, and Mr. Herring was assistant engineer. They came to my office and said the President had sent them, and wanted to know if I could give them an outline of a practical project that they could survey. I asked them what they wanted and they said, "We would like to know how much business you can get on the line."

There happened to be at that time a man in a neighboring county who was mayor of a city there that had a cooperative distribution plant, and I called him in and we spread out a map on the floor of my office, a map of Minnesota, showing the counties. These engineers wanted to know if we could have a project in view to test the practicability of the plan and see what we could do. That was in 1934, and in the winter of 1935 we got some money from the Emergency Relief to send an engineer up there, and that engineer got the assistance of a number of engineers, and that winter they drove and made a survey of four counties to see if they could get enough business to start a plant. They made a good job of it. There were four cooperatives or municipal plants which we thought we could get electricity from. That was in the winter of 1935, and I think it was in May 1935 that the President issued an Executive order establishing the agency with the view of—the first idea was that electricity could be bought from these municipal plants, and we thought that if we could not get any bids at a reasonable rate from any of those

municipal plants we could establish an REA plant. It took a long time before we finally got it, but when this agency was established they put up a very fine project, very well executed, and it has rendered very fine service.

Mr. BEEDY. When you found that you were unable to get your power from the municipal plants, and that there were enough customers to support a project, rural-electrification project, the result was the first Executive order establishing REA. How did it come about that Senator Norris fathered the legislation?

Senator SHIPSTEAD. Well, I don't know. It became evident that there should be legislation other than the Executive order, and I was not very well at the time and did not pay very much attention to it, but I supported the establishment of that agency after it had been operating under Executive order for some time.

Mr. BEEDY. Mr. Cooke was a very close friend of Senator Norris, was he not?

Senator SHIPSTEAD. Oh, yes. I went to the President and asked him to appoint Mr. Cooke.

Mr. BEEDY. First Administrator.

Senator SHIPSTEAD. Yes. I want to apologize for bringing this up, but as long as it was brought up I thought I would make that statement.

Mr. BEEDY. I brought it up, Senator. I will take the responsibility for it.

Mr. SHIPSTEAD. Mr. President, in connection with the printing of the matter to which I have just referred, I desire to say that, as the public records show, the Rural Electrification Administration was first born officially on May 11, 1935. It was operated under Executive order until May 20, 1936. During that year it had established itself as a practical plan for the electrification of the rural areas. As a result, it was established by Public Law 605 on May 20, 1936, the author being Senator Norris.

It was then operated as an independent agency until July 1, 1939, when it was transferred to the Department of Agriculture. Such has been the written history of the birth of the Rural Electrification Administration but its genesis occurred earlier, in the summer of 1934 and the winter of 1935.

In the summer of 1934, farmers in Douglas and Stearns Counties, Minn., had made surveys to establish the feasibility of rural electrification if electric energy could be acquired at a reasonable cost. The results of these surveys were reported to the President and his advisers, and as early as January 1935, arrangements had been made to employ engineers to extend the survey during the winter of 1935. Funds for the expense of the surveys in Minnesota were allocated in the amount of $15,000 from the Federal Emergency Relief Administration, and on January 19, 1935, Mr. Hibben of the Federal Emergency Relief Administration sent Donald McKay to head the efficient survey in Minnesota, under the acting head of the Federal Emergency Relief Administration, L. P. Zimmerman.

Other engineers making that survey under the direction of Mr. Zimmerman were: Victor Viebaum, W. L. Woehler, John Gundersaug, C. C. Cutliff, Earl Eubank, E. O. Elstad, R. H. Flintt, Walter Burley, J. O. Tews, and Harold Dahl, all citizens of Minnesota.

The result of that survey sustained the opinion of the preliminary survey that had been made by private citizens in 1934 in Minnesota. As a result of the findings of these surveys, other surveys were instituted in different parts of the country, and resulted in the issuance of the Executive order of May 11, 1935. That is the date of the first establishment of the Rural Electrification Administration as a definite Government-fostered cooperative project.

The Executive order of the President endowed it with an allocation of $100,000,000 in funds. The results of the surveys made in Minnesota in 1934 by private citizens were conveyed to Mr. Cooke and Mr. Herring, who had been and were acting as engineers for the Mississippi Valley Resources Board, and to the President, and as a result, I had the privilege of making an address over a Nation-wide radio hook-up over the National Broadcasting Co. on Monday, December 31, 1934, New Year's Eve, 4 months prior to the issuance of the Executive order the following May.

The Washington Star printed the complete address in pamphlet form for public distribution, and I ask unanimous consent to have printed at this point in the RECORD the part of the address which deals with the proposed program for rural electrification. Let me say that the program became official on May 11, 1935.

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

In a country as large and rich in resources as ours the farmer who feeds the Nation has the right to enjoy the comforts and conveniences of modern invention, machinery and electricity that is enjoyed by his brother in the cities. With this in view, President Roosevelt, a year ago, appointed a commission to investigate the possibilities of bringing electric power and light for use by farmers and farmers' wives at a price they can afford to pay. He recognized that a method could be found to bring electricity to the farms, at prices farmers can afford to pay, for pumping water, sawing wood, grinding feed, operating washing machines and flatirons, with electric lights for the house and the barn, and even used for cooking. He said: "Electricity can relieve the drudgery of the housewife on the farm and lift a great burden off the shoulders of the hard-working farmer." Of the 6,000,000 farms in the United States 5,000,000 are entirely without electric service.

In the opinion of the President's commission, the number of these which now can be economically given service range from 1,000,000 to 3,000,000, and these can be given electricity at a price they can afford to pay only if electrification is undertaken on a wide scale. The commission says: "Unless the Federal Government assumes an active leadership, assisted in particular instances by State and local agencies, only a negligible part of this task can be accomplished within any reasonable time."

The big problem in rural electrification is not the cost of generating energy, but the cost of delivering it to the rural customer. In Canada, Great Britain, France and other countries this fact has been recognized.

"Several reasons might be advanced," says the commission, "to explain why only 10 percent of the Nation's farms (less than 6 percent in the Mississippi Valley) purchase electricity. These are the lack of interest by operating companies in rural electrification, high cost of line construction because of the unnecessarily expensive type of line used, onerous restrictions covering rural line extensions and high rates."

Having recognized the advantages of rural electric service and reached the conclusion that only under Government leadership and control is any considerable electrification of "dirt farms" possible, we face the obvious obligation of getting it done. An allotment of $100,000,000 actually to build independent, self-liquidating rural projects would in the opinion of the commission, exert a mighty influence in various directions.

The report then continues: "This plan calls for serving territory not now occupied and not likely to be occupied to any considerable extent by private interests. The proposal has become possible only recently through the marvelous development of the Diesel engine, which could be used for power in regions where high-line extensions are not feasible. Another source of power would be small hydro plants where suitable sites are available. In cases where it is practicable, public transmission lines utilizing either Government or private power sources could be erected. Rural distribution lines will cost from $500 to $800 per mile to construct, and to amortize this cost in 20 years involves a cost to each of three consumers on a mile of line of about $1 a month."

Planning on a wide scale, say of service to 500,000 farms in units of 1,500 farms, the total cost, if generating plants are included for each unit, would be $330 per farm; but if one-half of the units can be supplied from existing sources the total cost would be about $280 per farm. In both cases the outlay would be amortized through an appropriate element in the rate.

The commission further says: "If it be objected that it is not sound economics for the Government to build stations when the present generating capacity cannot or does not find a market, the answer is that this criticism places the cart before the horse and ignores the social purpose underlying the policy proposed."

It is estimated that if electrification of the farm is done under Government direction and on a large scale that the conveniences of electric light and power can be brought to the farm for one-half or less than one-half the price of a modern cheap automobile. And this cost, under the system of financing recommended, could be paid off at a small monthly charge added to the light and power bill over a period of 20 or 30 years. Under this plan the conveniences of the city can be brought to the farm at a price so low that the farmer and his wife could not only afford it under the income we expect them to receive, but he will demand it from the social order for which he supplies the foundation and nourishment.

Mr. SHIPSTEAD. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a copy of the Executive order of the President establishing the Rural Electrification Administration.

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

EXECUTIVE ORDER NO. 7037

ESTABLISHMENT OF THE RURAL ELECTRIFICATION ADMINISTRATION

By virtue of and pursuant to the authority vested in me under the Emergency Relief Appropriation Act of 1935, approved April 8, 1935 (Public Res. No. 11, 74th Cong.), I

hereby establish an agency within the Government to be known as the Rural Electrification Administration, the head thereof to be known as the Administrator.

I hereby prescribe the following duties and functions of the said Rural Electrification Administration to be exercised and performed by the Administrator thereof to be hereafter appointed:

To initiate, formulate, administer, and supervise a program of approved projects with respect to the generation, transmission, and distribution of electric energy in rural areas.

In the performance of such duties and functions, expenditures are hereby authorized for necessary supplies and equipment; lawbooks and books of reference, directories, periodicals, newspapers and press clippings; travel expenses, including the expense of attendance at meetings when specifically authorized by the Administrator; rental at the seat of government and elsewhere, purchase, operation, and maintenance of passenger-carrying vehicles; printing and binding; and incidental expenses; and I hereby authorize the Administrator to accept and utilize such voluntary and uncompensated services and, with the consent of the State, such State and local officers and employees, and appoint, without regard to the provisions of the civil-service laws, such officers and employees, as may be necessary, prescribe their duties and responsibilities and, without regard to the Classification Act of 1923, as amended, fix their compensation: *Provided*, That insofar as practicable, the persons employed under the authority of this Executive order shall be selected from those receiving relief.

To the extent necessary to carry out the provisions of this Executive order the Administrator is authorized to acquire, by purchase or by the power of eminent domain, any real property or any interest therein and improve, develop, grant, sell, lease (with or without the privilege of purchasing), or otherwise dispose of any such property or interest therein.

For the administrative expenses of the Rural Electrification Administration there is hereby allocated to the Administration from the appropriation made by the Emergency Relief Appropriation Act of 1935 the sum of $75,000. Allocations will be made hereafter for authorized projects.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 11, 1935.*

Mr. SHIPSTEAD. Mr. President, it has been said that the evil that men do lives after them, but the good they do often is interred with their bones; but so far as President Roosevelt is concerned, the good he did for the farmers of America, especially in connection with the Rural Electrification Administration, will stand as a monument to him.

Mr. President, before I take my seat, I wish to say that I would be lacking in gratitude and in courtesy if on this occasion I did not mention the gratitude I feel for the many courtesies I have received at the hands of every Member of this body. I have had the privilege of serving in the Senate for nearly a quarter of a century; my service here has been for a quarter of a century lacking 1 year. I have enjoyed the comradeship and the service I have had here, and I wish to thank every individual Senator for the many courtesies I have had at his hands. I should like to do so personally; but I know that many Senators are about to leave, so I take this opportunity to thank them, and particularly to thank the distinguished President pro tempore of the Senate, the Senator from Tennessee [Mr. MCKELLAR].

CONTRACT SETTLEMENTS

Mr. THOMAS of Utah. Mr. President, I ask unanimous consent to have printed in the RECORD two reports of the Comptroller General of the United States dealing with contract settlements. I do this because the reports show the wonderful operations which this agency of our Government has been conducting.

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

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, August 27, 1945.

The PRESIDENT OF THE SENATE.

SIR: Transmitted herewith is a report of the activities of the General Accounting Office under section 16 of the Contract Settlement Act of 1944.

Respectfully,

LINDSAY C. WARREN,
Comptroller General of the United States.

—

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, August 27, 1945.

The CONGRESS:

The first year of operations under the Contract Settlement Act of 1944, having ended it is deemed proper at this time to report to the Congress a summary of the activities of the General Accounting Office under the provisions of section 16 of the said act.

With the enactment of the Contract Settlement Act of 1944, there was for immediate consideration the devising of an orderly procedure for the proper discharge of the functions and duties prescribed by the act for performance by the General Accounting Office. The procedure developed and now in effect for such purpose, covered by office order No. 57, was designed with the view of assigning to each division of the General Accounting Office the task which, by reason of prior experience, it was best equipped to perform. Also, this order established a Committee on Termination Settlements to review reports emanating from the various divisions of the General Accounting Office relating to matters arising under section 16 of the act, and to advise me with regard thereto. Under the procedure so established the General Accounting Office has endeavored to perform to the fullest extent practicable its limited functions in respect of contract termination settlements. A copy of office order No. 57 is attached hereto.

Under subsection (a) of section 16 of the Contract Settlement Act, the function of the General Accounting Office with respect to any termination settlement of a war contract is confined to determining, after final settlement, (1) whether the settlement payments to the war contractor were made in accordance with the settlement, and (2) whether the records transmitted to it, or other information, warrant a reasonable belief that the settlement was induced by fraud. The first of these functions requires merely the simple operation of checking the voucher covering payment to the contractor with the related termination settlement to ascertain that the amounts shown thereon are in agreement. In the performance of the second function—that of determining whether the settlement was induced by fraud—since, only in rare instances, have the records transmitted to the General Accounting Office with respect to the termination settlements made by the contracting agencies included any papers other than a voucher, supported merely by a settlement agreement, which, obviously, is insufficient for the purpose of properly determining the existence of fraud, it has been necessary for the representatives of the General Accounting Office to examine the records of the contracting agencies and of the contractors relating to such termination settlements at the place or places where such records were kept. To the extent that an examination of these records has been made, the reports received thereon have not warranted a reasonable belief that any settlement was induced by fraud. However, it is to be recognized that, in the discharge of the duty of discovering fraud in the settlement of termination claims, the General Accounting Office has no authority to examine the records relating to such settlements until after final payment has been made thereunder. While cognizant of, and with no intent to minimize, the salutary effect of the examination of such records, in my judgment—no matter with what exacting care an examination may be made of the records relating to the final termination settlements—the difficulties attendant in any post audit of such settlements to ascertain whether or to what extent fraud is present, render it highly improbable that fraud will be disclosed in other than a negligible percentage of such cases. In an attempt—to the extent consistent with the provisions of the Contract Settlement Act—to overcome this handicap in the protection of the interests of the Government, there, recently, has been worked out and put into effect a cooperative arrangement whereby the field representatives of the General Accounting Office and the field representatives of the War Frauds Section of the Department of Justice will exchange any information obtained tending to indicate fraud in the settlement by prime and subcontractors of the termination claims of their subcontractors. In this connection, the third report, April 1945, by the Director of Contract Settlement to the Congress, relative to settlement procedures, contains a statement as follows:

"One method of streamlining settlement procedures, already in effect, is delegation of authority to prime and subcontractors to make final settlements of their own subcontracts. Blanket authority has been given to all contractors to settle all claims of less than $1,000, where the subcontractor retains or disposes of all inventory. In addition, specific authority is given to selected contractors to make final settlements of their subcontractors' claims of $10,000 or less. Such authority has been given to 2,340 contractors by one or more technical services of the War Department; to 130 contractors by one or more bureaus of the Navy Department; and to 9 contractors by the Maritime Commission. The system of delegations now in use could cover over 90 percent of all subcontractors' claims and does cover at least 60 percent of such claims."

A further considerable increase in the number of contractors to whom authority has been given to make final settlement of their subcontractors' termination claims of $10,000 or less is shown in the fourth report, July 1945, by the Director of Contract Settlement to the Congress. While this practice of delegating authority to war contractors to make final settlement of the termination claims of their subcontractors, generally without review by the contracting agencies, is expressly authorized under section 7 (a) of the Contract Settlement Act, it is my opinion—apparently shared by the Department of Justice—that it affords a most fertile field for the perpetration of fraud and thus properly requires special attention in the prevention and detection thereof. It is believed that operations under the cooperative arrangement referred to above will prove beneficial both to the Department of Justice and to the General Accounting Office in the performance of their respective functions under the act, and, further, that it is consistent with and sanctioned by the stated objective of the act as set forth in subsection (f) of section 1 thereof, "to use all practicable methods * * * to prevent improper payments and to detect and prosecute fraud."

In addition to the aforementioned examination being made of the termination settlements and the related records in the performance of the functions prescribed by sec-

tion 16 (a) of the act, special investigations of such settlements are being conducted, as provided by section 16 (c) of the act, for the purpose of reporting to the Congress from time to time as to whether the settlement methods and procedures employed by the contracting agencies are of a kind and type designed to result in expeditious and fair settlements in accordance with and subject to the provisions of the act and the orders and regulations of the Director of Contract Settlement; whether such methods and procedures are followed by such agencies with care and efficiency; and whether such methods and procedures adequately protect the interest of the Government.

Based on the reports so far received on the results of such investigations, there is not perceived at this time any serious objection to the settlement methods and procedures employed by the contracting agencies. In this connection I have had occasion to meet several times with the Director of Contract Settlement and with representatives of the principal contracting agencies for the purpose of discussing with them problems arising in connection with the termination and settlement program and the administrative regulations dealing therewith, particularly insofar as they affect the duties of the General Accounting Office under the act. One of the matters considered in a series of discussions with the interested contracting agencies—primarily the War and Navy Departments—has been the establishment of a procedure which would permit the settlement of terminated cost-plus-a-fixed-fee contracts to be kept abreast of the settlement of fixed-price contracts and at the same time afford proper protection of the interests of the Government. The procedure worked out and put into effect is set forth in paragraphs 560 to 569.5, section V, part 6, Army-Navy Joint Termination Regulation.

Relative to the number of all types of contracts terminated, the speed with which settlement has been effected—both of fixed price and cost-plus-a-fixed-fee termination claims—and the time lag between the final settlement of termination claims and the date of the actual receipt by the prime contractors and subcontractors of the money owed to them, as disclosed in the several reports by the Director of Contract Settlement to the Congress, I have noted the indicated gradual and continuous reduction in the average time required for settlement of terminated contract claims. However, in the enactment of the Contract Settlement Act, a dual purpose is evident—to expedite the fair settlement of termination claims and to protect the interest of the Government. It is to be hoped that the achievement by the contracting agencies of the first of these objectives will not be at the expense of the latter. While no objection is perceived to the emphasis and stress which has continued to be placed on the devising of new procedures to speed the settlement of termination claims, a careful surveillance and check of settlement operations is being made and, in the event too great a price is found to have been paid for such speed, such matters will be brought immediately to the attention of the contracting agency, the Director of Contract Settlement, and to the Congress, as required by the act. Based on information received to the effect that relatively few war contractors have made application for interim financing—available to them under the act during the period between the termination of their war contracts and the receipt of payment of their termination claims—as confirmed by the reports of the Director of Contract Settlement that demand for interim financing has been very light, the conclusion appears warranted that, for the most part, war contractors have no pressing need for funds due them upon the termination of their contracts. There thus appears little or no occasion for any undue haste by the contracting agencies in the settlement of termination claims at the sacrifice of a careful and adequate examination and analysis of such claims.

While, as reported above, there has been found nothing in the methods and procedures prescribed by the contracting agencies for the guidance of their representatives in the settlement of termination claims to which objection or recommendation for improvement need be made at this time, the real test of the adequacy of such methods and procedures comes in the application thereof by such representatives in the performance of actual terminations and settlements. In this connection, the audit of the termination settlements made by the contracting agencies has disclosed an instance of an apparent attempt by the representatives of a contracting agency, under purported authority of the Contract Settlement Act, to reopen negotiations and to make a further payment under a contract which had been terminated and finally settled before the effective date of the act. Such action is prohibited specifically by the provisions of the act and will be the subject of appropriate corrective means when disclosed in the examination of termination settlements. Continued careful and close attention is being given to the reports received relative to operations under the methods and procedures prescribed by the contracting agencies and, in the event of any disclosure of matters indicating a failure on the part of the contracting agencies to follow the prescribed methods and procedures with care and efficiency or failure of such methods and procedures adequately to protect the interest of the Government, appropriate action with a view to the correction thereof will be taken promptly in accordance with the act.

LINDSAY C. WARREN,
Comptroller General of the United States.

COMPTROLLER GENERAL OF
THE UNITED STATES,
Washington, July 26, 1946.

The PRESIDENT OF THE SENATE.

SIR: Transmitted herewith is a report of the activities of the General Accounting Office under section 16 of the Contract Settlement Act of 1944.

Respectfully,

LINDSAY C. WARREN,
Comptroller General of the United States.

COMPTROLLER GENERAL OF THE
UNITED STATES,
Washington, July 26, 1946.

The CONGRESS:

The second year of operations under the Contract Settlement Act of 1944 having ended, it is deemed proper at this time to supplement my previous report to the Congress of August 27, 1945, with a further review of the activities of the General Accounting Office under the provisions of section 16 of the said act.

The function of the General Accounting Office with respect to the settlement of termination claims of war contractors, as prescribed and limited by subsection (a) of section 16 of the Contract Settlement Act, is confined to that of determining, after final settlement of such claims by the contracting agency, (1) whether the settlement payments to the war contractor were made in accordance with the settlement, and (2) whether the records transmitted to it, or other information, warrant a reasonable belief that the settlement was induced by fraud; also, under subsection (c) of the same section of the act, this Office is authorized to investigate the settlements completed by the contracting agencies for the purpose of reporting to the Congress from time to time on (1) whether the settlement methods and procedures employed by the contracting agencies are of a kind and type designed to result in expeditious and fair settlements in accordance with and subject to the provisions of the act and the orders and regulations of the Director of Contract Settlement; (2) whether such methods and procedures are followed by such agencies with care and efficiency; and (3) whether such methods and procedures adequately protect the interest of the Government.

The procedures devised for the performance by the General Accounting Office of these restricted functions in respect of contract termination settlements were set forth in my previous report to the Congress and need not be repeated here. Such procedures have proven to be adequate for the proper discharge of these functions and no revision thereof has been required or made.

Based on the reports received relative to the contract termination settlements effected by the contracting agencies, no instance has been found in which the settlement payments to the war contractor were not in accordance with the settlement agreement. However, in the course of the performance of the function of determining whether any settlement agreement was induced by fraud, evidence has been found which appears to warrant a reasonable belief that at least four of such settlements were induced by fraud. If on the basis of the further examination and analysis presently being made of such cases, I am convinced that any of such settlements were induced by fraud appropriate action will be taken promptly in accordance with the act to report such cases to the Department of Justice, to the Director of Contract Settlement, and to the contracing agency concerned. In this connection, the attention of the Congress again is invited to the fact that, in the discharge of its duty, in the examination of the settlements of termination claims, the General Accounting Office has no authority to examine the records relating to such settlements until after final payment has been made thereunder. Nothing has changed my opinion, as heretofore repeatedly expressed, that—no matter with what exacting care an examination may be made of the records relating to the final termination settlements—the evident difficulties in any post audit of such settlements to ascertan whether or to what extent fraud is present renders it highly improbable that fraud perpetrated by war contractors in the settlement of their termination claims, which at best is difficult of proof, will ever be disclosed in other than a negligible percentage of such cases.

A careful analysis of the methods and procedures prescribed by the contracting agencies for the guidance of their representatives in the settlement of termination claims has not disclosed any basis for criticism thereof from the standpoint of being of a kind and type designed to result in expeditious and fair settlements in accordance with and subject to the provisions of the Contract Settlement Act of 1944 and the regulations of the Director of Contract Settlement. Also, the reports received on the results of the investigations of the termination settlements made by the representatives of the contracting agencies indicate that in the vast majority of cases the prescribed settlement methods and procedures have been followed with care and efficiency. However, a few instances have been found in which excessive allowances have been made to war contractors by reason of computation of costs on a basis other than that sanctioned by recognized commercial accounting practices; by reliance upon certificates of war contractors as to costs incurred without apparent corroboration of the correctness of the facts so certified; by failure properly to apply the prescribed settlement methods and procedures; or for other reasons. However, it is to be understood, of course, that the United States is precluded by the act from recovering any amounts found to have been improperly paid to contractors or sub-

contractors under such settlements, except where it can be established that such overpayments resulted from fraud. Accordingly, in an attempt to protect the interest of the Government—to the extent consistent with the provisions of the Contract Settlement Act—such matters have been and are being brought to the attention of the contracting agency concerned with the suggestion that in order that future overpayments of a like nature will not be made, the personnel engaged in termination settlement activities be informed thereof.

In the course of the performance of the function of investigating settlements completed by the contracting agencies for the purposes as outlined in section 16 (c) of the act, several cases have been found in which the contracting officers or contracting officers' representatives who, on behalf of the Government, have executed or assisted in executing termination settlements were later hired by the war contractors involved after leaving the Government service. In such cases, the settlements involved are being accorded special attention and investigation for any indication of improper payments thereunder.

With respect to whether the settlement methods and procedures prescribed by the contracting agencies adequately protect the interest of the Government, the reports received thereon have disclosed no proper basis for objection thereto on that account. That is to say, to the extent that instances have been disclosed of excessive, improper, or even apparently fraudulent payments upon termination claims the fault would seem to lie not with the administrative settlement methods and procedures but with the individuals charged with the execution thereof, and such instances may be regarded as a natural and expected result of the failure to provide in the act—as consistently urged by me prior to the enactment thereof—for an audit and review of the settlements of termination claims by an agency independent of the contracting agencies before such settlements became final and before final payments were made thereunder.

LINDSAY C. WARREN,
Comptroller General of the United States.

AUTHORIZATION FOR SPECIAL COMMITTEE INVESTIGATING NATIONAL DEFENSE PROGRAM TO FILE ADDITIONAL REPORTS

Mr. MEAD. Mr. President, I ask unanimous consent to call up Senate Resolution 310.

The PRESIDENT pro tempore. The resolution will be read, for the information of the Senate.

The resolution (S. Res. 310) submitted by Mr. MEAD on July 24, 1946, was read, as follows:

Resolved, That the Special Committee Investigating the National Defense Program be authorized to file additional reports with the Secretary of the Senate following the sine die adjournment of the Senate and that they be printed as parts of Senate Report No. 110.

Mr. TAFT. Reserving the right to object, let me inquire whether the resolution, if adopted, would authorize the filing and printing of reports prepared by the Mead committee.

Mr. MEAD. Yes. This resolution was recommended by the unanimous vote of the committee. It provides for the filing of reports with the Secretary of the Senate, so that they will be available when the Senate meets in January. The resolution is similar to the ones which are customarily adopted preceding recesses or adjournments of the Senate.

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

There being no objection, the resolution was considered and agreed to.

ORDER OF BUSINESS

Mr. BARKLEY. Mr. President, for the benefit of the Senate I wish to say that following the address which the Senator from Alabama [Mr. HILL] desires to make, I shall ask unanimous consent for consideration of the House bills on two pages of the calendar which have been reported since the last call of the calendar. I may say that inasmuch as the House of Representatives has already adjourned sine die, it would be a futile gesture for the Senate to pass a House bill to which it added any amendment. But there are a few bills on the calendar which have come from the House of Representatives and have been reported without amendment, and I wish to ask that they be considered before the Senate finally adjourns.

Mr. REVERCOMB. Mr. President, I wish to ask the Senator from Kentucky a question. Does he refer to pages 9, 10, and 11 of the calendar?

Mr. BARKLEY. I refer to pages 9, 10, and only one bill on page 11.

REVIEW OF BOOK, THE REVOLT OF THE SOUTH AND WEST

Mr. MURRAY. Mr. President, the great problem which faces this body on the domestic scene is the development of the backward industrial areas of our South and our West.

Many students, scholars, and journalists have studied the obstacles which have kept our South and West in comparative poverty. Nearly all have come to the conclusion that the constricting hold of monopoly is at the root of the difficulties of the South and West.

Southern and western Senators particularly will be interested in a very recent study of this basic problem, a book entitled "The Revolt of the South and West," written by A. G. Mezerik, a well-known journalist and author. I recommend this book to all, whether they live in the South, the West, the North, or the East, for if Mr. Mezerik's program is adopted, the entire United States, and not just parts of it, will be prosperous.

Newspapers, governors, and leading industrialists have already commended the book, which has been well described in a review in the Chicago Law Bulletin.

I ask unanimous consent that a copy of this review be printed in the RECORD at this point in connection with my remarks.

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

A REPORT ON THE ECONOMIC AWAKENING OF SOUTH AND WEST—THE REVOLT OF THE SOUTH AND WEST, BY A. G. MEZERIK; DUELL, SLOAN & PEARCE

As one reads Mr. Mezerik's latest book, one thinks immediately of that other great book on much the same subject and in much the same vein, Other People's Money. Written by the late Justice Louis D. Brandeis, it was a collection of articles he had published in Collier's in 1913. In them he covered the report of the famous Pujo committee and the ramifications which the techniques and power of certain financial leaders had upon the economic, political, and social life of the country. And Brandeis' book was a potent stimulant which activated public opinion.

Similarly, some of Mr. Mezerik's material has appeared in various periodicals, and similarly it has been collected into a book. Finally, it packs a ton of dynamite, which like its predecessor may serve to consolidate public opinion against the moribund influence of eastern financial power. (Odd, how many of the characters are even the same.)

It is Mr. Mezerik's thesis that eastern financial power, consciously as well as by a kind of inevitableness, has, by one means or another, suppressed the growth and development of industry in the South and West.

However, he believes that at least these regions (two-thirds of our geographical area, one-half of all the population) are awakening to their plight and becoming aware of the source of their poverty—and that the rebellion is on against the slow strangulation by the East. Indeed, it is vital that this revolution be successful. Our American future, prosperous and free from sectionalism, depends on the release of the South and West from their chains. And what we do at home will be reflected in what we do abroad.

Now do not get Mr. Mezerik wrong. When he speaks of revolution he does not mean armed bands roaming the streets, violently taking over various facilities, nor the advent of communism. That concept of revolution was shown to be erroneous by George Soulé back in 1933 when he wrote The Coming American Revolution. No, Mr. Mezerik wants to see changes occur within the framework of our present system, and he wants to infuse new meaning into free enterprise. It should stand for first-class economic citizenship in a prosperous land, and not just larger private government by default.

And do not think that Mr. Mezerik is a starry-eyed dreamer enmeshed in impractical meanderings. Like Justice Brandeis, he has taken bony statistics and clothed them with meaty significance.

After carefully presenting and analyzing many figures, he concludes that "The South [the Southern people are sick because they are poor—poorly fed, poorly clad, poorly housed], oldest of the subordinated regions, is altogether too good a barometer for the future of the West. As the West's raw resources are expended, it will face these very same problems. Unless it can break loose and build its future without benefit of eastern domination. That will not be easy."

He understands the meaning of the corporation as a modern key to power—he seems to agree with David Lasser's findings as expressed in Private Monopoly—and points up graphically the relatively small clique of individuals and families that control the industrial enterprise of the country.

He is sensitive to the enormous effect which interest rates (they are higher in the South and West than in the East), freight rates (which are responsible for the concentration of manufacturing in the East, to the exclusion of the South and West), the absence of western steel production and the presence of tariffs have on the pattern of American industrial development.

But he is not blind to the faults of the South and West for which they are in a great deal responsible—race prejudice, phony sectionalism, self-pity, and inertia. And he does not hesitate to ladle out the blame where it is due.

The growth of industry—and by this is meant manufacturing capacity—in the South and West cannot be achieved by sweet reasonableness. The stakes are too high. Action is required—and has been forthcoming. Georgia Governor Arnall's recent successful opening round in the Supreme Court to secure reconsideration of prejudicial freight rates, the FTC's success against the basing-point system, and a Presidential Cab-

inet of southerners and westerners, are a few of the signs which are legible. (Do not think, though, that the ghost has been given up. Compare the recently published report of Senator MURRAY'S small business committee.)

"The South and West are on their way. They have tools—decentralization forced by the atomic bomb, TVA, war-built plants, new political power, new skills, and knowledge. They will use them. They have the leaders and they have the determination. They have strong allies in the East among those who want a free democratic Nation.

"The facts are all in. The story is not difficult to assimilate. The West and South will certainly give full cooperation to the East in a joint project to build for this country a better, a sounder economic pattern, where everyone shares in a great prosperity."

Amen.

PRESIDENTIAL VETO OF TIDELANDS BILL

Mr. MOORE. Mr. President, the tidelands bill, just vetoed by the President for political capital was, in effect, a congressional statement of national policy that integrity of States' rights to tidelands should not be disputed. The veto is a denial of congressional will on questions of national policy contrary to well established law.

The smear of the oil industry was used as a smoke screen to divert the public from the fact that control of their rivers and harbors, including all State and private installations, are now under cloud of title.

UNIFICATION OF WAR AND NAVY DEPARTMENTS

Mr. HILL. Mr. President, it is with great regret that I see this Congress coming to a close without an opportunity to lay before the Senate the case for Senate bill 2044, to unify the War and Navy Departments into a single Department of Common Defense. It is a serious setback to the best interests of the national defense at a very crucial time in the affairs of the world. There has been so much misinformation put out in public propaganda against this bill that it is most unfortunate that Senators will go home without an opportunity for hearing the full debate on the question. I am confident that if the Senate had heard this debate and heard the simple and logical truths in answer to this widespread propaganda the Senate would not have gone home without voting favorably on this important measure for the common defense.

Mr. President, since the bill is not now before us, I would not now arise, were it not for the speech attacking S. 2044, which the distinguished Senator from Connecticut [Mr. HART] delivered in the Senate last week.

In that speech the Senator ably summed up the Navy's case against the President's program for a single department of common defense. I might add that the Navy's case is the only case against it. The vast majority of the people are for it and the country needs it badly.

The Navy case is an understandable one—from the selfish viewpoint of the Navy only. It feels that it has emerged from the war with a splendid integrated air-ground-sea team that has proved itself nobly in the Pacific war. It has complete unity of command in this team and it has a single department. It has, in short, within itself, everything that is sought in S. 2044. Frankly, the Navy knows—as all military men know—that the war of the future is sure to require just such a closely knit team of air-sea-ground forces as the Navy now has. The Navy is now much better organized for the purpose than are the armed forces of the country as a whole. Without unification, the Army and Army Air Forces cannot possibly organize or prepare such a modern force. The Navy has a ground force larger than was the Army Ground Force before World War II. They have an Air Force larger than was the Army Air Forces before World War II, and they have all the sea power. From their own selfish interest, there is absolutely no reason why they should be united with a larger air force that would inevitably tend to absorb part of their competing air force and a larger ground force that would tend to absorb part of their large and competing ground force.

But how about the public interest? How about the common defense? How long can we afford the upkeep of two competing and duplicating ground and air forces?

If the Navy's ground-air-sea team forms the true pattern for the war of the future, how long can we afford to rest our common defense on an archaic pattern?

Mr. President, stripped of all extraneous issues, S. 2044—the single department bill—amounts merely to this:

You transfer the Army and Army Air Forces to the Navy Department and change the name of the Navy Department to the Department of Common Defense. And then you abolish the War Department.

Stripped of personalities, that is all there is to it. Now, how do personalities enter into this? Admiral Nimitz knows. Here is what he said about it:

I prefer that we have a single department, make it a straight chain of command from the President on down, one responsible man who is the boss * * *. I believe that if such an organization * * * is adopted it will be necessary to build on exactly what we have now * * *. I think this is going to be a question of gradual transition, rather than a question of presto chango, a new set-up. I don't think you can work it any other way, because you have a tremendous civilian staff that has to be gradually moved, and if you try to move them too fast, they are going to block you. They have a hell of a lot of influence.

There you are, Mr. President, Admiral Nimitz made that statement when he had unity of command in the Pacific—when he was out from under the influence of the Washington bureaus. He knew where the resistance would come from. And just as soon as he came home and had to report directly to them, he found out—in his own words that—"They have a hell of a lot of influence."

They do not want a single ground-air-sea team under any other single department than their own well-established bureau. If we add the Army and Air Forces to their set-up, which is what this bill does, they will have to share the prestige and patronage with others, and this they do not want. But the public wants it and the country must have it.

We can afford no other organization than the best. The Navy has proved that the integrated land-sea-air team is the best. We want that organization for the country. We want the best brains and the best men to run the team. I, for one, am not afraid of the Navy's chances in mixing its top brains and men with the Army's top brains and men in the overall leadership of the sea-air-ground team. In this respect I have more confidence in the Navy's present leadership than the Senator from Connecticut is willing to admit. He kept referring to a 2 to 1 ratio by which the Navy would be outnumbered or outvoted in the high command and single department of the armed forces. During World War II we had more two-star admirals and admirals of higher rank than we had two-star generals and generals of higher rank, although there were more than twice the number of soldiers than there were sailors.

After all, what is there to this two to one argument? May we not expect the Army and Navy to see eye to eye on just as many subjects vis-à-vis the Air Force as the air and Navy will agree on against the Army viewpoint? Why should the Navy assume that the top military and airmen of the country will always fail to agree with the battleship men on questions affecting the common defense? Admiral Nimitz stated his views on this question very clearly when he said, at Pearl Harbor, in 1944:

The conduct of war is the application of force, and I would expect the average officer who devotes himself with reasonable diligence to his profession, whether he grows up with the Army or the Navy or the Air Force, to have acquired a complete working knowledge of his own specialty, and that as he gets older and has studied what has gone before, to have a knowledge of how to use the power that is inherent in the others. For instance, I think that there are very few senior Army officers that haven't got a concept of how to use sea power, how to use air power. That same is true of the Navy. A lot of people know how to use the ground troops, what they are for, and know how to exploit air power; the same way with the air.

The Senator expressed fear that the Navy would be outnumbered politically. He forgets that this is not a political bill. It does nothing to the Navy that it does not do equally to the Ground and Air Forces. The present naval opponents of unification tend to forget that the question of how our common defense should be organized is not a question for the Secretary of the Navy to decide. It is a matter for the President, as Commander in Chief of the armed forces, and the Congress, under its constitutional duty to raise and support armies. It is a matter of the national interest, not of the political interest of any particular bureau or service.

If we were to follow the Navy's thinking in this matter we would come to the next war—if we are forced to come to another war—with an integrated ground-sea-and-air force under the Navy Department only. Then in order to get the maximum efficient use out of our other ground and air forces we would have to attach them to the Navy. This would be

fine for the prestige of the Secretary of the Navy and the bureaus of the Navy Department, which would then become in effect the Department of Common Defense. Now, that is exactly what we want to do now in S. 2044. We want to do it in peacetime, while there is time to do it, in an orderly and efficient fashion; not by another makeshift like that Pearl Harbor forced us to in 1942.

The Senator would have us believe that this whole scheme of unification is a vast Army plot to sink the Navy, cooked up by ex-West Point cadet generals bearing an Army-Navy football game grudge, against ex-middy admirals. And that the plot was cooked up while the Navy was too busy fighting the war to guard its political fences.

Now, our subcommittee which drafted S. 2044, consisting of the distinguished senior Senator from Utah [Mr. THOMAS], the distinguished Senator from Vermont [Mr. AUSTIN], and myself, went pretty deep into the history of this merger proposal.

Mr. HART. Mr. President——

The PRESIDING OFFICER (Mr. GOSSETT in the chair). Does the Senator from Alabama yield to the Senator from Connecticut?

Mr. HILL. I yield.

Mr. HART. May I ask the Senator if he is cognizant of what has come to be known as the Collins plan?

Mr. HILL. Yes; I am cognizant of the Collins plan, and if the Senator will bear with me a moment and let me state a few facts, I think perhaps he will have his question answered. We found that unification has been a very live issue among the services for years, long, long before any Collins plan was ever heard of or dreamed of or ever submitted. The question reached a head just after the First World War when Gen. Billy Mitchell was so severely squelched by the Army brass hats much as the admirals who favored unification during World War II have now been squelched by the Navy brass hats.

The opening gun of the World War II merger issue was fired by the Navy in 1941. If you will turn your minds back to June 20 of that year you will remember the gloom that then surrounded the Allied cause. Western Europe was under the control of Hitler. There was serious question whether Britain could hold out against the heavy air attacks to which she had been continuously subjected for eight long months. The Germans had just overrun the Balkans and driven the British out of Greece. Crete had just capitulated to German airborne assault. These were darkest days. In this critical hour, the General Board of the Navy recommended the creation of a Joint United States General Staff to be headed by a single officer. This officer, with his staff, was to be directly responsible to the President. He was to be given authority to issue directives to the War and Navy Departments. The Navy, in fact, proposed an over-all military command with no over-all civilian secretary. The General Board of the Navy went on to say:

> The General Board is convinced that through the procedure outlined herein, preliminary broad planning can best be accomplished, employment of the best available means obtained, essential unity of command assured, and thorough indoctrination for the coordination of effort achieved.

This was the Navy plan in 1941.

Mr. HART. Will the Senator yield?

Mr. HILL. I yield.

Mr. HART. I ask the Senator if that plan is not in substance what was actually accomplished by the formation and use of the joint staff which functioned all through the war?

Mr. HILL. No, not exactly.

Mr. HART. It was pretty close to it.

Mr. HILL. The general staff during the war had to act by unanimous consent. There were four members on the staff, and all four had to be in agreement. In the 1941 plan of the Navy there was to be one officer, with authority over all the others, with power to issue directives, and that would mean that he would have the supreme command, and that it would not be necessary to obtain the unanimous agreement of four different men.

When Admiral Nimitz, Admiral Halsey, Admiral Sherman, and 20 other high-ranking naval commanders in 1944, then engaged in the actual prosecution of the war, appeared before a special committee of the Joint Chiefs of Staff, headed by an admiral, and urged the creation of a single department of national defense, they were not speaking for any Army plan. They were speaking in the national interest and for the common defense. These naval officers, since the conclusion of the war, and since their return to Washington, have apparently changed their views on this subject.

Mr. HART. Will the Senator yield again?

Mr. HILL. I yield.

Mr. HART. May I ask the Senator if that is what he meant by his reference a little time back to brass hats who favored unification having been squelched?

Mr. HILL. Some of them were certainly squelched.

Mr. HART. Did the Senator mean by that, the ones whom he has just named?

Mr. HILL. It may not have been all of them, but I am sure that most of them were squelched. Admiral Nimitz, himself, said, "They have a hell of a lot of influence. They are going to block you."

Mr. HART. Were they brass hats themselves?

Mr. HILL. At that time the Admiral was referring to the civilian staff.

If all 20 of these admirals testified, as they did, while they were at war and while they had first-hand knowledge and experience of what the best war organization for this country was; and if all 20 of them have changed their minds since they have returned to Washington and learned from the Navy Department what the best interests of the Navy are; I can only suggest that there would appear to be a wide discrepancy between the best interests of the Navy and the best interests of the country should we again enter a major war.

Now, Mr. President, the Navy now—in 1946—has taken the line that this unification plan is an extension of an Army-Navy game. Naval officers at the Army-Navy Club, here in Washington, are toasting the failure of this Congress to act on this bill exactly as they would toast a Navy football victory over the Army. The difference between the Navy's unselfish devotion to duty in the war and the present selfish attitude of those in high authority in the Navy toward the President and the best interests of the national defense is appalling.

Mr. President, the Senator from Connecticut found it necessary to remind us that the motto of the Navy was "service before self." Now, I bow to no man in my admiration of the achievements and traditions of the United States Navy. But I think its friends do it great disservice in attempting to set it up against the Army as having higher ideals of public service—especially in the matter of this unification question—where the Navy has frankly based its opposition on a fear of loss of prestige and political importance in a defense structure, in which it would be placed on terms of exact equality with the Army and Air Forces.

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

Mr. HILL. I yield.

Mr. HART. I am sure the Senator from Alabama does not wish to misquote me.

Mr. HILL. Oh, no.

Mr. HART. My words were:

> Despite their detachment, living apart from their fellow citizens, their loyalty to their country and their observation of the traditional words "Service before self" are not excelled by any other body of the Nation.

I claim no superiority.

Mr. HILL. I am glad to hear the Senator say that.

The Army and the Air Forces are loyally supporting the President's plan. They are supporting the plan as it is embodied in the Senate bill, S. 2044. They are willing and anxious to subordinate themselves to the President and the Congress to exactly the same position and in exactly the same degree, in the interest of the common defense of the Nation, as the Navy would be subordinated under the bill. It would appear that the Army's motto "Duty, honor, country" was being more loyally adhered to than the lip-service being given the Navy's "Service before self."

The Senator from Connecticut also reminded us that the Navy is called the silent service and states that "it is a matter of common knowledge that as far as so-called publicity is concerned the Navy is comparatively inept."

Now, I believe that all such comparisons are inclined to be invidious and the Senator leaves little doubt that "comparatively" means compared to the War Department. All I can say is this: If the Navy is more inept than the War Department in the conduct of its public relations I indeed tremble for the future of the Navy. But here again, I believe I have more confidence in the Navy than the modesty of the Senator from Connecticut may allow him to have.

The only organized group in this country which is opposing unification—except the normal lunatic fringe groups which oppose every measure which would strengthen our defenses—is the Navy Department with its Navy League.

Yet, on a public issue on which there was almost complete unanimity of opinion in the public press when originally launched—for it is obviously such a common-sense move to the man on the street—there is now a nationally organized opposition. From whence comes this opposition? From the Navy Department and the Navy League alone.

What is the Navy League? It is primarily a group of steel and munitions makers whose biggest customers are the Navy. Many of them are also members of the Army Ordnance Association. It is interesting to note that the Army Ordnance Association is not supporting unification either. Why? Because there is obviously more money in selling steel and munitions to two competing and duplicating military and naval procurement agencies than to only one.

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

Mr. HILL. I yield.

Mr. HART. In view of what the very able Senator from Alabama has said about the Navy League and who constitute it, I request unanimous consent to have printed at the end of his remarks, the names of the vice presidents, directors, and so forth, as taken from a letterhead of the Navy League.

Incidentally, I might say, Mr. President, that the Navy League goes far back, about 40 years, and the only activity that it appears to have engaged in in connection with this whole question lies in an open letter to Members of Congress which is dated the 4th of January last, and which in effect proposes that certain changes be made in the proposal then before the Committee on Military Affairs, which changes were for the most part made in the revised bill.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Connecticut?

Mr. HILL. Mr. President, I certainly have no objection to the names being printed in the RECORD at the conclusion of my remarks.

There being no objection, the names were ordered to be printed in the RECORD.

(See exhibit 1.)

Mr. HILL. I wonder if the Senator can give us the names of the contributors to the Navy League?

Mr. HART. So far as I know, there are practically none, because its activities are so very minor that it requires almost no money.

Mr. HILL. From the data I have seen sent out by the Navy League certainly somebody had to pay for it.

Mr. HART. I do not think they paid very much.

I might say in further answer to the Senator's remark that the Navy League was organized a little while after the Spanish-American War, with a view to educating the people to the value of our activities on the sea, not so much in a naval way as in a commercial way. It was considerably endowed in those days, and I think those funds are still available.

Mr. HILL. Mr. President, I should like to have, and I hope the Navy League will make available, a list of all its contributors. I think it would be very enlightening to have that list. I should certainly like to have it, if it can be obtained.

Mr. HART. I suggest that it might be very well to do that, and also to secure a list of the contributors to the Air Power League at the same time.

Mr. HILL. I should like to have the contributors to both the Navy League and the Air Power League. I should like to have not only a list of the contributors but a financial statement of both of them, I will say to the distinguished Senator from Connecticut.

Mr. President, the Senator from Connecticut made much of "intangibles." It is about all he had to make much of. The tangibles are certainly against him. One of these intangibles was based on the "shot-gun wedding" theory. Frankly, this amounts to saying that the Navy would never play good ball for the home team, therefore, they better be left off the team. Now, here again I have a greater trust and admiration for the Navy than has the Senator. I am sure that a service whose motto is "Service before self" would not give a single Department for the Common Defense of the Nation any less loyal service than they now give to the Navy Department. After all, the civilian heads of the single department would have at least the same "hell of a lot of influence" as the civilian heads of the Navy's bureaus who gave Admiral Nimitz so much concern when he testified so strongly for unification before Admiral Richardson's committee at Pearl Harbor in December 1944.

The Senator from Connecticut also opposed the idea of an autonomous air force. His argument is interesting. He states that the War Department ought to keep the Air Force subordinated just as the Navy Department has kept its air arm and marines subordinated. He gives as his reasons for this view every argument for integrating the country's ground-air-sea team advanced by the President and urged in support of the bill, S. 2044. This is the nub of the whole matter. Every reason cited for the excellence of the Navy's integrated ground-air-sea team is an overwhelming proof of the crying need for a similar integration of the country's ground-air-sea team. We simply cannot afford to have a Navy team in addition to and separate from the country's team; particularly when the country's team, less the Navy, would lack the vital element of sea power, whereas the Navy's team has all three essential elements.

The proof of this paradox is shown by our current appropriations where we have actually given the Navy more money for more land-based aircraft than we have given the Air Forces. The Navy realizes that our air frontier has replaced our sea frontier as the first line of defense. If it is to continue to obtain priority of appropriations, they must seize control of long-range land-based aircraft. This they are doing right now and we gave them the money for it. This is the pay-off. This is really the sole issue here.

While I speak of the Air Forces, the distinguished Senator from Connecticut in his address last week said that the Army Air Forces pushed their way into the atom test at Bikini, and that they should never have been allowed to do that; that the atom bomb should never have been dropped from a B–29; that it should have been dropped from some kind of a suspended balloon, and that the Army Air Forces had done this in order that they might obtain publicity.

Mr. President, with reference to that statement by the Senator from Connecticut, yesterday the Washington Times-Herald carried a news story to this effect:

ADMIRAL DEFENDS ARMY AIR FORCES

Vice Admiral Blandy yesterday defended the role of the Army Air Forces in the Bikini atom-bomb tests.

Blandy's statement, made public by the Navy Department, was viewed as a reply to criticism of the AAF by Senator HART (Republican), of Connecticut, who in a Senate speech last week declared the Air Force had forced its way into the tests for publicity purposes.

HART also criticized the Army's bombing efficiency, pointing out that the bomb dropped June 30 fell wide of the target and asserting that it did not explode at the most effective altitude.

Blandy, commander of the joint Army-Navy atom test task force, asserted that no pressure was brought to bear by the Army toward use of B–29's in the experiment.

He declared that all possible methods of placing the atom bomb for air burst over target ships in the Bikini lagoon were studied, including suspension from balloons, the method recommended by HART.

Blandy said the balloon plan was discarded as highly impracticable because of the danger of loosing the A-bomb in the lagoon.

The admiral said all Army and Navy officers and civilian scientists concerned with the tests believed that dropping the bomb from a B–29 was the most satisfactory method, considering all factors.

Mr. HART. Mr. President, will the Senator yield for an observation?

Mr. HILL. I yield.

Mr. HART. It will be observed, in the first place, that a considerable part of that release does not accord with what I said on the subject. However, that is a small matter.

Mr. HILL. I do not wish to argue too much with the Senator, but I have read his remarks in the RECORD.

Mr. HART. I will pass over that question, because we are taking too much time unnecessarily. I find no fault in that respect, because I have something more important to say.

As a member of the special Senate Committee on Atomic Energy I naturally interested myself in the tests from the time they were planned. On one occision I was sitting in on a conversation with Navy officials, and the conversation ran in about this way:

This is an experiment in order to learn the unknown. It is a large equation with many unknown factors in it. By this method of dropping the bomb from a plane, where it is going is unknown, because that is never perfectly accurate.

Another factor which was introduced as unknown was the fuzing: It was not known exactly how high the plane would go. Therefore it was thought that the best way to conduct the test would be to suspend the bomb from a balloon, so that the exact height would be known, and it could be properly placed laterally. Also

the timing difficulties would be eliminated.

After this exposition, which seemed perfectly good sense to everyone—and to me it still does—someone asked, "Why do we not do it that way?" I remember the answer. It was to the effect that, "There is a great deal of opposition to this test now on the part of certain societies," and concern was expressed lest the Army Air Corps proceed to "louse up" the test.

I have before me a copy of a letter from a scientist. I cannot name him, because it is a personal letter, and he is in such a position in connection with the Bikini test that his name will probably be on official reports. I shall have to ask that my word be taken that he is a man well known all over the Nation as one of the best authorities, and that during the Bikini experiments he was in the upper echelon. I quote one paragraph from his letter:

> I have a very good impression of the technical competence and sincerity of the Navy officers, Admiral Blandy and Admiral Parsons and think they are doing a good job. The amount of scientific information obtained from the first test is pretty small because of the upsets. One was that the bomb was badly misplaced—about 700 yards west southwest of the target. This had the effect of getting a lot of the measuring equipment out of proper range—either too close or too far—to function properly. I think it was a serious mistake to drop the bomb from a plane instead of suspending it in the proper location from moored balloons but apparently this was done because of Air Force insistence on having a role in the show.

It would be expected that when an admiral and a scientist disagreed on something I would be inclined to agree with the admiral. In this case I wholly agree with the scientist. It may well be that the Navy obtained all the data which it needed for its design purpose with the bomb exploding as it did explode. But that was only a part of the data to be obtained from the experiment; and I have read what one of the best of the scientists concerned thinks about it.

Mr. HILL. I do not know the scientist. I can understand why the Senator does not desire at this time to disclose his name. But I wish to read again the quotation from Admiral Blandy:

> The admiral said all Army and Navy officers and civilian scientists concerned with the tests believed that dropping the bomb from a B–29 was the most satisfactory method, considering all factors.

Admiral Blandy was in command of these tests. He was the over-all commander who had the responsibility. If things failed, it was his failure. If things went well it was his success. He was the man to whom the President of the United States, as the Commander in Chief, the Congress and the American people were looking for the success of the experiment. I have faith in Admiral Blandy. I believe that the Admiral carried out that experiment in the best possible way.

Mr. President, the Navy's goal and the goal of Senate bill 2044, the unification bill, are identical—a single department of common defense with unified command of all essential arms in modern warfare—land, sea, and air. The only difference is that the Navy's goal is to achieve this under the aegis of the single Navy Department. The goal of Senate bill 2044 is to achieve this under a single Department of Common Defense—where it belongs.

It may be a matter of great moment to present office-holders in the Navy's bureaus whether the top civilian and military executives came from the Navy Department pay roll or the War Department pay roll, but I submit that this is of no moment at all to the country or to the Congress. What we want is unified direction of our whole land-sea-air team by the best civilian and military brains available. These would be available to the Department of Common Defense, including all those now on the pay roll of the Navy Department as well as the War Department. They are not now available to the Navy Department alone.

Mr. President, I could recite instance after instance—both during and after the war and at the present time—in which simply inexcusable duplications exist among our armed services. However, the fact that we are now building up a completely separate and competing land-based air force under the Navy Department, and that we now have more of a mobile ground reserve of ground forces in the Navy than we have in the Army should be convincing enough to the Senators that something must be done before we make another huge duplicating appropriation for the common defense.

I am hopeful that many of us will be able to get to some of our bases in the Caribbean—at Bermuda, Puerto Rico, Panama, and elsewhere—and actually see the tremendous duplications and waste for which we are now spending money, merely to appease the bureaucratic pride of office among the competing services. I hope that many of us will see the huge hospitals standing side by side, the two ports, the two airfields jammed up against each other, but strictly reserved for the use of one service or another. The same is true of training facilities, intelligence facilities, research and development facilities, supply facilities, personnel—everything one can think of. The cost of this duplication and waste in World War II in men and time and lives staggers the imagination. Statisticians and historians can quarrel forever over estimates of just how much. There need be no quarrel over what is going on right now, however. We can read it in the current appropriation bills. We can see it with our own eyes at our Army-Navy air bases.

In the Pacific we do not find any true unity of command right now. The public thinks of General MacArthur as the supreme commander in the Pacific. But he is not. He does not command the Navy in the Pacific. We are right back where we started. Like the Bourbon Kings of France, we have learned nothing. At Pearl Harbor today will be found the same organization for defense that obtained on Sunday, December 7, 1941. General Hull commands the Hawaiian Department—the Army. He does not command the Navy. Admiral Hall commands the Fourteenth Naval District—the Navy. He does not command the Army. There is no unity of command at Pearl Harbor at this moment.

In that connection, Mr. President, there came over the wire service yesterday the following bulletin:

> PEARL HARBOR STILL VULNERABLE, SAYS HONOLULU ADVERTISER
>
> HONOLULU.—The Honolulu Advertiser charged today that Pearl Harbor is as vulnerable to attack now as it was December 7, 1941, because of an antiquated command system. The paper made its editorial charge on the basis of a special Washington dispatch which claimed that unity of Army-Navy command at Pearl Harbor was no nearer accomplishment than it was four and a half years ago.

Mr. President, a continuation of such a situation at Pearl Harbor and throughout the world, wherever our forces may be, is simply intolerable. In the face of the Pearl Harbor report, the Bikini experiments, the strategic-bombing survey, we sit here and allow history to repeat itself. Mr. President, I feel sincerely that this body is abdicating its sacred duty to provide for the common defense, in allowing the stubborn adherence of one Government bureau to the dictates of tradition and prestige not only to stand in the way of progress, but actually to turn back the clock to the good old days that cost us so much in blood and tears. Sure, the admirals and the generals will have more fun as big frogs in their own little puddles—just like they did before Pearl Harbor. But should the people—who have to jump in and fight the wars when they come—stand for it? Mr. President, I maintain that they should not be asked to stand for it and they will not long stand for it.

Mr. President, I look forward with great interest to the reports which Members of Congress bring back from their visits to our outlying installations. I hope there will be many such visits between now and the time when Congress reconvenes. I believe that the few of us who may now have doubts because of the smoke screen of specious argument which has been thrown around this relatively simple issue will have all their questions answered by these reports.

Another development holds out much hope that we shall reach a solution early in the next Congress. I refer to the Congressional Reorganization Act. We shall have a single Committee on Common Defense, in each House. For the first time, a committee of Congress will have an opportunity to look at all our defense requirements as a single picture.

Admiral Nimitz said, at Pearl Harbor, in December 1944:

> I would like to prevent having a very eloquent smooth talker for the Navy, for instance, go before a committee and persuade them they should vote more money for this agency or that agency—in other words, continue separatism.

Under unification, we would have a single defense budget presented to a single committee. For the first time it would be possible for the Congress to know exactly what it was doing in dis-

charging its constitutional duty to raise and support armies. Under such a setup, the paradoxes of our current Army and Navy appropriations bills would be impossible.

Just as I think unification would have brought about the organization of single committees for common defense in the Congress so I am hopeful that the organization of a single committee in the Congress will bring about a single department of common defense as a logical development. It is the only solution to the obviously unsatisfactory situation which will be presented to such a committee by the ex parte and selfish presentations of the very smooth talkers Admiral Nimitz was so justly afraid of. The sooner we get rid of these smooth talkers and the faster we move the tremendous civilian staff that Admiral Nimitz so wisely foresaw was going to block you, the sooner we shall have the efficient, well-integrated land-sea-air team we must have in order to be adequately prepared, and the sooner the country will achieve the unity of command and singleness of purpose which the Navy so gallantly demonstrated in World War II. This will be the keystone of our success in any World War III into which we might be forced.

Mr. President, the duty of providing this team is the responsibility of the Congress. It is a responsibility that cannot be escaped, and for which we shall be held accountable by the country. It is hardly appropriate for the Navy Department or the War Department to dictate to the country or to Congress. It is not a function of generals and admirals to lay down the conditions under which the Navy and the Army will perform their duties. These duties are determined by law and by the appropriations which Congress votes and the money the taxpayer pays for the national security. It is outrageous that any department of the Federal Government or any of the military services should stand in the way of a program which clearly would result in substantial economies and increased efficiency of all of the services. In doing so those who speak for the Navy on this issue put their own interest and the interest of the Navy ahead of the national interest, especially when they charge that the Navy would not give loyal service under a single department. The President, as Commander in Chief of the armed forces, has repeatedly urged unification, and he has helped us arrive at a formula for accomplishing it. He announced that it was dropped from the "must" list in this Congress only when it developed that those in high authority in the Navy Department were either aggressively and openly opposing unification or were giving it lip service while actually knifing it behind the President's back.

I ask permission to insert in the RECORD at this point an editorial from Tuesday's New York Times on the subject of unification. It emphasizes again that the country expects us to act, and act intelligently, before we are again attacked by an enemy which knows our weaknesses better than we ourselves appear to admit them.

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

[From the New York Times of July 30, 1946]

UNFINISHED BUSINESS

As the Seventy-ninth Congress proceeds through what is apparently to be its final legislative week it has still on its calendar of unfinished business one of the most important legislative problems that faced it when it convened for its second session, on January 14. That is the problem of unification of the armed forces, in order to give us a modern military organization for our own national security and for our share of the task of keeping the peace of the world.

Although even the President, who has been one of the strongest proponents of merger, is said to be convinced that there is little or no possibility of passage now, there is no reason why the measure should not be taken up and passed promptly if Congress could be awakened to the necessity. The most extensive possible hearings have been held in both Houses. Studies going back many years have been made. The Thomas bill, embodying the main points of the President's twice-urged proposals, is on the Senate Calendar. Every survey of public opinion has shown a majority of the people to be for it. Lethargy appears to be the only barrier.

If unification is not voted in the Seventy-ninth Congress, it will mean that our military planners will have to muddle along for at least another 5 months without any blueprint to work from, since the Eightieth Congress will not convene until next January. This means that there will be continued duplication of facilities. It means that during critical months when we should be laying the firm foundation for our military future we would not even have a plan for the molds into which to pour it. Any plans made during the intervening months by the War Department or the Navy Department must necessarily be tentative, keyed only to the immediate future. Instead of such improvisation, what is needed is the master blueprint of unification that will allow Army, Navy, and Air Force to pool their brains and their energies to plan months and years into the future. Can there be any doubt at all between the relative worth of the two methods?

If there was ever a legislative task that should not be left undone, it is action on unification. That task should not be abandoned by the Seventy-ninth Congress, no matter how warm the Washington summer or how interesting the political situation back in the home districts. It is difficult to see how Senators and Representatives can justify themselves to their constituents if they go home without passing the Thomas bill. Now is the time to do it. Admiral Halsey predicted while the war was on that if unification was not achieved in the first 6 months after the end of the war it never would be achieved. When the Eightieth Congress convenes, the war will have been over almost 18 months. While the mistakes are fresh in mind, while the Pearl Harbor report and the strategic bombing survey reports are still on congressional desks, this is the time to make the decision.

Indecision and delay never won either a battle or a war. Neither will they win the peace. And peace in the immediate future may well depend as much upon the military strength of the democracies as upon their moral principles. Until unification is achieved that strength will remain hampered, confused, and divided.

Mr. HILL. Mr. President, if we fail to live up to our responsibility for organizing the armed services in an efficient, modern manner, we shall have to answer to the more than 12,000,000 men who fought in uniform during the war—to the families of those who died, as well as to those who came back. They know that in any modern war the armed services must operate as a team. They are interested only in the national security and in making sure that we, as a people, do everything human wisdom can suggest to make another war unlikely. We shall invite and deserve the condemnation of these men so long as we allow these departmental quarrels to swerve us from our duty. It is time to put the interest of the country ahead of the selfish interest of the few mossback admirals who hate to see the battleship go the way of the mastodon. Hard-shell admirals, like horse generals, must understand that the make-up of the armed services and the conditions under which they must operate are determined by the President and by Congress, and not by the services themselves.

Let us have a clearer recognition on the part of everyone concerned that this is our responsibility, and then let us do our duty. I hope and trust that this will be the first order of business in the next Congress.

EXHIBIT I

AMERICA'S PIONEER DEFENSE ORGANIZATION—NAVY LEAGUE OF THE UNITED STATES (INCORPORATED 1903), THE CIVILIAN ARM OF THE NAVY, WASHINGTON, D. C.

Sheldon Clark, honorary president.
Ralph A. Bard, president.
Robert Parkinson, executive vice president.
John Marshall, judge advocate.
Robert V. Fleming, treasurer.
E. M. Collins, secretary.

NATIONAL VICE PRESIDENTS

Winthrop Aldrich.
Rosser J. Coke.
Wilbur Forrest.
Frederick Hale.
Marshall F. McComb.
Ogden Reid.
Sinclair Weeks.

REGIONAL VICE PRESIDENTS

First, George D. Flynn, Jr.
Third, Charles Hann, Jr.
Fourth, William C. Hunneman, Jr.
Fifth, William H. Labrot.
Sixth, Lawrence Wood Robert, Jr.
Seventh, Charles A. Mills.
Eighth, F. O. Burns.
Ninth (A), Michael Gallagher.
Ninth (B), Maurice Moore.
Eleventh, Morgan Adams.
Twelfth, Frazer Bailey.
Thirteenth, Samuel A. Perkins.

STATE PRESIDENTS AND DIRECTORS

Alabama, B. Lonnie Noojin.
Arizona, Harold L. Pickert.
Arkansas, Truman N. Baker.
California:
  Northern, E. J. McClanahan.
  Southern, R. F. Gross.
Colorado, Lawrence A. Phipps.
Connecticut, Lewis A. Shea.
Florida, Charles A. Mills.
Georgia, Hurd J. Crain.
Illinois, William E. Fay.
Indiana, Leo T. Dwyer.
Iowa, William F. Riley.
Kansas, Harry Darby.
Kentucky, W. L. Lyons, Jr.
Louisiana, Marion J. Epley, Jr.
Maine, John J. Fitzgerald.
Maryland, Dr. Arthur G. Barrett.
Michigan, Donald M. Mackie.
Minnesota, Paul S. Carroll.
Mississippi, L. P. Sweatt.
Missouri, Lloyd C. Stark.
Nebraska, E. B. Crofoot.

New Jersey, Capt. Gill Robb Wilson.
New Mexico, Norvelle W. Sharpe.
New York, Addison F. Vars.
North Dakota, Robert Byrne.
Ohio, George Codrington.
Oklahoma, T. A. Nicholson.
Oregon, Irving D. Winslow.
Pennsylvania, Charles P. Blinn, Jr.
Rhode Island, A. E. Stebbens.
South Carolina, Wilton E. Hall.
South Dakota, Lee R. Girton.
Texas, Roy Miller.
Utah, Charles R. Mabey.
Washington, J. C. Platt.
West Virginia, Richard Harte.
Wisconsin, William M. Chester.

DIRECTORS

C. Henry Austin, Chicago.
Chauncey B. Borland, Chicago.
Britton I. Budd, Chicago.
Clarence E. Cross, Chicago.
Clarence Dillon, New York City.
Mrs. Roger Ferger, Cincinnati, Ohio.
Col. William Innes Forbes, Philadelphia, Pa.
Maxwell M. Geffen, New York City.
Gordon Hardwick, Philadelphia, Pa.
Walter W. Head, St. Louis, Mo.
Mrs. Edward S. Little, Pelham Manor, N. Y.
Mrs. Bradford Norman, Jr., New York City.
Nicholas Noyes, Indianapolis.
Charles M. O'Boyle, Wilmington, Del.
M. C. Pfefferkorn, San Diego, Calif.
I. J. Roberts, Washington, D. C.
John A. Stevenson, Philadelphia, Pa
Walter L. Todd, Rochester, N. Y.
Dr. James E. West, New York City.
D. C. Wilkerson, Detroit, Mich.

Mr. WALSH subsequently said: Mr. President, at this late hour I do not intend to make an extended reply to the able speech of the Senator from Alabama [Mr. HILL] in favor of a merger of the armed forces. I do not intend to set forth what the Navy believes is the proper way of bringing about an integration of Army and Navy efforts.

I wish to say, however, Mr. President, that I think it is most regrettable, at the end of a war in which glorious service was rendered by the Army, the Navy, the Air Corps, and the Marine Corps, that we should, within a few short months, find those services fighting against each other, and public sentiment divided, and everyone forgetting the heroic and successful achievement of those services during the war. It is with great regret that I have observed the development in this country of antagonism among those groups, and among the American people.

In my opinion, the way in which to treat this subject is, first of all, to recognize that for nearly 150 years the existing order has been satisfactory, beneficial, and has led to success in every war in which our country was engaged. That does not mean that it is impossible to perfect these organizations, and to improve them. It does not mean that by unifying certain activities the national defense cannot be improved. So far as I have been able to look into the questions involved, I feel certain that it is possible to make some improvements in the administration and in the coordination of all branches of the armed forces. But I wish to say emphatically that from my study of the question I have found no evidence of any neglect of duty, or of any betrayal of trust on the part of the Army, the Navy, or the Marine Corps during the war. They have cooperated splendidly in winning the war. If that is a sound premise, it should be easy for us to cooperate and work together to make whatever changes are necessary to perfect and to strengthen these organizations for our future security.

I may say to the able Senator from Alabama, whom I esteem greatly, and who has made a very extensive study of the subject, and whose research and study is deserving of weight and consideration, that I do not mean in any way to reflect upon his judgment and his opinion. But, my belief is, that in attempting to arrive at a solution of this problem we should recognize the excellent features of our present system and attempt to perfect them instead of making radical changes which has proven defective in every country which has tried a single department and a single commander over the armed forces.

The Secretary of War and the Secretary of the Navy have been Members of the Cabinet for nearly 150 years. They should not be relegated to the position of mere figureheads rather than men with great authority, unless there are very substantial reasons for making such a change.

The Army and Navy perform radically different duties; one operates on the sea and the other on land. An officer trained in the strategy of land warfare and who lacks training and insight in the special field of naval strategy and air war cannot command successfully a fleet. A naval commander, on the other hand, who has specialized in the field of naval strategy, cannot successfully direct a land campaign. Naval officers and army officers are educated and trained in a different manner and have different points of view. Both of these points of view are essential in modern warfare, and it is impossible for one man to become competent in each type of warfare. History has repeatedly demonstrated that full development and efficient utilization of each of the major military arms are fostered only when each branch of the service is administered and commanded by officers trained in that branch.

Mr. President, I wish to ask permission, if it be necessary, that I be permitted to make a reply in the CONGRESSIONAL RECORD to some of the matters discussed by the able Senator from Alabama.

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

Mr. WALSH. I repeat that I have profound respect for the Senator from Alabama and his views.

I feel, however, that this controversy over the merging of the armed services has done more harm than good, as it has created animosities, unfriendliness, and misunderstandings.

THE CALENDAR

Mr. BARKLEY. Mr. President, I ask unanimous consent that the Senate proceed to consider the House measures on the calendar to which there is no objection, beginning with Calendar No. 1955, which is the point at which the last call of the calendar ended, except for two Senate bills; and of course, as I have stated, there is no point in having the Senate consider Senate bills at this time, inasmuch as the House of Representatives has already adjourned. I also ask that House bills to which amendments have been proposed by Senate committees be not called, for the same reason.

The PRESIDENT pro tempore. Without objection, it is so ordered; and the clerk will proceed to state the measures on the calendar under the agreement just entered.

STATISTICS OF THE GRADE AND STAPLE LENGTH OF COTTON

The bill (H. R. 4769) to amend section 5 of the act entitled "An act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton," was considered, ordered to a third reading, read the third time, and passed.

CONTINUANCE OF FARM LABOR SUPPLY PROGRAM

The bill (H. R. 6828) to provide for continuance of the farm labor supply program up to and including June 30, 1947, was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 2347) to provide and insure a dependable supply of domestic natural rubber, and for other purposes, was announced as next in order.

Mr. TAFT. Let the bill be passed over.

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

The bill (H. R. 3243) to amend the act entitled "An act to establish a National Archives of the United States Government, and for other purposes," was announced as next in order.

Mr. BARKLEY. The Senator from Oregon [Mr. CORDON] objected to that bill, and it would be necessary to amend it, in order to enact it now. Therefore, inasmuch as the House of Representatives has already adjourned, I ask that the bill be passed over.

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

CLAIMS OF PETROL CORP.

Mr. JOHNSTON of South Carolina. Mr. President, what action is to be taken on Calendar No. 1963, Senate bill 1327?

The PRESIDENT pro tempore. That bill will not be called, because it is a Senate bill, and also because it has amendments; and under the agreement such bills are not to be called at this time.

Mr. BARKLEY. Yes, Mr. President; it is a Senate bill, and there is no chance to have it passed by the House at this session, inasmuch as the House has already adjourned.

Mr. JOHNSTON of South Carolina. Mr. President, I have a resolution providing that the matter be referred to the Court of Claims, and I should like to offer the resolution and have it considered and agreed to at this time.

Mr. BARKLEY. Mr. President, I have no objection to having that done.

Mr. JOHNSTON of South Carolina. Mr. President, I send the resolution to the

desk and ask that it be stated. It will take the place of Senate bill 1327, Calendar No. 1963, which can be marked off, if the resolution is agreed to.

The PRESIDENT pro tempore. The resolution will be read.

The Chief Clerk read the resolution (S. Res. 321), as follows:

Resolved, That the bill (H. R. 6112) entitled "A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Petrol Corp." now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims pursuant to section 151 of the Judicial Code, as amended, and the said court shall proceed expeditiously with the same in accordance with the provisions of such section and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform Congress of the nature and character of the demand, as a claim, legal or equitable, against the United States, and the amount, if any, legally or equitably due from the United States to the claimant.

Mr. JOHNSTON of South Carolina. I ask unanimous consent for the present consideration of the resolution.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the resolution was considered and agreed to.

Mr. FERGUSON. Mr. President, let me inquire in reference to the resolution which was just read and agreed to. Does it confer authority to render judgment, or simply to report back?

Mr. JOHNSTON of South Carolina. No; it only gives authority to report back to the next Congress.

Mr. FERGUSON. As the clerk read the resolution, I thought I understood it to provide for the rendering of judgment.

Mr. JOHNSTON of South Carolina. I will say that it only provides for reporting back to the Congress.

Mr. FERGUSON. Mr. President, with that explanation, I have no objection.

The PRESIDENT pro tempore. The Clerk will state the next bill on the calendar, in accordance with the unanimous-consent agreement.

SALE OF SURPLUS VESSELS SUITABLE FOR FISHING

The bill (H. R. 5552) relating to the sale by the United States of surplus vessels suitable for fishing was considered, ordered to a third reading, read the third time, and passed.

USE OF LANDS IN CONNECTION WITH PENSACOLA RESERVOIR, OKLA.

The bill (H. R. 3058) to authorize the use of certain lands of the United States for flowage in connection with providing additional storage space in the Pensacola Reservoir of the Grand River Dam project in Oklahoma, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

PREPARATION OF MEMBERSHIP ROLL OF YAKIMA INDIANS

The bill (H. R. 6165) to provide for the preparation of a membership roll of the Indians of the Yakima Reservation, Wash., and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

ENTRY UPON INDIAN LANDS TO ENFORCE SANITATION, COMPULSORY SCHOOL ATTENDANCE, ETC.

The bill (H. R. 2893) to amend the act of February 15, 1929, was considered, ordered to a third reading, read the third time, and passed.

AUTHORITY TO ACCEPT GIFTS AND BEQUESTS FOR LIBRARY OF THE POST OFFICE DEPARTMENT

The bill (H. R. 6721) to authorize the Postmaster General to accept gifts and bequests for the benefit of the library of the Post Office Department was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 6112) to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claims of Petrol Corp., was announced as next in order.

Mr. FERGUSON. Let the bill be passed over.

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

PLACING OF CHINESE WIVES OF AMERICAN CITIZENS ON A NONQUOTA BASIS

The bill (H. R. 4844) to place Chinese wives of American citizens on a nonquota basis was announced as next in order.

Mr. HART. Let the bill be passed over.

Mr. KNOWLAND. Mr. President, I wonder whether the Senator will withhold his objection until I have an opportunity to make a brief explanation of the bill.

Mr. HART. I shall be glad to do so.

Mr. KNOWLAND. Mr. President, the purpose of this bill is to permit the Chinese wives of American citizens, if otherwise eligible for admission into the United States, to come into the United States to join their citizen husbands as nonquota citizens, so as to have the same privilege which runs to other persons eligible for naturalization.

I may say, Mr. President, that this bill has the support of the Bureau of Immigration of the Department of Justice, and I have a letter from the State Department in which they point out the importance of the passage of the bill.

Coming from a State in which there are a considerable number of Chinese-American citizens, I wish to say that they have made good citizens. They were good soldiers in the Army during the war.

Mr. President, I hope that with the explanation I have given the objection will be withdrawn. During the period of time when the Chinese were permitted to bring their wives into this country, over a 10-year period—1931–42—there were only 767 who came into the country.

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

There being no objection, the bill (H. R. 4844) to place Chinese wives of American citizens on a nonquota basis was considered, ordered to a third reading, read the third time, and passed.

DIMITRIOS KARAMOUZIS (KNOWN AS JAMES C. KARAMOUZIS OR JAMES C. KAR)

Mr. CHAVEZ. Mr. President, I ask unanimous consent that the Senate proceed to consider the House bill 5527 for the relief of Dimitrios Karamouzis.

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

The CHIEF CLERK. A bill (H. R. 5527) for the relief of Dimitrios Karamouzis (known as James C. Karamouzis or James C. Kar).

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

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

WILLIAM S. MEANY

Mr. CHAVEZ. Mr. President, the Committee on Post Offices and Post Roads has considered favorably a bill sponsored by the Senator from Connecticut [Mr. MCMAHON]. I understood the Senator from Kentucky to state that Senate bills will not be considered. Am I correct?

Mr. BARKLEY. I said that inasmuch as the House had already adjourned, it would be futile to consider Senate bills.

Mr. CHAVEZ. This is a very meritorious bill, and the subcommittee, consisting of the Senator from New York [Mr. MEAD] and the Senator from Kentucky [Mr. STANFILL], approved the bill. It is very meritorious, and only for the purpose of protecting the RECORD, I ask unanimous consent that the bill be now considered.

The PRESIDENT pro tempore. The bill will be read by its title for the information of the Senate.

The CHIEF CLERK. A bill (S. 1225) for the relief of William S. Meany.

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

Mr. FERGUSON. Mr. President, I object.

The PRESIDENT pro tempore. Objection is heard.

Mr. FERGUSON. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. FERGUSON. The House has adjourned. Whatever action the Senate might take on the bill would not hasten the bill to its enactment into law, and therefore it would be useless for the Senate to pass the bill. Am I not correct?

The PRESIDENT pro tempore. The bill would not become law.

Mr. CHAVEZ. Mr. President, I suggest to the Senator from Michigan that while I know the bill can not become law even though the Senate passes it, yet there is such a thing as a little equity to be exercised in connection with a reasonable bill. [Laughter.]

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

Mr. CHAVEZ. I yield.

Mr. MCMAHON. I may say that there would be an advantage which

would be gained if the Senate should show by passing the bill that it approved it. The claimant in this case is a postmaster at Greenwich, Conn. The assistant postmaster stole $68,000. about $50,000 of which was stolen before Meaney became postmaster. Some of the money has been recovered. That the money was stolen was no fault of Meaney's, and he should have been paid a reward for aiding in catching the thief which the post-office inspectors did not do during the 10 years following the theft of the money. The Post Office Department has made demands on Meaney for approximately $17,000. I do not know whether the Post Office will press its demand during the recess of the Congress. I trust that it will not. It might be that favorable action on the part of the Senate would serve as notice to the Post Office Department that it should wait, at least, in trying to collect the money until the new Congress convenes next year.

Mr. FERGUSON. Mr. President, I have no objection to the proposed idle ceremony.

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

Mr. WHERRY. Mr. President, I do not see why this bill should be given any different consideration than any other Senate bill on the calendar. I object to the Senate considering the bill.

The PRESIDENT pro tempore. Objection is heard.

Mr. MEAD subsequently said: Mr. President, I hope I have the attention of the Senator from Connecticut and the Senator from New Mexico when I say that I was not here when the discussion began with reference to the bill for the relief of Postmaster Meany.

Several months ago, probably in April, serving on a subcommittee with the junior Senator from Kentucky [Mr. STANFILL] we heard testimony all one morning, and we reported favorably upon the bill. Why it was not placed on the calendar I do not know. It should have been on the calendar several months ago. It was not the fault of the able senior Senator from Connecticut that it was called up at this late hour. But in view of the fact that that is one bill to which the subcommittee gave several hours of time, hearing the witnesses who appeared from Connecticut, listening to the testimony presented by the Post Office Department, and then reporting the bill favorably, if nothing is done at this time with reference to the bill I want the RECORD to show the situation. As I have said, it is not the fault of the able senior Senator from Connecticut that it was not before us on an earlier occasion.

I do not know of a claims bill which received more attention than did this bill. I hope the record will be useful in the future. I wished to help make the record at this time, and I know that if the able junior Senator from Kentucky [Mr. STANFILL] were present, who asked me several times why the bill was not on the calendar, he would want the RECORD to show that he heard the testimony and that he favored the bill and wanted it passed.

The PRESIDING OFFICER. Objection being made, nothing further can be done with the bill at this time.

Mr. McMAHON. Mr. President, I wish to express my thanks to the Senator from New York, and to bear out what he has said about the junior Senator from Kentucky's position. He spoke to me on several occasions about the bill.

DISSEMINATION BY THE DEPARTMENT OF STATE OF INFORMATION ABROAD ABOUT THE UNITED STATES

Mr. CONNALLY. Mr. President, earlier in the day I moved that the Senate proceed with the consideration of House bill 4982. However, when I made the motion opposition was voiced because of there being no quorum present. I understand that if I persist in the motion the point of no quorum will be made again, and even right now the number of Senators is dwindling and dwindling. In view of the fact that the matter can probably be cared for at the next session of Congress in January, inasmuch as it relates only to an authorization, in deference to the wishes and convenience of the Members of the Senate I shall not press further the motion to proceed to consider House bill 4982.

THE SITUATION IN PALESTINE

Mr. WALSH. Mr. President, I have several telegrams which I ask to have inserted in the RECORD as part of my remarks. These telegrams evidence the reaction of thousands of my constituents to the latest proposal for the settlement of the Palestine problem. That proposal, as officially announced by the British Government, calls for the division of Palestine into four provinces, one of which would be Zionist, and another Arab. The other two areas would be controlled by a central government, presumably British. Under this same central government would be the Zionist and the Arab provinces.

Concerning the legislative powers of the provincial governments, we have not been apprised of the details, although we have been given a general description of such legislative powers as would be delegated to the provinces proposed. But, regardless of the administrative and legislative details of the entire British proposal, the plan is contrary to the joint resolution concerning Palestine which Congress acted upon last December.

We have long urged the establishment of a democratic homeland and refuge for the displaced Jewish people of Europe. Our President has officially requested that 100,000 of these victims of persecution be admitted into Palestine. Yet, the latest proposal makes no clear-cut, unconditional provision for such admission.

On Tuesday of this week the senior Senator from Ohio [Mr. TAFT] and the senior Senator from New York [Mr. WAGNER], with whom I was originally associated in introducing a resolution on Palestine, a modification of which was passed by the Senate, objected on the floor of the Senate against this British proposal for a divided Palestine which is contrary to historic title and just principles.

Unfortunately, at the time that their eloquent protests were voiced, I was absent from the Chamber on official business. Had I been present, I would have joined in their protests and would have associated myself with their remarks. The receipt of the telegrams which I have presented has prompted me to give voice today to the pleas of my constituents for a just and equitable settlement of the Palestine question based on a unified homeland for the displaced Jewish people.

According to recent newspaper accounts, it was brought out in the British House of Commons that the execution of the plan for a partitioned Palestine may well depend upon American acceptance. In connection with this report, we have also been informed that the President will confer with the members of his Cabinet committee who have been in London discussing the Palestine problem with representatives of the British Government. I sincerely hope and trust that our Government, as a result of this conference, will decide to reject this British proposal, which is so contrary to what the United States has been urging.

Mr. President, I have also a memorandum from the American Christian Palestine Committee of Boston, Mass. The memorandum concerns the report of the Anglo-American Committee of Inquiry on Palestine. Hence, it does not refer to the content of the latest proposal for the division of Palestine. However, I ask that this memorandum be printed in the RECORD as a part of my remarks since it so adequately summarizes the events preceding the announcement of the latest British plan.

In concluding my remarks, Mr. President, I quote the final paragraph of the memorandum.

> We shall continue unabated in our efforts until the aspirations of the Jewish people shall have been satisfied in the establishment of a democratic Jewish commonwealth in Palestine.

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

AMERICAN CHRISTIAN PALESTINE COMMITTEE,
Boston, Mass., May 3, 1946.

MEMORANDUM

From: The Reverend David R. Hunter.
To: All members.

Following is the statement of the New England Division of the American Christian Palestine Committee concerning the report of the Anglo-American Committee of Inquiry on Palestine:

"We endorse the position of the Jewish community in Palestine, in consonance with the opinion of world Jewry, that only the establishment of a Jewish Commonwealth in Palestine along the lines of the mandate guaranteeing the protection of the religious and civil rights of the Arabs will answer the crying need of Jewish homelessness.

"We are gratified that the request of President Truman for the immediate entry of 100,000 Jews into Palestine is unanimously recommended by the committee. We are glad to note that President Truman withholds judgment concerning the future of Palestine.

"The recommendation for the immediate entry of 100,000 Jews, further immigration into Palestine thereafter, and the rescission of the land transfer regulations which restricted Jewish purchase of land to only 7 percent of the area in Palestine, is recognition of the

position taken by the Government of the United States, the World Zionist Organization, and the permanent Mandates Commission of the League of Nations that the White Paper of 1939 is an illegal document contrary to the provisions of the Mandate of the League of Nations and now incorporated in the United Nations Charter.

"We regret, however, that the committee considered it necessary to couple these gains with suggestions concerning the future status of the government of the land which denied the historic rights and aspirations of the Jewish people firmly established in international law by the Balfour Declaration, the mandate for Palestine, and the Anglo-American Covenant of 1924.

"We regret also the subordination in the committee report of the role to be played by the Jewish Agency for Palestine.

"Even after the 100,000 Jews of Europe will have been admitted to Palestine there will be left in Europe 1,250,000 destitute victims of Fascist persecution, 75 percent of whom cannot continue to live in Europe, whose fervent desire to emigrate to Palestine has been substantiated by every impartial government observer.

"We shall continue unabated in our efforts until the aspirations of the Jewish people shall have been satisfied in the establishment of a democratic Jewish commonwealth in Palestine."

GREENFIELD, MASS., *July 31, 1946.*

Senator DAVID I. WALSH,
Washington, D. C.:

Our Zionist district comprising 103 members respectfully urge you use influence to have Britain's proposal to limit Jewish Palestine to 15,000 square miles repudiated. We further urge our Government adhere to original recommendation that 100,000 destitute European Jews be immediately admitted to Palestine. Our grateful thanks.

GREENFIELD MONTAGUE ZIONIST DISTRICT.

BOSTON, MASS., *August 1, 1946.*

Hon. DAVID I, WALSH,
United States Senator,
Washington, D. C.:

Unanimity of opinion of leaders of the Jewish community of Boston deploring recent developments in Palestine and the stand taken by the Anglo-American Cabinet Committee as voiced at a conference held at the offices of the Jewish Community Council of Metropolitan Boston late yesterday. Following the meeting, Judge David A. Ross, president of the council, made up of 21 major organizations and a group of individuals chosen from the community at large issued this statement: "Britain's new proposed plan to divide Palestine into Jewish and Arab provinces with supreme control in the hands of the British is clearly an attempt to reduce Palestine to the status of a British colony. Moreover, by making the admittance of 100,000 Jews contingent upon acceptance of this new partition plan, it makes a mockery of Britain's word in international affairs by violating the recommendations of the Anglo-American Committee of Inquiry on Palestine which unanimously favored the immediate admittance of the 100,000 Jews into that country. Not only is this plan a violation of the commitments Britain has made for the establishment of a Jewish national home in Palestine but it is a repudiation of President Truman's stand on immediate immigration of 100,000 Jews into Palestine. Foreign Secretary Ernest Bevin has stated publicly that Britain would carry out the recommendations of the Anglo-American Committee of Inquiry if they were unanimous. They were unanimous. The new partition plan denies as a practical possibility large-scale Jewish immigration into Palestine and therefore is against every conception of humanity and justice. The British, who have found President Truman opposed to their policy of vacillation and broken promises, are now attempting to make him a party to this discredited partition plan. Despite the oppressive measures of the Attlee-Bevin government the Jewish people will continue to condemn violence and bloodshed with all their heart and soul. The Jewish people are inherently peace loving and condemn violence in any form. Liberty-loving fellow Americans will join us in supporting President Truman's original recommendations for the immediate admittance of 100,000 Jews into Palestine and will not accept any alternative which negates the legally assured rights of future Jewish immigration into Palestine. Upon the preservation of these rights depend the lives of thousands of homeless desperate Jews of Europe."

BOSTON, MASS., *August 1, 1946.*

Hon. DAVID I, WALSH,
United States Senator,
Washington, D. C.:

Proposed partition of Palestine is shocking answer to President Truman's request for immediate admittance of 100,000 Jews to Palestine and an unbearable condition to unanimous recommendation of Anglo-American Committee of Inquiry supporting that request. Please convey to the President, in person if possible, the horrified reaction of the Jewish citizens of New England calling for rejection of the proposal urging the immediate and unconditional entry into Palestine of the 100,000 Jews now held in European displaced-persons camps.

NEW ENGLAND ZIONIST EMERGENCY COUNCIL,
MORRIS MICHELSON, *President.*

Mr. PEPPER. Mr. President, I heartily concur in what has been said here in the last few days by several Senators in condemnation of the policy of Great Britain relative to Palestine. What has been done and what has been proposed, the failure of Great Britain to discharge the British mandate over Palestine, and the crisis which exists today in that country, not only threaten the peace of the world, but in my opinion make it mandatory that Great Britain be called upon to relieve herself of that mandate, and allow the United Nations organization to attempt to discharge the responsibility which the world owes to Palestine. I hope that our executive department and the State Department will give furtherance to those views.

PROSECUTIONS UNDER THE CONSPIRACY STATUTE

Mr. President, while I am on my feet let me say that at the conclusion of the consideration by the Senate of the legislation relative to the drafting of labor, and in the concluding hours of the consideration of that subject by the Senate, some difference of opinion was expressed by certain Senators relative to the legal effect of a certain provision of the bill.

Upon that subject I have made inquiry of the legislative counsel's office, and I have a reply from the legislative counsel to me which I ask to have incorporated in the body of the RECORD immediately following my remarks.

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

MEMORANDUM FOR SENATOR PEPPER

This memorandum is in reply to your request for my opinion as to whether a prosecution under the conspiracy statute (sec. 37 of the Criminal Code) would lie with respect to a violation of section 4 (b) of H. R. 6578 (the President's temporary labor bill).

Section 4 (b) of H. R. 6578 reads as follows:

"(b) On and after the finally effective date of any such proclamation, continuation of a strike, lock-out, slow-down, or any other interruption at any such plant, mine, or facility shall be unlawful."

Section 37 of the Criminal Code (18 U. S. C. 88) provides:

"If two or more persons conspire either to commit any offense against the United States, or to defraud the United States in any manner or for any purpose, and one or more of such parties do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be fined not more than $10,000, or imprisoned not more than 2 years, or both."

At common law the crime of conspiracy was complete when one had agreed with others either to do an unlawful act, or to do a lawful act in an unlawful way, and to these requirements section 37 of the Criminal Code has added the requirement that some member of the conspiracy must do an overt act in furtherance of the venture. *Deacon* v. *United States* (C. C. A. Mass., 1941, 124 Fed. (2d) 352). Under the section a conspiracy is a combination of two or more persons by concerted action to accomplish a criminal or unlawful purpose, or some purpose not in itself criminal, by criminal or unlawful means. *Duplex Printing Press Company* v. *Derring* (254 U. S. 443 (1921)). Persons entering into agreement, tacit or otherwise, to commit an unlawful act are guilty of conspiracy if one of them does some act in pursuance thereof. *Chaplin* v. *United States* (28 F. (2d) 567 (1928)).

The annotations are replete with definitions of conspiracy under the above mentioned section of the Criminal Code but the ones outlined in the foregoing paragraph are fairly representative. It is not necessary for a statute to prescribe a penalty for an act declared unlawful before an indictment will lie for conspiracy to commit the forbidden act. In *United States* v. *Niroku Komai*, (286 F. 450 (1923)). District Judge Tribbet, in overruling a motion in arrest of judgment where the defendant had been convicted of a conspiracy to conceal and harbor a Japanese alien not duly admitted to the United States, said:

"It is plain that section 8 (of the immigration laws) provides no penalty for the misdemeanor defined therein of concealing or harboring an alien. The penalty only relates to bringing in or landing in the United States the alien. There is not even any ambiguity in the statute on this subject. In my opinion the fact that no penalty of any kind is prescribed by section 8 does not bar a prosecution for a conspiracy. Section 8 describes concealing and harboring an alien as an offense, to wit, a misdemeanor. One who conspires to commit a misdemeanor 'hath offended the law.'"

Applying the principle laid down in the Komai case to subsection 4 (b) it will be seen that an indictment for conspiracy will lie against any two or more persons who conspire to continue a strike, lock-out, slow-down or any other interruption at a plant, mine, or facility after the finally effective date of the President's proclamation because such action is declared to be unlawful.

The latest decision of the Supreme Court with respect to said section 37 was handed down on June 10, 1946, entitled *"Pinkerton and Pinkerton* v. *the United States."* This case dealt with two brothers who were convicted of a conspiracy along with other substantive offenses having to do with unlawful possession, transportation, and dealing in whisky, in fraud of the Federal revenues. One of the brothers, Daniel, was in jail for other crimes when some of the offenses making up the overt acts of the conspiracy were committed by his brother, Walter. The

Court found that there was a continuous conspiracy and that there was evidence to show that the substantive offenses were in fact committed by Walter in furtherance of the unlawful agreement or conspiracy existing between the brothers. That there was no evidence of the affirmative action on the part of Daniel which is necessary to establish his withdrawal from the conspiracy. And that so long as the partnership in crime continues, the partners act for each other in carrying it forward. The Court said, "It is settled that 'an overt act of one partner may be the act of all without any new agreement specifically directed to that act.'" It thus seems clear that a labor leader in having the members of his union continue a strike, slow-down, etc., in violation of said section 4 (b) would constitute the overt act which is a necessary ingredient of a conspiracy indictment and he as well as all members of the union joining in such continuation would be subject to an indictment under said section 37 of the Criminal Code. See also *U. S.* v. *Winner* (28 F. (2d) 295 (1928)); and *U. S.* v. *Hutto* (256 U. S. 529 (1921)).

Ordinarily a strike by a labor organization is, of course, not illegal or a conspiracy of any sort. However, there are some State court cases where activities by labor unions have been held to be a conspiracy. In *Moore* v. *Cooks, Waiters and Waitresses Union No. 402* (39 Cal. App. 538), picketing of plaintiff's restaurant by unions to induce plaintiff to unionize the restaurant, by compelling the women employees to pay their dues to defendant's union was held to be a conspiracy. In *Heitkemper* v. *Central Labor Council of Portland and Vicinity* (99 Or. 1) it was held that where a local union of jewelry workers, on failure of employers to reply to a circular relative to recognition of the union, met and caused a strike, notifying the central labor council, which placed the employers on the unfair list, and pickets were stationed about the places of business of two of the employers, there was a conspiracy, a combination of two or more persons by concerted action to do an unlawful thing or a lawful thing in an unlawful manner. To the same effect is *State* v. *Murphy* (1 A. (2d) 274), where a truck drivers' union conspired to compel truck owners, against their will, to employ only union drivers, and nonunion drivers against their will to join the union or abstain from driving trucks, and to accomplish such purpose committed specified acts such as forcibly stopping and detaining trucks, damaging them, threatening owners and drivers of trucks, and injuring drivers. See also *Hopkins* v. *Oxley Stave Company* (83 Fed. 912); *Allis-Chalmers Co.* v. *Reliable Lodge* (111 Fed. 264). A conspiracy by a trades union to boycott a newspaper for refusing to unionize its office has been held to be illegal. *Casey* v. *Cincinnati Typographical Union No. 43* (45 Fed. 135). Other forms of boycotts held to be conspiracies by labor unions and illegal are found in *Thomas* v. *Cincinnati N. O. T. P. Ry. Co.* (63 Fed. 803); *J. C. McFarland Co.* v. *O'Brien* (6 F. (2d) 1016); *Hitchman Coal and Coke Co.* v. *Mitchell* (245 U. S. 229 (1917)).

In conclusion, it may be stated generally that the conspiracy statute (sec. 37 of the Criminal Code) covers to all intents and purposes the situation you had in mind when you stated that there was a general criminal statute to punish persons for continuing a strike made unlawful by section 4 (b). While the conspiracy statute applies only to two or more persons acting in concert, a continuation of a strike, slow-down, or other stoppage of work referred to in said section 4 (b) will of necessity be concerted action on the part of a labor union and its members and will subject its officers and members to a criminal prosecution for conspiracy. That Government prosecutors are all too prone to use the conspiracy statute when drawing indictments is clearly set forth in the Annual Report of the Attorney General for 1925, pages 5–6, reading as follows:

"The Conference of Senior Circuit Judges reported in 1925:

"'We note the prevalent use of conspiracy indictments for converting a joint misdemeanor into a felony, and we express our conviction that both for this purpose and for the purpose—or at least with the effect—of bringing in much improper evidence the conspiracy statute is being much abused.

"'Although in a particular case there may be no preconcert of plan, excepting that necessarily inherent in mere joint action, it is difficult to exclude that situation from the established definitions of conspiracy; yet the theory which permits us to call the aborted plan a greater offense than the completed crime supposes a serious and substantially continued group scheme for cooperative law breaking. We observe so many conspiracy prosecutions which do not have this substantial base that we fear the creation of a general impression, very harmful to law enforcement, that this method of prosecution is used arbitrarily and harshly. Further, the rules of evidence in conspiracy cases make them most difficult to try without prejudice to an innocent defendant.'"

Respectfully,

S. E. RICE,
Legislative Counsel.

JUNE 20, 1946.

TRIBUTES TO SENATOR ANDREWS

Mr. PEPPER. Mr. President, my colleague the senior Senator from Florida [Mr. ANDREWS] is voluntarily going out of the Senate at the conclusion of this session, and this will be the last session of the Senate which, so far as I know his present intentions, he will have the honor and distinction to attend.

I am sure that every Senator will miss the kindly, friendly, sincere, earnest, and patriotic senior Senator from Florida from this body. He is rounding out a distinguished career of public service which has carried him through the legislative, executive, and the judicial branches of the government of the State of Florida and of the Nation.

As I said, it was his own choice that he retire from the Senate, which he does for reasons of health which have plagued him for some time.

It has been a great privilege for me to share service in the Senate with the senior Senator from Florida. He will carry with him not only my affection and esteem, but I am sure the affection and esteem of every other Senator who has had the real pleasure and satisfaction of service with Senator ANDREWS in the Senate.

The State of Florida will be greatly the loser when his distinguished service is no longer being given to the State and to the Nation.

Mr. BARKLEY. Mr. President, I wish to associate myself with the Senator from Florida in his expressions of esteem and good will toward the senior Senator from Florida [Mr. ANDREWS].

I have enjoyed not only the service of Senator ANDREWS here, but his personal friendship and his cooperation. I wish for him long life and health and happiness in whatever he undertakes. I hope that his departure from the Senate will not mean that we shall not, from time to time, allow our paths to merge so that we may see more of him in the future.

I thank the junior Senator from Florida for giving me this opportunity to express my high esteem and my personal affection for Senator ANDREWS.

Mr. WILEY. Mr. President, I wish to associate myself with the ideas expressed by the two Senators on the other side of the aisle toward our good friend the "Judge," as we call him. It has been my privilege to visit with him in his home. I know his fine wife, and I agree with everything that has been said about him. I am sorry that ill health has made it necessary for him to leave the Senate. The people of Florida would have been happy to send him back.

When I was in Florida, everywhere I went, I found people of all parties and of all creeds who really loved him. He had served on the bench with distinction, and has found a place in the hearts of many of his colleagues in the Senate.

We join in the wish of the majority leader that he may regain his health and in his fine home in Florida, down there among the lakes, will be able to enjoy the grandchildren and his family for many years to come.

Mr. McFARLAND. Mr. President, I wish to join in what has been said about Senator ANDREWS. Since he has been in the Senate he has rendered great service to his State and to the Nation.

FAREWELL TO DEPARTING SENATORS

Mr. BARKLEY. Mr. President, none of us knows whether circumstances might arise which would require the President to call Congress back into session before January. I sincerely trust that it will not be necessary for that to happen. If it should not happen, there are several of our colleagues who will not be back with us, including the Senator from Montana [Mr. WHEELER], the Senator from Maryland [Mr. RADCLIFFE], the Senator from Idaho [Mr. GOSSETT], the Senator from Minnesota [Mr. SHIPSTEAD], the Senator from Connecticut [Mr. HART], the Senator from Kentucky, my colleague [Mr. STANFILL]. I wish to express to all of them my best personal regards and best wishes for their success and happiness in whatever field they may be called.

In the list I include the Senator from Alabama [Mr. SWIFT] and the Senator from Virginia [Mr. BURCH]. These gentlemen have served here with us and we have formed a personal attachment to them, and unless we are called back in extra session we will not have them with us again.

Mr. President, I wish for all these gentlemen long life and happiness and prosperity and success in whatever endeavors may call their ability forth, and they all have ability, they all have charming personality. I would not feel that I were performing my duty to myself and the Senate if I did not wish for all of them the best that life may hold for them in the years that are to come.

I include in the list the Senator from Indiana [Mr. WILLIS]. He has been here with us for 6 years. We have all been endeared to him. He has been a gentleman in every sense of the word. I express for him the same cordiality and

good wishes that I have expressed for the other Senators.

Mr. President, there is another Senator who, if we do not come back in session before January, will not be with us, and that is the Senator from Rhode Island [Mr. GERRY]. If I am not mistaken, he became a Member of the House of Representatives at the same time I entered the House, in the beginning of the Wilson administration. I served with him in the House for a number of years. I have served with him in the Senate. I have for him the highest respect; though we have not always agreed, as I have not always agreed with anyone here. It would be a monotonous Senate if we always agreed with each other. I have not even agreed always with the Senator from Nebraska [Mr. WHERRY].

Mr. WHERRY. That is indeed true.

Mr. BARKLEY. Even so, that makes no difference; we respect one another's views; we respect one another's independence; we respect one another's sincerity; we respect one another's character.

The Senator from Rhode Island, with whom I served in the House and in the Senate, is voluntarily retiring from the Senate. I am sure he takes with him the best wishes of the membership of the Senate without regard to party, and that we wish for him the health, the happiness and the long life which he so richly deserves.

Mr. President, another distinguished Member of the Senate, the Senator from Vermont [Mr. AUSTIN] will not be with us when we reconvene in January. He has been appointed to be the United States delegate to the Security Council. I am sure we are all agreed that he is eminently fitted for this important post. I can think of no one the President could have chosen who could better perform the arduous as well as delicate task which must be confronted. We wish for him every success, and we know he will represent the United States with honor and ability.

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

Mr. BARKLEY. I yield.

Mr. RADCLIFFE. I appreciate very greatly the very generous reference the Senator from Kentucky has just made to myself and to others who will not continue in the Senate. It has been my privilege and, I count it, my good fortune to have been a Member of the Senate during 12 years which I imagine have been as strenuous and as momentous as any other 12-year period in the history of our country. During all those tragic and history-making days I have had the opportunity and pleasure to work in close contact with many Members of the Senate and I have formed many close friendships with them which I shall always cherish. I leave here with many delightful memories. These I am happy to know will remain always with me.

Mr. BARKLEY. Mr. President, I wish to say to the Senator from Maryland that he has served for 12 years through a period that has never been exceeded in importance and in the succession of tragic events in the history of the United States. He has been a diligent, hard-working, sincere Member of this body, and we not only wish for him success and good health and happiness, but that, since he lives close by, he will come to see us frequently after he retires from the Senate.

Mr. WHERRY. Mr. President, inasmuch as the distinguished majority leader stated that there were times when he was in total disagreement with me, I should like to say that I have always respected the ability and the leadership of the distinguished Senator from Kentucky, and as this Congress comes to an end and I leave for my home, I leave with the kindliest feelings toward him and toward all my colleagues.

We have had some pretty tough issues to fight out here, but I think it will be necessary for me to get back to Nebraska and eat a great deal of meat, because I can see some further disagreements coming up after Congress reconvenes in January 1947.

Mr. BARKLEY. Mr. President, in that connection I ask unanimous consent that the Senator from Nebraska be permitted to file in the final edition of the CONGRESSIONAL RECORD his final market report on meat. [Laughter.]

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

Mr. WHERRY. I thank the Senator.

Mr. WHITE subsequently said: Mr. President, I regret that I was absent from the Chamber when the Senator from Kentucky spoke a few moments ago. Although I did not hear him, I think I can tell what he said, and I think I can equally well call to mind the things he did not say.

I am sure that he spoke well of all of us on this side of the Chamber. That is an evidence of his kindliness and the generosity of his nature. I am sure that he spoke in approving terms of the work of this Congress. Those words were fully justified by the record which has been made. This has been a Congress of labor and of great achievements. I believe that all of us who have been permitted to participate in any way in the work have reason to feel gratification for the results accomplished.

I am sure that the Senator from Kentucky did not say what all of us upon this side would wish to say of him. We have a keen appreciation of his amazing industry, his ability, his courtesy, his kindliness, and the profound knowledge which he has manifested of the involved problems of legislation which have come before the Congress during this session and the previous session.

I think I am justified in saying, after a service of approximately 30 years in the Congress, that there never has been a greater leader, either in the House or in the Senate, than our distinguished and much beloved friend ALBEN BARKLEY.

REPUBLICAN CONTRIBUTIONS TO SEVENTY-NINTH CONGRESS

Mr. BRIDGES. Mr. President, I had intended to make at this time a few remarks relative to the Republican contributions to the Seventy-ninth Congress. Because of the lateness of the hour, I ask unanimous consent to have the remarks inserted in the body of the RECORD.

Mr. BARKLEY. Mr. President, I have no objection to that. I ask unanimous consent that, after I read the Senator's contribution, if I wish to make reply I may do so.

There being no objection, Mr. BRIDGES' statement was ordered to be printed in the RECORD, as follows:

REPUBLICAN CONTRIBUTIONS TO SEVENTY-NINTH CONGRESS

Mr. President, as this Seventy-ninth Congress is drawing to a close, I wish to take a few moments and comment briefly on the legislative contributions and achievements of the minority, as well as the honors accorded to individual Republican Senators.

Mr. President, the years 1945 and 1946—years of the Seventh-ninth Congress—stand out in history as years that may affect the course of events at home and abroad for generations to come.

During these 2 years, Mr. President, we witnessed the end of the most destructive of all wars, with the universal plea of all war-torn peoples for the birth of a new and more hopeful era.

The dramatic and sudden end of the war, however, caught the present administration wholly unprepared to fulfill its expected leadership either at home or in world affairs. Disclosure of secret treaty arrangements and the inability to cope with even the most fundamental and pressing reconversion problems during the transition period has led to widespread distrust of the administration's policies. Every poll of public opinion in recent months shows that the people are aware of the administration's failures, and are turning to the Republican Party for leadership and constructive measures.

The lack of leadership in the administration posed new problems for Congress that called for clear-cut legislation and the highest order of leadership from the representatives of the people in arriving at their solution.

How the Congress, in general, met these problems is now a matter of record, and that record is so well known to this audience, at least, that it does not warrant repetition at this time.

But, it might be well to review questions the American citizens were asking as the European and Pacific wars ended within a few months of each other just a year ago. Here are a few of these questions:

Will we have a speedy reconversion to full-time production?

Will the Government divest itself of extraordinary wartime powers and controls in order to restore to businessmen, farmers, workers, and the American people that freedom from regimentation which has made the American system unique among the governments of the world?

Will the Government cut down the size of the Federal bureaucracy where millions of Government officials have been supported at the expense of the American taxpayer?

Will there be eight to ten million unemployed as forecast by the administration's economists?

Will the administration be able to guide the reconversion of labor wisely from war to peace, insuring large peacetime production at stabilized wages and prices?

Will the administration be able to balance the budget, and reduce the Federal debt, or will it continue with its unsound deficit financing and the theory that we can spend our way to prosperity?

Will the United States enforce the making of just treaties of peace?

What will be done about the atomic bomb?

Will we have to finance the reconstruction of the devastated countries all over the world as we did following World War I? If so, will we be able to do it on better terms?

What will happen to all of our surplus property totaling billions of dollars? Will its sale be free of scandals?

Will there be plenty of food, clothing, housing for the returning 12,000,000 in the armed forces?

Will we get legislation designed to benefit all groups of our economy, or will we be besieged with legislation that favors some particular minority group?

What could President Truman do to meet these issues?

Mr. President, these and hundreds of similar questions were asked daily by the American people and the American press. These were some of the problems facing the Congress in the postwar world.

MEETING THE ISSUES

Mr. President, how did we meet these issues?

We all know that many of these issues before the Seventy-ninth Congress were so vital to the welfare of this and other nations that they transcended all political lines and called for larger loyalties and a deeper understanding of our own and our neighbor's problems.

Because of the very nature of some of these problems, the Senate of the United States, united in a common cause and passed such important legislation as the lend-lease extension bill; the enlargement of the Export-Import Bank; the extension of the Selective Service Act; and provided for adjusted taxes.

On many other measures of national and international importance, the majority of the Republican Senators united with the administration legislators to insure passage. These issues ran the gamut of legislation and included such measures as the International Monetary Fund and Bank bill; the ratification of the United Nations Charter and the participation of the United States in the United Nations; the reciprocal trade agreements extension bill; the United Nations relief and rehabilitation; the Federal employees pay increase bill; the Mexican-United States water treaty; the manpower bill; Federal aid to airports; the British loan; full employment; the Case labor bill, and many, many others.

STAND ON UNSOUND LEGISLATION

Republicans were active in all of these measures and succeeded in making constructive contributions to most of them. With regard to many other measures, the majority of Republican Senators refused to go along with what we believed was an attempt to fasten the strait-jacket of planned economy on a free people.

The majority has the power of the purse and patronage, together with the power of the Presidency, the power of the committee chairmen, the predominance of Democrats in congressional committees, and the control over departments and agencies of government. The Democratic majority has had an arsenal of weapons capable of bending the country to their will and withering all opposition.

Since the minority party does not have the power to block or to change the course of the New Deal government, they have to adopt such means available to them. The role of the Republican minority, especially in times when new courses are being set for the Nation, is to serve as a vigorous and constructive opposition to the administration. The minority party can discharge this responsibility in a number of effective ways.

First, they can analyze administration proposals and operations and hold them up to the clear light of reason and debate. I submit that the Republican representation in the House and Senate has discharged this duty with great distinction. But analysis is not enough. Republican obligation goes farther than this. Its second duty is to criticize, protest, and denounce all administration operations that are against the best interests of the country. This obligation, also, we have discharged with vigor and distinction even at the risk of incurring the displeasure of those who do not understand the functions of a minority in government and the limitations on minority operations. Third, the Republicans can use their places on committees and on the floor of Congress to reason out and correct the laws proposed by the administration. It is because we are performing this duty of making workable laws in the best way open to us that you hear so much of Republican amendments to administration bills.

The minority party can also use their votes to defeat measures which are wrong in principle. Lacking sufficient votes to control, we can only be successful in this when some Democrats break away from their own party controls and come to our support. Minority members can and do take an active part in congressional investigations to bring out the facts bearing upon national problems and in this way bring the real situation to the attention of the people.

The minority party will support sound legislation, but will have no part of unsound legislation. For instance, in the first session of the Seventy-ninth Congress, the President set forth a 21-point program, with most of the 21 points more or less favoring some small segment of our economy rather than the Nation as a whole. The President termed this as "must" legislation.

In retrospect, this "must" legislative program looks suspiciously like a political program designed to draw together the disintegrating Roosevelt strength and put it behind President Truman. It promised so much to so many different groups that Congress, as the representative of all the people could not bring itself to the point of cooperating for the passage of all the confused and conglomerate measures.

REPUBLICAN-SPONSORED LEGISLATION

Mr. President, while the Republican Senators are unable to carry through a legislative program of their own, they have the power to work against bad legislation and to amend other measures to make them better. Mr. President, for the record, I would like to comment briefly on Republican-sponsored legislation during the sessions of the Seventy-ninth Congress.

In the first session, Republicans sponsored a large number of amendments, resolutions, and substitutes to administration measures. Most of these were passed unanimously or by voice vote. Only a small number went to a record vote. Six out of the thirty Republican sponsored measures which went to record vote were adopted—the Bushfield amendment to the manpower bill, the Wherry amendment to the price control extension bill, the Brewster amendment to the Federal aid to airports, the Taft-Radcliffe amendment to the Full Employment Act, and the Donnell amendment to the reorganization of Government agencies.

Dozens of other Republican proposals to pending legislation were carried by voice vote and unanimous consent. In almost every case, these were constructive proposals to make legislation more equitable and more workable in the real interests of the American people.

In view of the administration's policy of irresponsible spending, it is interesting to note in passing that the Taft-Radcliffe amendment to the Full Employment Act of 1946, providing that "any program of Federal investment and expenditure for the fiscal year 1948, or in peacetime, should be accompanied by a taxation program designed to prevent any net increase in the national debt," passed the Senate by an unopposed 82 to 0 vote, the only unanimous recorded vote cast for a measure during the entire session.

Republicans proved to be even more effective in the second session of this Congress. Again we proposed a vast number of improvements in pending legislation and initiated many new measures of our own. A large number carried by voice vote and by unanimous consent. Even in those important measures that went to record vote, Republicans made an outstanding contribution.

Of the 34 amendments or substitutes offered to bills up to July 16, on which a record vote was taken, 16 were adopted, while 2 others, namely, the Smith amendment to the national science foundation bill and the Taft amendment to the OPA extension bill were only rejected on tie votes, the former on a 34–34 deadlock and the latter on a 40–40 vote.

Among the amendments offered and adopted during this present session were: the Capehart amendment to the Fair Labor Standards Act; the Taft-Ball "cooling off" amendment to the Case labor bill; the Taft fact-finding amendment to the same bill; the Taft-Ball amendment making unions liable for contract violations and elimination of secondary boycotts; the Gurney amendment to the selective service bill; the Taft-Wherry-Cordon, and the Taft-Butler amendments to the first OPA extension bill; the Hart amendment to the National Science Foundation; the Wherry amendments to decontrol meat, dairy products, milk, and poultry on OPA's second trip through Congress during this session; the Moore amendment to decontrol petroleum; the Knowland-Ferguson amendment exempting from OPA rent control those States that have their own rent control laws; and the Bridges amendment to decontrol feeding grains. Every one of these decontrol provisions to the OPA bill was an attempt to restore to the people their right to conduct their own affairs in a free economy.

Proof beyond dispute of the Republican Party's defense of the personal freedom of every individual American citizen is that not a single Republican Senator supported the Democratic administration's request for power to draft the workingmen of this country.

On May 29, 1946, when the motion was made to strike from H. R. 6578 a provision by which the President would have been given power to draft the wage earners of the country into the Army despite the basic right of personal liberty, every Republican vote was cast in favor of that motion and against forced labor.

All in all, nearly 50 percent of the amendments, substitutes, or resolutions offered by Republicans for a record vote on the floor of the Senate during the second session were adopted.

A far greater number proved to be such excellent improvements to pending measures that they passed by voice vote and unanimous consent. That record speaks more eloquently than I can do on the subject of constructive legislation offered by the minority party.

REPUBLICAN ATTENDANCE RECORD

Individually and collectively, the Republican Senators have a just right to be proud of the attendance record they have established in committee work and on the floor of the Senate during the sessions of the Seventy-ninth Congress.

Early in the first session the minority whip, the distinguished and energetic Senator from Nebraska, Senator WHERRY, spoke in defense of the Republican attendance record. The tribute he paid to his colleagues for their splendid attendance record is warranted on the basis of the record. Throughout both sessions of the Seventy-ninth Congress the Republican Senators have established an attendance record unequaled by their Democratic colleagues across the aisle.

That the Republicans were well represented from the very first roll call of the first session is evidenced by the fact that they led in

percentage of party voting in 33 out of the first 43 measures to come before the Senate for a record vote. They have worked long, diligently, and faithfully on committees to which they have been assigned and have made many constructive suggestions which have been incorporated into the bills or adopted as amendments thereto.

REPUBLICAN ACHIEVEMENT

Mr. President, while time does not allow me the opportunity to chronicle all of the numerous honors and tributes which have been accorded to many of the Republican Senators during these sessions of the Seventy-ninth Congress, I am sure that it is not too much of an imposition on the time of the Members of this body merely to mention in passing that Republicans and Democrats, not only in this Chamber, but throughout the country as well, applauded the President's elevation of one of our number, the distinguished junior Senator from Ohio, the Honorable Harold H. Burton, to the post as Associate Justice of the United States Supreme Court, as well as the appointment of the Senator from Vermont, WARREN R. AUSTIN, as representative to the Security Council of the United Nations Organization, and the selection of the senior Senator from Michigan, ARTHUR H. VANDENBERG, as delegate to the San Francisco Conference and advisor to the Foreign Ministers Conference in London and Paris.

In this field of foreign policy, Mr. President, Republicans have performed signal service. In the war years we cast aside all partisan influences and stood solidly with all others as Americans united for victory. It is our policy also to serve in the interests of peace without partisanship. In all our work in the Seventy-ninth Congress, the record is clear that we favored every measure of foreign policy which consults intelligent, American self-interest, and which sustains the dignity, the honor, and the safety of the United States; which faithfully seeks international security and peace-with-justice through vigorous support of the United Nations; and which once more encourages closest cooperative unity with our pan-American neighbors, north and south.

It is our principle that our country work closely and wholeheartedly with all our allies for just peace treaties; to reestablish human rights and fundamental freedoms through a peoples' peace; and to terminate the need for American occupational troops abroad.

Republicans generally supported an extension of the reciprocal trade treaty program in general, but I think it is well established that a majority of us opposed giving the President power to further reduce rates by 50 percent. We are not against a reasonable reduction of tariff rates, but there is such a thing as going to extremes and this certainly does things to extreme. Our position on this point is very simple; we favored every measure for expanded foreign trade except those, which in our judgment, threatened to be at the expense of the American producer, the American worker, our standard of living, and the necessities of our national defense.

The Republican Party believed with the American people that the United States went to war to protect the principles which are dear to this great Nation of freemen. We believed when we went to war that we were helping to establish a reign of decency in the world. That is what American men and thrust upon the United States. That is what the Republican Party believed when war was thrust upon the United States. That is what the Republican Party believes now.

The world learned in a cruel, bloody way that appeasement of wrong leads only to war. The Republican Party believes that only a completely firm stand for American principles can lead to a real peace on earth.

The Republican Party believes that America should bear the torch of moral leadership high and not leave that task solely to the little nations of the world.

The Republican Party believes there is no proper place for the compromise of American principles of freedom, decency, justice, and honor. The Republican Party believes that as the American people instinctively hope and work for peace their hopes should not be dashed and their work should not be blocked by any effort of any other government to compromise the very principles which are the only certain guide posts to lasting peace.

We are proud of the contributions which Republican spokesmen have made to postwar foreign policy, and which demonstrate the dependability of Republican leadership in our foreign relations. But we believe in a united, unpartisan foreign policy so far as possible; and, whether in the minority or the majority, we shall welcome this result.

I could go on, Mr. President, with a roll of honors and tributes accorded the individual Republican Senators during the Seventy-ninth Congress, but to do so would be to take much more time than I have at my disposal, but I do want to say for this group and for the record, that rarely in my recollection, has more or greater honor come to Members on this side of the aisle, or to the Republican Party so long as it has been in the minority, as has come during these sessions of the Seventy-ninth Congress.

The role of the minority in Congress, Mr. President, is often a trying one. The part it must, of necessity, play as the opposition party, is far too often misinterpreted as the role of the reactionary and obstructionist. Individual Republican Senators and the party in general, Mr. President, have come in for unwarranted abuse by persons entirely unaware of the real facts. Even a cursory glance at legislation designed to speed our national recovery program, such as housing, lifting of Government controls, the stand on a balanced budget, return to the States of State's rights, and veterans' benefits, to mention just a few, will prove that the Republicans did not follow, but led in this type of legislation.

Mr. President, as I have mentioned previously, the minority party can, and will, support good, constructive legislation designed for all the people, but will unalterably oppose a legislative pattern which favors some particular group or some small segment of our economy. Such legislation, Mr. President, only extends the Government control over the economy.

Ever since the Republican Party was founded back in the days of Abraham Lincoln, Mr. President, it has been the party of the people, by the people, and for the people—all the people. Nowhere is this more evidenced than in the party's stand on so-called social legislation. Now, as then, the Republican Party gives full support to the basic principle of our republican form of government, namely, that it exists to protect and advance the welfare of all of our people and not just a privileged few. We insist that the liberties and civil rights of all the people must be of primary concern to our form of government. A review of all social legislation enacted during the Seventy-ninth Congress, such as public and veterans' housing, hospital and welfare care, food to the starving nations of the world through special legislation I sponsored and through the United Nations Relief and Rehabilitation organization, will reveal that human values and the dignity of the individual are still the primary concern of the Republican legislators.

Republican opposition to legislation is often a great service to the country. As an example, Mr. President, I cite the case of OPA legislation. During the war years, there was some excuse for the regimentation of price controls. But in peacetime a free democracy has no place for government price fixing. The stupid and often intolerable maladministration by the OPA has all but wrecked the economy. We saw so-called price control disintegrate into profit control when the Administration foolishly believed the starry-eyed economists in OPA and the Commerce Department who maintained that we could have higher wages for all without higher prices. We saw scarcity in the land of plenty.

Black markets sprung up in essential items of food, clothing, building materials, and staple commodities. Instead of meeting the situation in a realistic manner the OPA sent an army of supersnoopers and cheeky checkers throughout the land. It did no good. An ever-increasing number of items disappeared from the merchants' shelves until meat, for example, was 90 percent black market. Production increased in many lines, but the inept administration of price controls forced much of this material into black markets.

Republican amendments that would do away with the black markets and restore confidence and faith to the manufacturer and retailer were made the political basis for a Presidential veto.

Then, Mr. President, we saw a miracle happen in this country. In 24 days the back of the black market was broken. Meat came through legitimate channels in ever-increasing quantities at steadily lower prices. Mr. President, I believe that the Republican amendments to the OPA bill accomplished in 24 days what this administration has been unable to accomplish in 4 years—and that was the elimination of the black market.

It wasn't a CIO-inspired buyers strike as the radical press and CIO would have you believe. It wasn't the curtailment of Army orders for meat as the face-saving OPA would have you believe. It was neither of these, Mr. President. The fact is that it was the 40,000,000 housewives who were willing to give the Republican old-fashioned idea of the law of supply and demand a chance to work that broke the black market in meat, and will break the black market in any commodity if given a chance to work.

At the same time, Mr. President, Republicans have attacked this price problem from their more constructive angles. Everyone knows that Government spending—the monetization of public debt—has contributed enormously to the inflationary conditions we now face. Republicans have fought this irresponsible administration policy in season and out. We have demanded economy. We have insisted that the Government clean up its own financial household and balance its Budget. Had Mr. Truman's 21-point program been carried out, the enormous Government expenditures it contained would have tipped the scales toward wild inflation. Republicans resisted these measures, made many of them more modest, and blocked others that would have bankrupted the Federal Treasury. At the same time, Mr. President, Republicans have taken the lead in demanding relief for the people of this country from a Federal tax load that takes almost one-quarter of every person's income and retards incentive of producers to turn out the goods we sorely need. No one will work longer or harder merely to satisfy the tax gatherer. The administration has not yet learned that simple lesson, but it has long been a guiding principle for Republicans. Lift the heavy load of Government from the backs of the people and production and competition will take care of inflation.

When I say that Republicans have fought diligently for economy and a balanced budget, I know whereof I speak. A part of the battle fell upon minority members of the Appropriations Committee where Government expenditures have to be analyzed and approved. As ranking minority member of that committee I can tell you we faced a

stupendous job. Countless hours have been put in by us to weigh and cut down Government expenditures. It was a labor few people outside of Congress realize and it does not have the glamour that makes newspaper headlines. But it is of great importance to the people of this country.

Republicans took the initiative in this and with the help of some Democrats who also believe in sound Government finance, billions of dollars have been saved for the people of this country.

Mr. President, the majority of the Republican Senators have supported veterans' legislation on a wholly impartial basis, as it naturally should be. They have been in the forefront in the campaign for adequate housing, complete medical care for the disabled, including automobiles for the amputees. They have endorsed the broadening of the benefits to the veterans under the GI bill of rights, including more substantial educational benefits and terminal pay for the enlisted men and women.

Another contribution of the Republican Senators for which all members of this group should be truly grateful was the exposure and ultimate curtailment of the huge Government propaganda machine that spends $74,000,000 a year and uses the services of 45,000 publicity agents to push Government-inspired legislation through the Congress, through any and all means at its disposal, including distortion of truth and unwarranted attacks on the Congress itself. It remained for Republican Senators to turn the blistering spotlight on the vicious methods used by the Government propaganda machine during the course of the debate on the Bretton Woods and OPA legislation. This very revealing exposure has led this body to take measures to curb such future bureaucratic attacks upon the Congress and the people of the country; and the policy started in curbing the use of propaganda by the OPA should be extended to all of the other Government agencies. This, Mr. President, was merely another of the unglamourous, though necessary, accomplishments of the Republican minority.

In the late war we have stamped out fascism and nazism by force of arms. But communism we have with us still today. They have not given up their ideal of world conquest by propaganda or by force. J. Edgar Hoover, Director of the Federal Bureau of Investigation, warned publicly that the danger of communism in this country today is greater than ever before. We cannot close our eyes to the fact that Communists have infiltrated the various agencies of our Government, the labor unions, the veterans' organizations, and community bodies. In their subversive way they plant the seed of distrust and suspicion, of prejudice and hatred, of bigotry and intolerance. They set class against class, creed against creed, and race against race.

Mr. President, the time has long since past to be on our guard against this menace to our national security and freedom. We must now take forceful steps to rid ourselves of this element in our Government agencies, especially our State Department. Republicans have been, and intend to be, eternally vigilant on all appointments to Government offices to be certain that only men who respect our American system are appointed to Government positions, and not men who will use their appointive offices to further their own political ambitions, or men who will fan the flames of communism by spreading discontent among our people and distrust of our institutions and our laws.

We are all very familiar with the very active part Republican Senators have taken in congressional investigations, such as the recent Pearl Harbor probe and the current investigation of war profiteers. It is only through such investigations, Mr. President, that we are able to bring the true situation to the attention of the public. The administration in control of the Government cannot be expected to investigate itself, except when it seeks scapegoats for political effects. Only the minority can be a natural instrument for such exposures.

Even through such means of exposure as the investigation committees, the minority party is handicapped. We all know that it is the democractic majority that sets the time of the hearings, fills the staff positions, determines in a large measure the kind of facts that will be presented by witnesses, and sets the tone of the report to be made.

In spite of all these handicaps, however, the minority party must, in the interest of good government, national security, and the safety and freedom of the people, bring such matters of maladministration and corruption to the attention of the people.

Also, Mr. President, in the case of Presidential appointments, it is the responsibility of the minority to protest any such appointments which would not be in the best interests of the country. That the minority can do a good job of bringing out all the facts is vividly evidenced by their action in the cases of the Edwin Pauley and the Aubrey Williams nominations.

Mr. President, the Republican Party still stands for a Government of the people, for the people, and by the people. It will offer itself to no special group. It believes in the maximum decentralization of Government services and the restoration to the States and to the people of those extra Federal activities appropriated as a wartime emergency. It believes in and can achieve a balanced budget, in practice and not on paper. It is of the firm conviction that the sooner we return to a balanced budget, the sooner we will have sanity, economy, and efficiency in our National Government.

Mr. President, in the short time at my disposal, I have merely highlighted, in a very general way, the contributions made by the Republicans in this great body, to legislation enacted during the two sessions of the Seventy-ninth Congress. I only wish, Mr. President, that I had the time to give a more detailed account of the many worth-while achievements of each and every Senator on this side of the aisle. The list of accomplishments is long and worthy of greater tribute than I have had time to accord to it. But, borrowing from the Navy parlance—to each of my colleagues, may I say "Well Done."

TRIBUTE TO SENATORS WHEELER AND SHIPSTEAD

Mr. CHAVEZ. Mr. President, I am one of those who believe that upon each State falls the responsibility for determining who shall be its representatives in the Congress and who shall be its legal officials. I feel it my duty at this time to say a word in respect to two Senators who will not be with us at the next Congress. I wish to say that I have known the senior Senator from Montana [Mr. WHEELER] for many years. It is my sincere and honest opinion that the senior Senator from Montana has rendered valuable service to the welfare of his country throughout his service in the Senate. Of course, it is Montana's business as to who shall represent it in the Senate.

I may say also that my association with the senior Senator from Minnesota [Mr. SHIPSTEAD] has always been most pleasant. Notwithstanding he is a Republican, I consider him to be a loyal, patriotic American, and that, as he understood his duty, he has rendered valuable service to his country.

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

Mr. BARKLEY. I yield.

Mr. McFARLAND. I should like to concur in what the Senator from New Mexico has said in respect to the Senator from Montana and the Senator from Minnesota and in what has been said in regard to other Senators who will not return. I know the hour is getting late and I do not want to detain the Senate. I, too, have served with the Senator from Montana [Mr. WHEELER], who has spent 24 of the best years of his life in the service of his State and of his Nation. It has been my good fortune to have served under him as a member of the Committee on Interstate Commerce over which, as chairman, he has presided with great distinction. He is a great statesman. He has served his State and his Nation well. He has been willing to help his colleagues at every possible opportunity. I wish to join the Senator from New Mexico in his tribute to the Senator from Montana.

THE NATIONAL TRIBUTE GROVE—ADDRESS BY SENATOR KNOWLAND

[Mr. KNOWLAND asked and obtained leave to have printed in the RECORD an address entitled "The National Tribute Grove," recently delivered by him, which appears in the Appendix.]

ADDRESS BY SENATOR PEPPER BEFORE THE AMERICAN SLAV CONGRESS

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an address delivered by him at the Third All-Slav Day Rally of the Midwest Division of the American Slav Congress, held at Pilsen Park, July 7, 1946, which appears in the Appendix.]

CONTROL AND DEVELOPMENT OF ATOMIC ENERGY—ADDRESS BY HON. HENRY A. WALLACE

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an address entitled "Why Is the Control and Development of Atomic Energy a World Problem?" delivered by Hon. Henry A. Wallace, Secretary of Commerce, on July 31, 1946, which appears in the Appendix.]

CHARTER FOR WORLD HEALTH—ADDRESS BY SURGEON GENERAL PARRAN

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an address entitled "Charter for World Health," delivered by Dr. Thomas Parran, Surgeon General of the United States Public Health Service, which appears in the Appendix.]

VITAL PROBLEMS BEFORE THE AMERICAN PEOPLE—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address, prepared by him, entitled "Vital Problems Before the American People," which appears in the Appendix.]

OUR FOREIGN POLICY—INTERVIEW BETWEEN SENATOR CAPPER AND SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD a copy of an interview between himself and Senator CAPPER to be held over the radio on Saturday, August 3, 1946, which appears in the Appendix.]

RECEPTION AT WHITE HOUSE AND MEETING OF ELECTORS ON INAUGURATION DAY, JANUARY 20, 1945

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a statement with reference to the reception at the White

House and meeting of electors on inauguration day, January 20, 1945, which appears in the Appendix.]

THE IMPORTANCE OF CONCILIATION AND ITS WORK—STATEMENT BY SENATOR MEAD

[Mr. MEAD asked and obtained leave to have printed in the RECORD a statement prepared by him entitled "The Importance of Conciliation and Its Work," which appears in the Appendix.]

IRELAND BACK IN THE NEWS—ARTICLE BY WILLIAM A. MILLEN

[Mr. MEAD asked and obtained leave to have printed in the RECORD an article entitled "Ireland Back in the News," written by William A. Millen and published in the Washington Star of June 23, 1946, which appears in the Appendix.]

STATEMENT BY SENATOR TAFT

[Mr. TAFT asked and obtained leave to have printed in the RECORD a statement respecting the wool bill, which appears in the Appendix.]

LETTER FROM MRS. EMMA GUFFEY MILLER TO SENATOR BARKLEY

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD a letter addressed to Senator BARKLEY by Mrs. Emma Guffey Miller, national committeeman, dated July 31, 1946, dealing with the equal-rights amendment, which appears in the Appendix.]

TRIBUTE TO SIDNEY HILLMAN BY REV. GEORGE G. HIGGINS

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD a tribute to Sidney Hillman by Rev. George G. Higgins, assistant director, social action department, NCWC, which appears in the Appendix.]

TRIBUTE TO HENRIK SHIPSTEAD

[Mr. LANGER asked and obtained leave to have printed in the RECORD an article written by him entitled "Tribute to HENRIK SHIPSTEAD," which appears in the Appendix.]

EQUAL RIGHTS AMENDMENT—ADDRESS BY FLORENCE L. C. KITCHELT

[Mr. MCMAHON asked and obtained leave to have printed in the RECORD a radio address entitled "Is the Equal Rights Amendment Equitable to Women?" delivered by Florence L. C. Kitchelt, chairman, Connecticut Committee for the Equal Rights Amendment, on July 15, 1946, which appears in the Appendix.]

LETTERS WRITTEN BY SENATOR MITCHELL REGARDING INITIATIVE 166, PENDING IN THE STATE OF WASHINGTON

[Mr. TAYLOR asked and obtained leave to have printed in the RECORD three letters written by Senator MITCHELL on the subject of initiative 166, pending in the State of Washington, which appear in the Appendix.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, informed the Senate that, pursuant to the provisions of House Resolution 753, adopted by the House August 2, 1946, the Clerk of the House had appointed Mr. Harry Newlin Megill as the official in his office to be the Acting Clerk of the House as provided in said resolution.

The message announced that the House had agreed to the concurrent resolution (S. Con. Res. 76) authorizing the signing of enrolled bills and joint resolutions after the adjournment of the present session of Congress.

ADDITIONAL ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, August 2, 1946, he presented to the President of the United States the following enrolled bills:

S. 2100. An act to remove the limitations on the amount of death compensation or pension payable to widows and children of certain deceased veterans;

S. 2125. An act to amend the act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, and the acts amendatory thereof and supplementary thereto;

S. 2256. An act to amend the Servicemen's Readjustment Act of 1944;

S. 2286. An act to amend the act entitled "An act for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital," approved May 29, 1930;

S. 2332. An act to provide that the unexpended proceeds from the sale of 50-cent pieces coined in commemoration of the two hundred and fiftieth anniversary of the founding of the City of Albany, N. Y., may be paid into the general fund of such city;

S. 2408. An act to amend the act of February 9, 1907, as amended, with respect to certain fees;

S. 2460. An act to provide additional inducements to citizens of the United States to make a career of the United States military or naval service, and for other purposes;

S. 2477. An act to authorize the Veterans' Administration to reimburse State and local agencies for expenses incurred in rendering services in connection with the administration of certain training programs for veterans, and for other purposes;

S. 2479. An act to amend an act entitled "An act to regulate within the District of Columbia the sale of milk, cream, and ice cream, and for other purposes," approved February 27, 1925;

S. 2480. An act authorizing the appointment of Robert Sprague Beightler as permanent brigadier general of the line of the Regular Army; and

S. 2498. An act to provide for fire protection of Government and private property in and contiguous to the waters of the District of Columbia.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

REPORT AND CONFIRMATION OF NOMINATION OF ARTHUR A. MAGUIRE TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

Mr. MURDOCK. Mr. President, from the Committee on the Judiciary, I report favorably the nomination of Arthur A. Maguire, of Pennsylvania, to be United States attorney for the middle district of Pennsylvania, and I ask unanimous consent for the present consideration of the nomination.

The PRESIDING OFFICER (Mr. HUFFMAN in the chair). Is there objection to the present consideration of the nomination?

There being no objection, the nomination was considered and confirmed.

REPORT AND CONFIRMATION OF NOMINATION OF COMMANDER JOHN F. ROBINSON TO BE STATE DIRECTOR OF SELECTIVE SERVICE FOR CONNECTICUT

Mr. MURDOCK. Mr. President, on behalf of my colleague from Utah [Mr. THOMAS], from the Committee on Military Affairs I report favorably the nomination of Commander John F. Robinson to be State director of selective service for Connecticut, and ask unanimous consent for the present consideration of the nomination.

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

There being no objection, the nomination was considered and confirmed.

PROTOCOL TRANSFERRING TO THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS THE FUNCTIONS AND ASSETS OF THE INTERNATIONAL INSTITUTE OF AGRICULTURE

The Senate, as in Committee of the Whole, proceeded to consider Executive H (79th Cong., 2d sess.), a protocol dated at Rome, March 30, 1946, terminating the Rome Convention of June 7, 1905, and transferring the functions and assets of the International Institute of Agriculture to the Food and Agriculture Organization of the United Nations, which was read the second time, as follows:

PROTOCOL TRANSFERRING TO THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS THE FUNCTIONS AND ASSETS OF THE INTERNATIONAL INSTITUTE OF AGRICULTURE

The Governments signatories to this Protocol,

Being parties to the Convention signed at Rome on June 7, 1905, creating the International Institute of Agriculture (hereinafter called the Institute),

Considering it desirable that the Institute (including the International Forestry Center, hereinafter called the Center) be dissolved and that the functions and assets thereof be transferred to the Food and Agriculture Organization of the United Nations (hereinafter called the Organization), and

Being cognizant of the resolution of the Permanent Committee of the Institute, have agreed as follows:

ARTICLE I

From the date to be announced by the Permanent Committee of the Institute in accordance with Article III of this Protocol, the Convention signed at Rome on June 7, 1905, by which the Institute was created, shall be no longer of any effect as between the parties to this Protocol, and the Institute (including the Center) thereupon shall be brought to an end.

ARTICLE II

The Permanent Committee of the Institute shall, in accordance with the directions of the General Assembly of the Institute, bring the affairs of the Institute (including the Center) to an end and for this purpose shall

(a) collect and bring together all assets of the Institute (including the Center) and take possession of the libraries, archives, records, and movable property thereof;

(b) pay and satisfy all outstanding debts and claims for which the Institute is liable;

(c) discharge the employees of the Institute and transfer all personnel files and records to the Organization;

(d) transfer to the Organization possession of and full title to the property in the libraries, archives, records, and all residual assets of the Institute (including the Center).

ARTICLE III

When the duties assigned to it by Article II of this Protocol have been completed, the Permanent Committee of the Institute shall forthwith, by circular letter, notify the Members of the Institute of the dissolution of the Institute (including the Center) and of the transfer of the functions and assets thereof to the Organization. The date of such notification shall be deemed to be the date of the termination of the Convention of June 7, 1905, and also the date of the dissolution of the Institute (including the Center).

ARTICLE IV

Upon bringing to an end the affairs of the Institute (including the Center) the powers, rights or duties attributed to it by the provisions of the International Conventions listed in the Annex of this Protocol, shall devolve upon the Organization; and the parties to this Protocol which are parties to the said conventions shall execute such provisions, insofar as they remain in force, in all respects as though they refer to the Organization in place of the Institute.

ARTICLE V

Any Member of the Institute which is not a signatory to this Protocol may at any time accede to this Protocol by sending a written notice of accession to the Director General of the Organization, who shall inform all signatory and acceding Governments of such accession.

ARTICLE VI

1. This Protocol shall not be subject to ratification in respect to any government unless a specific reservation to that effect is made at the time of signature.

2. This Protocol shall come into force upon its acceptance in respect to at least thirty-five Governments Members of the Institute. Such acceptance shall be effected by:

(a) signature without reservation in regard to ratification, or

(b) deposit of an instrument of ratification in the archives of the Organization by Governments on behalf of which this Protocol is signed with a reservation in regard to ratification, or

(c) notice of accession in accordance with Article V.

3. After coming into force in accordance with paragraph 2 of this Article, this Protocol shall come into force for any other Government a Member of the Institute,

(a) on the date of signature on its behalf, unless such signature is made with a reservation in regard to ratification, in which event it shall come into force for such Government on the date of deposit of its instrument of ratification, or

(b) on the date of the receipt of the notice of accession, in the case of any nonsignatory Government which accedes in accordance with Article V.

IN WITNESS WHEREOF the duly authorized representatives of their respective Governments have met this day and have signed the present protocol, which is drawn up in the French and English languages, both texts being equally authentic, in a single original which shall be deposited in the archives of the Organization. Authenticated copies shall be furnished by the Organization to each of the signatory and acceding Governments and to any other Governments which, at the time this Protocol is signed, is a Member of the Institute.

DONE at Rome this 30th day of March 1946.

For the Government of Argentina:
CARLOS BREBBIA.

For the Government of Australia:
G. S. BRIDGLAND.

For the Government of Belgium (including the Belgian Congo):
G DASPREMONT LYNDEN.

For the Government of Brazil:
J. LATOUR
Sous réserve de ratification

For the Government of Bulgaria:

For the Government of Canada:
ALFRED RIVE

For the Government of Chile:

For the Government of China:

For the Government of Colombia:

For the Government of Cuba:
MIGUEL A. ESPINOSA

For the Government of Denmark:
T BULL

For the Government of Egypt:
MAHMOUD MOHARRAN HAMMAD.

For the Government of Ireland:
MICHAEL MACWHITE.

For the Government of Ecuador:

For the Government of Spain:

For the Government of the United States of America (including Hawaii, the Philippines, Puerto Rico, and the Virgin Islands):
DAVID MCK. KEY.
Subject to ratification.

For the Government of Ethiopia:

For the Government of Finland:

For the Government of France (including Algeria, French West Africa, French Morocco, Indo-China, Madagascar, and Tunis):
AUGÉ-LARIBÉ.

For the Government of Greece:
G. A. EXINTARIS.

For the Government of Haiti:

For the Government of Hungary:

For the Government of India:
JOHN O. MAY.

For the Government of Iran:

For the Government of Italy:

For the Government of Luxembourg:
G DASPREMONT L.

For the Government of Mexico:

For the Government of Nicaragua:

For the Government or Norway:
SIGURD BENTZON.

For the Government of Paraguay:

For the Government of the Netherlands (including the Netherlands Indies):
H. VAN HAASTERT.

For the Government of Peru:

For the Government of Poland:
W. WYSZYNSKI.

For the Government of Portugal:

For the Government of Rumania:

For the Government of the United Kingdom of Great Britain and Northern Ireland:
JOHN O. MAY.

For the Government of San Marino:

For the Government of Siam:

For the Government of Sweden:

For the Government of Switzerland:

For the Government of Czechoslovakia:
DR. JAN PAULINY TOTH.

For the Government of Turkey:
FURUZAN SELCUK
Sous réserve de ratification.

For the Government of the Union of South Africa:

For the Government of Uruguay:

For the Government of Venezuela:

For the Government of Yugoslavia:

ANNEX

LIST OF CONVENTIONS TO WHICH ARTICLE IV OF THE PROTOCOL RELATES

International Convention for Locust Control, dated at Rome October 31, 1920.

International Convention for Plant Protection, dated at Rome April 16, 1929.

International Convention concerning the Marking of Eggs in International Trade, dated at Brussels December 11, 1931.

International Convention for the Standardization of the Methods of Cheese Analysis, dated at Rome April 26, 1934.

International Convention for the Standardization of Methods of Analyzing Wines, dated at Rome June 5, 1935.

International Convention for the Standardization of the Methods of Keeping and Utilizing Herd-Books, dated at Rome October 14, 1936.

AMERICAN EMBASSY, *Rome, Italy.*

I certify that this is a true copy of the original.

David McK. Key
DAVID MCK. KEY
Charge d'Affaires ad interim

Mr. CONNALLY. Mr. President, it will be remembered that under the League of Nations there was an organization known as the International Institute of Agriculture. The functions and assets of that organization are now being transferred to the Food and Agriculture Organization of the United Nations. This is simply a protocol authorizing the delivery to the United Nations of the property, records, and so forth of this organization.

The PRESIDING OFFICER. The protocol is open to amendment. If there be no amendment to be proposed, the protocol will be reported to the Senate.

The protocol was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive H (79th Cong., 2d sess.), a protocol dated at Rome March 30, 1946, terminating the Rome Convention of June 7, 1905, and transferring the functions and assets of the International Institute of Agriculture to the Food and Agriculture Organization of the United Nations.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the protocol is ratified.

The Clerk will proceed to state the nominations on the Executive Calendar.

NATIONAL HOUSING AGENCY—NOMINATION PASSED OVER

The legislative clerk read the nomination of Dillon S. Myer to be Administrator of the United States Housing Authority in the National Housing Agency, which nomination had been previously passed over.

Mr. TAFT. Mr. President, I am obliged to ask that this nomination be passed over.

Mr. BARKLEY. Mr. President, I wish to express my regret that the Senator from Ohio feels that he must ask that this nomination be passed over, which, of course, means that under the circumstances it will not be acted upon at this session. I realize that under the law the President may make a recess appointment, and that the nomination can be sent to the Senate at the next session of Congress; but that does not minimize

my regret that we cannot confirm the nomination at this time.

Mr. WAGNER. Mr. President, I also add my regret. Mr. Myer appeared before our committee and was unanimously recommended by the committee. I am very sorry that we are not able to confirm his nomination.

The PRESIDING OFFICER. The nomination will be passed over.

DEPARTMENT OF STATE

The legislative clerk read the nomination of William L. Clayton to be Under Secretary of State for Economic Affairs.

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

FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the Foreign Service.

Mr. BARKLEY. I ask that the nominations in the Foreign Service be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Foreign Service are confirmed en bloc.

DEPARTMENT OF LABOR

The legislative clerk read the nomination of Keen Johnson to be Under Secretary of Labor.

Mr. BARKLEY. Mr. President, I wish to say just a word. I do not think there has been recently a more happy or appropriate appointment than the appointment of former Gov. Keen Johnson of my State as Under Secretary of Labor. Governor Johnson is a very excellent and able executive. He is a level-headed man. He enjoys the confidence of labor and business. He has had business experience as a successful newspaperman in Kentucky. He was a most excellent Governor of the State. Prior to that time he was Lieutenant Governor of Kentucky. I am very happy to recommend the confirmation of the nomination of former Gov. Keen Johnson to this position.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

The legislative clerk read the nomination of Ewan Clague to be Commissioner of Labor Statistics.

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

UNITED STATES PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the Public Health Service.

Mr. BARKLEY. I ask that the nominations in the United States Public Health Service be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the United States Public Health Service are confirmed en bloc.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

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

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

POSTMASTERS—NEW REPORTS

Mr. CHAVEZ. Mr. President, because of the lateness of the session of Congress many nominations of postmasters were referred to the Committee on Post Offices and Post Roads yesterday. The committee had to clear them today. Hence they are not on the calendar. However, they have been approved. Senators from the respective States have been consulted and have also approved the nominations. I ask unanimous consent to report them at this time and have them confirmed.

Mr. BRIDGES. Mr. President, are there any names on the list which have been previously before the committee?

Mr. CHAVEZ. The one which the Senator from New Hampshire has in mind has not been reported.

Mr. BRIDGES. I thank the Senator. I have no objection.

Mr. CHAVEZ. Nominations which have been objected to are not on the list.

The PRESIDING OFFICER. Is there objection to the present consideration of the nominations? The Chair hears none. Without objection, the nominations are confirmed en bloc.

THE ARMY

The legislative clerk read the nomination of Robert Sprague Beightler to be a brigadier general in the Regular Army of the United States.

The PRESIDING OFFICER. It gives the Chair great pleasure to announce that, without objection, the nomination is confirmed.

THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

The PRESIDING OFFICER. Without objection, the nominations in the Marine Corps are confirmed en bloc.

That completes the Executive Calendar.

Mr. BARKLEY. Mr. President, I ask that the President be immediately notified of all nominations confirmed this day.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

ADJOURNMENT SINE DIE

Mr. BARKLEY. Mr. President, in accordance with the terms of House Concurrent Resolution 165, heretofore agreed to today, I move that the Senate do now adjourn.

The motion was agreed to; and (at 7 o'clock and 27 minutes p. m.) the Senate adjourned sine die.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED AFTER SINE DIE ADJOURNMENT

Subsequent to the sine die adjournment of the Senate, the President pro tempore, under the authority of Senate Concurrent Resolution 76, signed the following enrolled bills and joint resolutions, which had previously been signed by the Speaker of the House of Representatives:

S. 334. An act for the relief of the Trust Association of H. Kempner;

S. 1560. An act to amend the Service Extension Act of 1941, as amended, to extend reemployment benefits to former members of the Women's Army Auxiliary Corps who entered the Women's Army Corps.

S. 2306. An act to authorize the Secretary of War to grant Georgia Power Co. a 100-foot perpetual easement across certain land in the State of Alabama constituting a portion of the military reservation designated as Fort Benning, Ga.;

H. R. 228. An act for the relief of Robert June;

H. R. 386. An act to amend the law relating to the authority of certain employees of the Immigration and Naturalization Service to make arrests without warrant in certain cases and to search vehicles within certain areas;

H. R. 783. An act for the relief of Karl E. Bond;

H. R. 935. An act for the relief of Andreas Andersen;

H. R. 957. An act for the relief of Margaret Dunn;

H. R. 1357. An act for the relief of the estate of Otto Frederick Gnospelius, deceased;

H. R. 1633. An act for the relief of Raymond Crosby;

H. R. 1751. An act to authorize the course of instruction at the United States Merchant Marine Academy to be given to not exceeding 12 persons at a time from the American Republics, other than the United States;

H. R. 2093. An act for the relief of J. P. Kerr and Robert P. Kerr;

H. R. 2480. An act for the relief of Wesley A. Mangelsdorf;

H. R. 2536. An act to authorize the leasing of Indian lands situated within the State of Washington, for business and other purposes;

H. R. 2736. An act for the relief of Norman Abbott;

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

H. R. 2893. An act to amend the act of February 15, 1929;

H. R. 3058. An act to authorize the use of certain lands of the United States for flowage in connection with providing additional storage space in the Pensacola Reservoir of the Grand River Dam project in Oklahoma, and for other purposes;

H. R. 3209. An act for the relief of Edward A. Mason;

H. R. 3210. An act for the relief of Clyde O. Payne;

H. R. 3619. An act for the relief of Harry D. Koons;

H. R. 3703. An act for the relief of the city and county of San Francisco;

H. R. 3855. An act for the relief of Martin A. Tucker and Emma M. Tucker;

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. 4374. An act for the relief of the legal guardian of Rudolph K. Bartels, Jr., a minor;

H. R. 4769. An act to amend section 5 of the act entitled "An act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton";

H. R. 4844. An act to place Chinese wives of American citizens on a nonquota basis;

H. R. 4860. An act for the relief of Materials Handling Machinery Co., Inc.;

H. R. 4924. An act for the relief of Joseph A. Brown;

H. R. 5031. An act for the relief of Ernest C. Heine and Harriett W. Heine;

H. R. 5050. An act for the relief of Minnie P. Shorey;

H. R. 5093. An act for the relief of Albert Whilden;

H. R. 5125. An act to establish the Castle Clinton National Monument, in the city of New York and for other purposes;

H. R. 5128. An act to provide for the conveyance of certain real property to Roy C. Lammers;

H. R. 5134. An act for the relief of Clarence W. Ohm;

H. R. 5144. An act to establish a national air museum, and for other purposes;

H. R. 5166. An act for the relief of Raphael Elder;

H. R. 5287. An act for the relief of Mrs. Cecila W. McAfee, the legal guardian of Sarah McAfee, a minor, and Haven H. McAfee;

H. R. 5288. An act for the relief of Warren M. Miller;

H. R. 5463. An act for the relief of Hiram H. Wilson;

H. R. 5469. An act for the relief of Bertha Lillian Robbins and Charles Robbins;

H. R. 5527. An act for the relief of Dimitrios Karamouzis (known as James C. Karamouzis or James C. Kar);

H. R. 5552. An act relating to the sale by the United States of surplus vessels suitable for fishing;

H. R. 5560. An act to fix the rate of postage on domestic air mail, and for other purposes;

H. R. 5603. An act for the relief of Wilford B. Brown;

H. R. 5626. An act to authorize the Veterans' Administration to appoint and employ retired officers without affecting their retired status, and for other purposes;

H. R. 5847. An act for the relief of Watson Airfotos, Inc.;

H. R. 5848. An act for the relief of Mrs. Millicent Moore;

H. R. 5849. An act for the relief of Mrs. Grace A. Phillips;

H. R. 6012. An act for the relief of Lippert Bros.;

H. R. 6161. An act for the relief of the legal guardian of Samuel Roscoe Thompson, a minor;

H. R. 6165. An act to provide for the preparation of a membership roll of the Indians of the Yakima Reservation, Wash., and for other purposes;

H. R. 6255. An act for the relief of Thomas A. Beddingfield and his wife, Opal May Beddingfield;

H. R. 6381. An act for the relief of Thomas L. Brett;

H. R. 6399. An act for the relief of Caesar Henry;

H. R. 6455. An act to amend the act entitled "An act to provide books for the adult blind";

H. R. 6721. An act to authorize the Postmaster General to accept gifts and bequests for the benefit of the library of the Post Office Department;

H. R. 6828. An act to provide for continuance of the farm labor supply program up to and including June 30, 1947;

H. R. 7037. An act to amend the Social Security Act and the Internal Revenue Code, and for other purposes;

H. R. 7046. An act to revive and reenact the act entitled "An act granting the consent of Congress to the State Highway Commission, Commonwealth of Kentucky, to construct, maintain, and operate a toll bridge across the Cumberland River at or near Burkesville, Cumberland County, Ky.," approved May 18, 1928;

S. J. Res. 186. Joint resolution to provide for the transfer of the painting "First Fight of Ironclads, *Monitor* and *Merrimac*," now stored in the United States Capitol Building, to the custody of the United States Naval Academy;

H. J. Res. 35. Joint resolution designating November 19, 1946, the anniversary of Lincoln's Gettysburg Address, as Dedication Day; and

H. J. Res. 390. Joint resolution making additional appropriations for the fiscal year 1947, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT AFTER SINE DIE ADJOURNMENT

The following enrolled bills and joint resolution, heretofore duly signed by the Presiding Officers of the two Houses, were presented on August 5, 1946, to the President of the United States by the Secretary of the Senate:

S. 334. An act for the relief of the Trust Association of H. Kempner;

S. 1560. An act to amend the Service Extension Act of 1941, as amended, to extend reemployment benefits to former members of the Women's Army Auxiliary Corps who entered the Women's Army Corps;

S. 2306. An act to authorize the Secretary of War to grant Georgia Power Co. a 100-foot perpetual easement across certain land in the State of Alabama constituting a portion of the military reservation designated as Fort Benning, Ga.; and

S. J. Res. 186. An act to provide for the transfer of the painting First Fight of Ironclads, *Monitor* and *Merrimac*, now stored in the United States Capitol Building, to the custody of the United States Naval Academy.

APPROVAL OF SENATE BILLS AND JOINT RESOLUTIONS AFTER SINE DIE ADJOURNMENT

The President of the United States, subsequent to sine die adjournment of the Senate, notified the Secretary of the Senate that he had approved and signed acts and joint resolutions, as follows:

On August 2, 1946:

S. 78. An act for the relief of the estate of William Edward Oates;

S. 162. An act for the relief of Walter S. Faulkner;

S. 496. An act to make it a criminal offense for certain escaped convicts to travel from one State to another;

S. 1235. An act to authorize the use of the funds of any tribe of Indians for insurance premiums;

S. 1426. An act to provide for the replanning and rebuilding of slum, blighted, and other areas of the District of Columbia and the assembly, by purchase or condemnation, of real property in such areas, and the sale or lease thereof for the redevelopment of such area in accordance with said plans; and to provide for the organization of, procedure for, and the financing of such planning, acquisition, and sale or lease; and for other purposes;

S. 1478. An act to record the lawful admission to the United States for permanent residence of Edith Frances de Becker Sebald;

S. 1573. An act for the relief of James H. Wilkinson;

S. 1602. An act to confirm title to certain railroad-grant lands located in the county of Kern, State of California;

S. 1607. An act to provide for the naturalization of Peter Kim;

S. 1733. An act for the relief of Desmark Wright; the estates of Alberta Wright, Desmark Wright, Jr., and Harold Evans; and the legal guardian of Bobby Dennis Wright, and Irvin Lee Wright, minors;

S. 1880. An act for the relief of the Crosby Yacht Building & Storage Co., Inc.;

S. 1910. An act for the relief of George D. King;

S. 1917. An act to enact certain provisions now included in the Naval Appropriation Act, 1946, and for other purposes;

S. 2036. An act granting the consent of Congress to the State of Rhode Island to construct, maintain, and operate a free highway bridge across the Sakonnet River between the towns of Tiverton and Portsmouth in Newport County, R. I.;

S. 2177. An act to provide for increased efficiency in the legislative branch of the Government;

S. 2246. An act to authorize the Secretary of the Navy to acquire in fee or otherwise certain lands and rights in land on the island of Guam, and for other purposes;

S. 2247. An act to permit the Secretary of the Navy to delegate the authority to compromise and settle claims against the United States caused by vessels of the Navy or in the naval service, or for towage or salvage services to such vessels, and for other purposes;

S. 2253. An act to further amend the act of January 16, 1936, as amended, entitled "An act to provide for the retirement and retirement annuities of civilian members of the teaching staff at the United States Naval Academy and the Postgraduate School, United States Naval Academy";

S. 2259. An act to amend the Philippine Rehabilitation Act of 1946 for the purpose of making a clerical correction;

S. 2310. An act to further extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.;

S. 2349. An act to permit the Secretary of the Navy to delegate the authority to compromise and settle claims for damages to property under the jurisdiction of the Navy Department, and for other purposes;

S. 2359. An act to close the office of the Recorder of Deeds on Saturdays; and

S. 2375. An act to change the name of the Chemical Warfare Service to the Chemical Corps.

On August 7, 1946:

S. 115. An act to modify sections 4 and 20 of the Permanent Appropriation Repeal Act, 1934, with reference to certain funds collected in connection with the operation of Indian Service irrigaton projects, and for other purposes;

S. 223. An act to provde for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia;

S. 1477. An act to authorize relief in certain cases where work, supplies, or services have been furnished for the Government under contracts during the war;

S. 1547. An act to provide for the disposition of vessels, trophies, relics, and material of historical interest by the Secretary of the Navy, and for other purposes;

S. 1561. An act to amend the act entitled "Compensation for injury, death, or detention of employees of contractors with the United States outside the United States," as amended, for the purpose of making the 100 percent earning provisions effective as of January 1, 1942;

S. 1640. An act to provide for the acquisition by the United States of certain real property in the District of Columbia;

S. 2020. An act granting a right-of-way at a revised location to the West Shore Railroad Co., the New York Central Railroad Co., lessee, across a portion of the military reservation at West Point;

S. 2210. An act to provide for the return of certain securities to the Philippine Commonwealth Government;

S. 2260. An act for the relief of Roy M. Davidson;

S. 2332. An act to provide that the unexpended proceeds from the sale of 50-cent pieces coined in commemoration of the two hundred and fiftieth anniversary of the founding of the city of Albany, N. Y., may be paid into the general fund of such city;

S. 2348. An act to authorize the continuance of the acceptance by the Treasury of deposits of public moneys from the Philippine Islands;

S. 2369. An act for the relief of Col. S. V. Constant, General Staff Corps;

S. 2419. An act to amend further the act of April 6, 1938, as amended by the act of July 9, 1941, entitled "An act authorizing the Secretary of the Treasury to exchange sites at Miami Beach, Dade County, Fla., for Coast Guard purposes"; and

S. J. Res. 156. Joint resolution to extend the succession, lending powers, and the functions of the Reconstruction Finance Corporation.

On August 8, 1946:

S. 881. An act authorizing the President of the United States to award posthumously in the name of Congress a Medal of Honor to William Mitchell;

S. 1236. An act to amend the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of oil and gas on the public domain, and for other purposes;

S. 2085. An act to amend title V of the act entitled "An act to expedite the provision of housing in connection with the national defense, and for other purposes", approved October 14, 1940, as amended, to authorize the Federal Works Administrator to provide needed educational facilities, other than housing, to educational institutions furnishing courses of training or education to persons under title II of the Servicemen's Readjustment Act of 1944, as amended;

S. 2100. An act to remove the limitations on the amount of death compensation or pension payable to widows and children of certain deceased veterans;

S. 2125. An act to amend the act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, and the acts amendatory thereof and supplementary thereto;

S. 2236. An act providing for a medal for service in the merchant marine during the present war;

S. 2256. An act to amend the Servicemen's Readjustment Act of 1944;

S. 2286. An act to amend the act entitled "An act for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital," approved May 29, 1930;

S. 2318. An act to amend the act of May 11, 1938, for the conservation of the fishery resources of the Columbia River, and for other purposes;

S. 2401. An act to amend the act of May 4, 1898 (30 Stat. 369), as amended, to authorize the President to appoint 250 acting assistant surgeons for temporary service;

S. 2408. An act to amend the act of February 9, 1907, as amended, with respect to certain fees;

S. 2477. An act to authorize the Veterans' Administration to reimburse State and local agencies for expenses incurred in rendering services in connection with the administration of certain training programs for veterans and for other purposes;

S. 2479. An act to amend the act entitled "An act to regulate within the District of Columbia the sale of milk, cream, and ice cream, and for other purposes," approved February 27, 1925;

S. 2498. An act to provide for fire protection of Government and private property in and contiguous to the waters of the District of Columbia;

S. 2480. An act authorizing the appointment of Robert Sprague Beightler as permanent brigadier general of the line of the Regular Army;

S. J. Res. 84. Joint resolution authorizing the erection in the District of Columbia of a statue of Nathan Hale; and

S. J. Res. 186. Joint resolution to provide for the transfer of the painting First Fight of Ironclads, *Monitor* and *Merrimac*, now stored in the United States Capitol Building, to the custody of the United States Naval Academy.

On August 9, 1946:

S. 1560. An act to amend the Service Extension Act of 1941, as amended, to extend reemployment benefits to former members of the Women's Army Auxiliary Corps who entered the Women's Army Corps; and

S. 2306. An act to authorize the Secretary of War to grant Georgia Power Co. a 100-foot perpetual easement across certain land in the State of Alabama constituting a portion of the military reservation designated as Fort Benning, Ga.

On August 10, 1946:

S. 2460. An act to provide additional inducements to citizens of the United States to make a career of the United States military or naval service, and for other purposes.

On August 12, 1946:

S. 2426. An act providing for the conveyance to the city of Canton, S. Dak., of the Canton Insane Asylum, located in Lincoln County, S. Dak.

On August 13, 1946:

S. 191. An act to amend the Public Health Service Act to authorize grants to the States for surveying their hospitals and public health centers and for planning construction of additional facilities, and to authorize grants to assist in such construction; and

S. 2304. An act to provide for the training of officers for the naval service, and for other purposes.

DISAPPROVAL OF SENATE BILLS AFTER SINE DIE ADJOURNMENT

The message also announced that the President had vetoed the following bills of the Senate on the dates indicated.

TRUST ASSOCIATION OF H. KEMPNER

S. 334. I am withholding my approval from the bill (S. 334) for the relief of the Trust Association of H. Kempner.

The bill confers jurisdiction upon the Court of Claims to determine the losses sustained by the Trust Association of H. Kempner, of Galveston, Tex., as a result of the sale of cotton by that firm to certain mills in Germany during the years 1923 and 1924, and to determine the amount of funds "wrongfully" paid out of the trust account of Germann & Co. by the Alien Property Custodian following the seizure of that company by the Alien Property Custodian during World War I. The bill further directs the Alien Property Custodian to credit the Germann & Co. trust account with the amount found by the Court of Claims to have been "wrongfully" paid out of the trust, and to charge and collect that amount from either the German special deposit account in the Treasury, sometimes known as the Secretary's special deposit account No. 8, or from any funds or property of the Government of Germany "or of nationals of Germany," which are now or may hereafter come into the possession of or under the control of the United States Government. A further provision of the bill provides for the payment of the sum so credited to the trust account of Germann & Co. to the Trust Association of H. Kempner in the amount of the losses found by the Court of Claims to have been suffered by the last-mentioned company and for an assignment by the H. Kempner association of all claims against the German Government or German nationals arising out of its cotton sales during 1923 and 1924 to the account of Germann & Co.

There appears to be no connection between the claim of the H. Kempner association for losses sustained in its dealings with German cotton mills in 1923 and 1924 and the claim of Germann & Co. for damages allegedly suffered because of the acts of the Alien Property Custodian during World War I. Although the bill purports to enable the Germann & Co. trust account to recover the damages alleged to have been suffered, the amount so determined would be paid to the H. Kempner trust association. By this coupling of claims, the H. Kempner association would recoup losses suffered by it in 1923 and 1924 out of funds specially reserved for the payment of war damage claims.

The German special deposit account was created by section 4 of the Settlement of War Claims Act of March 10, 1928 (45 Stat. 254). This fund was created to settle all claims between Germany and the United States arising out of World War I. By it terms, various moneys are paid into it and disbursements are made according to a scale of 13 priorities. The principal items of disbursement from this fund are those to awardees of the Mixed Claims Commission. These persons were awarded damages for illegal acts committed by the German Government in the course of the First World War. The account is in the nature of a trust fund and was set up after much consideration. This bill makes the fund subject to a claim which apparently has no connection with World War I or property seized by the Alien Property Custodian. The amount which is alleged to have been illegally paid out of the Germann trust is over $971,000, without interest. This sum would be a charge against the German special deposit account and would be a most unfair and unjust diversion of funds allocated and earmarked for awardees by the Mixed Claims Commission. Under existing law, the Kempner trust association is ineligible as a claimant under the Trading With the Enemy Act, since its claim arose subsequent to October 6, 1917.

In view of all of the foregoing circumstances, I am constrained to withhold my approval from the bill.

HARRY S. TRUMAN.

THE WHITE HOUSE, *August 10, 1946.*

PROPERTY IN THE STATE OF MICHIGAN

S. 1198. I have withheld my approval from S. 1198, "To authorize the Secretary of Commerce to sell certain property in the State of Michigan now occupied by the Weather Bureau and to acquire land in the State of Michigan for the erection of a Weather Bureau station."

Section 1 of the bill authorizes the Secretary of Commerce to sell the Weather Bureau station located on the campus of the Michigan State College of Agriculture and Applied Science, and to convey such property to the said college by quitclaim deed, and to deposit the proceeds of such sales in the Treasury as miscellaneous receipts. Section 2 authorizes and directs the Secretary of

Commerce to acquire a site and cause to be erected thereon a suitable and commodious building for the use and accommodation of the Weather Bureau at East Lansing, Mich., to replace the station authorized to be sold. Section 3 authorizes the appropriation, out of money in the Treasury not otherwise appropriated, of such sums as may be necessary to carry out the provisions of the bill.

The Weather Bureau building at East Lansing, Mich., which was erected on the campus of the college during the year 1927, is not surplus to the needs of the Government, as the Weather Bureau continues to render an important weather service there to the public. At the time the building was constructed it cost approximately $38,000, exclusive of the cost of land which was donated by the State College of Agriculture and Applied Science. To sell the building to the college, acquire a site and erect a new building at the present time of scarcity of building materials, would be inimical to the interests of the Government, since it would result in considerable additional cost and contribute to the general scarcity of materials for the construction of housing for veterans.

For these reasons, I feel obliged to withhold my approval of this measure.

HARRY S. TRUMAN.

THE WHITE HOUSE, *August 7, 1946.*

WILLIAM S. BROWN

S. 1277. I have withheld my approval from the bill (S. 1277) "Conferring jurisdiction upon the United States District Court of the Western District of South Carolina, to hear, determine, and render judgment upon the claim of William S. Brown."

The bill confers jurisdiction upon the United States District Court for the Western District of South Carolina, to hear, determine, and render judgment upon the claims of William S. Brown, of Greenville, S. C., for any losses sustained under certain specified contracts provided "that such action may be brought in the Court of Claims within 1 year of the date of the approval of this act, with right of appellate review as in other cases."

It appears that on September 7, 1942, Mr. Brown was awarded a contract for repairing shoes at the Greenville Army Air Base, Greenville, S. C., for a period from October 1 to December 31, 1942. The contract provided with respect to the number of shoes to be repaired as follows: "Quantity estimated—half soles, 3,000; heels, rubber, 3,000." The contract was completed and payment made and accepted therefor.

Thereafter Mr. Brown entered into several contracts with the Army Air Base at Greenville, S. C., to repair varying numbers of shoes. These contracts while specifying the number of shoes to be repaired, did not contain the word "estimated" as was contained in the original contract. They did contain a clause which provided that any variation in the quantities called for not exceeding 10 percent would be accepted as compliance with the contract.

The quantities of shoes called for in the contracts were not delivered for repair. At the completion of the contracts Mr. Brown was paid the sum of $9,215.32 for the actual work performed by him. If the full number of shoes specified in the contracts had been delivered, he would have been entitled to receive payment in the amount of $16,755.

Mr. Brown submitted a claim to the War Department for the sum of $5,-864.18. This amount represented the total repair price of all of the shoes specified in the contracts ($16,755) less 10 percent for variations ($1,675.50), and less the amount received by him for the actual work performed ($9,215.32). The War Department denied the claim on the ground that the issues involved were triable by the United States Court of Claims (28 U. S. C. 250).

The United States has waived its immunity to suit on claims for damages arising out of contracts, express or implied, and the Court of Claims has been designated as the forum to hear, determine, and render judgment on such claims (28 U. S. C. 250). Further, the district courts have concurrent jurisdiction with the Court of Claims in such matters if the claim does not exceed $10,-000 (28 U. S. C. 41 (20)). It appears, therefore, that claimant, under existing law, may have his claim adjudicated by the United States District Court for the Western District of South Carolina.

Since relief by private act of Congress should be granted only when no remedy is provided by law, and since existing law provides a remedy in this case, I am constrained to withhold my approval from the bill.

HARRY S. TRUMAN.

THE WHITE HOUSE, *August 8, 1946.*

LESTER A. DESSEZ

S. 1731. I have withheld my approval from S. 1731, Seventy-ninth Congress, entitled "An act for the relief of Lester A. Dessez."

This enactment would authorize and direct the Secretary of the Treasury to pay to Lester A. Dessez, colonel, United States Marine Corps, the sum of $808.95 in full settlement of all claims against the United States for emergency travel of dependents (less a payment of $47.03 already made) to which the said Lester A. Dessez would have been entitled, if he had had the necessary orders, for the period August 1, 1941, to September 15, 1941, for travel of dependents from Tutuila, American Samoa, to Washington, D. C.

When the travel of the dependents, which forms the basis for the relief proposed to be granted, was performed, no change of station orders had been issued to Colonel Dessez and therefore he was not entitled to reimbursement of the cost of their travel under the law authorizing transportation of dependents at Government expense when ordered to make a permanent change of station, nor was there any other authority of law for reimbursement of the amount in question. Moreover, under the circumstances, it appears that there was no sound basis upon which Colonel Dessez reasonably could have expected to be reimbursed for such travel of his dependents since a review of the facts would indicate that the travel in question was performed solely for personal reasons. Apparently the only basis on which the officer's claim to the amount in question is asserted is the probability that had the travel of his dependents been delayed several months, changed circumstances would have authorized such travel at Government expense. That, of course, may be true with respect to any travel that may be performed by an officer's dependents at any time.

It is understood that Colonel Dessez' situation with respect to the travel of his dependents under the circumstances here involved is not by any means an isolated case and in addition to the fact that there appears to be doubt as to whether he is equitably entitled to payment of the amount in question, I do not feel justified in approving the enrolled enactment since it would accord him preferential treatment over other officers and enlisted personnel who may be similarly situated, and thus would establish an undesirable precedent.

HARRY S. TRUMAN.

THE WHITE HOUSE, *August 7, 1946.*

THADDEUS C. KNIGHT

S. 528. I have withheld my approval of S. 528, an act "For the relief of Thaddeus C. Knight."

The proposed legislation recites that Thaddeus C. Knight, formerly a captain, Quartermaster Corps, United States Army, was convicted by general court martial on the basis of perjured testimony, and that such conviction was without foundation in law or in fact. It would authorize his reappointment as a captain, United States Army, and his immediate retirement in that grade, with the pay and allowances pertaining thereto. The proposed act would further confer upon Mr. Knight all rights and benefits accruing to persons who have served in the military service of the United States and have been honorably discharged therefrom.

The issues in this case have been reviewed and reconsidered on numerous occasions, and measures similar to S. 528 have twice been vetoed. Captain Knight was tried and convicted on 2 charges covering 10 specifications. One witness, whose testimony related at most to five of these, has since repudiated part, or all, of his original testimony. However, even disregarding the testimony of this witness, and giving Mr. Knight the benefit of every doubt with respect to these alleged offenses, the record clearly shows the commission of several other offenses, including the procurement of endorsements to two checks, for considerable amounts, known to be worthless, and the passing of such checks. These latter offenses alone would have amply justified Captain Knight's dismissal from the military service; and in view of such fact, I can see no adequate reason for his reappointment and retirement as a captain in the United States Army.

HARRY S. TRUMAN.

THE WHITE HOUSE, *August 12, 1946.*

RAILROAD REORGANIZATION

S. 1253. I am withholding my approval of S. 1253, entitled "An act 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 structures; to alter or modify their financial obligations; and for other purposes."

Even though I am familiar with the deficiencies and inequities and the evils that exist under section 77 of the present Bankruptcy Act, I fear that this new bill would not accomplish the purpose for which it was intended.

The bill contains two sections, the first of which contemplates the prevention of bankruptcy proceedings where practicable; the second contemplates the reorganization of certain railroad carriers by the institution of proceedings under section 1 of the bill for readjustment of their financial affairs.

Objections which I have to the bill include the following:

The bill fails to direct specifically the immediate reduction of the grossly excessive interest rates now wasting the funds of the railroads in section 77 proceedings. Millions of dollars per year can be saved at once for each of the railroads in section 77 proceedings by reducing the interest rates on their bonds and other debt down to the level of the interest rates paid by railroads not in section 77 proceedings. I reiterate a statement which I made in my message to Congress on the state of the Union which is as follows, "low interest rates will be an important force in promoting the full production and full employment in the postwar period for which we are all striving."

The bill does not adequately cure the evil, present in reorganizations under section 77, of permitting improper control of railroads after their reorganization.

The bill fails to provide full protection against forfeiture of securities and investments.

The level of fees and expenses in reorganization cases under section 77 has been excessive. This is not corrected in this bill. Affirmative provisions to curb this evil and to bring it under strict control should be included in any bill which may be enacted.

The bill excludes from its benefits certain railroads which should be brought within its provisions if it is to become law. In this regard it appears that the $50,000,000-limitation in section 2 of the bill would exclude some railroads for whose exclusion there appears to be no logical justification.

This bill fails to correct a serious abuse which I condemned in the course of the Senate railroad investigation. I refer to the abuse of diverting, under cover of a reorganization plan, the funds of a railroad for the purchase of its own stocks in the market.

On the other hand, the bill does incorporate principles for which I was one of the sponsors in the Senate. I commend particularly the emphasis which the bill places on the principle that reorganizations must give primary consideration to the public interest, and to the best interests of the railroads which are being reorganized.

This requires among other things that reorganizations shall place control of railroads in persons primarily concerned with transportation for the communities served and for the Nation as a whole, without any strings direct or indirect, conditional or otherwise, to institutions or others in distant financial centers.

Such regard for the public interest will also help the stockholders, whether they be railroad employees who have invested in the stocks of the companies for which they work, or ordinary investors, desirous of safeguarding their investment, but not of helping any interest to capture control of their railroad. These stockholders, whom the bill justly seeks to protect against forfeiture, can and should get such protection, but without enabling any financial interest to use such legislation to acquire control.

By withholding my signature to this bill I do not intend to indicate that I favor the pending reorganization plans. I am in agreement with those objectives of the bill which prevent undesirable control of the railroads, either immediately or within a few years, and which prevent forfeitures of securities.

I believe that the next Congress can pass a bill which will meet the stated objections and which will be in the best interests of the public, the railroads, the bondholders and other creditors, and the stockholders.

HARRY S. TRUMAN.

THE WHITE HOUSE, *August 13, 1946.*

CONFIRMATIONS

Executive nominations confirmed by the Senate August 2 (legislative day of July 29), 1946:

DEPARTMENT OF STATE

William L. Clayton to be Under Secretary of State for Economic Affairs.

FOREIGN SERVICE

John G. Erhardt to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Austria.

TO BE FOREIGN SERVICE OFFICERS, UNCLASSIFIED, VICE CONSULS OF CAREER, AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA

Donald P. Downs
Lawrence J. Legere, Jr.
Daniel W. Montenegro

DEPARTMENT OF LABOR

Keen Johnson to be Under Secretary of Labor.

Ewan Clague to be Commissioner of Labor Statistics.

UNITED STATES ATTORNEY

Arthur A. Maguire to be United States attorney for the middle district of Pennsylvania.

SELECTIVE SERVICE SYSTEM

Commander John F. Robinson to be State director of selective service for Connecticut, with compensation at the rate of $7,581 per annum.

UNITED STATES PUBLIC HEALTH SERVICE

APPOINTMENTS IN THE REGULAR CORPS

To be junior assistant nurse officers, effective date of oath of office

Morrise J. Brockey	Anne Woudema
Eugenie Sampson	C. Vistula Lancaster
M. Martha Crews	Rose Kaplan
Eva M. Hakkola	Mary L. Putnam
M. Ruth Phillips	

To be assistant nurse officers, effective date of oath of office

Pauline Savage	Virginia B. McDavid
Mary Matthews	Beatrice L. Zingle
Josephine Keough	Elizabeth C. Glaczko
Katherine L. Tucker	Helen A. Gentilman

To be senior assistant nurse officers, effective date of oath of office

Tabitha Wilson Rossetter	Kharis B. Mayers
	Esther A. Garrison
Alice E. Herzig	M. Constance Long
Jane E. Taylor	Gertrude E. Mehner
Ruth L. Johnson	Rosalie C. Giacomo
Mary Ann L. Garrigan	Madeline Pershing
Ellwynne M. Vreeland	Louise O. Waagen
Marjorie W. Spaulding	Walborg S. Wayne
	Esther Kaufman
Zella Bryant	Eva B. Hunter
Elsie T. Berdan	Mabel E. Emge
Lila A. Anderson	Stella Goodman
Helen Cameron	Catherine M. Sullivan

IN THE ARMY

APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES

To be a brigadier general

Robert Sprague Beightler

IN THE MARINE CORPS

APPOINTMENTS TO COMMISSIONED WARRANT OFFICERS

To be commissioned warrant officers

William H. Abbott	Thomas B. Lenhart
Lawrence Betts	Clyde H. Long
Roy H. Bley	Arthur W. Lord
Harold C. Borth	James E. Lovin, Jr.
Oscar A. Bosma	Albert F. Marcott
Charles C. Bucek	Clarence R. Martin
Carl J. Buschena	James J. McCullough
Byron B. Cain	Michael A. Miksa
George V. Clark	John A. Miller
Edwin C. Clarke	Porter F. Millican
George E. Dillman	Roy W. Moran
Leander E. Dorey	Joseph V. Murray
William A. Easterling	Ralph C. Oakes
Grammer G. Edwards	Oscar P. Olson
Robert A. Engesser	Herman A. Papen
Albert L. Evans	Perez W. Pottgether
Frank W. Ferguson	Estes N. Ratliffe
Vernet R. Fitzgerald	Joseph J. Reardon
John E. Foster	John F. Ricard
Joseph R. Foster	Lewis M. Schaller
Carl E. G. Franson	Earle G. Shaw
Harvey W. Gagner	Frank C. Sheppard
Alexander Gagyi	John H. Slusser
Calvin R. Glanzer	Charlie G. Smith
Eugene M. Gordenev	Marion E. Smith
Dudley J. Hagen	William D. Smith
Hilton Hamilton	LeRoy A. Stjeor
William J. Hamilton	Edward F. Taylor
Harry D. Hargrave	Harold N. Tupper
Willard T. Henry	John C. Turner
Milton D. Hill	Robert P. Warner
Arnold C. Hofstetter	Charles M. Whitley
John C. Hudock	Frederick J. Widman
Joe A. Inglish	Robert L. Williams
Arthur L. Jackson	Nero M. Winchester
Merle B. Johnson	Roland A. Wright
George Jones	Emanuel Yalowitz
Arthur O. Kindt, Jr.	Andrew M. Young
Pierce S. Knapp	George A. Young
Ernest W. Kraay	Oris D. Walbrown

POSTMASTERS

ALABAMA

Lyde Houston Kelley, Black.
Lawrence D. Lamberth, Cragford.
Alice P. Prowell, Faunsdale.

ARKANSAS

Gracia M. Scales, Eagle Mills.
Zora M. Parker, Harrell.

CALIFORNIA

Hugo Celeri, Fort Bragg.
Jean Alexander, Imperial Beach.
Baird B. Coffin, Laguna Beach.
George R. Saunders, Perris.

Roy W. Williams, Redwood Valley.
Urho C. Panttaja, Reedley.
Harold B. James, Rionido.
Margaret F. Fluker, San Ardo.
James J. Kehoe, San Mateo.

COLORADO

Martha E. Williams, Redcliff.

CONNECTICUT

Abbie S. Holbrook, Abington.

FLORIDA

Elizabeth Kemps, Fort George.
Virginia M. Douglass, Lake Mary.

GEORGIA

Lee J. Flowers, Adel.
Avery Graves, Farmington.
Bernys W. Peters, Nashville.

ILLINOIS

Paul D. Schenck, Gifford.
Carl T. Heaton, Granite City.
Edith J. Hudson, Manchester.

IOWA

Carrie E. Grom, Colesburg.
Herbert E. Sinow, Gray.
Kermit G. Benson, Kiron.
Clinton S. Price, Nevada.
Charles E. Brandt, Toledo.

KANSAS

John F. Younger, Marienthal.
Elwood C. Marshall, Minneola.

KENTUCKY

William W. Earle, Depoy.

LOUISIANA

George Sanford Hebert, Brusly.
Alon M. Terral, Hackberry.

MAINE

Harold A. Freeman, Robbinston.

MARYLAND

Eleanor Cadell, Fort Howard.
Harry T. Robinson, Freeland.
Alvin Parsons, Muirkirk.

MICHIGAN

Charles A. Cotcher, Lake Orion.
Marguerite G. Cox, Lupton.
Howard H. Miel, McBrides.
Ira J. Anderson, Omer.
Peter J. Trierweiler, Portland.
Gladys P. Smiley, Port Sanilac.
Florence M. Barnes, Shepherd.
Clair S. Carvell, Vicksburg.

MINNESOTA

Gregory E. Arens, Dundee.

MISSOURI

Walter Ferguson, Reeds.
Claude G. Huffman, Winston.

MONTANA

Joseph E. Parker, Butte.

NEBRASKA

Blanche E. Steele, Alda.
Catherine C. Edberg, Ong.
Harry C. Hagedorn, Royal.

NEW HAMPSHIRE

Georgianna L. Nichols, Guild.
Lewis C. Darling, Hampstead.
Bertha A. Trickey, Northwood Narrows.
George E. Kelly, Rumney.
Asa P. Colby, Rumney Depot.
Edith D. Ross, South Lyndeboro.

NEW JERSEY

Violet M. Burkhardt, Alpine.
Murray Kreutner, Clarksburg.
Frederick A. Crine, Red Bank.

NEW MEXICO

Annie L. Haddow, Eagle Nest.
Charlie Lee White, Whites City.

NEW YORK

Louise D. Van Wagonen, Bearsville.
Edward J. Quigley, Brooklyn.
John C. Hoffman, Whitehall.

NORTH CAROLINA

Ethel B. Brinson, Arapahoe.
Fate Brown, Ashford.
Elizabeth W. Settle, Cordova.
Charles T. Hagood, Culberson.
James N. Morgan, Gold Hill.
Richard A. Job, Hatteras.
Myrtle M. Stimson, Lewisville.
John A. Finley, Marion.
Joe P. McLeod, Pisgah Forest.
James R. Nelson, Prospect Hill.
John W. Bradshaw, Relief.
Jennie S. Marks, Tillery.
Albert C. Hall, Jr., Wallace.
Thurber G. Dickinson, Wrightsville Beach.

NORTH DAKOTA

Clarence C. Brudeseth, Hamar.
William A. Krogh, Kloten.
Helen Morton, Manning.
Arthur J. DeKrey, Pettibone.
Lutie T. Breeling, Ross.

OHIO

Grace E. M. Allen, Portland.
Clara B. Sohngen, Roscoe.
William P. Kilcorse, Toledo.

OKLAHOMA

James H. Hughes, Dill City.
Elmen D. Hughes, Logan.
Ivan E. Armstrong, Medford.

OREGON

William L. Hollen, Condon.

PENNSYLVANIA

Julia Haley, Broad Ford.
Earl K. McDaniel, Cooperstown.
Elmer E. Caseber, Finleyville.
Jessie M. Breame, Jeanesville.
Lena Cosner, Newell.
Carolina R. Mrowca, Oliver.
Violet Arner, Parryville.
George W. Lauck, Pine Grove Mills.
Imo F. White, Pleasant Unity.
Ben J. Lukas, Shenandoah.
Charles Gretzinger, Trumbauersville.

SOUTH DAKOTA

Ruth B. Vernon, Fort Meade.

TENNESSEE

Truman Barret Snowden, Brunswick.
Della Douglas, Elk Valley.
Edna B. Snodgrass, Kyles Ford.
Edward G. Harder, Linden.
Sidney C. Roberts, Whitesburg.

TEXAS

Greenberry F. Isom, Carrollton.
Asa G. Williamson, Dike.
Jane Elizabeth Ball, Elmendorf.
Nicolas Cantu, Jr., Encino.
Anne K. Hershberger, Imperial.
Maud Swanner, Scroggins.
Ella B. Hasenbeck, Southton.

UTAH

Paulie T. Boothe, Honeyville.
Vernon Perkes, Hyde Park.
Joseph R. Tuddenham, Newton.

VIRGINIA

Ernest W. Pittman, Ivor.
Pansy B. Snyder, Lackey.

WASHINGTON

Sibyl O. Brady, Parker.

WEST VIRGINIA

Pauline Waddell, Canebrake.

WISCONSIN

Gordon W. Amundson, Emerald.
William S. Sinkler, Green Bay.
Emma McCarthy, Limeridge.
Augusta Phalen, Malone.
Henry J. Dieruf, Morrisonville.
Victoria L. Petsch, Neosho.
Lucille H. Maum, Oakdale.
Clarence H. Martin, Pine River.
Woodrow W. Lawrie, Redgranite.

HOUSE OF REPRESENTATIVES

FRIDAY, AUGUST 2, 1946

The House met at 12 o'clock noon.

Rev. Bernard Braskamp, D. D., pastor of the Gunton-Temple Memorial Presbyterian Church, offered the following prayer:

O Thou gracious benefactor, whose heart and hands always respond to our every need, we pray that this may be a day of unclouded vision and of joyous achievement as we seek to live and labor in faith, in faithfulness, and in the fear of the Lord.

Purge us from everything which dwarfs and deadens our capacities for noble service. May our minds and hearts be impervious to all thoughts of personal aggrandizement. Emancipate us from every selfish propensity. Rebuke and restrain us when some insurgent impulse tempts us to be recreant to the duties of our high vocation as servants of God and our beloved country.

Grant that the blessings of insight and understanding, of clear judgment and wise decision, of faith and courage may be given in an ever-increasing measure to our President, our Speaker, and all the Members of this legislative body as they sincerely seek to lift mankind to the high plateau of peace and prosperity, of brotherhood and good will.

Now may the grace of our Lord Jesus Christ, the love of God, and the fellowship of the Holy Spirit be with us all.

To Thy name we ascribe all the praise. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On August 1, 1946:

H. R. 2243. An act for the relief of Arthur Guarino.

On August 2, 1946:

H. R. 3420. An act to provide for refunds to railroad employees in certain cases, so as to place the various States on an equal basis, under the Railroad Unemployment Insurance Act, with respect to contributions of employees;

H. R. 3543. An act for the relief of Elmer D. Thompson and the legal guardian of James Thompson; and

H. R. 6533. An act to authorize certain administrative expenses in the Government service, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 5125. An act to establish the Castle Clinton National Monument, in the city of New York, and for other purposes.

TITLE TO LANDS BENEATH TIDAL AND NAVIGABLE WATERS

The SPEAKER. When the House adjourned yesterday the unfinished busi-

ness was the President's veto message on the joint resolution (H. J. Res. 225) to quiet the titles of the respective States, and others, to lands beneath tidewaters and lands beneath navigable waters within the boundaries of such States and to prevent further clouding of such titles.

The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Mr. SUMNERS of Texas. Mr. Speaker, this matter has very recently been fully debated in the House, and I assume the Members of the House are as familiar with the question and the issues involved as they are with reference to any other matter that has come before the House in a long time.

Mr. Speaker, I have had no request from any Member for time to speak on this matter. I move the previous question.

The previous question was ordered.

The SPEAKER. The Chair desires to announce that the Chair has received veto messages on the bills H. R. 4660 and H. R. 6442. They will be laid before the House at the proper time.

The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Under the Constitution, this vote must be determined by the yeas and nays.

The question was taken; and there were—yeas 139, nays 95, not voting 196, as follows:

[Roll No. 276]

YEAS—139

Abernethy	Goodwin	Pittenger
Andresen August H.	Gossett	Poage
	Graham	Price, Fla.
Angell	Gross	Ramey
Arends	Gwinn, N. Y.	Rankin
Bailey	Gwynne, Iowa.	Reed, Ill.
Barrett, Wyo.	Hall, Leonard W.	Reed, N. Y.
Bates, Mass.		Rees, Kans.
Beall	Hancock	Riley
Bennett, Mo.	Hand	Rivers
Bishop	Havenner	Rizley
Bolton	Hendricks	Robertson, N. Dak.
Brehm	Hoffman, Pa.	
Brown, Ohio	Holmes, Mass.	Rodgers, Pa.
Brumbaugh	Holmes, Wash.	Roe, Md.
Butler	Hope	Rogers, Fla.
Byrnes, Wis.	Horan	Rogers, Mass.
Campbell	Howell	Schwabe, Mo.
Canfield	Jenkins	Schwabe, Okla.
Case, N. J.	Jensen	Sheppard
Chenoweth	Johnson, Ill.	Sikes
Chiperfield	Jonkman	Simpson, Ill.
Church	Kearney	Simpson, Pa.
Clark	Kilday	Smith, Maine
Clason	King	Smith, Ohio
Clevenger	Knutson	Springer
Cole, Mo.	Lanham	Stefan
Colmer	Lea	Stevenson
Corbett	LeCompte	Stockman
Cunningham	Lemke	Sumners, Tex.
Curtis	Lewis	Sundstrom
Dirksen	McConnell	Talbot
Domengeaux	McCowen	Talle
Doyle	McDonough	Thomas, Tex.
Ellis	Martin, Iowa	Tibbott
Ellsworth	Martin, Mass.	Vursell
Engel, Mich.	Mathews	Welchel
Engle, Calif.	Michener	Whitten
Fenton	Morrison	Whittington
Fisher	Mundt	Wigglesworth
Fuller	Murray, Tenn.	Wilson
Fulton	Murray, Wis.	Winstead
Gamble	Norblad	Wolcott
Gavin	O'Hara	Wolverton, N. J.
Gearhart	Patman	Woodruff
Gibson	Peterson, Fla.	Worley
Gillette	Phillips	
Gillie	Pickett	

NAYS—95

Andrews, Ala.	Bonner	Brown, Ga.
Biemiller	Bradley, Pa.	Buchanan
Bulwinkle	Gorski	Monroney
Byrne, N. Y.	Granahan	Murdock
Camp	Grant, Ala.	Neely
Cannon, Mo.	Green	Norrell
Carnahan	Griffiths	O'Brien, Ill.
Chelf	Harless, Ariz.	O'Brien, Mich.
Coffee	Hays	O'Toole
Cooley	Healy	Pace
Crosser	Hedrick	Pratt
D'Alesandro	Heselton	Price, Ill.
De Lacy	Hobbs	Priest
Delaney, James J.	Hoch	Quinn, N. Y.
	Hook	Rabaut
Dingell	Huber	Rabin
Doughton, N. C.	Hull	Randolph
Douglas, Calif.	Jarman	Rayfiel
Durham	Johnson, Okla.	Resa
Eberharter	Judd	Rich
Ervin	Kelly, Ill.	Sabath
Fallon	Kerr	Sadowski
Feighan	Kopplemann	Sasscer
Fernandez	Kunkel	Smith, Va.
Flannagan	LaFollette	Sullivan
Flood	Lesinski	Thom
Folger	Link	Trimble
Forand	Lynch	Voorhis, Calif.
Gardner	Madden	Walter
Geelan	Mankin	White
Gerlach	Marcantonio	Woodhouse
Gore	Mills	Zimmerman

NOT VOTING—196

Adams	Gallagher	Mason
Allen, Ill.	Gary	May
Allen, La.	Gathings	Merrow
Almond	Gifford	Miller, Calif.
Andersen, H. Carl	Gillespie	Miller, Nebr.
	Gordon	Morgan
Anderson, Calif.	Granger	Norton
Andrews, N. Y.	Grant, Ind.	O'Konski
Arnold	Gregory	O'Neal
Auchincloss	Hagen	Outland
Baldwin, Md.	Hale	Patrick
Baldwin, N. Y.	Hall, Edwin Arthur	Patterson
Barden		Peterson, Ga.
Barrett, Pa.	Halleck	Pfeifer
Barry	Hare	Philbin
Bates, Ky.	Harness, Ind.	Ploeser
Beckworth	Harris	Plumley
Bell	Hart	Powell
Bender	Hartley	Rains
Bennet, N. Y.	Hébert	Reece, Tenn.
Blackney	Heffernan	Richards
Bland	Henry	Robertson, Va.
Bloom	Herter	Robinson, Utah
Boren	Hess	Robsion, Ky.
Boykin	Hill	Rockwell
Bradley, Mich.	Hinshaw	Roe, N. Y.
Brooks	Hoeven	Rogers, N. Y.
Bryson	Hoffman, Mich.	Rooney
Buck	Holifield	Rowan
Buckley	Izac	Russell
Buffett	Jackson	Ryter
Bunker	Jennings	Savage
Cannon, Fla.	Johnson, Calif.	Scrivner
Carlson	Johnson, Ind.	Shafer
Case, S. Dak.	Johnson, Tex.	Sharp
Celler	Jones	Sheridan
Chapman	Kean	Short
Clements	Kee	Slaughter
Clippinger	Keefe	Smith, Wis.
Cochran	Kefauver	Somers, N. Y.
Cole, Kans.	Kelley, Pa.	Sparkman
Cole, N. Y.	Keogh	Spence
Combs	Kilburn	Starkey
Cooper	Kinzer	Stewart
Courtney	Kirwan	Stigler
Cox	Klein	Sumner, Ill.
Cravens	Landis	Taber
Crawford	Lane	Tarver
Curley	Larcade	Taylor
Daughton, Va.	Latham	Thomas, N. J.
Davis	LeFevre	Thomason
Dawson	Luce	Tolan
Delaney, John J.	Ludlow	Torrens
	Lyle	Towe
D'Ewart	McCormack	Traynor
Dolliver	McGehee	Vinson
Dondero	McGlinchey	Vorys, Ohio
Douglas, Ill.	McGregor	Wadsworth
Drewry	McKenzie	Wasielewski
Dworshak	McMillan, S. C.	Weaver
Earthman	McMillen, Ill.	Welch
Eaton	Mahon	West
Elliott	Maloney	Wickersham
Elsaesser	Manasco	Winter
Elston	Mansfield, Mont.	Wolfenden, Pa.
Fellows		Wood
Fogarty	Mansfield, Tex.	

So, two-thirds not having voted in favor thereof, the veto of the President was sustained and the bill was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Shafer and Mr. Kinzer for, with Mr. Rooney against.

Mr. D'Ewart and Mr. Grant of Indiana for, with Mr. Heffernan against.

Mr. Hébert and Mr. McGehee for, with Mr. Keogh against.

Mr. Hale and Mr. Henry for, with Mr. Gordon against.

Mr. Hoffman of Michigan and Mr. McGregor for, with Mr. Pfeifer against.

Mr. Bender and Mr. Scrivner for, with Mr. Izac against.

Mr. Smith of Wisconsin and Mr. Hartley for, with Mr. Case of South Dakota against.

Mr. Robsion of Kentucky and Mr. Ploeser for, with Mr. Klein against.

Mr. Elsaesser and Mr. Latham for, with Mr. Sheridan against.

Mr. LeFevre and Mr. Mason for, with Mr. John J. Delaney against.

Mr. Taylor and Mr. Eaton for, with Mr. Hart against.

Mr. Clippinger and Mr. Blackney for, with Mr. Barrett of Pennsylvania against.

Mr. Auchincloss and Mr. Kean for, with Mr. Barry against.

Mr. Jennings and Mr. Jones for, with Mr. Lane against.

Mr. Dondero and Mr. Elston for, with Mr. Rowan against.

General pairs until further notice:

Mr. Brooks with Mr. Taber.

Mrs. Douglas of Illinois with Mr. Johnson of Indiana.

Mr. Outland with Mr. Allen of Illinois.

Mr. Savage with Mr. Thomas of New Jersey.

Mr. Fogarty with Mr. H. Carl Andersen.

Mr. McGlinchey with Mr. Hess.

Mr. McCormack with Mr. Arnold.

Mr. Kefauver with Mr. Hill.

Mr. Manasco with Mr. Anderson of California.

Mr. Buckley with Mr. Keefe.

Mr. Wood with Mr. Herter.

Mr. Powell with Mr. Landis.

Mr. Vinson with Mr. Halleck.

Mr. Rogers of New York with Mr. Vorys of Ohio.

Mr. Somers of New York with Mr. Edwin Arthur Hall.

Mr. Celler with Mr. Short.

Mr. Holifield with Mr. Plumley.

Mr. Ryter with Mr. Kilburn.

Mr. Mahon with Mr. Bradley of Michigan.

Mrs. Norton with Mr. Carlson.

Mr. Elliott with Mr. Buffett.

Mr. Maloney with Mr. Cole of Kansas.

Mr. Jackson with Mr. Dolliver.

Mr. Roe of New York with Mr. Dworshak.

Mr. Larcade with Mr. Cole of New York.

The result of the vote was announced as above recorded.

The SPEAKER. The message and the bill, together with the accompanying papers, are referred to the Committee on the Judiciary and ordered to be printed.

The Clerk will notify the Senate of the action of the House.

MRS. GEORGIA LANSER AND ENSIGN JOSEPH LANSER—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H. R. 4660, a bill for the relief of Mrs. Georgia Lanser and Ensign Joseph Lanser.

The bill would authorize the payment of $7,500 to Mrs. Georgia Lanser and $500 to Ensign Joseph Lanser, both of Elkhorn, Wis., in full settlement of all claims against the United States by reason of personal injuries, hospital and medical expenses, and loss of services sustained as the result of an accident involving a United States Navy bus, on August 26, 1944.

While there appears to be no question but what the Government should assume the responsibility for the accident, it is not believed that the proposed payment of $7,500 to Mrs. Georgia Lanser, is justified.

Mrs. Lanser's injuries, while apparently causing her great pain and suffering, resulted in only slight disability. The disability of her mouth is correctable by a partial denture. She sustained no loss of pay and was hospitalized in a naval hospital, incurring only a subsistence expense of $54.25. The partial denture which was obtained from a private dentist cost $250.

The bill is further objectionable in that it proposes to pay to Ensign Joseph Lanser, for personal injuries sustained by himself, the sum of $500. Ensign Lanser was on active duty with the Navy at the time of the accident. He was hospitalized in a naval hospital and is entitled to the same rights and benefits extended to all other members of the armed forces who sustained personal injuries while in an active-duty status. No reason is evident why special treatment should be accorded this officer.

For the reasons stated herein, I do not feel justified in giving this enactment my approval. I would be glad to approve a measure which would provide compensation to Mrs. Georgia Lanser in an amount commensurate with her injuries.

HARRY S. TRUMAN.

THE WHITE HOUSE, *August 2, 1946.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Without objection, the message and the accompanying bill will be referred to the Committee on Claims and ordered to be printed.

There was no objection.

MRS. ELIZABETH J. PATTERSON, JOY PATTERSON, AND ROBERTA PATTERSON—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith without my approval the bill (H. R. 6442) for the relief of Mrs. Elizabeth J. Patterson, Joy Patterson, and Roberta Patterson.

The bill provides for the payment of the sum of $20,963 to the claimants in full settlement of "all claims against the United States on account of the losses or reduction on salary and allowances sustained by the late Brig. Gen. Robert F. Patterson" during the time he was United States consul general at Calcutta, India. Mrs. Elizabeth J. Patterson is the daughter-in-law, and Joy and Roberta Patterson are the granddaughters of the late General Patterson.

It appears that on January 1, 1898, General Patterson assumed the office of consul general of the United States in Calcutta, India. At that time, it had been the practice of the consul general at Calcutta to collect the fees of the office in rupees from which he deducted his salary, clerk hire, rent, and other expenses. Rupees were accepted at the bullion value which had been fixed at approximately 20 cents per rupee without regard to commercial rates of exchange, and after the deductions were made, the balance was remitted to the Government of the United States at the commercial exchange value, which at the time was approximately 32 cents. This custom was pursued by General Patterson for the first few months of his term of office.

On March 8, 1898, the Comptroller of the Treasury issued a circular respecting exchange by consular officers of the United States, which required such officers to accept rupees at the commercial exchange value. Although this order was effective January 1, 1898, it was not received at the consulate in Calcutta until April 13, 1898. From that time on, General Patterson collected the consular fees upon the basis of the commercial value of the rupee at the time of the transaction (approximately 32 cents) and remitted the balance after deductions at the same rate to the United States Government. Since there was no United States or English money in circulation at the time, General Patterson, of necessity, accepted his salary in rupees. In his report each quarter, he claimed his salary and expenses in the bullion value of the rupee, and protested against their allowance at the commercial exchange rate. Of course, payment in rupees at the bullion value (20 cents) would have enhanced General Patterson's remuneration, as it would obviously have required more rupees at this value to make up his annual salary than at the higher (32 cents) value. When he returned to the United States in 1906, he undertook to have his salary adjusted on the basis of the bullion value of the rupee. The accounting officers of the Treasury Department, however, refused such settlement. The amount provided in the bill represents the difference between the bullion value and the commercial exchange value of the rupees he received as salary for his entire tenure of office.

Apparently the only occasion on which the Government required General Patterson actually to remit a cash deficiency out of his own pocket, was for the period between January 1, 1898, when the order of the Comptroller of the Treasury became effective, and April 13, 1898, when it was received and put into effect by the general, during which time the general had been conducting the affairs of his office, including the payment of himself, on the bullion (20 cents) value of the rupee whereas it should have been done, in accordance with the Comptroller's order, on the basis of the commercial (32 cents) value. Thereafter his salary was paid at the commercial exchange rate.

The bill provides for the payment of the difference in dollar value between the salary General Patterson received in rupees at their commercial rate during the period from January 1, 1898 to May 28, 1906, and what he would have received in rupees if he had been paid at their bullion value. It would seem therefore that the effect of the measure is not to satisfy a loss that General Patterson sustained but to allow him the same profit which his predecessor had been making at the expense of the Government as a result of the difference between the actual commercial value of the rupee and its bullion value.

I do not believe there is any legal or moral obligation on the part of the Government to do this and, accordingly, I am constrained to withhold my approval of the bill.

HARRY S. TRUMAN.

THE WHITE HOUSE, *August 2, 1946.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Without objection, the message and the accompanying bill will be referred to the Committee on Claims and ordered to be printed.

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Gatling, its enrolling clerk, announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 334. An act for the relief of the Trust Association of H. Kempner.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7037) entitled "An act to amend the Social Security Act and the Internal Revenue Code, and for other purposes."

PROCEEDING AGAINST RICHARD MORFORD

The SPEAKER. For what purpose does the gentleman from Mississippi rise?

Mr. RANKIN. Mr. Speaker, I send to the Clerk's desk a privileged resolution and ask that it be read.

The SPEAKER. The Clerk will read the resolution.

Mr. MARCANTONIO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MARCANTONIO. Mr. Speaker, has not the Speaker the power to determine the order of business by recognizing or not recognizing gentlemen requesting the consideration of various pieces of legislation? I make that parliamentary inquiry because there is very important business pending before the House—social security, appropriations for terminal-leave pay, and for automobiles for amputees—and I see no reason why this resolution should be given preference.

The SPEAKER. It would not be given preference if it were an ordinary resolution, but this is a resolution of high privilege.

CALL OF THE HOUSE

Mr. MARCANTONIO. Then, Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and seventy-five Members are present, not a quorum.

Without objection, a call of the House is ordered.

There was no objection.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 277]

Adams	Gallagher	Mason
Allen, Ill.	Gary	May
Allen, La.	Gathings	Merrow
Almond	Gifford	Miller, Calif.
Andersen, H. Carl	Gillespie	Miller, Nebr.
Anderson, Calif.	Gordon	Morgan
Andresen, August H.	Granger	Murray, Wis.
Andrews, N. Y.	Grant, Ind.	Norton
Arnold	Gregory	O'Konski
Auchincloss	Hagen	O'Neal
Baldwin, Md.	Hale	Outland
Baldwin, N. Y.	Hall, Edwin Arthur	Patrick
Barden	Halleck	Patterson
Barrett, Pa.	Hare	Peterson, Ga.
Barry	Harness, Ind.	Pfeifer
Bates, Ky.	Harris	Philbin
Beckworth	Hart	Ploeser
Bell	Hartley	Plumley
Bender	Hébert	Powell
Bennet, N. Y.	Heffernan	Rains
Blackney	Henry	Reece, Tenn.
Bland	Herter	Richards
Bloom	Hess	Robinson, Utah
Boren	Hill	Robsion, Ky.
Boykin	Hinshaw	Rockwell
Bradley, Mich.	Hoeven	Roe, N. Y.
Brooks	Hoffman, Mich.	Rogers, N. Y.
Bryson	Holifield	Rooney
Buck	Izac	Rowan
Buckley	Jackson	Russell
Buffett	Jennings	Ryter
Bunker	Johnson, Calif.	Sabath
Carlson	Johnson, Ind.	Savage
Case, S. Dak.	Johnson, Tex.	Scrivner
Celler	Jones	Shafer
Chapman	Kean	Sharp
Clements	Kee	Sheridan
Cochran	Keefe	Short
Cole, Kans.	Kefauver	Slaughter
Cole, N. Y.	Kelley, Pa.	Smith, Wis.
Combs	Keogh	Sparkman
Cooper	Kilburn	Spence
Courtney	Kinzer	Starkey
Cravens	Kirwan	Stewart
Crawford	Klein	Stigler
Curley	LaFollette	Sumner, Ill.
Daughton, Va.	Landis	Taber
Davis	Lane	Tarver
Dawson	Larcade	Taylor
Delaney, James J.	Latham	Thomas, N. J.
D'Ewart	LeFevre	Thomason
Dolliver	Luce	Tolan
Dondero	Ludlow	Torrens
Douglas, Calif.	Lyle	Towe
Douglas, Ill.	McCormack	Traynor
Drewry	McGehee	Vinson
Dworshak	McGregor	Vorys, Ohio
Earthman	McKenzie	Wadsworth
Eaton	McMillan, S. C.	Wasielewski
Elliott	McMillen, Ill.	Weaver
Elsaesser	Mahon	Welch
Elston	Maloney	West
Engle, Calif.	Manasco	Wickersham
Fellows	Mansfield, Mont.	Winter
Fisher	Mansfield, Tex.	Wolfenden, Pa.
Fogarty		Wood

The SPEAKER. On this roll call 234 Members have answered to their names, a quorum.

Mr. RANKIN. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The question was taken; and on a division (demanded by Mr. MARCANTONIO) there were—ayes 152, noes 14.

Mr. MARTIN of Massachusetts. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MARTIN of Massachusetts. Mr. Speaker, there is pending a bill providing appropriations for the GI terminal-leave pay and also a bill giving assistance to the old-aged people of this country. Is there any way by which we could get that legislation on the floor this afternoon?

The SPEAKER. If the Members would stay on the floor, the pending matter would be disposed of very quickly.

Mr. MARTIN of Massachusetts. Can we not all make an effort on behalf of the GI's and the old-aged people to stay on the floor and pass that legislation?

Mr. RANKIN. I think we should.

The SPEAKER. The Chair thinks that would be a good idea.

Mr. MARCANTONIO. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and ninety-three Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 223, nays 9, not voting 198, as follows:

[Roll No. 278]

YEAS—223

Abernethy	Durham	Johnson, Ill.
Andresen, August H.	Eberharter	Jonkman
Andrews, Ala.	Ellis	Judd
Angell	Ellsworth	Kearney
Arends	Engel, Mich.	Kelly, Ill.
Bailey	Ervin	Kerr
Barrett, Wyo.	Fallon	Kilday
Bates, Mass.	Feighan	King
Beall	Fenton	Knutson
Bennett, Mo.	Fernandez	Kopplemann
Biemiller	Flannagan	Kunkel
Bishop	Flood	Lanham
Bolton	Folger	Lea
Bonner	Forand	LeCompte
Bradley, Pa.	Fuller	Lemke
Brehm	Fulton	Lesinski
Brown, Ga.	Gamble	Lewis
Brown, Ohio	Gardner	Link
Brumbaugh	Gavin	Lynch
Buchanan	Gearhart	McConnell
Bulwinkle	Gerlach	McCowen
Butler	Gillette	McDonough
Byrne, N. Y.	Gillie	McGlinchey
Byrnes, Wis.	Goodwin	Madden
Camp	Gore	Mankin
Campbell	Gorski	Martin, Iowa
Canfield	Gossett	Martin, Mass.
Cannon, Fla.	Graham	Mathews
Cannon, Mo.	Granahan	Michener
Carnahan	Grant, Ala.	Mills
Case, N. J.	Griffiths	Monroney
Chelf	Gross	Morrison
Chenoweth	Gwinn, N. Y.	Mundt
Chiperfield	Gwynne, Iowa.	Murdock
Church	Hall, Edwin Arthur	Murray, Tenn.
Clark	Hall, Leonard W.	Murray, Wis.
Clason	Hancock	Neely
Clevenger	Harless, Ariz.	Norblad
Clippinger	Havenner	Norrell
Coffee	Hays	O'Brien, Ill.
Cole, Mo.	Healy	O'Brien, Mich.
Colmer	Hedrick	O'Hara
Cooley	Hobbs	Pace
Corbett	Hoch	Patman
Cox	Hoffman, Pa.	Peterson, Fla.
Crosser	Holmes, Mass.	Peterson, Ga.
Cunningham	Holmes, Wash.	Phillips
Curtis	Hope	Pickett
D'Alesandro	Horan	Pittenger
Delaney, James J.	Howell	Pratt
Dingell	Huber	Price, Fla.
Dirksen	Hull	Price, Ill.
Doughton, N. C.	Jarman	Priest
Douglas, Calif.	Jenkins	Quinn, N. Y.
Doyle	Jensen	Rabaut
		Rabin
		Randolph
Rankin	Sasscer	Thom
Rayfiel	Schwabe, Mo.	Thomas, Tex.
Reed, Ill.	Schwabe, Okla.	Tibbott
Reed, N. Y.	Sheppard	Trimble
Rees, Kans.	Sheridan	Voorhis, Calif.
Resa	Sikes	Vursell
Rich	Simpson, Ill.	Walter
Riley	Simpson, Pa.	White
Rivers	Smith, Va.	Whitten
Rizley	Somers, N. Y.	Whittington
Robertson, N. Dak.	Springer	Wigglesworth
Robertson, Va.	Stefan	Wilson
Rodgers, Pa.	Stevenson	Winstead
Roe, Md.	Stockman	Wolcott
Rogers, Fla.	Sullivan	Wolverton, N. J.
Rogers, Mass.	Sumners, Tex.	Woodhouse
Sabath	Sundstrom	Woodruff
Sadowski	Talbot	Worley
	Talle	Zimmerman

NAYS—9

De Lacy	Hand	Marcantonio
Geelan	Heselton	Ramey
Green	Hook	Smith, Maine

NOT VOTING—198

Adams	Gallagher	Mansfield, Tex.
Allen, Ill.	Gary	Mason
Allen, La.	Gathings	May
Almond	Gibson	Merrow
Andersen, H. Carl	Gifford	Miller, Calif.
Anderson, Calif.	Gillespie	Miller, Nebr.
Andrews, N. Y.	Gordon	Morgan
Arnold	Granger	Norton
Auchincloss	Grant, Ind.	O'Konski
Baldwin, Md.	Gregory	O'Neal
Baldwin, N. Y.	Hagen	O'Toole
Barden	Hale	Outland
Barrett, Pa.	Halleck	Patrick
Barry	Hare	Patterson
Bates, Ky.	Harness, Ind.	Pfeifer
Beckworth	Harris	Philbin
Bell	Hart	Ploeser
Bender	Hartley	Plumley
Bennet, N. Y.	Hébert	Poage
Blackney	Heffernan	Powell
Bland	Hendricks	Rains
Bloom	Henry	Reece, Tenn.
Boren	Herter	Richards
Boykin	Hess	Robinson, Utah.
Bradley, Mich.	Hill	Robsion, Ky.
Brooks	Hinshaw	Rockwell
Bryson	Hoeven	Roe, N. Y.
Buck	Hoffman, Mich.	Rogers, N. Y.
Buckley	Holifield	Rooney
Buffett	Izac	Rowan
Bunker	Jackson	Russell
Carlson	Jennings	Ryter
Case, S. Dak.	Johnson, Calif.	Savage
Celler	Johnson, Ind.	Scrivner
Chapman	Johnson, Okla.	Shafer
Clements	Johnson, Tex.	Sharp
Cochran	Jones	Short
Cole, Kans.	Kean	Slaughter
Cole, N. Y.	Kee	Smith, Ohio
Combs	Keefe	Smith, Wis.
Cooper	Kefauver	Sparkman
Courtney	Kelley, Pa.	Spence
Cravens	Keogh	Starkey
Crawford	Kilburn	Stewart
Curley	Kinzer	Stigler
Daughton, Va.	Kirwan	Sumner, Ill.
Davis	Klein	Taber
Dawson	LaFollette	Tarver
Delaney, John J.	Landis	Taylor
D'Ewart	Lane	Thomas, N. J.
Dolliver	Larcade	Thomason
Domengeaux	Latham	Tolan
Dondero	LeFevre	Torrens
Douglas, Ill.	Luce	Towe
Drewry	Ludlow	Traynor
Dworshak	Lyle	Vinson
Earthman	McCormack	Vorys, Ohio
Eaton	McGehee	Wadsworth
Elliott	McGregor	Wasielewski
Elsaesser	McKenzie	Weaver
Elston	McMillan, S. C.	Weichel
Engle, Calif.	McMillen, Ill.	Welch
Fellows	Mahon	West
Fisher	Maloney	Wickersham
Fogarty	Manasco	Winter
	Mansfield, Mont.	Wolfenden, Pa.
		Wood

So the motion was agreed to.

The Clerk announced the following pairs:

Additional general pairs:

Mr. Boykin with Mr. Adams.

Mr. Bryson with Mr. Crawford.

Mr. Chapman with Mr. Gifford

Mr. Johnson of Texas with Mr. Hagen.

Mr. Kirwan with Mrs. Luce.
Mr. Lyle with Mr. Merrow.
Mr. McKenzie with Mr. Hinshaw.
Mr. O'Neal with Mr. Bennet of New York.
Mr. West with Mr. Gillespie.
Mr. Rains with Mr. McMillen of Illinois.
Mr. McMillan of South Carolina with Mr. Rockwell.
Mr. Earthman with Mr. Harness of Indiana.
Mr. Almond with Mr. Welch.
Mr. Mansfield of Montana with Mr. Buck.
Mr. Gary with Mr. Winter.

The result of the vote was announced as above recorded.

The doors were opened.

Mr. SABATH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SABATH. Mr. Speaker, I have here several privileged rules on important bills. I fully appreciate the fact that conference reports are in order, but also the rules I have are in order and I want to know whether I am going to be recognized to present these rules or not. They are important.

The SPEAKER. Does the gentleman mean to file them?

Mr. SABATH. No. They are filed already. I want to call them up.

The SPEAKER. The Chair cannot answer that question yet. The Chair does not know what the afternoon will bring forth.

Mr. SABATH. They are privileged resolutions.

The SPEAKER. There is a privileged matter up now and there are two conference reports to be considered that the Chair will recognize Members on next. Whether or not the Chair will recognize anyone to call up rules this afternoon remains to be seen.

Mr. SABATH. Mr. Speaker, I desire to file a privileged report.

The SPEAKER. The Chair cannot recognize the gentleman for that purpose at this time.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to proceed 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, it is obvious that we have reached an impasse and somebody has to surrender. The proponent of the resolution, the gentleman from Mississippi [Mr. RANKIN] refuses to hold it in abeyance so as to permit other legislation, vital legislation, to be enacted. Heretofore my points of no quorum did not hold up either social-security legislation nor amputees' automobile legislation nor terminal leave pay. Now I am confronted with a different condition. If I continue to raise points of order I will be endangering three very important pieces of legislation, appropriations for terminal leave pay, appropriations for automobiles for amputees, and social security. I want those three pieces of legislation passed before we adjourn. Inasmuch as the gentleman from Mississippi [Mr. RANKIN] will not yield to save these bills, and, much as I hate to do it, as I have never raised the white flag before, I will not insist on any further points of order. I take this position only in the interests of the veterans and the aged. I shall, however, vote against this un-American resolution, and I oppose it in the interests of American democracy.

PROCEEDINGS AGAINST RICHARD MORFORD

The SPEAKER. The Clerk will read the resolution.

The Clerk read as follows:

House Resolution 752

Resolved, That the Speaker of the House of Representatives certify the foregoing report of the House Committee on Un-American Activities as to the willful and deliberate refusal of the following person to produce before the said committee for its inspection certain books, papers, and records which had been duly subpenaed, and to testify under oath concerning all pertinent facts relating thereto; under seal of the House of Representatives to the United States attorney for the District of Columbia to the end that the said person named below may be proceeded against in the manner and form provided by law; Richard Morford, 114 East Thirty-second Street, New York, N. Y.

Mr. RANKIN. Mr. Speaker, the gentleman from New York [Mr. MARCANTONIO] said he was raising the white flag, surrendering and quitting his filibuster against this resolution. He may not know it, but he did not raise a white flag; he raised an American flag.

Richard Morford claims to be an executive director of the National Council of American-Soviet Friendship, Inc., with offices at 114 East Thirty-second Street, New York City. He appeared before the committee on March 6, 1946, and admitted that he had custody of all books, papers, and records of the organization and that in substance he is also in charge of the headquarters office in New York. He admitted his organization communicated with persons in Moscow and in other countries outside the United States and said further that the organization had a special committee engaged in coordinating information and publishing it in the shape of a bulletin which was sent abroad as well as being distributed in the United States. Morford further refused to answer questions by the committee chairman concerning the names of the people who constituted the special editing committee. Morford refused to produce the books, papers, and records of his organization for inspection by the committee and also refused to permit investigators to enter the office for the purpose of inspecting the records.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and on a division (demanded by Mr. MARCANTONIO) there were—ayes 166, noes 17.

So the resolution was agreed to.

A motion to reconsider was laid on the table.

SOCIAL SECURITY ACT AMENDMENTS OF 1936

Mr. DOUGHTON of North Carolina. Mr. Speaker, I call up the conference report on the bill (H. R. 7037) to amend the Social Security Act and the Internal Revenue Code, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7037) to amend the Social Security Act and the Internal Revenue Code, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 42 and 52.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 2½, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, and 41, and agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: On page 2, line 13, of the Senate engrossed amendments strike out "July 17" and insert "July 16"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: On page 3, line 3, of the Senate engrossed amendments strike out "July 1, 1947" and insert "January 1, 1948"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

"Notwithstanding any other provision of this title, no compensation shall be paid to any individual pursuant to this title with respect to unemployment occurring prior to the date when funds are made available for such payments."

And the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with amendments as follows: On page 5, line 6, of the Senate engrossed amendments strike out " '$15,000,000' " and insert in lieu thereof " '$11,000,000' ";

In line 10, strike out "$7,500,000" and insert "$5,500,000";

In line 11, strike out "$50,000" and insert "$35,000";

In line 12, strike out "$7,500,000" and insert "$5,500,000";

In line 17, strike out " '$7,500,000' " and insert " '$5,500,000' ";

In line 19, strike out " '$10,000,000' " and insert " '$7,500,000' ";

In line 23, strike out "$5,000,000" and insert "$3,750,000";

In line 24, strike out "$40,000" and insert "$30,000";

In line 25, strike out "$5,000,000" and insert "$3,750,000";

On page 6, line 6, strike out " '$5,000,000' " and insert " '$3,750,000' ";

In line 8, strike out " '$5,000,000' " and insert " '$3,500,000' ";

In line 10, strike out "'$30,000'" and insert "'$20,000'";

In line 14, strike out "$1,500,000" and insert "$1,000,000";

And the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30 and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

"(c) The amendments made by subsection (b) shall not require amended allotments for the fiscal year 1947 until sufficient appropriations have been made to carry out such amendments, and allotments from such appropriations shall be made in amounts not exceeding the amounts authorized by the amendments made by this section."

Amendments numbered 43, 44, 45, 46, 47, 48, 49, 50, and 51: That the House recede from its disagreement to the amendments of the Senate numbered 43, 44, 45, 46, 47, 48, 49, 50, and 51, and agree to the same with amendments as follows: In lieu of the matter proposed to be stricken out and in lieu of the matter proposed to be inserted by such Senate amendments insert the following:

"SEC. 501. Old Age Assistance.

"(a) Section 3 (a) of the Social Security Act, as amended, is amended to read as follows:

"'SEC. 3. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for old-age assistance, for each quarter, beginning with the quarter commencing October 1, 1946, (1) an amount, which shall be used exclusively as old-age assistance, equal to the sum of the following proportions of the total amounts expended during such quarter as old-age assistance under the State plan with respect to each needy individual who at the time of such expenditure is sixty-five years of age or older and is not an inmate of a public institution, not counting so much of such expenditure with respect to any such individual for any month as exceeds $45—

"'(A) Two-thirds of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $15 multiplied by the total number of such individuals who received old-age assistance for such month, plus

"'(B) One-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A);

and (2) an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Administrator for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for old-age assistance, or both, and for no other purpose.'

"(b) Section 3 (b) of such Act is amended (1) by striking out 'one-half', and inserting in lieu thereof 'the State's proportionate share'; (2) by striking out 'clause (1) of' wherever it appears in such subsection; (3) by striking out 'in accordance with the provisions of such clause' and inserting in lieu thereof 'in accordance with the provisions of such subsection'; and (4) by striking out ', increased by 5 per centum'.

"SEC. 502. Aid to Dependent Children.

"(a) Section 403 (a) of the Social Security Act, as amended, is amended to read as follows:

"'SEC. 403. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to dependent children, for each quarter, beginning with the quarter commencing October 1, 1946, (1) an amount, which shall be used exclusively as aid to dependent children, equal to the sum of the following proportions of the total amounts expended during such quarter as aid to dependent children under the State plan, not counting so much of such expenditure with respect to any dependent child for any month as exceeds $24, or if there is more than one dependent child in the same home, as exceeds $24 with respect to one such dependent child and $15 with respect to each of the other dependent children—

"'(A) Two-thirds of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $9 multiplied by the total number of dependent children with respect to whom aid to dependent children is paid for such month, plus

"'(B) One-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A); and (2) an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Administrator for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for aid to dependent children, or both, and for no other purpose.'

"(b) Section 403 (b) of such Act is amended by striking out 'one-half' and inserting in lieu thereof 'the State's proportionate share'.

"SEC. 503. Aid to the Blind.

"(a) Section 1003 (a) of the Social Security Act, as amended, is amended to read as follows:

"'SEC. 1003. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the blind, for each quarter, beginning with the quarter commencing October 1, 1946, (1) an amount, which shall be used exclusively as aid to the blind, equal to the sum of the following proportions of the total amounts expended during such quarter as aid to the blind under the State plan with respect to each needy individual who is blind and is not an inmate of a public institution, not counting so much of such expenditure with respect to any such individual for any month as exceeds $45—

"'(A) Two-thirds of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $15 multiplied by the total number of such individuals who received aid to the blind for such month, plus

"'(B) One-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A); and (2) an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Administrator for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for aid to the blind, or both, and for no other purpose.'

"(b) Section 1003 (b) of such Act is amended by striking out 'one-half', and inserting in lieu thereof 'the State's proportionate share'.

"SEC. 504. Effective Period.

"Sections 501, 502, and 503 shall be effective with respect to the period commencing October 1, 1946 and ending on December 31, 1947."

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

"TITLE VI—VETERANS' EMERGENCY HOUSING ACT OF 1946

"SEC. 601. Section 2 (a) of the Act of June 11, 1946 (Public Law 404, Seventy-ninth Congress) is amended by striking out the period at the end thereof and inserting a semicolon and the following: 'and the Veterans' Emergency Housing Act of 1946'."

And the Senate agree to the same.

R. L. DOUGHTON,
JOHN D. DINGELL,
A. WILLIS ROBERTSON,
W. D. MILLS,
HAROLD KNUTSON,
DANIEL A. REED,
ROY O. WOODRUFF,
Managers on the Part of the House.

WALTER F. GEORGE,
DAVID I. WALSH,
ALBEN BARKLEY,
TOM CONNALLY,
ROBERT M. LA FOLLETTE, JR.,
A. H. VANDENBERG,
ROBERT A. TAFT,
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 amendments of the Senate to the bill (H. R. 7037) to amend the Social Security Act and the Internal Revenue Code, 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:

Amendment No. 1: This amendment eliminates section 103 of the House bill, which would have repealed the last sentence of section 201 (a) of the Social Security Act reading, "There is also authorized to be appropriated to the Trust Fund such additional sums as may be required to finance the benefits and payments provided under this title." Thus, the amendment leaves this sentence in the Social Security Act. The House recedes.

Amendments Nos. 2, 2½, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 16, 22, 23, 24, 27, 33, 35, 36, and 37: These amendments, necessitated by Reorganization Plan No. 2 of 1946 which abolished the Social Security Board and transferred its functions to the Federal Security Administrator, delete (except as noted below) the references which the House bill made to the Social Security Board or to "the Board" and substitute references to the Federal Security Administrator or to "the Administrator", with corresponding changes in pronouns. Amendment No. 11 inserts a provision that when used in the Social Security Act the term "Administrator", unless the context otherwise requires, means the Federal Security Administrator. Amendment No. 10 retains a reference to the Board but enlarges the reference to include the Administrator. The House recedes.

Amendment No. 12: This amendment inserts the letter "(a)" after the section heading of section 301 of the bill. The House recedes.

Amendment No. 13: This amendment is also necessitated by Reorganization Plan No. 2 of 1946 and retains reference to the Board but enlarges the reference to include the Administrator. The House recedes with an amendment striking out the date "July 17" which was a clerical error in the Senate amendment and inserts in lieu thereof the date "July 16" which was the date on which Reorganization Plan No. 2 took effect.

Amendment No. 14: This amendment changes one of the conditions attached by the House bill to the congressional permission to the States to collect contributions under their unemployment compensation laws, based on maritime employment. The House bill made the permission subject to the conditions imposed by section 1606 (b) of the Internal Revenue Code on the collection of contributions from Federal instrumentalities and their employees. The amendment limits the condition to that contained in the second sentence (other than clause (2) thereof) of section 1606 (b); and eliminates

the requirement that a State law provide for refunds in the event that such law is not certified for tax-credit purposes. The House recedes.

Amendment No. 15: This amendment provides that section 1606 (f) of the Internal Revenue Code, granting the limited permission above referred to shall not operate to invalidate, before July 1, 1947, any provision of a State unemployment compensation law in effect on the date of enactment of the bill. The House bill contained no corresponding provision. The House recedes with an amendment changing the date from "July 1, 1947," to "January 1, 1948."

Amendment No. 17: This amendment strikes out the definition contained in the House bill of "Federal maritime wages" and substitutes a new definition of the same term. The definition establishes the basis on which maritime wage credits will be determined for purposes of title XIII of the Social Security Act, which provides a temporary system of unemployment compensation for maritime workers. The definition in the House bill limits the term to "wages" as defined in section 209 of the Social Security Act, whereas the amendment does not contain this limitation. The House recedes.

Amendments Nos. 18 and 19: These amendments delete from title XIII of the Social Security Act definitions of the terms "State" and "United States" which appeared in the House bill. Identical definitions are contained in title XI of the Social Security Act, which apply generally to the whole act. The House recedes.

Amendment No. 20: This amendment inserts an authorization to the Federal Security Administrator, for purposes of title XIII of the Social Security Act, to determine in accordance with regulations issued by him the allocation of maritime services and wages among the several States. Such allocation will determine which State law will govern the benefit rights of Federal maritime workers. The House recedes.

Amendment No. 21: This amendment strikes out a limitation, contained in the House bill, upon the allocation of maritime wage credits among the States under title XIII of the Social Security Act. The House bill provided that a claimant who receives compensation pursuant to title XIII under the law of one State can thereafter receive further compensation pursuant to that title only under the law of the same State, except as the Administrator otherwise prescribes by regulations. The House recedes.

Amendments Nos. 25 and 26: These amendments provide that during the fiscal year 1947, funds appropriated for grants to the States pursuant to title III of the Social Security Act shall be available for carrying out the purposes of title XIII. No corresponding provision appeared in the House bill. The House recedes with an amendment which provides that no compensation will be paid to any individual pursuant to this title (XIII) with respect to unemployment occurring prior to the date when funds are made available for such payment. The purpose of the conference agreement is to prevent liability attaching for payment of compensation for unemployment occurring before funds have been appropriated and are available for making such payments.

Amendment No. 28 changes the caption of section 401 of the bill. The House recedes.

Amendment No. 29: This amendment strikes out from the House bill an authorization of increased appropriations necessary to extend to the Virgin Islands the grant-in-aid programs for maternal and child welfare and inserts provisions increasing the authorization of appropriations for all the States. The authorization for maternal and child health service grants is increased from $5,820,000 to $15,000,000 a year, with the matched grants to each State increased from $20,000 plus a share in $2,800,000 to $50,000 plus a share in the remainder of $7,500,000, and the unmatched grants increased from $1,980,000 to $7,500,000. The authorization for grants for services to crippled children is increased from $3,870,000 to $10,000,000 a year, with the matched grants to each State increased from $20,000 plus a share in $1,830,000 to $40,000 plus a share in the remainder of $5,000,000, and the unmatched grants increased from $1,000,000 to $5,000,000. The authorization for child welfare grants is increased from $1,510,000 to $5,000,000, with the allotment to each State increased from $10,000 plus a share in the remainder of the $1,510,000 to $30,000 plus a share in the remainder of $5,000,000. The authorization of appropriations for administration of these grants is fixed, for the fiscal year 1947, at $1,500,000. The House bill contained no provision corresponding to these increases for all of the States, and no authorization of appropriations for administrative expense. The House recedes with an amendment which reduces the increases contained in the Senate amendment by approximately one-half. The Senate amendment proposed an increase to $31,500,000 and the conference agreement reduces such figure to $23,000,000.

Amendment No. 30: This amendment provides that amended allotments under the maternal and child welfare programs shall not be required for the fiscal year 1947 until further appropriations have been made, and shall then be made in such manner as is provided in the appropriation act. The House bill contained no corresponding provision. The House recedes with an amendment limiting the allotments for the fiscal year 1947 to the sums authorized by the conference agreement.

Amendments Nos. 31 and 32: These amendments strike out an amendment, contained in the House bill, to section 202 (f) (1) of the Social Security Act, and substitute a different amendment of the same section. The Senate amendment would accomplish the purpose intended to be accomplished, but not clearly expressed, by the House bill. The House recedes.

Amendment No. 34: This amendment corrects an error in the House bill in a reference to a provision of existing law. The House recedes.

Amendments Nos. 38, 39, 40, and 41: These amendments make three changes in existing law, which would not have been made by the House bill, to permit the withdrawal from the Federal unemployment trust fund, for the payment by a State of disability compensation, of any payments which that State may have collected from employees under its unemployment compensation law and deposited in the trust fund, or which it may in the future collect and deposit. To accomplish this, identical provisos are added to sections 1603 (a) (4) and 1607 (f) of the Federal Unemployment Tax Act and section 303 (a) (5) of the Social Security Act. The present Federal definition of a State "unemployment fund" will not be affected by the Senate amendments except in the one particular noted. Withdrawals from the trust fund other than those specifically authorized by the amendments will still be permissible only for the same purposes as in the past. The House recedes.

Amendment No. 42: This amendment permits the Federal Security Administrator during the present fiscal year to expend existing appropriations for the administration of the Social Security Act, and for payments to the States pursuant to titles I, III, IV, V, X, and XIII of that act, at an accelerated rate (and thereby to incur deficiencies) to the extent, but only to the extent, that such acceleration of expenditures is necessary to meet additional costs resulting from the enactment of the bill. The House bill contained no corresponding provision. The Senate recedes since the Director of the Bureau of the Budget has authority under existing law to accomplish the same result.

Amendments Nos. 43, 44, 45, 46, 47, 48, 49, 50, and 51: The bill as it passed the House increased the existing ceilings on the Federal share of old-age assistance payments from $20 to $25, made the same change in the case of aid to the blind, and in the case of aid to dependent children increased the Federal share from $9 for the first child in the home and $6 for additional children to $13.50 and $9, respectively.

The Senate amendments, while retaining the above ceilings, also provide for variable matching ratios ranging from a 50–50 matching to a 66⅔–33⅓, depending on the per capita income of the State as compared with the per capita income of the United States.

The House recedes with an amendment which, while retaining the liberalized ceilings on the Federal share of assistance payments, substitutes for the variable matching formula a formula under which the Federal share would be two-thirds of the first $15 of monthly payments of old-age assistance or aid to the blind and one-half the remainder of the payment up to the over-all Federal maximum share of $25. Similarly in the case of aid to dependent children, the Federal share would be two-thirds of the first $9 of the payment and one-half of the balance up to the over-all Federal maximum share of $13.50 or $9.

The following tables illustrate the effect of the conference agreement with respect to the matching formula governing Federal contributions to State payments for the period October 1, 1946, to January 1, 1948, for public assistance, under titles I, IV, and X of the Social Security Act. Table No. 1 applies to aid to the aged and blind and table No. 2 applies to aid to dependent children. The new formula will apply uniformly in all States regardless of State per capita income or any other measure of relative economic resources among the States:

TABLE NO. 1.—*Aid to aged and the blind*

Average State payment	Federal contributions	
	Existing law (in all States)	Conference report (in all States)
Under $15	[1] 50	[1] [2] 66⅔
$16	$8.00	$10.50
$20	10.00	12.50
$25	12.50	15.00
$30	15.00	17.50
$40	[3] 20.00	22.50
$45 and over	[3] 20.00	[3] 25.00

[1] Percent.
[2] On a benefit of $12, for example, the Federal contribution under existing law amounts to $6. Under the conference formula the Federal contribution would be 66⅔ percent or $8.
[3] Ceiling.

TABLE NO. 2.—*Aid to dependent children*

Average State payment	Federal contributions			
	Existing law		Conference formula	
	First child	Second child	First child	Second child
$9 or less	[1] 50	[1] 50	[1] 66⅔	[1] 66⅔
$10	$5.00	$5.00	$6.50	$6.50
$12	6.00	[2] 6.00	7.50	7.50
$15	7.50	[2] 6.00	9.00	[2] 9.00
$18	[2] 9.00	[2] 6.00	10.50	[2] 9.00
$21	[2] 9.00	[2] 6.00	12.00	[2] 9.00
$24 or more	[2] 9.00	[2] 6.00	[2] 13.50	[2] 9.00

[1] Percent.
[2] Ceiling.

Amendment No. 52: This amendment added a new title, title VI. It authorized and directed the Joint Committee on Internal Revenue Taxation to make a full and complete study and investigation of all aspects of social security, particularly in respect to coverage, benefits, and taxes related thereto. The House bill contained no provisions corresponding to the title added by this amendment. The Senate recedes.

Amendment No. 53: This amendment, for which there appears no corresponding provision in the House bill, would amend section 22 (b) (2) (B) of the Internal Revenue Code, relating to the taxation of annuities purchased by employers for their employees. The present provisions of this section are to the effect that, in the case of such an annuity contract other than one purchased by an employer under a plan meeting certain requirements prescribed by section 165 and other than one purchased by an employer exempt from the income tax under section 101 (6), if the employee's rights under the contract are nonforfeitable except for the failure to pay premiums, the amount contributed by the employer for such annuity contract is required to be included in the income of the employee in the year in which the amount is contributed. The amendment contained in this section of the bill would add a proviso to the foregoing provision so that amounts contributed by an employer to a trust for the purchase of annuity contracts for the benefit of an employee shall not be included in the income of the employee in the year in which the contribution is made, if the contribution is made pursuant to a written agreement between the employer and the employee, or between the employer and the trustee, prior to October 21, 1942, and if the terms of such agreement entitle the employee to no rights, except with the consent of the trustee, under the annuity contracts other than the right to receive annuity payments. This amendment would become effective with respect to taxable years beginning after December 31, 1938.

The Senate amendment also contains a provision exempting the Veterans' Emergency Housing Act of 1946 from the provisions of the Administrative Procedure Act.

The House recedes with an amendment striking out the provision relating to employees' annuities and leaving in the provision exempting the Veterans' Emergency Housing Act of 1946 from the provisions of the Administrative Procedure Act.

R. L. DOUGHTON,
JOHN D. DINGELL,
A. WILLIS ROBERTSON,
W. D. MILLS,
HAROLD KNUTSON,
DANIEL A. REED,
ROY O. WOODRUFF,
Managers on the Part of the House.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I am pleased to report that the conferees on this bill H. R. 7037 reached a unanimous agreement, and the agreement was signed by all of the conferees. I do not know that I care to discuss the report of the conferees at any great length. After my brief statement, if anybody has any questions with respect to what the conferees agreed upon I shall be glad to try to answer them.

I shall not discuss the several Senate amendments stricken from the bill or the purely technical changes accepted by the House conferees.

You are already familiar with title I of the bill freezing the tax; title II, providing old-age and survivors' insurance benefits for survivors of World War veterans who die after discharge: title III, providing for State unemployment compensation coverage for maritime employees; and title IV, providing needed technical changes in old-age and survivors' insurance. There was no substantial differences between the House and Senate on these important provisions.

There is one important addition to title IV. The Senate amendments provided for raising the present Federal grants of $11,200,000 for maternal and child health, crippled children, and child welfare services to $30,000,000. Under the conference agreement the Senate figure was reduced by about one-third, or to about $23,000,000.

The conference also adopted an amendment facilitating the operation of the veterans' housing program by eliminating it from the operation of the administrative law bill. This merely remedies an oversight in that bill which exempts the other temporary programs from its operations.

The principal amendment which was agreed to was a substitute for both the Senate and House versions of title V, relating to old age assistance, aid to the blind, and aid to dependent children. The House provisions increasing from $20 to $25 the maximum Federal participation for the period ending December 31, 1947, was retained as was the increased ceilings for aid to dependent children. The variable grant dependent on per capita State income, which the Senate had added to the bill was eliminated. A liberalization in the present matching formula, which would be applicable to all States, was adopted.

Under this formula, for the period beginning October 1 of this year and ending December 31 of next year, two-thirds of the first $15 of the old-age or blind-assistance payment would be from Federal funds, and the remainder of the payment would be on a 50–50 basis, up to the over-all $25 limitation on the Federal share. A similar provision is contained in the provisions of aid to dependent children, except that the Federal share would be two-thirds of the first $9 paid a child.

The general effect of these provisions is to increase the Federal grant by an amount equal to $5 for each blind or aged recipient who is given a benefit of $15 or more per month.

States now paying $10, $5 from Federal funds, can thus increase their payment from $10 to $15, the extra $5 coming from Federal funds.

States now paying $15 or more can also increase their payment by $5 from the additional Federal funds they will receive.

In the case of dependent children the increase would be $3 instead of $5, but a larger part of substantial sized payments can also receive even matching as the Federal maximum matching has been increased from $9 for the first child to $13.50 and from $6 for other children to $9. This extra money of course may also be used to pay the same proportion of benefit costs to new people added to the rolls.

The conference report contains tables showing how this will affect the Federal participation in various size benefit payments.

This provision seemed to the conferees to have all the advantages of the McFarland $5 and $3 amendment, but to contain safeguards that amendment lacked. It also preserves the requirement that a percentage of each benefit payment must be at State expense and that the State rather than Congress shall fix the size of the benefit.

Unless there are questions, I yield 10 minutes to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Speaker, title I of the bill freezes the present 1 percent pay-roll tax for the old-age and survivors' insurance program at 1 percent on the employee and 1 percent on the employer. This was the original House provision.

Title II provides social-security benefits to survivors and dependents of certain World War II veterans who die within 3 years after their discharge under the old-age and survivors' insurance program. For the purpose of determining the amount of benefits to be paid, the bill authorizes the deceased veteran to be treated as having been fully insured at an average wage rate of $160 per month from 1939 to the date of his death. The benefits would not be paid if the surviving widow and dependents are eligible for benefits under any existing veterans' benefit law. The House merely agreed to certain clerical amendments made to this title by the Senate.

Title III: Under this title, maritime workers employed on ships operated by the Government under the War Shipping Administration during the war are authorized to be covered under State unemployment compensation laws. The House agreed to certain clerical or administrative amendments made by the Senate of a technical nature designed to clarify certain provisions of the title. Under the bill, unemployment benefits could not be paid until funds are appropriated and become available for such payment. The benefits conferred are not of a permanent character which would cover maritime workers of Government-owned ships indefinitely in the future.

Title IV: The most important amendment agreed to under this title, which makes certain miscellaneous technical amendments to the Social Security Act, was the Senate provision authorizing an increase in appropriations to be available for the payment of benefits under title V of the Social Security Act (maternal and child welfare, crippled children and similar benefits). The conference committee reduced the increased authorizations by about one-third. The effect is to make very substantial increases in the amount of money available for these programs under the amount now available under existing laws. These increases will be available in all States under the existing method of distribution.

Title V: This title was amended in conference very substantially by providing that grants to the States by the Federal Government for benefit payments

to the aged, blind, and dependent children are to be increased. The controversial variable grant provision of the Senate amendments to the House bill is completely eliminated. In its place the conference agreed upon a formula that recognizes the existing 50–50 matching system but permits all States to increase their benefits, if they choose to do so, by $5 per month to each recipient, in the case of the aged and blind, and approximately $3 in the case of dependent children.

The conference formula does not proceed upon the theory that some States are poor and lacking in resources while some States are rich. It does not set off one group against another. It simply provides that in any State where the payments to old-age and blind recipients are $15 per month or less, the Federal Government will put up $2 for $1 of the cost of such benefits; and that where the benefits are in excess of $15, the existing 50–50 formula will be applied. Under this arrangement, a given State is not required, in effect, to file a pauper's oath before obtaining additional assistance from the Federal Government in making payments under these programs. In the case of dependent children, the ceiling on Federal contributions is raised by approximately 50 percent to $13.50 per month in the case of the first child, and $9 per month in the case of the second and each additional child in a needy family. In addition, the 2-for-1 rule will apply for benefits of $9 per month or less. Above $9, the existing 50–50 matching formula will prevail up to the maximum of $13.50 and $9, respectively.

Title VI: This title was added by the Senate to the House bill and provided for a study by the Joint Committee on Internal Revenue Taxation of all aspects of social security. The Senate receded on this amendment after it had been pointed out that such a provision was unnecessary.

Title VII: This title was also added to the House bill by the Senate. It provided certain favorable tax treatment in the case of contributions by employers to annuity pension funds created for the benefit of employees. The Treasury Department objected to this amendment, and after it was pointed out that further study was required in order to perfect any correcting statute dealing with this subject, the Senate receded.

One section of this title was retained in the bill, however, which merely authorized that the Veterans' Emergency Housing Act, recently passed by the Congress, should not be affected by the new Administrative Procedure Act because the Housing Act was of a temporary nature and it was not desired to have such temporary administrative machinery affected by the permanent administrative establishments.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. KNUTSON. I yield to my good friend.

Mr. AUGUST H. ANDRESEN. Do I understand that before a recipient of old-age assistance can secure this extra Federal contribution, the State must match the amount?

Mr. KNUTSON. No. Let me explain briefly to the gentleman, if I may. Under the agreement reached by the conferees, we depart from the 50–50 basis on the first $15. I am speaking now of the aged. Of that $15, the Federal Government will contribute $10 and the State $5. Beyond $15, the present 50–50 basis applies. The bill simply permits a State to pay higher benefits if it chooses to do so and we are saying that if higher benefits are paid the Federal Government will contribute its share according to this new plan.

Mr. AUGUST H. ANDRESEN. Then if there is to be an increase in the old-age assistance, the State will have to put up an equal amount of, let us say $2.50, before they get the extra $2.50?

Mr. KNUTSON. No. Under the present law, the State now pays $7.50 on a $15 benefit. Under the new formula, if a State elects to continue paying $7.50, the United States will increase its present contribution by $5 or $12.50 total, making it possible to increase the $15 benefit to $20.

Mr. AUGUST H. ANDRESEN. Then is the Federal contribution automatic?

Mr. KNUTSON. It is not automatic. Anyone now receiving $15 or less will get an additional $5 only if the State which pays him feels that by virtue of the increased Federal funds which this bill authorizes, the State can afford to increase that person's benefit by $5.

Mr. AUGUST H. ANDRESEN. Suppose they are receiving $40, will there be any increase in the amount?

Mr. KNUTSON. Not unless the State takes appropriate action to increase existing benefits by whatever amount the State feels it can afford to pay in the light of the new scale of contributions set up in this bill. There was a strong demand in conference for the so-called variable grant, but we could not see our way clear to give in on that, so we decided to make this increase applicable to all States and Territories, wherever social security is in effect, hence there is no discrimination between the so-called rich States and the poorer States.

Mr. COLE of Missouri. Mr. Speaker, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. COLE of Missouri. As I understand the gentleman, each old-age pensioner, under this conference agreement, will be eligible to receive an additional $5, regardless of the amount he is now receiving?

Mr. KNUTSON. Beginning October 1, yes, if the State acts to increase benefits by that amount.

Mr. COLE of Missouri. And that $5 comes from the Federal Government and does not have to be matched by the States?

Mr. KNUTSON. That comes from the Federal Government but matches State funds on a 2-to-1 ratio for the first $15. I hope that is clear. That is an outright increase over the present formula. Of course, the States may, of their own volition, determine the total public assistance expenditure within the State. The ultimate Federal grant depends upon the total expenditure and the number of recipients.

Mr. COLE of Missouri. How long will this $5 increase continue?

Mr. KNUTSON. I am glad the gentleman called my attention to that. It becomes available October 1 of this year and expires on the 31st of December 1947. There were several reasons why we voted to authorize this $5 increase, the principal reason being the constantly increasing cost of living. By extending it to December 31, 1947, it would give the Ways and Means Committee ample opportunity to explore the whole subject further when the new Congress convenes.

The SPEAKER. The time of the gentleman from Minnesota has expired.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Speaker, I am not anxious to delay a vote on this conference report. I am as anxious to have a vote on it as anybody else.

In the first instance, may I say I am in favor of the adoption of the conference report. In view of the fact that when the matter was before the House previously, I strongly opposed some of the provisions of the measure as then written, I think it incumbent upon me to express the reasons why I now favor this conference report.

Under this report, if adopted, it is true that every individual in the United States now receiving old-age assistance can possibly receive an increase of $5 monthly, which will be contributed by the Federal Government. And, in my opinion, the conference report recognizes the validity of the variable grant principle, because, under the formula adopted, two-thirds of the first $15 paid to old-age assistance recipients will be contributed by the Federal Government. In my opinion, that is a recognition of the principle for which I and many other Members of the House were fighting. It applies to every State in the Union. It follows naturally that those States which are paying low amounts for old-age assistance will get a larger proportion of the payment from the Federal Government than those States that are paying high amounts. In other words, if a State pays $15 for old-age assistance, the Federal Government contributes two-thirds or 66⅔ percent, whereas if a State is paying $40 the Federal Government only contributes two-thirds of the first $15, and one-half of the amount over the first $15.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. EBERHARTER. Mr. Speaker, another reason why this conference report should be adopted, of course, is that the allowances to take care of dependent children have also been increased approximately 50 percent, and we are all happy about that.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. EBERHARTER. I yield.

Mr. POAGE. I wish the gentleman would explain why this does not destroy

itself in those States that have a provision that is based on need? For instance, in the State of Texas, if they find that the budget need of the beneficiary is $15 per month they will give them $15 per month. The Federal Government is paying half of that. Now, if the Federal Government pays two-thirds of it they will still find the budget need is $15 per month. All it means is that the Federal Government will simply pay their percentage.

Mr. EBERHARTER. As I understand, no State will be permitted to reduce the payments now being made to any extent whatsoever.

Mr. POAGE. That is what I wanted to be sure, that they would not be allowed to reduce present payments.

Mr. EBERHARTER. They will not be allowed to reduce present payments.

Mr. LYNCH. Mr. Speaker, will the gentleman yield?

Mr. EBERHARTER. I yield.

Mr. LYNCH. While the States may not reduce payments, nevertheless, this does not necessarily mean that every person is going to get an increase of $5 from the State. For instance, today if a State gives $15, $7.50, or 50 percent, of it is contributed by the Federal Government. If the payment by the State is more than $15, the contribution of the Federal Government is 50–50 up to $20 maximum Federal contribution. Hereafter the Federal Government will contribute to that State $10 of the first $15 and 50 percent of the balance up to the Federal maximum of $25. Thus the State need not necessarily increase the benefits to the recipient.

Mr. EBERHARTER. Under the conference report, of course, States can to some extent use the money to increase the number of persons on the assistance rolls.

Mr. Speaker, in the remaining short time allotted to me I want to express my appreciation for the help and cooperation given to me, as a member of the Ways and Means Committee, by many Members in striving to have incorporated in the measure we are now considering the principle of variable grants to States, and particularly, Mr. Speaker, I want to mention the gentleman from Mississippi [Mr. COLMER], who has consistently and effectively cooperated to bring about the measure of success which is being achieved today toward accomplishing our objective.

His efforts as an influential member of the Rules Committee, both in the committee and by his valiant work on the floor, helped tremendously. I venture the opinion that without him our task would have been well-nigh impossible.

The SPEAKER. The time of the gentleman from Pennsylvania has again expired.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks at this point on the conference report.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DINGELL. Mr. Speaker, the correct interpretation, carefully prepared, of the action and intent of the conferees in connection with H. R. 7037 is contained in the report. I want to reiterate, as a conferee on the part of the House, that the effect of our joint action was to provide a total of $25 from the Federal Treasury to match State contributions on a basis which, according to my mind, establishes a variable of a sort never before embodied in the Social Security Act. The $25 of the Federal contribution will be matched as follows: For the first $5 contributed by the State the Federal Government contributes $10, the remainder of the maximum Federal matching, or $15, will be used to meet State contributions on a dollar-for-dollar basis. In other words, to illustrate further, the first $5 of the State is matched on a 2-for-1 basis, giving the pensioner $15. Beyond that, the 50–50 matching will add an additional $15 each from State and Federal sources, or $30. Fifteen dollars, plus $30, will make a total over-all of $45 per month. Of course, the State may go as high as it wishes beyond this amount without further Federal contribution. Simply, the Federal Government will contribute at the outset the amount of $5 to every pensioner under the act, then match the next $20 on an equal basis. I trust I have made myself clear on this one point in the report.

Now let me add that our job is not finished with this report, and the House will understand that in the field of old-age and survivors' insurance many interrelated matters must be considered and settled. I hope this will be done early next year. There are the complex and important questions of liberalizing the benefit formula and the eligibility requirements, extending benefits to disability cases and extending coverage to presently excluded employments and to self-employment. I am proud that we have laid the groundwork for this task by our studies and hearings which we recently completed.

Mr. GRANT of Alabama. Mr. Speaker, I regret that the conferees on H. R. 7037 did not agree to an amendment to the Social Security Act which recognizes the inequitable allotment of Federal funds. The records show that the Federal Government is now paying more than three times as much to aged people in some States than in others. I have long felt that this is an inequitable distribution of such funds.

Take, for instance, my own State: Alabama would, under the bill as originally passed in the House, only receive about $4,000 increase over the 1943–44 payments. This increase would run from a low of $2,000 in Maryland to over $13,000,000 in the State of California. There would be merit in such distribution of funds if the affected lower-income-group States did not attempt to meet the Federal grant. Under the present system, we grant most assistance to the States which need it least and grant least assistance to the States which need it most. The present law does not recognize differences in the ability of the respective States to finance public assistance, such as aiding the needy aged, dependent children, and blind persons.

I believe that a careful check will show that my own State, and many of the other States which have a low per capita income, do make greater appropriations than many of the wealthier States, when the ability to pay and the percentage of the tax dollar is taken into consideration.

In other words, many of our States are, at the present time, making a greater tax effort to match these Federal funds than some of the States with much greater resources.

The conferees have agreed and so recommend to the House that we accept a new formula which still recognizes a 50–50 matching, but departs from it in that a person receiving up to $15 per month will have two-thirds of this amount, or $10, contributed by the Federal Government and $5 contributed by the State. On all amounts over $15, the present formula of 50–50 remains. This applies to contributions made to the aged, blind, and dependent children and runs from October 1, 1946, to December 31, 1947.

In other words, the Federal Government will, up until that time, contribute two-thirds of the first $15. This will be an aid to Alabama and to all of the States, however, this amendment ignores the variable matching formula and does not recognize the rank discrimination against the low-income States.

We, in the State of Alabama, are justly proud of the department of public welfare, which administers this fund, under the direction of Miss Loula Dunn, commissioner. The available funds have been sympathetically and wisely administered. Miss Dunn's services have not only been recognized in Alabama, but also by the American Public Welfare Association, which has honored her with its presidency. Her contribution to this work is deeply appreciated by the people of Alabama and the entire Nation.

I trust that at the next session of Congress, the Ways and Means Committee will make a more detailed study of this question and provide additional Federal funds to States with low per capita incomes. This is fair and equitable. I assure you that the State of Alabama will do everything possible insofar as our resources permit to take care of the needy. The principle of allotting additional Federal funds to States with low per capita incomes is a sound principle of social justice.

Mr. MILLS. Mr. Speaker, in adopting the conference report on H. R. 7037, the Congress has enacted a law which greatly liberalized the provisions for Federal grants to States for old-age assistance, aid to dependent children and aid to the blind.

The bill agreed on in conference, while retaining the liberalized ceilings on the Federal share of assistance payments, substitutes for the present 50–50 matching a formula under which the Federal share would be two-thirds of the first $15 of monthly payments of old-age assistance or aid to the blind and one-half the remainder of the payment up to the over-all Federal maximum share of

$25. Similarly in the case of aid to dependent children, the Federal share would be two-thirds of the first $8 of the payment and one-half of the balance up to the over-all Federal maximum share of $13.50 or $9.

This liberalization may be illustrated by what can happen in my own State, Arkansas, assuming that the State continues to expend its present amounts of State funds.

April of this year, Arkansas had 26,578 on the old age assistance rolls and expended $224,193 of State funds and $224,193 of Federal funds for assistance which averaged $16.87 per case. Under the change, Arkansas would have received an extra $5 multiplied by the number of recipients, assuming that this extra money, and the State and Federal funds above mentioned could have all been used to pay public assistance. Thus, if all these funds could have been used to pay increased benefits to the 26,578 on the rolls, the average paid per recipient would have been $21.87 per recipient instead of $16.87, which was actually paid.

Arkansas probably would have added recipients to the rolls had these additional Federal funds been available. For example, the 26,578 on the rolls might have been increased to 30,000. Assuming State funds to have remained $224,193, total funds would have been:

State funds	$224,193
50-percent Federal matching	224,193
$5 x 30,000	150,000
Total	598,386

Thus, average payments would have been increased from $16.87 to $19.94 and 3,422 added to the rolls without increasing State appropriations.

The illustrations I have given would in general be applicable to the blind, who were receiving an average of $18.77 in Arkansas last April. Assuming the same expenditure per recipient from State funds, their benefits could have been increased to an average of $23.77.

In the case of dependent children, the Federal grants would also be considerably increased. The present Federal ceilings limit Federal matching to $9 for the first child and $6 for each additional child in a family. These ceilings are raised to $13.50 and $9 respectively. This means more of the benefits most States pay can be matched. Also, $3 multiplied by the number of dependent children receiving assistance is paid the State in addition to the increase in the 50–50 matching.

While the principle of variable grants, as contained in the original House bill, H. R. 6911, and adopted by the Senate as an amendment to H. R. 7037, is a more scientific approach to the problem and one which will be carefully studied by the committee as it approaches a permanent solution, the temporary provisions I have described appear to be practicable and are certainly very helpful, particularly to low-income States.

The approach, contained in the conference report, is not a new idea, but one which has had consideration over a long period and which has been sponsored by many prominent Members of the Congress, including the gentleman from Mississippi [Mr. COLMER], who rendered valuable assistance in making possible the final approval by Congress of amendments to the Social Security Act as contained in this conference report. It is fitting that the States represented by the gentleman from Mississippi and others of us who have fought so long for a more equitable method of determining the amount of Federal grants should now receive Federal grants in much more equitable amounts and be enabled to provide on a more generous basis for the recipients of public assistance.

It is hoped that adoption of the conference report will prove a stepping stone toward legislation which will permanently and equitably solve the problem of the aged, the blind, and dependent children in all of the States. I feel certain the Ways and Means Committee will endeavor to work toward this end when the new Congress convenes.

Mrs. DOUGLAS of California. Mr. Speaker, I am one of the many millions in this country who dream of the day when social security will be a reality for all our people. I want a program which wipes out once and for all crushing poverty in a land of plenty and the fear of hunger in a land which produces abundance. I want people—all people—not just those in a few favored occupations, to face the future secure in the knowledge that they are protected against the time when they can no longer earn their living either because of age, disability, or lack of suitable job opportunities and that their dependents will have some security in case of their premature death. I want for them, as for myself, the freedom from fear and the sense of personal dignity that springs from assurance that a decent minimum level of existence is theirs as a matter of legal, moral, and social right even when circumstances outside their control make it no longer possible to earn a living in the labor market.

I think social insurance offers the best hope for achieving real social security, not only because millions of working people have already built up a tremendous equity, through their own contributions, in such an insurance program but also because the equity principle offers the best protection in the long run against the hazards of shifting political tides. No political body, whatever its complexion, is ever going to cut back benefits which are based on the life-long contributions of the beneficiaries. Nobody is going to insist that benefits based on contributions should be tied to a means test that harks back to the poor-laws days of the sixteenth century when people believed that you could prevent dependency by making public aid as humiliating and niggardly as possible. People who have insurance have the kind of security that comes with money in the bank and they know that this money is theirs regardless of their politics, regardless of their way of life, and regardless of whether they happen to have a kitchen garden in their back yards. That is the kind of security I want for myself and for my constituents and for all the people in this country regardless of where they happen to live.

I know that we do not have that kind of social security now and we are not going to get that kind of social security this session. But I am supporting the conference report on H. R. 7037 because I feel that these amendments to the Social Security Act are a badly needed step in the right direction. Much as I feel the need to extend and liberalize the insurance program I recognize that the people now struggling to maintain some semblance of a life on present miserably low assistance payments need relief here and now. I know that the extra $5 in Federal funds for each aged and blind person is inadequate, but at least it is better than the former limit of $20. How this Congress has expected any mother to raise a dependent child in health and happiness on $18 a month I cannot imagine and I therefore welcome the additional $3 in Federal funds for each child, though I would like to know how she is to manage with present rising prices. I am particularly glad that the conferees agreed to a compromise provision, however inadequate, so that the benefits of this bill can go to all the people and not just to those of a handful of the richer States.

Poverty cannot be isolated and misery cannot be quarantined. We in California cannot raise our standard of living, whether for our people in general or our needy aged, if we take positions which tend to further freeze the impoverished condition of people in other parts of the country. It costs 1 percent more to live in Los Angeles than in Atlanta, Ga., but the old-age grants in Los Angeles are 199 percent higher. This just does not make sense for anyone. We have got to see that assistance really does what it is supposed to do, that it really guarantees against poverty wherever it may be.

I hope that next year we will have no more lengthy surveys, no more months of hearings, no more inadequate amendments brought in at the last minute as a stopgap answer to the most pressing emergencies.

We know what the problem is and we have this information and the collective national wisdom to solve it. What I want to see next session is a real social-security bill to give adequate insurance protection as a matter of right to everyone, including those who have already retired from the labor market. If all our people get adequate insurance benefit payments when they are entitled to them, public assistance can fall into its intended role as a residual supplementary program to take care of the unusual situation and we can move forward toward our goal of freedom from want on a road that we know leads toward peace of mind and individual dignity.

Mr. CHENOWETH. Mr. Speaker, I am in favor of this conference report and will support the same. I wish to make a few observations on the section dealing with old-age assistance.

I feel that the confusion that exists among even members of the conference committee bringing in this report is unfortunate, and I believe is a strong argument for a Federal old-age pension which will be administered uniformly in the different States. In my opinion, the

trend in this country is definitely toward the Federal pensions, without the heavy overhead expense involved in administering the present law.

There seems to be a difference of opinion as to the effect of the amendment adopted by the conference committee. What the committee says is simply this: That the Federal Government will contribute $10 of the first $15 paid to every person in the United States receiving old-age assistance under existing law. Of course, the question is immediately raised if this will provide an increase of $5 per month in the pension received by each person. It appears that this extra $5 will be paid to the various States, and the department of public welfare in each State will determine how it is applied. Personally, I feel very strongly that each State should give each pensioner an increase of $5, as this seems to be the intent of the amendment.

Undoubtedly the next Congress will give attention to this important matter of old-age assistance, and I hope some satisfactory solutions can be worked out. There is a definite responsibility to take care of these aged persons who have made their contributions to our development and progress over the years.

THE LAME, THE HALT, THE BLIND ARE STILL OUR BROTHERS AND SISTERS

Mr. DOYLE. Mr. Speaker, this conference report does not provide the security for the aged or the blind which I hoped it would. Nor in my opinion has this Congress taken steps forward enough in the field of adequate social security all along the line.

The elderly citizens of our Nation have already made their economic investment and contribution to our national wealth and should not live the later years of their lives in fear of no roof, no food, no clothing, no pleasures. A happy old age for our elder population would greatly strengthen our domestic fabric.

When there is lack of fear of need in the lives of the "grandpas" and "grandmas" of our Nation, there is removed a cause of great concern right down into the intimate family circle of our land.

And, as the family life of our Nation is, so is our national strength or weakness.

People, folks, humankind—these are the real worth of our Nation. Material wealth and physical properties are only of dollar value to the extent to which they are created to make people, folks, happier or healthier. The aim of our civilization is low indeed if we magnify aggrandizement of material wealth to such extremes that we exclude our attention and duty to our elders, and the lame, the halt, the blind.

While this Congress has done some splendid things for the essentials of living such as education, health, housing, social security and similar fields of human experience, the next Congress must needs make greater steps along these lines.

The reconversion of human values is not less important than is the reconversion of material properties such as factories, shops, and ships.

We can be penny wise in this important matter of human reconversion. We have not yet reached high enough in my judgment.

Our Nation will only be one of enduring values in proportion as we place emphasis upon the values which endure and which are not washed away when the storms assail.

These values, Mr. Speaker, are founded in recognition that material gain is made for the use and progress of man and not man made for application or speculation for material gain.

As we today adjourn and go home to our respective congressional districts all over our beloved Nation, let us as the representatives of our districts, so speak and act that the people of America will be enriched by our leadership into paths of domestic tranquillity and enduring world peace.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee [Mr. GORE].

Mr. GORE. Mr. Speaker, as I understand the conference report, it provides that out of the first $15—it does not have to be a total of $15, but out of the first $15—the Federal Government will contribute two-thirds. If a total payment of $12 is made to an aged or blind beneficiary the Federal Government will contribute $8; if it is $15 the Federal Government will contribute $10. Above a total of $15 it remains on the 50–50 matching formula. Is that not right?

Mr. DOUGHTON of North Carolina. That is correct. The ceiling on the total Federal contribution is $25.

Mr. GORE. One additional change, as the gentleman points out, is that the ceiling, the maximum amount which the Federal Government will match, is raised to $25 per month. For dependent children this provides that the Federal Government will pay two-thirds of the first $9.

I want to read from this conference report the following significant sentence:

The new formula will apply uniformly in all States.

That is a new principle of social security, and one reason I asked for time to speak at this time was to impress upon you the fact that by this you are adopting a new principle. I am not opposed to this principle, but I think the variable-grant formula contained in the Senate bill is preferable. As we come into this late date the House has not yet had a chance to vote upon the variable-grant formula which I fully believe represents the majority sentiment of the Congress. Because of the closed-rule procedure we have not had a chance to pass upon that or any other specific item. It has been a take-it-or-leave-it proposition each time. No Member has even had an opportunity to offer an amendment. We have not had a chance to vote upon such simple questions as the security tax rate for 1947. We have waited for months to consider amendments to the Social Security Act. A stall was staged, and now we come to this pass, inadequate consideration, and inadequate action on the very day of sine die adjournment. I hope the Ways and Means Committee will act early in the next Congress and that Congress will give this vital problem the consideration it deserves.

Mr. FORAND. Mr. Speaker, will the gentleman yield?

Mr. GORE. I yield.

Mr. FORAND. The gentleman knows I am very much interested in the variable grant formula, so much so that I introduced a bill to that effect, H. R. 5686. We almost got it to the floor—at least parts of it. When the next Congress convenes I shall follow the matter up and the committee has promised me that it will receive consideration.

Mr. GORE. I hope the committee will consider it and that the Congress will have an opportunity to consider it, too. Now, why do I say this is a new principle? For the reason that the report states—it applies "uniformly" not to all States but "in all States." There the committee is recognizing that we are dealing not with the cold abstractions of 48 States but with human beings; therefore this applies uniformly in all States to the individuals. I agree with this principle of equality of treatment of citizens insofar as it goes. Where, then, is the error? The inequity, the injustice, the unfairness and discrimination resulting from the present program remains the law of the land.

Mr. MONRONEY. Mr. Speaker, will the gentleman yield?

Mr. GORE. I yield to the gentleman from Oklahoma.

Mr. MONRONEY. I want to compliment the gentleman from Tennessee on the hard fight he has made for the variable grant principle. I want to join with him and say that the Congress is playing a tragic joke on itself and on the country by freezing the tax rate, not allowing it to go up one-half of 1 percent. We are depreciating this fund and we will have to take it out of the general tax revenues.

Mr. GORE. I agree with the gentleman. I have studied the tables and I may say that in 5 to 7 years the liability of the Government under this old age insurance retirement system is going to pyramid and pyramid very rapidly. This social security rate should be allowed to increase in an orderly manner. I do not think we should allow it to jump from 2 to 5 percent; that would be too great a shock, but it should be allowed to increase orderly. As I understand it, the gentleman from North Carolina advocated that, but he has not had his way.

Mr. DOUGHTON of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. GORE. I yield to the gentleman from North Carolina.

Mr. DOUGHTON of North Carolina. This only applies for 1 year. We have a reserve fund of more than $7,000,000,000 which will accumulate and increase next year, so I do not think we are in any danger. Our staff made a careful study of this and stated that an increase of one-half percent would make it sound for 10 years. If that would make it sound for 10 years, we are not in any immediate danger.

Mr. GORE. I think we would do well to give more consideration to the recommendations of the committee's technical staff of experts and to the actuarial staff of the Social Security Board. I understand that only a few days ago the gentleman's committee itself by a vote of 18 to 7 recommended that the tax be increased one-half percent on both employer and employee. That was, in my opinion, a wise recommendation. But the gentleman's committee changed its mind and then urged the House to foreclose itself from the opportunity of even considering the question. I, for one, refuse to assert my own capacity or the capacity of the House to consider amendments to the Social Security Act.

I welcome the increased benefits for the needy in this bill, but deplore our inaction toward broadening the coverage of the act and our failure to ameliorate the inequities of the present system. We shall try again.

Mr. PRIEST. Mr. Speaker, will the gentleman yield.

Mr. GORE. I yield to my able colleague from Tennessee who on yesterday won overwhelmingly endorsement by the people he represents so capably and conscientiously.

Mr. PRIEST. I want to express my appreciation for the fight my colleague has waged for the principle of variable grants. I sincerely hope that when this matter again comes before the House we may be able to amend the social-security law to provide for this formula of payments to the States. While this compromise agreement does not contain the variable grant feature, it represents a decided increase in financial assistance to the needy aged, blind, and dependent children. And, besides, the legislation approved by the adoption of this conference report should prove very helpful to millions of war veterans who may receive credit on social security for all the time spent in the armed services. I join my colleague in urging its adoption.

Mr. GORE. I thank the gentleman.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Speaker, I know that the Members of the House are very impatient and wish to vote, but we have worked for months on this social-security problem and we would like to have a minute or two in which to discuss this important measure.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Minnesota.

Mr. KNUTSON. In view of what the preceding speaker said it might be well to have the RECORD show at this point something about this $7,000,000,000.

Mr. REED of New York. I will go into that. I heard the gentleman say that the country has been more or less defrauded. I just want to say that what he says is true but not as he intended it.

What has happened is that a spendthrift Government has taken what should have been the social-security fund and, figuratively speaking, poured it into political rat-holes and it is gone. That is what has happened to the $7,000,000,000 reserve fund. We know that the social-security system is actuarially unsound at the present time. If we raise this tax to 1½ percent, jump it up by that amount, all we will do is simply to supply more funds, create greater deficits so far as the pensioners reserve fund under OASI is concerned.

Mr. Speaker, there is nothing more beautiful to me than to see an old couple under their own roof, living in peace and happiness and security. That is a beautiful picture. I know of nothing more tragic than an old couple who have reared a family, who have furnished sons for war, who have been good citizens, but through some misfortune, perhaps from buying foreign bonds, being sent to the poorhouse; or to see other old persons who do not have food, clothes, or shelter all in face of the fact that the Congress of a great nation is neglecting its old people and instead giving away $3,750,000,000 to a foreign government. This Congress has sent food and clothes abroad and it has furnished shelter to the people of foreign countries while overlooking the needs of its elderly people here at home.

Mr. Speaker, this is not a munificent sum we are supposedly giving the old people. The amount the old people will receive under this bill would not buy two meals for the average Member of Congress at a restaurant downtown. Prices of necessities are skyrocketing under a spendthrift Government. What is this Congress doing? Practically nothing, except to spend, spend, and tax and tax.

Congress, after lending to foreign governments billions of dollars, boondoggling billions of dollars, now says to the old folks, "We in our generosity are going to put you in a state of affluence by adding $5 provided your State acts so you can benefit by this act." We know there are a lot of States that will not act.

Some States can run horse races and spend millions of dollars in gate receipts in many of the so-called poor States, but they cannot do anything for their old people. Why? Because they fear that some old-colored grandmother might get a little extra old-age pension and then have the whole group around her move in, in order to live on the pension. That is the truth behind this legislation and it is about time the scheme should be exposed.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Nebraska.

Mr. STEFAN. What became of the $7,000,000,000, and what do we get for these I O U's?

Mr. REED of New York. We do not get a thing except to tax people in the future, the GI's among the rest. It is a fraud from top to bottom when considered as a long-range program.

I now turn to an analysis of the bill as it now appears after the conference.

The change just made in the Federal grant provisions for State old-age assistance is very simple. The law is effective from October 1, 1946, to December 31, 1947. The liberalized grant is to the State and not to the individual. The effect of the liberalized grant is to provide the State more Federal funds for any given expenditure by the State for old-age assistance.

Under existing law a State gets one-half of its expenditures for old-age assistance, excluding part of assistance in excess of a $40 monthly benefit. Thus, the Federal limit is $20 per individual.

Under the change just made by Congress, the Federal share will be two-thirds of the first $15 of the benefit, plus one-half of the balance of the benefit, but with a $25 limit to the Federal share, case per case.

The way it will work in each State can be illustrated by taking New York as an example. In April 1946, New York had 103,868 old-age recipients on the rolls, and the average payment was $38.24, and total assistance paid was $3,972,291. The Federal share was somewhat less than half this figure as some payments exceeded $40, and the Federal limit per individual was $20.

Under the change—the new Federal ceiling raised to $25, and two-thirds of the first $15 of assistance and one-half of assistance above $15 payable—the State would receive an additional Federal fund of $5 times 104,000 recipients or $520,000 per month, assuming it continued expending the same amount of State funds for assistance. This extra amount would provide funds for an average increase of $5 per case if the number of recipients remained the same. The State, however, would determine what recipients would get the increase, and how much each would get.

Some of the funds might be used to add persons to the rolls. The increase would, of course, be more than $520,000 if more persons were added to the rolls.

Two things should be kept clear:

First, that the change merely provides a more liberal matching arrangement for old-age-assistance payments and does not affect the present Federal-State arrangements in any other manner.

Second, that the change does not of itself give $5 or any other amount to any recipient of public assistance, but leaves the determination of his assistance to the State authorities.

Thus the new change provides more Federal funds for any given expenditure of State funds for public assistance, and thus encourages more generous treatment by the State of its aged, but does not interfere with the right of the State to determine what the assistance shall be.

To be specific grants must be made on a two-thirds basis of two-thirds of the first $15 of any benefit; that above $15, the 50–50 matching under existing law be retained with a limit on the Federal contribution of $25 takes care of blind and dependent children.

SOCIAL SECURITY ACT AMENDMENTS, 1946

EFFECT OF CONFERENCE REVISED MATCHING FORMULA, H. R. 7037

(August 2, 1946)

The following tables illustrate the effect of the revised matching formula governing Federal contributions to State payments for the period October 1, 1946, to January 1, 1948, for public assistance, under titles I, IV,

and X of the Social Security Act, as agreed upon in conference on H. R. 7037. Table No. 1 applies to aid to the aged and blind. Table No. 2 applies to aid to dependent children. The new formula will apply uniformly in all States regardless of State per capita income or any other measures of relative economic resources among the States:

TABLE NO. 1.—*Aid to aged and the blind*

Average State payment	Federal contributions	
	Existing law (in all States)	Conference report (in all States)
Under $15	[1] 50	[1] [2] 66⅔
$16	$8.00	$10.50
$20	$10.00	$12.50
$25	$12.50	$15.00
$30	$15.00	$17.50
$40	[3] $20.00	$22.50
$45 and over	[3] $20.00	[3] $25.00

[1] Percent.
[2] On a benefit of $12, for example, the Federal contribution under existing law amounts to $6. Under the conference formula the Federal contribution would be 66⅔ percent, or $8.
[3] Ceiling.

TABLE NO. 2.—*Aid to dependent children*

Average State payment	Federal contributions			
	Existing law		Conference formula	
	First child	Second child	First child	Second child
$9 or less	[1] 50	[1] 50	[1] 66⅔	66⅔
$10	$5.00	$5.00	$6.50	$6.50
$12	$6.00	[2] $6.00	$7.50	$7.50
$15	$7.50	[2] $6.00	$9.00	[2] $9.00
$18	[2] $9.00	[2] $6.00	$10.50	[2] $9.00
$21	[2] $9.00	[2] $6.00	$12.00	[2] $9.00
$24 or more	[2] $9.00	[2] $6.00	[2] $13.50	[2] $9.00

[1] Percent.
[2] Ceiling.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS. Mr. Speaker, I appreciate that the Membership is anxious to get away and I shall not take much time, I hope. The House bill, which passed the House by a big majority, provided a straight $5 increase for every recipient of an old-age pension and every blind individual in the country who has been receiving benefits. I voted for that bill and gave it my active support in committee and on the floor. Now, then, I do not want anybody to go away from here or go back home with the wrong impression. The House bill would have paid every individual $5. It was my understanding that the House conferees were going to stand by the House action. This bill does not do that. This bill pays every State $5. Let us have an understanding, and if I am wrong, I want this corrected. There seems to be no agreement among those who were conferees. Take, for instance, a man drawing $15 a month in State A, we will say. Very well. The Government is going to pay $10 of that and the State will put up $5. Very well. There it is. The Government hands out $5 to that State. But, when that State gets that money the State administrator, the proper official, will say to the individual, "Yes, you are getting $15 a month, but that is all you are entitled to and you cannot get any more. You cannot get this $5 that has come from the Government, because we say you are not entitled to any more. Consequently you will not get any more." Now that is what you ought to understand. You cannot go home and tell all these old folks and blind persons that we voted them $5. We voted the State $5.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. JENKINS. I yield to the gentleman from Minnesota.

Mr. JUDD. What does the gentleman think the State will do with that additional $5?

Mr. JENKINS. That is something I cannot answer for the laws of the several States are different. It is presumed that the State will say, "All right, we will canvass the situation, and if you are entitled to more we will give you more." I hope that the States will be liberal.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. JENKINS. I yield to the gentleman from Arkansas.

Mr. MILLS. It appears that there could only be two things that the State could do with the additional $5, in answer to the gentleman from Minnesota. One would be to increase the payments made to old-age recipients by $5 per month, or else use this $5, plus the other $5 coming in from the Federal Treasury, to put more people on the old-age rolls.

Mr. JENKINS. That partially answers the question. Just as I stated in reference to the man who was getting $15, it might work out that he would not get an extra dollar.

Mr. JUDD. But another man might get $5.

Mr. MILLS. The handling of the problem is entirely within the control of the director of the public welfare program in the States.

Mr. JUDD. But the money would have to go for the care of some old people.

Mr. MILLS. That is right. The gentleman is correct.

Mr. BREHM. Mr. Speaker, will the gentleman yield?

Mr. JENKINS. Yes, I am glad to yield to my distinguished colleague from Ohio.

Mr. BREHM. This is all set up on a basis of need. Now, if the investigator finds that the recipient's needs do not show that he is entitled to more, then he will not get any more, regardless of whether or not this bill becomes law. This comes very close to being a deception on the old folks and the handicapped. The only way wherein they may receive additional benefits under this bill is if and when the State of Ohio amends the present law. Simply because the Federal Government agrees to pay two-thirds up to the first $15 does not guarantee the recipient 1 cent more money, unless the State amends or repeals certain provisions of the State law.

Mr. GORE. If the gentleman will yield, I believe there is a little misunderstanding. According to the report, no $5 will be paid to a State unless the State pays that amount or some lesser amount or some amount to the recipient of benefits. It is not paid to the State except as that State makes expenditures to the recipients of benefits under its social-security program.

Mr. JENKINS. I am not so sure that the gentleman is right, but I am quite sure that the Congress has provided standards in previous laws to which the States must adhere and by which they are bound. I am sure the money will not be used for any other purposes, but I still insist that you cannot go home and say to every old-age pensioner you meet, "You are going to get $5 more," because that is not true. Many of them may not get $5 more, and they may not get $1 more.

Mr. Speaker, this matter that we have been discussing will, I am afraid, raise some serious misunderstandings. For instance let me use an illustration with reference to the Ohio law. Under the Ohio law the State can pay up to $20 a month. That with the $20 a month which the Federal Government would pay would entitle an applicant to receive the maximum of $40. If the conferees had approved the bill which the House has heretofore passed that individual would receive $5 additional from the Government if the State of Ohio would match it with $5. Under the present law of Ohio, the State could not do that because $20 is the limit. But I am sure that if the conferees had approved the bill which the House has already passed that the State of Ohio would convene its legislature immediately and would provide for an additional $5 with a result that the maximum from both the State and Federal contributions would be $50.

Under the recommendations of this conference report the situation would be somewhat different in Ohio. In the instance to which I have referred where a pensioner would be drawing a total of $40 the computation would be made difficult. The first $15 which that individual is now drawing would be paid with $5 from the State and $10 from the Federal Government. That would leave the State to pay an additional $15 if it wants to pay the same amount that it was now paying. If it did pay that additional $15 that would be a total of $20 for the State to pay. Then the Federal Government having already paid $10 would match the $15 which the State would pay with a $15 payment with the result that the Federal Government would be paying $25. The pensioner would thereby be drawing $20 from the State and $25 from the Federal Government or a total of $45. In this case it would appear to me that it would not be necessary to amend the Ohio law in order for this pensioner to draw $45.

On the other hand, if the State of Ohio would not be willing to pay a total of $20 in cooperation with the Federal law as it will be written when this conference report is accepted by the House and the Senate and the President, then it is perfectly possible that the person in Ohio who is drawing a $40 pension might not get any increase. I have no doubt but that the State of Ohio will do its part in this matter and that as a final result of the passage of this legislation those receiving old-age pensions and blind pensions may receive an increase in their pensions, and the dependent children will

likewise receive a corresponding increase. If the State authorities will not meet this offer which the Federal Government is making through the passage of this legislation, then I shall be disappointed.

While pensions to the aged and the blind and payments to the dependent children are always very important and while these provisions are probably the most important in this bill that we are considering, yet I must say that there are other very important matters included in this legislation. I shall not take time to discuss all of them. I shall discuss at least one of them.

In this respect I refer to that provision of the Social Security Act known as Title II—Old-Age and Survivors Insurance. This is commonly known as social security. In this connection I might digress long enough to say that the social-security legislation is probably the most far-reaching and comprehensive piece of legislation ever passed by Congress. It comprises 10 separate titles. Title I deals with old-age pensions. Title II deals with old-age and survivors pensions, commonly known as social security. Title III provides for assistance for dependent children. And title X provides for assistance to the blind, commonly known as blind pensions. I take considerable pride in the fact that I am generally considered as having been the author of the blind-pension law.

At the present time the employers of the country pay into a fund 1 percent of the pay roll of their employees and the employees likewise pay into this fund 1 percent of the wages which they receive. This fund now has a surplus of more than $7,000,000,000. The original law passed several years ago provided that these payments should be increased at certain stated periods. For the past 3 or 4 years Congress has amended this law so as to freeze the rate at 1 percent. Last year when Congress passed this freezing law, it further provided that after 1 year, the 1st of January 1947, the rate should jump to 2½ percent from the employer and 2½ percent from the employee. The bill which we are now considering under this conference report freezes these payments again for another year at 1 percent. This is done because employment in the country is at a high rate and the demands for benefits under the law are not unusually heavy and it is considered by both employer and employee that it would be advisable to continue the present rate. Without the passage of this freezing legislation, the rates of each group would jump to 2½ percent.

I am, therefore, very glad that this bill contains this freezing provision.

Mr. Speaker, other provisions of this proposed legislation are worthy but I felt, however, that when we included the maritime workers under the coverage of the social-security laws that we might well have included other groups comprising a large number of our citizens. I refer to the nurses and the social workers and the local employees. Likewise, there are many workers classified as agricultural employees that might well have been brought within the coverage of this law. I refer to those who work in canneries and packing sheds.

By way of justification for including the maritime workers, their employment differs somewhat from employment of other groups that I have mentioned in that they are employed by the Government, and the Government assumes the responsibility of paying the benefits to be derived under such coverage.

Mr. Speaker, I am glad that we have been able to defeat the variable grants provision of the bill passed by the Senate. I was very much disappointed that the Senate added these amendments to the House bill in view of the fact that it was well known that the Ways and Means Committee of the House has worked for months in preparing and drawing this legislation and it was also well known that the House had passed its legislation after a most intelligent and searching debate.

My opposition to the variable grants is based on the fact that when the original social-security bill was being prepared in 1935, it was prepared on the basis that all Federal payments should be made only on a matching basis. I was a member of the Ways and Means Committee and participated actively in the preparation of the first social-security bill. The philosophy of title I of the bill is that the Federal Government in a desire to encourage the States to make adequate provision for the aged would offer to pay every deserving aged person in the country $15 a month only if and when the State in which he lived would pay the same amount and would agree to abide by certain stipulated regulations. The original bill would not have been passed except on that well-grounded basis of 50–50 matching. Later in 1939 when the original bill was amended no effort was made to change the matching formula.

Under the variable-grants plan, many of the States would pay into the fund at the rate of $2 while they would only take out of the fund $1. On the other hand, many States would only pay in $1 and would take out $2. The variable-grants system is not right morally or fiscally. It is not right and fair for a State where the average wages are high to be compelled to pay old-age pensions to persons in States that are sufficiently able to pay their own pensions The fact that their average wages may be low is no reason. If they are satisfied to have their people live on low wages, then it is only natural that the amount that they would be willing to pay their old folks would be small.

Another very important factor in this matching program is that the local authorities are best able to know and judge who are entitled to old-age assistance and how much assistance they should have. If the people of the Southern States are satisfied to pay small pensions, why should Congress be worried about it? I know that that was one of the basic factors that we considered when we drew up the original social-security law.

Therefore, Mr. Speaker, while I am not entirely satisfied with this legislation, I am glad that we have increased the contribution for the aged and the blind and the dependent children, and I am also glad that we have frozen the contribution provision under title II, and I am also glad that we have maintained the principle of matching dollar for dollar as we originally intended to do. I am especially glad that the Congress has stood firm against the threat of variable grants. I hope that those States whose representatives have been so insistent upon variable grants will bestir themselves and increase these payments to these deserving groups that live in their States, just as the other States of the Union have done. We should not wreck social security on the treacherous rocks of variable grants.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

FIRST SUPPLEMENTAL APPROPRIATION BILL, 1947—CONFERENCE REPORT

Mr. CANNON of Missouri. Mr. Speaker, I call up the conference report on the joint resolution (H. J. Res. 390) making additional appropriations for the fiscal year ending June 30, 1947, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 390) making additional appropriations for the fiscal year ending June 30, 1947, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 18 and 19.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 5, 6, 7, 8, 21, and 26 and agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"JOINT COMMITTEE ON PRINTING

"Biographical Congressional Directory: To enable the Secretary of the Senate to pay, upon vouchers approved by the chairman or vice chairman of the Joint Committee on Printing, for compiling and preparing a revised edition of the Biographical Directory of the American Congress (1774–1948) as provided for in House Concurrent Resolution Numbered 163, adopted July 26, 1946, not to exceed $35,000; and said sum or any part thereof, in the discretion of the chairman or

vice chairman of the Joint Committee on Printing, may be paid as additional compensation (at not to exceed $1,800 per annum) to any employee of the United States, and shall continue to be available until expended."

And the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$25,000"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"BUREAU OF COMMUNITY FACILITIES

"Emergency relief for the Territory of Hawaii: For carrying out the provisions of section 1 of the Act entitled 'An Act to provide emergency relief for the victims of the seismic waves which struck the Territory of Hawaii, and for other purposes,' $1,300,000, to remain available until expended, of which amount not to exceed $65,000 shall be available for administrative expenses of the Bureau of Community Facilities, including travel, the purchase of two passenger motor vehicles, and personal services in the District of Columbia and elsewhere."

And the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows:

"DEPARTMENT OF COMMERCE

"BUREAU OF FOREIGN AND DOMESTIC COMMERCE

"Export control: For an additional amount, fiscal year 1947, for 'Export control,' including the objects specified under this head in the Department of Commerce Appropriation Act, 1947, $400,000."

And the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$100,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 2, 3, 11, 12, 13, 14, 15, 16, 17, 20, 22, 24, 28, and 29.

CLARENCE CANNON,
LOUIS C. RABAUT,
ALBERT THOMAS,
R. B. WIGGLESWORTH,
EVERETT M. DIRKSEN,
Managers on the Part of the House.

KENNETH MCKELLAR,
CARL HAYDEN,
RICHARD B. RUSSELL,
JOHN H. OVERTON,
ELMER THOMAS,
STYLES BRIDGES,
CHAN GURNEY,
JOSEPH H. BALL,
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 amendments of the Senate to the joint resolution (H. J. Res. 390) making additional appropriations for the fiscal year 1947, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Amendments Nos. 4 to 7, inclusive, relating to the Senate: Appropriates $163,000 for contingent expenses, and $540 for salaries, Office of the Sergeant at Arms and Doorkeeper, as proposed by the Senate.

Amendment No. 8: Appropriates $15,000 additional for contingent expenses, folding documents, House of Representatives, fiscal year 1947, as proposed by the Senate.

Amendment No. 9: Appropriates $35,000, instead of $50,000, as proposed by the Senate, for a revised edition of the Biographical Congressional Directory, and further amends to limit the rate of additional compensation to employees engaged in the work to $1,800 per annum.

Amendment No. 10: Appropriates $25,000, instead of $50,000, as proposed by the Senate, for salaries and expenses of the Joint Committee on the Economic Report.

Amendments Nos. 18 and 19, relating to the Public Health Service. Strikes out the appropriation of $4,358,000 proposed by the Senate for mental health activities, and strikes out the appropriation of $850,000 proposed by the Senate on account of the National Institute of Mental Health.

Amendment No. 21: Changes a title, as proposed by the Senate.

Amendment No. 23: Appropriates $1,300,000 for emergency relief, Territory of Hawaii, as proposed by the Senate, amended by omitting the waiver of section 14 (a) of the Federal Employees Pay Act of 1946.

Amendment No. 25: Appropriates $400,000 additional for export control, Bureau of Foreign and Domestic Commerce, fiscal year 1947, instead of $600,000, as proposed by the House, and no appropriation, as proposed by the Senate.

Amendment No. 26: Appropriates $25,000 additional for salaries and expenses, Bureau of Labor Statistics, fiscal year 1947, as proposed by the Senate.

Amendment No. 27: Appropriates $100,000,000 for strategic and critical materials (act of July 23, 1946), instead of $250,000,000, as proposed by the Senate.

Disagreements pursuant to clause 2, rule XX

Amendments Nos. 1 to 3, inclusive, relating to the Senate. It will be moved to recede and concur in such amendments, with a textual amendment to amendment No. 1.

Amendments Nos. 11 to 14, inclusive, providing for additional grants for the Children's Bureau of the Social Security Administration. It will be moved to recede and concur in such amendments, reducing the amounts to agree with the Budget estimates and changing the texts to conform with the texts of such estimates.

Amendment No. 15, relating to salaries and expenses, maternal and child welfare. It will be moved to recede and concur with an amendment reducing the amount of the appropriation proposed by the Senate from $925,500 to $425,000.

Amendment No. 16, governing the availability of certain appropriations. It will be moved to recede and concur in such amendment.

Amendments Nos. 17 and 20, relating to hospital and construction activities, Public Health Service. It will be moved to recede and concur in such amendments with amendments reducing the amount of the appropriation proposed by the Senate from $2,425,000 to $2,350,000, and adjusting amount limitations proportionately, and eliminating waiver of section 14 (a) of the Federal Employees Pay Act of 1946.

Amendment No. 22, relating to war and emergency damage, Territory of Hawaii. It will be moved to recede and concur in such amendment with an amendment eliminating the waiver of section 14 (a) of the Federal Employees Pay Act of 1946.

Amendment No. 24, relating to the provision of automobiles and other conveyances for disabled veterans. It will be moved to recede and concur in such amendment with certain textual changes.

Amendment No. 28, waiving the application of a provision of the Administrative Procedures Act to the Veterans' Emergency Housing Act of 1946. It will be moved to recede and concur in such amendment.

Amendment No. 29, changing a section number. It will be moved to recede and concur in such amendment.

CLARENCE CANNON,
LOUIS C. RABAUT,
ALBERT THOMAS,
R. B. WIGGLESWORTH,
EVERETT M. DIRKSEN,
Managers on the Part of the House.

Mr. CANNON of Missouri. Mr. Speaker, several times we have been under the impression that we were submitting the last appropriation bill only to later be disillusioned. We are certain, however, this time that this is the last appropriation bill to be offered in the Seventy-ninth Congress.

We present this complete conference report, and with it 15 amendments which must be considered separately, not because there was any disagreement on the part of the conferees, but because the rules require separate consideration in the House.

The joint resolution, when it passed the House, carried appropriations totaling $2,479,663,210.45. As it passed the Senate, it carried $2,796,612,917.45. As we present it to you, including the recommendations that will be made respecting amendments brought back in technical disagreement, the measure would appropriate a total of $2,636,489,417.45, and that amount is $384,385,093 under the Budget estimates.

The major item in the bill, as you know, is the one providing for terminal leave pay for members and former members of the armed services below commissioned status. The amount in the bill for that purpose is $2,431,708,000.

The Senate placed a number of amendments on the bill, some generously providing for the Senate, one restoring and amount eliminated by the House for the procurement of strategic and critical materials, and the remainder providing appropriation implementation for recently enacted legislation or legislation in course of enactment for various and sundry purposes. The impression seems to prevail that whenever a bill is passed authorizing the appropriation of funds, that the funds should be appropriated forthwith, instead of waiting until the next Budget, which practice was quite generally followed in the days when we were disposed to weigh the drafts we voted upon the Treasury.

This measure unquestionably contains appropriations for some projects which should have awaited the consideration of the next Congress; which should have been held in abeyance until there would be time to consider the estimates and to give consideration to their relative importance in arriving at an appropriation and expenditure ceiling looking beyond the close of the present calendar year, when we begin predetermining appropriation and expenditure ceilings.

The President yesterday issued an order to all governmental agencies calling for reduced expenditures. It is a splendid statement embodying a great program by a great President.

Such a course is essential to the achievement of a balanced budget, and a lower tax burden. I often wonder if we fully realize our responsibility in the ordering of the Nation's economy. We authorize and we appropriate and lately we have not been overlooking ourselves. The need for economy exists here as well as in other branches of the Government, and I should say more so, because here is the fountainhead of all Federal spending.

I trust that in the next Congress we will have been sufficiently in touch with the people to realize that it is their wish and thought that we should follow his program in the reduction of expenditures.

Mr. SMITH of Ohio. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. I would like to know why the people of this country should have any reason to believe that the statement which the President made is going to eventuate in the saving of a single dime as far as the Federal Treasury is concerned.

Mr. CANNON of Missouri. That is easily answered. If you will simply watch developments from now on you will have your answer—and a very convincing one—in actually reduced expenditures.

Mr. SMITH of Ohio. From now on?

Mr. CANNON of Missouri. It is just a question of demonstration. It will reduce expenditures.

Mr. SMITH of Ohio. When?

Mr. CANNON of Missouri. Beginning immediately.

Mr. SMITH of Ohio. Well, we cannot do very much about it now. Congress is not going to be in session.

Mr. CANNON of Missouri. Congress is not involved in the President's program. Possibly he will be able to do better with Congress away. The President's direction will result in a tightening in every departmental agency, a reduction of personnel and economy of operation that will save a material sum between now and the meeting of the next session of Congress.

Mr. SMITH of Ohio. Would the gentleman care to name any figure, name any amount that is going to be saved?

Mr. CANNON of Missouri. The gentleman, himself, must know it is impossible to say, but it will be a substantial amount. The Congress itself has saved a very large amount by reducing appropriations and through the rescission of appropriations has saved over $64,000,000,000. We have made a record without parallel in the fiscal history of the country. But I want to say that the President has cooperated with us in doing that. He assisted us in a very material way. The minute the war ended the Committee on Appropriations hurried back here to start an economy program. Before we could get back the President had frozen every dollar thereby holding funds which were subject to expenditure until the Congress could take action, and until the Committee on Appropriations could hold hearings and get a bill in. He has cooperated spontaneously and wholeheartedly, and we could not have saved this vast sum of $64,000,000,000 without his active cooperation. He has saved more money since the close of the war than any one President that ever served in the White House from Washington down to the present time.

Mr. Speaker, when I presented the conference report on the third Deficiency Appropriation Bill, 1946, on July 19, 1946, it then appeared that apart from a measure that would need later to be presented to effectuate terminal leave pay legislation for noncommissioned members and former members of the armed services, our appropriation work was done.

Consequently, I included as a part of my remarks that day a summation of appropriations for the session, contrasting them with Budget estimates, and submitted some pertinent remarks on the Federal fiscal situation generally.

The general remarks I then made I see no occasion to change. The table I then presented, of course, needs to be modified, and I submit, therefore, a recast thereof at this time:

Comparative statement of estimates of appropriations submitted during the second session of the 79th Cong. and of appropriations made during such session

Bill	Estimates	Appropriations	Increase (+) or decrease (−)
Regular annual bills, 1947:			
Department of Agriculture	$590,405,672	$581,240,121	−$9,165,551
District of Columbia	81,505,000	76,755,009	−4,749,991
Independent offices	5,140,876,502	5,094,976,677	−45,899,825
Interior Department	350,357,230	247,167,036	−103,190,194
Department of Labor, Federal Security Agency, and related independent agencies:			
Labor	131,701,100	140,456,443	+8,755,343
Federal Security Agency	726,569,300	696,183,527	−30,385,773
Related agencies	319,805,500	318,375,700	−1,429,800
Total	1,178,075,900	1,155,015,670	−23,060,230
Legislative branch	58,339,134	53,809,736	−4,529,398
Military	7,208,207,429	7,263,542,400	+55,334,971
Navy	3,765,399,000	4,119,659,300	+354,260,300
State, Justice, and Commerce Departments, and Judiciary:			
State	134,887,831	128,008,752	−6,879,079
Justice	98,063,050	99,752,250	+1,689,200
Commerce	238,755,000	193,884,720	−44,870,280
The Judiciary	16,591,720	16,057,490	−534,230
Total	488,297,601	437,703,212	−50,594,389
Treasury and Post Office Departments:			
Treasury	335,978,000	325,290,250	−10,687,750
Post Office	1,298,239,190	1,279,571,890	−18,667,300
Total	1,634,217,190	1,604,862,140	−29,355,050
War Department—civil functions	338,638,509	333,230,498	−5,408,011
Coast Guard	134,920,000	116,226,000	−18,694,000
Government corporations	983,048,848	60,086,287	−922,962,561
Total, regular annual bills	21,952,288,015	21,144,274,086	−808,013,929
Supplemental, deficiency, and miscellaneous bills:			
Urgent deficiency bill, 1946	3,713,000	3,347,200	−365,800
Second urgent deficiency bill, 1946	362,879,807	364,114,807	+1,235,000
Third urgent deficiency bill, 1946	676,444,961	661,847,988	−14,596,973
Second deficiency bill, 1946	71,198,695	61,601,337	−9,597,358
Third deficiency bill, 1946	[1] 3,028,567,112	2,652,860,866	−375,706,246
Miscellaneous (House joint resolutions)	935,143,769	934,966,469	−177,300
First supplemental appropriation bill, 1947	3,020,874,510	2,636,489,417	−384,385,093
Total, supplemental, deficiency, and miscellaneous bills	8,098,821,854	7,315,228,084	−783,593,770
Permanent and indefinite appropriations	7,344,167,410	7,344,167,410	
Grand total	37,395,277,279	[2] 35,803,669,580	−1,591,607,699

[1] Includes $135,000,000 for UNRRA provided for in Second Supplemental Surplus Appropriation Rescission Act, 1946.
[2] Excludes amounts in private and public laws for the payment of claims, which may aggregate $2,000,000 more or less.

The revision makes the total of the estimates $37,395,277,279, the total of the appropriations $35,803,669,580, and the total of the difference between the estimates and the appropriations $1,591,607,699. The last amount represents the reduction this session of the Congress has effected, which excludes the rescissions previously made of obligational availability in the amount of $64,328,230,565. I submit that as an incomparable retrenchment, an all-time record for retrenchment and economy in the history of this or any other nation.

As I pointed out in my remarks of July 19, the large increase in the estimates and in the appropriations over the Budget projected totals last January is responsive to demands way and beyond the conception of anyone for appropriately looking after our veterans. The total appropriation for that purpose for the session, including the amount in this bill, is $10,154,401,415, and that amount excludes appropriations of various agencies in connection with job training and placement of veterans and various other expenses on their account which demobilization has occasioned.

The original budget for the current fiscal year included estimates of appropriations for the Veterans' Administration in the total amount of $4,934,623,500. It also contemplated supplemental appropriations for all Federal purposes of $875,000,000, which would include supplemental appropriations on account of veterans.

Assuming that half of the latter amount represented a contingent supplemental need for veterans, that would make the originally projected total for veterans $5,372,123,500. Instead, as I have indicated, the total of the estimates turned out to be $10,401,667,500, or an excess of $5,029,544,000.

The total of the estimates for all purposes projected back in January was $30,668,151,830. As earlier indicated, they have turned out to aggregate $37,395,277,279. Omitting the increase for veterans, the excess becomes $1,697,581,449.

The record speaks for the administration, and, as I said in my remarks of July 19, 1946, evidences a determined effort to maintain the fiscal program mapped out and publicized last January.

Mr. STEFAN. Mr. Speaker, will the gentleman yield at that point?

Mr. CANNON of Missouri. I yield to the gentleman from Nebraska.

Mr. STEFAN. That is not really the total appropriation for the fiscal year, is it?

Mr. CANNON of Missouri. Practically so; for veterans, yes.

The original budget for the current fiscal year included estimates of appropriation from the Veterans' Administration in the total amount of $4,934,623,500. It also contemplated supplemental appropriations for all Federal purposes of $875,000,000, which would include supplemental appropriations on account of the veterans. Assuming that half of the latter amount represented a contingent supplemental need for veterans, it would make the originally projected total for veterans $5,372,123,500. I wish you would remember that amount. That was the amount that fairly may be said as having originally been projected for that purpose, for our veterans, a little over $5,000,000,000. Instead of that, as we have shown here, the total of the estimates turned out to be not $5,000,000,000 but $10,401,667,500, an excess of $5,029,544,000.

Mr. WHITTINGTON. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. What part of that amount, $10,400,000,000 for veterans, was intended to provide housing for veterans? Can the gentleman give us any information on that?

Mr. CANNON of Missouri. Something over $250,000,000 at this session.

Mr. WHITTINGTON. There was something like $250,000,000 for housing.

Mr. CANNON of Missouri. I should like to again call to your attention a table I used at the time the Third Deficiency Appropriation bill was under consideration—adapted to the final figures as included in this bill, and I wish I could have the careful attention of the House on this one item because it is highly significant. This list includes what we might call untouchable items, that is, items of appropriation by the Federal Government from the Federal Treasury which cannot be reduced. They are the irreducible minimum for the purposes contemplated. The first item is interest on the public debt, $5,000,000,000. That must be paid, it cannot be reduced; you have no latitude nor any option about it. Five billion dollars must be provided for the payment of interest on the public debt.

Statutory debt retirement, $592,000,000, required by law.

Internal revenue and customs refunds, from which there is no escape, $1,585,000,000.

For the Army and the Navy, even reducing as we have to the lowest possible amount to maintain the Army and the Navy, we must have at the very lowest estimate $11,000,000,000.

Let me summarize the amounts:

Interest on the public debt	$5,000,000,000
Statutory debt retirement	592,000,000
Internal revenue and customs refunds	1,585,000,000
Army and Navy	11,000,000,000
Veterans	10,154,401,415
A total of	28,331,401,415

Those are "must" items. The difference between such total and the total of appropriations for the session for all other purposes of government is $7,472,268,165. By far the greater portion of the reduction of $1,591,607,699 we have effected applies to the "other purposes." It would have been considerably more had the recommendations of the Committee on Appropriations prevailed.

But what I wish to impress upon you is the limited field for wielding the pruning knife. Do not look at totals for agencies. Examine their component parts and you will better understand the problem.

For the veterans, as I have indicated here, $10,154,401,415. In other words, Mr. Speaker, before we can spend a dollar, we must provide enough to take care of these items over which we have no control—a total of $28,331,401,415. These are "must" items. The difference between such total and the total of appropriations for this session for other purposes of government is $7,472,268,165. In other words, we have reduced in this session of the Congress the appropriations for all other purposes, and that includes additional provision for increased pay of personnel, which is an astounding sum in response to legislation of the Congress, to a little over $7,000,000,000.

Mr. Speaker, that is another record. With all of the problems of reconversion, getting out of the war, liquidation of wartime agencies and activities, we have reduced the expenditures outside of the untouchables to $7,000,000,000. That is an achievement in retrenchment and economy without precedent in committee annals.

Mr. Speaker, we hear some wild statements that tremendous savings are practical. I was amazed a few days ago to read in one of the local newspapers an article. I will read it to you:

KNUTSON SAYS GOP HOUSE WOULD CUT INCOME TAX

Representative KNUTSON, of Minnesota, top minority member of the tax-framing House Ways and Means Committee, said today that election of a Republican House next November will mean a 20-percent cut in personal income taxes for 1947.

In a letter to Leland W. Scott, Minneapolis attorney, Mr. KNUTSON also said such an election outcome would mean a reduction in "Federal consumer taxes."

Mr. KNUTSON said this would be made possible by a 50-percent cut in Federal expenses. Copies of the letter were given reporters.

That is just plain unadulterated buncombe. Utterances of that kind from responsible sources and voiced by men in high position in this body on either side of the aisle reflect no credit upon those who make them and are a distinct hurt to the general welfare. This is no time to be misleading the people or to be building up false hopes.

In contradistinction to the AP item I have just read, I should like to read an excerpt from Mr. Ernest Lindley's column in the Washington Post of July 30, 1946. Said Mr. Lindley:

Apart from the armed forces, there are no big economies which can be made in the cost of the Federal Government in the visible future. Small cuts can be made here and there—and in many cases should be in the interest of efficient operation. The Federal public works program ought to be held to a minimum for the present, until other demands for labor and materials have slackened. Some expenditures in this category can be postponed.

The big problem in putting the Federal budget in the black and producing a surplus is not, however, on the side of expenditures. It is on the side of income.

The answer lies in the readiness of the administration to recommend and of Congress to maintain sufficiently high taxation. This means taxation at least as high, on the average, as we have now—perhaps higher. Talk of important tax reduction is demagoguery if the American people want to put the budget in the black and whittle down the national debt and unless they are willing to

gamble with their lives and civilization by scuttling the armed forces, as they did after the First World War.

That expresses the views of a long-time student of our Federal fiscal problems, one who has no interest beyond service to the public. I will go along with Mr. Lindley with this reservation: Expenditures flow from appropriations, and appropriations flow from legislative authorizations. If there were more resistance here to legislation, legislation mandating the Committee on Appropriations to report appropriations, the demand for income and upon income would be that much lessened.

One worth-while provision which the streamlining bill might have included was one requiring reports on legislative bills to show conspicuously the estimated cost and the expenditure demands by fiscal years, and what the impact of the bill would be upon the projected and legislatively approved appropriation ceiling. Among other advantages which might result would be less talking one way and voting another.

Mr. KNUTSON. I thought I heard the gentleman mention me. If by any great misfortune to the country we should have a Republican House, it is going to cut income taxes 50 percent.

Mr. CANNON of Missouri. Mr. Speaker, the gentleman from Minnesota is going to cut Federal expenses by 50 percent. How? What do you have here? You have here $28,000,000,000 that cannot be touched—interest on the public debt, statutory debt retirement, revenue and custom refunds, Army and Navy, and veterans. There are $28,000,000,000 for those purposes of which you cannot cut 1 penny, cannot cut them 1 penny, including the gentleman from Minnesota and his Republican brethren. In addition to those demands, there are only $7,000,000,000. If the gentleman from Minnesota were to wipe out every dollar, if he refused to appropriate a single dollar except that which was required for the public debt, interest, and so forth, he could only operate on $7,000,000,000. Why, upon the very face of it the newspaper release attributed to him is inaccurate to the point of absurdity. Of course, I am charitable; I realize it is necessary for the gentleman to promulgate partisan utterances, and I have no objection to that. But nobody should take him seriously, and I am certain nobody will take him seriously.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Of course, when I made that statement I was going on the assumption that the Republicans were going to control the next Congress, and they would cut out all this waste.

Mr. CANNON of Missouri. That is no answer. You cannot do the impossible. Regardless of who controls the House, they will be confronted with $28,000,000,000 of untouchable obligations.

Mr. WHITTINGTON. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. The gentleman has referred to the appropriation carried in this bill of $2,431,708 to provide terminal leave pay for the enlisted men. That is somewhat of a fiction. As a matter of fact, that money is to be available not to the enlisted men, but to the Treasury of the United States to provide, under the terms of this bill and the authorization that we passed the other day, for the issuance of bonds. Personally, I think it is most unfortunate that these enlisted men have to get bonds, and that this language really ought to be explained in connection with this bill, because it does not provide money for these enlisted men but merely for the issuance of bonds and the payment of this amount to the Treasury of the United States.

Mr. CANNON of Missouri. That was debated here when this resolution was before the House originally, and the House provided the money. When we consider the legislative bill dealing with the matter, we thought that the boys ought to have the cash, but when the bill went to conference with the other body, we could not get a bill at all unless we agreed to resort to bonds, but whether the terminal-leave pay is paid in cash or bonds, the technical requirements are such that we have to appropriate the money, and we are appropriating the money.

Mr. WHITTINGTON. I think it is in order for the gentleman to say that this is a technical requirement so that the boys of the country will not be misled.

Mr. CANNON of Missouri. There is nothing misleading about it; so far as I know, the money is being made available to pay cash or for bonds as and when issued. Some of these bonds mature immediately, I would say to the gentleman. The authorization act is retroactive to 1939, and it is impossible to know how much will be needed and when it will be needed to pay those of immediate maturity. There is no alternative but to appropriate the entire amount that will be needed for expenditure in the present fiscal year.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from West Virginia.

Mr. BAILEY. I would like to ask the distinguished gentleman from Minnesota this question. I am sure he knows that I was one of nine Members of the House who voted against the tax reduction of 1945. I would like to ask the gentleman from Minnesota whether he thinks he would not have rendered a better service to the country to have limited the carry-back clause on excess-profits taxes?

Mr. CANNON of Missouri. I hear no answer.

Mr. Speaker, may I also call attention to the disparity between the total of the appropriations for the session I have given, namely, $35,803,669,580, and the total for the session given by the ranking minority member of the committee, the gentleman from New York, Hon. JOHN TABER. Mr. TABER'S statement appears in the RECORD of July 24. The total he gives is $39,504,734,744. Were he here, he would need to add to that sum the amount carried by this joint resolution, which would increase his total to $42,141,224,161. That amount exceeds the total I have given by $6,337,554,581, which is a very appreciable discrepancy. The difference results first from the gentleman from New York [Mr. TABER] adding in self-liquidating trust accounts; a matter of $4,662,090,704. They are estimates—not appropriations—of amounts the Treasury will pay out of trust funds on deposit, and are not classed as appropriations. Again, the gentleman from New York [Mr. TABER] adds in reappropriations, which heretofore have been charged as appropriations. They are in the deferred expenditure category, and charged again as appropriations, would be apt to mislead in any comparison of appropriations by sessions or fiscal years. The gentleman from New York [Mr. TABER] also includes the diversion of previously appropriated continuing funds, heretofore charged as appropriations, and, also, the doubtful employment of naval stock account capital, which exists in consequence of appropriations heretofore made and charged. Again, the gentleman from New York [Mr. TABER] includes $921,000,000 plus for which an appropriation was requested and refused for canceling Commodity Credit Corporation notes held by the Treasury Department. Instead of appropriating the money out of one pocket, to be placed in another, the Congress has approved the committee's recommendation to cancel the notes, and, therefore, effected a reduction of the amount indicated in the amount appropriated. To treat the matter otherwise would be mixing expenditure transactions with appropriations, and not in any sense a current expenditure transaction. Lastly, the gentleman from New York [Mr. TABER] includes loan authorizations by the RFC under the Department of Agriculture. They have no place in an appropriation statement.

That, I should say, about accounts for the difference. The figures I have given are figures which have a proper place in an appropriation statement, and exclude amounts which do not fairly or appropriately belong therein.

Mr. Speaker, in closing I wish to congratulate the Committee on Appropriations on the exceptional record it has made. It has contributed its part to making this one of the outstanding Congresses in the history of the Nation.

Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Speaker, I do not propose at this time to enter into a diagnosis of the frightful financial conditions into which the present administration has led the Nation during the last 13 years.

I may point out in passing, however, that this appropriaion bill is the last of a series of appropriation bills in this session of the Congress for the fiscal year 1947, in respect to which the Budget estimates of the President amounted to almost $40,000,000,000.

That is $40,000,000,000 in a peacetime year. That is four times our prewar Budget. That comes on top of a national debt which, if contingent liabilities are included, amounted on December 29,

1945, according to the Bureau of the Budget to $663,753,721,386.75.

Mr. Speaker, as far as this report is concerned, I may say that, when the bill left the House it carried $2,479,000,000 or thereabouts. In the other body, about $316,000,000 was added. In conference, about $160,000,000 of that increase was eliminated. So that the bill before you today carries $2,636,000,000 or thereabouts, $156,000,000 more than it carried when it left the House but still $384,000,000 below the Budget figures.

I believe that certain items in this bill could have waited and that certain other items could have been further reduced.

But the bill carries funds for terminal leave and it carries funds for amputee legislation. The report is a unanimous report by the conferees and I trust it will be speedily adopted.

Mr. CANNON of Missouri. Mr. Speaker, I yield such time as he may require to the gentleman from Ohio [Mr. CROSSER].

Mr. CROSSER. Mr. Speaker, the promotion of justice—which means the establishment of right—is the professed purpose of all governments. Throughout the ages there has been a continuous development of the knowledge and wisdom essential to the establishment of justice. With this growth of man's understanding it has become more evident also that rights are innate and inherent in man's very being. They are not and cannot be created by any human means. Right cannot be constituted by human governments.

With the evolution of man's understanding of justice, it became necessary to provide improved governmental mechanism which would operate more readily and equitably to effectuate the principles of justice.

Careful thought inevitably convinces us that enlightenment results from willing and unwavering obedience to what Channing refers as the "promptings of our own soul!" Others urge prompt compliance with our highest intuitions. Certainly the most important requisite to the progress of civilization is freedom of thought on the part of the individual. To make possible the most rapid extension of the mental horizon of mankind in general, the individual must not only be permitted to think and speak freely, but indeed must be encouraged as much as possible to the constant exercise of such freedom of thought and expression. Such unfettered and spontaneous thinking by the individual assures the quickest possible general unfoldment of truth.

Naturally, development according to the principle just explained, is contrary to the desires and to the whole program of governments which are administered according to the personal whim and discretion of the persons exercising absolute power. Inevitably those subject to the absolute authority of government by personal discretion, in other words, to autocratic government, are denied the right to give expression to their own understanding of truth. As should have been expected, therefore, there developed an irrepressible movement for the establishment of the kind of government which would recognize the rights and dignity of man and his right to have his views as to law and government valued and given effect in accordance with the standards applied for like purpose to the views of all his fellow men.

Men's opinions as to right and wrong vary and are, of course, relative in their nature. They fall far short of expressing perfection. Inevitably, therefore, there was presented the problem as to the method or plan best calculated to provide all men opportunity equal to that enjoyed by each other, in order to assure, for such views, their proper effect and influence in the determination of policies and rules for the guidance and control of all people.

In order, as fully as possible, to assure men of the enjoyment of their rights and to provide opportunity for all persons to exercise their judgment as to policies to be adopted for the regulation of the affairs of society, advanced thinkers urged with a measure of success, the establishment of a governmental system which would enable the people, by a majority vote, to determine what policies should be adopted as law and also in such manner to name the persons to administer the laws.

Provision for men's general participation in the process of deciding as to the rules to govern society, has rightly been regarded as the greatest of all improvements in governmental mechanism. In fact it was but the recognition of the inborn, inherent right of men to decide as to the right course of action for themselves consistently with the like right of other men to do likewise.

From the standpoint of logic and morals the individual's right to participate on equal terms with others in the determination of public policy, cannot be disputed. Experience has made it evident also that the composite judgment of society is generally a better means of assuring justice than is the judgment of particular individuals.

Rule by the greater weight of public opinion, however, is possible only through a truly democratic governmental mechanism. The word "democracy" is derived from the two Greek words "demos" meaning the people and "kratein" meaning to rule. The word "democracy" then, means the rule of the people. The rule or control, however, must be by the people only who are especially affected by the problems to which governmental action is directed.

Divisions of government are therefore necessary to the truly democratic rule of the world. Action as to problems which concern only the people of a certain locality, for example, should be taken by governments having jurisdiction throughout that locality. Only those who are subject to the difficulties involved in any problem have sufficient concern and understanding of the same to be able to make a practical disposition of the difficulty. Hence in the United States the municipal government properly disposes of subjects affecting especially the people of the municipality. The State governments properly determine policies which especially affect the people of the States, and finally our National Government determines the policies in regard to subjects affecting similarly the people of all of the States. Always, however, the true unit of democracy—that is, the individual—whether exercising his right to participate with others in determining the policies of the most limited area of government called the municipality, or exercising such right in the State or in the Nation, must in justice enjoy opportunity equal with all others to determine the policies of each of the divisions of government of which he is a resident.

Human beings are denizens, yes, properly speaking, citizens of the world, as well as being citizens of their own particular and limited communities or other divisions of government. The problems which affect mankind generally should, therefore, be treated in accordance with the judgment of men throughout the world, wherever domiciled. In other words, every reason which can be advanced for the operation of local governments in accordance with the formal judgment of the majority of those especially affected by government in either municipality, state, or nation, likewise justifies and absolute justice requires that all of the people of the world participate in the determination of policies disposing of problems of common concern to all the people of the world and the decision of the majority of the people of the world should control.

The principles of democracy logically apply to all government, regardless of the extent of their jurisdiction. In the light of what has been said, therefore, it is clear that there can be no logical denial of the justice of the proposal that there should be a thoroughly democratic form of government to determine the policies for the solution of problems affecting alike all persons on the earth.

For the regulation of international relations, I contend, therefore, that there should be established a formal government consisting of representatives from all of the nations of the world, in number proportionate to the ratios of the nations' populations to the population of the whole world. The authority of such government should be strictly limited, by its constitution, to the one purpose of maintaining the peace of the world. Such restriction upon its authority is desirable, in order to preclude the offering of excuses about the possibility of such government's interfering in the domestic affairs of a nation.

Such central government should have the undisputed authority to provide that no nation will be allowed to violate the territory of any other nation. Certainly no person in any country, if he is truly desirous of world peace, could object to granting absolute authority to a world government to use its power for the prevention of forcible attack by any nation against any other nation.

The law of the proposed international government should declare positively that no nation will be allowed to violate the territory of any other nation. The world government should require the surrender of all weapons and equipment acquired for the waging of war. Such government should also prohibit every nation from enacting laws for the conscription of their people for war.

The international government should be provided with a military force wholly under its control and of sufficient magnitude to compel prompt obedience by any nation or nations to the constitutional decrees of the world power.

The military power of the world authority should consist of any and all means necessary, suitable and effective and great enough to compel the obedience of any nation or nations to its constitutional decrees.

The manpower for the international government should be composed of volunteers from every country in the world in numbers bearing the same proportion to the total number of persons in the whole international force, as the population of such country bears to the number of people in the entire world. The persons constituting such world force, as already stated, should be volunteers and they should receive ample compensation in order to make their positions attractive, and also to develop true dignity in those serving in such force.

From what has been said, the conclusion is unavoidable that we cannot assure permanent peace, by having one or a number of nations announce to the rest of the world that it is the duty of the other part of the world to disarm, while the nation making such announcement keeps in its possession a force of such magnitude as will enable it to overawe other nations. If we are really sincere in urging the rule of reason and the sacred rights of individuals everywhere, then we should be willing and ready to join all other nations in providing for the settlement of disputes between nations in accordance with the reason and judgment of the majority of all mankind.

In reference to the control of the atomic bomb, let me first say that it should be absolutely outlawed by the people of the world. There is, however, no basis in principle for advocating the prohibition of the use of the atomic bomb, and at the same time claiming that one or all nations should have military power of a certain magnitude consisting of armies, navies, air force, or other means for making war. The reason for prohibiting nations from using the atomic bomb or other kinds of military force against other nations, in accordance with the judgment of the majority of mankind, denies with equal force the right of any nation to use any and all means for waging war. To wholly embrace and uphold the principles of democracy we must be willing and ready to say to all the world that we are prepared to give up all means for carrying on war if the other nations will do likewise.

The governmental spokesmen of no nation on earth would dare to tell their people, or let their people know that they, as such spokesmen, had refused to assure the peace of the world by agreeing to discontinue the use of all means of waging war. Certainly if such proposal were to be announced by the greatest nation in the world it could not possibly be refused. Persons selected, from each of the nations, for the military or police force of the world authority, should be subject to the approval of the Government under which they hold citizenship. After having become members of the international force, however, such persons should be absolutely subject to the directions of the world government.

It may be said that this plan is too idealistic. That is the usual answer to the proposal of any fundamental remedy for the betterment of the lot of mankind. It is also said that those in authority in the governments of the world could not be induced to adopt such a policy. My answer to that statement is that if the proposal is made in direct, unequivocal, simple and clear terms, I care not what government it may be, it dare not say to its people that it has refused to join with other nations in an effective arrangement which would for all time prevent wars and the brutality and terrible loss of life which has invariably been the lot of the plain people of a nation when they have blindly followed their vainglorious so-called leaders into a conflict with another nation and which leads but to mutual slaughter.

In order to make absolutely certain that the law and decrees of the world government will be respected, provision would be made for the appointment by the world government of inspectors with authority to go anywhere in the nation to which they may be assigned and to enter any buildings and upon any property for the purpose of making the inspection necessary to assure obedience to the law and decrees of the world government.

Inspectors employed by the world government and assigned to duty within the boundaries of any nation, would be residents and citizens of nations other than the nation in which such inspectors would be assigned to the duty of inspection.

Not only would the inspectors be authorized and required to make the most thorough and rigid investigation to prevent the wrongful and unlawful making of atomic bombs but would also make inspections in order to prevent the production of any other means of waging war.

If violations of the law or decrees of the world government were discovered then the full force of the world government would be directed against the offending nation and its illegal action would be stopped.

Sooner or later the world must make a definite choice between government by law and rule by force and destruction.

There is little hope of government by the Parliament of Man of which Tennyson wrote if nations in discussing the possibility of a world government by law, insist always in advance that they must be allowed to keep certain means for making war. If, however, the great nations of the world will say to the whole world in language that cannot be misunderstood: "We are willing and eager to have a parliament of all mankind, selected in a democratic way and which will act in accordance with the principles of democracy to prevent any nation from attacking, with force, another nation regardless of what the attacker may claim to be a "justification," then we could hope for and expect the establishment of an effective world government. Just as no person in our country, regardless of his provocation, is allowed to strike another person, so no nation, regardless of the excuse it might offer, would be allowed to attack another nation.

Let us then, Mr. Speaker, do all in our power to prevent a repetition of the terrible wars which have brought untold suffering and misery to millions of people.

Let us bring about a realization of the ideal of Tennyson when he used these words:

Till the war-drum throbb'd no longer,
And the battle-flags were furl'd
In the Parliament of man,
The Federation of the world.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 1: Page 1, line 9, insert the following:

"SENATE

"To enable the Secretary of the Senate to make the additional disbursements and to perform the additional duties and functions required of his office by reason of the enactment of the Legislative Reorganization Act of 1946, fiscal year 1947, $173,667; and he is hereby authorized to allocate necessary portions of the said sum to the various Senate appropriations and to make transfers between same, including those contained in the Legislative Branch Appropriation Act for the fiscal year 1947 and those provided for in the said Reorganization Act: *Provided, however*, That the positions and funds now allocated to any Senator or to any standing committee chairman shall be continued until March 31, 1947, unless otherwise directed by the Senator or the chairman."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House recede from its disagreement to the amendment of the Senate numbered 1 and concur in the same with an amendment, as follows:

In line 6 of the matter inserted by said amendment, after the word "authorized", insert ", subject to the approval of the chairman of the Committee To Audit and Control the Contingent Expenses of the Senate (Committee on Rules and Administration, if and when elected)."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 2: Page 2, line 12, insert the following:

"ADMINISTRATIVE ASSISTANTS TO SENATORS

"For compensation of an administrative assistant to each Senator, to be appointed by him, at a base salary of not to exceed $8,000 per year, to assist him in carrying out his departmental business and other duties, fiscal year 1947, $384,000, or so much thereof as may be necessary, to be available at the beginning of the Eightieth Congress."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 3: Page 2, line 19, insert the following:

"SENATE POLICY COMMITTEE

"For maintenance of a staff for a majority policy committee and a minority policy committee in the Senate, consisting of seven members each, for the formulation of overall legislative policy of the respective parties, the members of such staffs to assist in study, analysis, and research on problem involved in policy determinations, and to be appointed, and their compensation fixed, by the policy committee concerned, at rates not to exceed $8,000 per annum in any case, $15,000 for each such committee, in all, fiscal year 1947, $30,000, to be available at the beginning of the Eightieth Congress."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement:

The Clerk read as follows:

Senate amendment No. 11: Page 8, line 5, insert the following:

"FEDERAL SECURITY AGENCY"

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 12: On page 8, line 6, insert the following:

"Grants to States for maternal and child-health services: For an additional amount, fiscal year 1947, for grants to States for maternal and child-health services, including Department of Labor Appropriation Acts, 1947, $9,180,000."

Mr. CANNON of Missouri. Mr. Speaker, I move to recede and concur with an amendment, which I send to the desk.

The Clerk read as follows:

Mr. CANNON of Missouri moves to recede and concur with an amendment as follows: In lieu of the sum named in said amendment, insert "$6,885,000: *Provided*, That such additional amounts shall be allotted on a pro rata basis among the several States in proportion to the amounts to which the respective States are entitled for each fiscal year by reason of section 401 of the Social Security Act amendments of 1946."

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield.

Mr. JUDD. May I ask the chairman of the committee, the additional funds granted in these amendments 12, 13, and 14 do not contemplate the Children's Bureau entering into any new program, is that right?

Mr. CANNON of Missouri. The only change we propose is to conform with Budget Bureau recommendations.

Mr. JUDD. It merely gives them more money for the same kind of program? It does not extend the kind of work they can do?

Mr. CANNON of Missouri. The changes are in response to the provisions of the new Social Security Act amendments of 1946.

Mr. JUDD. The one we just passed a few minutes ago?

Mr. CANNON of Missouri. Yes.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri [Mr. CANNON].

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 13: Page 8, line 11, insert:

"Grants to States for services for crippled children: For an additional amount, fiscal year 1947, for grants to States for services for crippled children, including the objects specified under this head in the Department of Labor Appropriation Act, 1947, $6,130,000."

Mr. CANNON of Missouri. Mr. Speaker, I move to recede and concur with an amendment, which I send to the desk.

The Clerk read as follows:

Mr. CANNON of Missouri moves to recede and concur with an amendment as follows: In lieu of the sum named in said amendment, insert "$4,597,500: *Provided*, That such additional amounts shall be allotted on a pro rata basis among the several States in proportion to the amounts to which the respective States are entitled for each fiscal year by reason of section 401 of the Social Security Act amendments of 1946."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 14: Page 8, line 16, insert:

"Grants to States for child-welfare services: For an additional amount, fiscal year 1947, for grants to States for child-welfare services, including the objects specified under this head in the Department of Labor Appropriation Act, 1947, $3,490,000."

Mr. CANNON of Missouri. Mr. Speaker, I move to recede and concur with an amendment.

The Clerk read as follows:

Mr. CANNON of Missouri moves to recede and concur in the Senate amendment No. 14 with an amendment as follows: In lieu of the sum named in said amendment, insert: "$2,617,500: *Provided*, That such additional amounts shall be allotted on a pro rata basis among the several States in proportion to the amounts to which the respective States are entitled for each fiscal year by reason of section 401 of the Social Security Act amendments of 1946."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 15: Page 8, line 21, insert:

"Salaries and expenses, maternal and child welfare: For an additional amount, fiscal year 1947, for salaries and expenses, maternal and child welfare, including the objects specified under this head in the Department of Labor Appropriation Act, 1947, and including also travel, printing, and binding, penalty mail, contingent and other expenses, $925,500."

Mr. CANNON of Missouri. Mr. Speaker, I move to recede and concur with an amendment, which I send to the desk.

The Clerk read as follows:

Mr. CANNON of Missouri moves to recede and concur in the Senate amendment No. 15 with an amendment as follows: In lieu of the sum named in said amendment, insert "$425,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 16: Page 9, line 3, insert:

"The appropriations contained in the four-preceding paragraphs shall not be available for obligation until the enactment into law of H. R. 7037, Seventy-ninth Congress."

Mr. CANNON of Missouri. Mr. Speaker, I move to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 17: page 9, line 6, insert:

"PUBLIC HEALTH SERVICE"

Mr. CANNON of Missouri. Mr. Speaker, I move to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 20. Page 10, line 14, insert:

"Hospital and construction activities: For carrying out the provisions of title VI of the Public Health Service Act as amended (S. 191), fiscal year 1947, including travel; printing and binding; the objects specified in the paragraph immediately following the caption 'Public Health Service' in the Federal Security Agency Appropriation Act, 1947; and the purchase of eight passenger automobiles; $2,425,000, of which not to exceed $147,147 may be transferred to the appropriation 'Pay, and so forth, commissioned officers, Public Health Service,' for not to exceed 28 commissicned officers, and not to exceed $41,680 may be transferred to the appropriation 'Salaries, Office of the General Counsel,' Office of the Administrator, Federal Security Agency: *Provided*, That this appropriation shall be available for personal services without regard to section 14 (a) of the Federal Employees Pay Act of 1946: *Provided further*, That the availability of this appropriation is contingent upon the enactment into law of said S. 191."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House recede from its disagreement to the amendment of the Senate numbered 20 and concur in the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert:

"Hospital and construction activities: For carrying out the provisions of title VI of the Public Health Service Act as amended (S. 191), fiscal year 1947, including travel; printing, and binding; the objects specified in the paragraph immediately following the caption 'Public Health Service' in the Federal Security Agency Appropriation Act, 1947; and the purchase of eight passenger automobiles; $2,350,000, of which not to exceed $120,600 may be transferred to the appropriation 'Pay, etc., commissioned officers, Public Health Service' for not to exceed 28 commissioned officers, and not to exceed $34,175

may be transferred to the appropriation 'Salaries, Office of the General Counsel,' Office of the Administrator, Federal Security Agency: *Provided*, That the availability of this appropriation is contingent upon the enactment into law of said S. 191."

The amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 24. Page 13, line 22, insert:

"VETERANS' ADMINISTRATION

"Automobiles and other conveyances for disabled veterans: To enable the Administrator of Veterans' Affairs to provide an automobile or other conveyance, equipped with such special attachments and devices as the Administrator may deem necessary, for each veteran of World War II, whether or not discharged from service, who (1) is entitled to disability compensation or pension under the laws administered by the Veterans' Administration, and (2) is unable, because of the loss, or loss of use, of one or both lower limbs, to use normal means of locomotion or ambulation: *Provided*, That no part of the money appropriated by this paragraph shall be used for the repair, maintenance, or replacement of any such automobile or other conveyance and no veteran shall be given an automobile or other conveyance under the provisions of this paragraph until it is established to the satisfaction of the Administrator that such veteran will be able to operate such automobile or other conveyance in a manner consistent with his own safety and the safety of others, and will be licensed to operate such automobile or other conveyance by the State of his residence, $30,000,000, to remain available until expended."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House recede from its disagreement to the amendment of the Senate No. 24, and concur in the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

"VETERANS' ADMINISTRATION

"Automobiles and other conveyances for disabled veterans: To enable the Administrator of Veterans' Affairs to provide an automobile or other conveyance, at a cost per vehicle or conveyance of not to exceed $1,600, including equipment with such special attachments and devices as the Administrator may deem necessary, for each veteran of World War II who is entitled to compensation for the loss, or loss of use, of one or both legs at or above the ankle under the laws administered by the Veterans' Administration, $30,000,000: *Provided*, That no part of the money appropriated by this paragraph shall be used for the repair, maintenance, or replacement of any such automobile or other conveyance and no veteran shall be given an automobile or other conveyance under the provisions of this paragraph until it is established to the satisfaction of the Administrator that such veteran will be able to operate such automobile or other conveyance in a manner consistent with his own safety and the safety of others and will be licensed to operate such automobile or other conveyance by the State of his residence or other proper licensing authority: *Provided further*, That under such regulations as the Administrator may prescribe the furnishing of such automobile or other conveyance shall be accomplished by the Administrator paying the total purchase price to the seller from whom the veteran is purchasing under sales agreement between the seller and the veteran."

Mr. CANNON of Missouri. Mr. Speaker, this amendment, which has probably attracted as much attention as any single provision in the bill, has been very carefully worked out with General Bradley and his assistants.

The only difference in this amendment and the original Senate version is that we restrict it to service-connected disabilities.

Additional differences are:

A cost limitation on the vehicle or conveyance to be supplied.

Limitation to actual compensation cases, which would mean men out of the armed services.

Clarity as to the incapacity to conform with present Veterans' Administration interpretations of existing law. Without the amendment, the loss of a limb would be interpreted a loss from the torso down. The amendment makes it definitely a loss of any part of the leg from the ankle up, and General Bradley said in interpreting the language of the amendment, if a foot were virtually useless, the sufferer would be qualified.

Provision pertains to procurement procedure, which obviously is essential.

Mr. Speaker, I now yield 5 minutes to the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Speaker, I believe that those who were wounded in the service of their country, and the widows and dependents of those who sacrificed their all for their country, are entitled to the Nation's bounty. When a similar bill, the so-called amputees' bill, H. R. 7171, was before the House on Tuesday, July 30, 1946, under unanimous consent request for its immediate consideration without debate, and without amendment, I objected, and insisted there should be opportunity for careful debate and amendment.

It was my view then and it is my view now that the subject matter of this legislation should be further and more carefully considered by the Committee on World War Veterans' Legislation, and by Congress. I was of the opinion that the legislation discriminated against men who had lost their lower limbs, one or both legs below the knee, and I insisted that while it provided for additional benefits for those who had lost one or both of their legs at or above the knee, no benefits were provided for the sightless, for those who had lost their eyes, and none for the armless, those who had lost their arms, none for those from whose backs vertabrae had been taken, none for those who had been burned and otherwise sorely disabled.

Mr. Speaker, the veterans believe in justice; they oppose discrimination among veterans whether intended or not, and it was and is my view that if the Congress legislates to provide additional benefits and additional compensation for the heroes who lost their legs, we should at the same time provide for others who suffered similar disabilities, with similar degrees and percentages of disabilities that entitled them to compensation. I am now confirmed in that belief. The amendment adopted by the Senate differs from the bill that was proposed to be passed in the House by unanimous consent, and the substitute now proposed differs from either the House bill or the amendment adopted by the Senate. In my judgment, sympathizing as I do profoundly with all, having insisted through the years that the wounded, the disabled, and their dependents, are entitled to first consideration, we should provide for all without discrimination and that in a generous effort to provide for some, we will not even satisfy all of the men who lost one or both of their limbs. We will satisfy a comparatively few of those who are mangled and wounded, but there are many others who will be dissatisfied by the passage of this bill. There will be a far greater number of those who lost their eyes, their arms or who were otherwise disabled and mangled, who will be dissatisfied.

For these reasons I insisted that the bill be given further consideration by the Committee on World War Veterans' Legislation. The chairman of the Committee on Appropriations has just stated that this Congress during the session since January 1946 has appropriated a total of approximately $10,400,000,000 for the Veterans' Administration and the veterans of our wars. If we have not made adequate and generous provisions for them all, for all who suffered similar disabilities, we ought to consider all, as we considered all, when we passed the GI bill.

We ought not to take it up piecemeal and provide for some, because in providing for some we will disappoint many. It is my thought that the United States of America, having made the most generous provision for her veterans ever made by any nation in all history, should do its dead level best to provide for all, giving all, without discrimination, whether intended or not, the same consideration, no matter how badly wounded or disabled the veteran might be.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

Mr. CANNON of Missouri. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. WHITTINGTON. Mr. Speaker, while the proposed substitute is not adequate and while all disabled should be considered the substitute proposal is an improvement on the House bill and on the amendment adopted by the Senate. It limits the appropriation to those who were disabled in line of duty. It differs therein from the Senate amendment. It limits it to those who are able to obtain licenses for the operation of the cars. It restricts the kinds of cars that may be purchased, differing therein from both the House bill and the Senate amendment, and limits it to cars with appliances that can only be used by the amputees if and when the Administrator of Veterans' Affairs decides that they are qualified and capable of operating them.

My sympathies go out to the men who are disabled and wounded. I always thought that this bill ought to be care-

fully considered. We might as well be frank. There is resentment by many patriotic citizens at Congress because there is sentiment in the country that we have not been as careful in the consideration of veterans' legislation as we should have been. There is a fault, and it is either in the legislation or the administration of it, because many good patriotic citizens have complained to me, as I have understood they have to other Members of Congress, that the provisions that we made in veterans' legislation for unemployment compensation are being abused, and that the provisions that Congress has made for training and for rehabilitating have been abused. I thought and still think that we should give more careful consideration to all the legislation that we have provided for veterans giving to the disabled men hospitalization, providing for their rehabilitation, giving them means of locomotion, if the Administrator who is in charge of the Veterans' Administration says and reports to Congress that they need it after careful study, and that we should do justice by all, whether they have lost their legs, their arms, or their eyes.

I extend to say it is a mistake to pass the pending appropriation at the present time without providing comparable benefits for all veterans who have lost one or both or any part of their legs and for all veterans with similar loss of organs whether they be legs, arms, or eyes, or whether the disabilities are such that the veterans are even more disabled.

Veterans who have lost both legs in many cases draw $200 a month. Congress has recently increased the compensation 20 percent. They are also provided with rehabilitation and training so as to give them an opportunity to follow a business, trade, or profession in keeping with their disabilities. They are allowed hospitalization. If any additional reasonable provisions can be made for them, whether it be to assist them with conveyances, and if similar provision can be made for other veterans with similar percentages of disability and the interests of all will be promoted thereby, I will give careful consideration in the future as in the past to any additional needed benefits not only to amputees but to other veterans with similar percentages and degrees of disability.

It is my view that the pending bill with provision for one class of our disabled veterans will cause dissension among the veterans themselves. I put it mildly when I say that, in my judgment, the passage of even the substitute proposed by the pending motion, although a vast improvement on the said H. R. 7171, and the amendment inserted as a rider in the Senate in the pending deficiency appropriation bill, will not be satisfactory to disabled veterans. Nevertheless, in pleasing a few of the amputees, other amputees will be disappointed, other veterans will be dissatisfied. The provisions of this substitute will be a headache to the disabled and wounded veterans as well as to Congress. The whole matter of benefits to the disabled and wounded should be restudied when Congress reassembles so that justice may be done to all veterans who have been mangled and wounded with a loss of organs, whether eyes or arms or legs, and with other bodily wounds and similar disabilities. I am interested in promoting the welfare of all disabled and all wounded veterans. I think it unwise to accord special treatment to one class and refuse or delay similar treatment to others suffering with comparable disabilities and with similar percentages of disability.

Mr. CANNON of Missouri. Mr. Speaker, I yield 7 minutes to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Speaker, in reply to our distinguished colleague from Mississippi, let me say that the veterans' laws are not the only ones that have not been properly administered. I asked for a rule day before yesterday in order that this bill might be brought to the floor of the House for amendments. In my honest opinion it is unfortunate that the word "automobile" was ever used in connection with this legislation. I said before the Committee on Rules, and I say now, that I would much rather vote for a readjustment rehabilitation allowance of $1,500 for every veteran who lost a hand or a foot or an eye or who became paralyzed as a result of injuries received in the war. There are about 20,000 of them. The cost at the outside would not be more than $30,000,000.

I am not unmindful of the fact that we are pouring money by the billions into the sink holes of Europe. I voted against the British loan, or the British gift, because I saw them repudiate their debts to the United States after the last war.

These men are not gold brickers. They are not men who clamored for war and then dodged the draft. I wonder how many millionaires in this country we will uncover yet who clamored for war and then dodged the draft, or sought a storm cellar where they could make money out of the conflict.

These are front-line men. They are men for whom the war will never end. They are men who will carry the scars of battle to their graves.

I, for one, would much rather give them a readjustment allowance of $1,500 apiece than vote $400,000,000 for the prefabricated housing racketeers who are getting rich now at the expense of the servicemen, unloading prefabricated houses on them at three or four times what they are worth.

I would much rather give this $30,000,000 to the men who lost legs or the men who lost hands or the men who lost their eyes, or the men who became paralyzed as the result of war injuries, or the men who are now forced to lie motionless, using iron lungs in order to breathe—I would much rather give them $30,000,000 and say to them, "Take this and do as you please with it."

I am going to support this amendment, but my honest opinion is that when you bring this in with an automobile provision in this way you probably do a great psychological injustice to these men. You are going to force them to prove they need an automobile before they can get this compensation.

I have been chairman of the Veterans' Committee now since 1931. Someone has said that you never get any praise for what you do for veterans, but you get cussed for what you do not do. That is not altogether true. I have passed more veterans' legislation under my name than any other man who has ever served in Congress. Several years ago you remember I led the fight here to raise the base pay of the men in the armed forces to $50 a month. I said we were not paying the men in the rank and file adequately. I have never known anything to contribute so much to increasing or building up the morale of the men in the armed forces as the passage of that measure to raise the base pay to $50 a month.

This $30,000,000 is a mere bagatelle compared to what we are spending for other things. As I said, I will support the amendment, but I would much prefer to have had this bill come in under a rule and let us provide this amount for every man who lost a leg, an eye, or an arm, or who had become paralyzed, or disabled for 1 year, as a result of his service in the war.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. HAND. Mr. Speaker, I am glad to note that Congress is about to pass legislation to provide automobiles for veterans who, by reason of their war injuries, require such a special aid in order to restore them to useful civilian life. I call attention, with some pride, to the fact that the original bill on this subject, H. R. 6089, was introduced by me on April 12, 1946. That bill provides:

That the Veterans' Administration shall cause to be furnished to all honorably discharged veterans of World War II who are certified by the Administration to be true paraplegic cases, specially designed automobiles to enable such veterans to engage in useful occupations: *Provided*, That no such automobile shall be furnished to a paraplegic veteran until it is established to the satisfaction of the Veterans' Administration that (a) such veteran is physically able to safely operate such automobile; and (b) will be licensed to do so by the State of his domicile.

SEC. 2. There is hereby authorized to be appropriated to the Veterans' Administration a sum not exceeding $2,000,000 for this purpose.

Later additional legislation was introduced by Congresswoman ROGERS of Massachusetts and others to include amputees. While this later legislation has been criticized in some quarters as being ultra-generous, it nevertheless is consistent with the policy of Congress to do what is necessary to restore to useful civilian life our veterans who have sacrificed their bodies for the common welfare.

I think, Mr. Speaker, I may be permitted to express some satisfaction in the part that I played in this legislation.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question.

The previous question was ordered.

The motion was agreed to.

The SPEAKER. The Clerk will report Senate amendment No. 22, which was inadvertently passed over.

The Clerk read as follows:

Senate amendment No. 22: On page 11, line 21, insert the following:

"War and emergency damage, Territory of Hawaii: For carrying out the provisions of section 2 of the act entitled 'An act to provide emergency relief for the victims of the seismic waves which struck the Territory of Hawaii, and for other purposes' (H. R. 6918, 79th Cong.), to be expended by the Commissioner of Public Roads in accordance with provisions applicable to its customary operations in the construction, rehabilitation, and repair of roads, highways, and bridges, by contract or otherwise, and necessary expenses incident thereto without regard, outside continental United States, to section 3709 of the Revised Statutes, including personal services in the District of Columbia or elsewhere and employment of personnel outside the continental United States without regard to civil-service and classification laws and section 14 (a) of the Federal Employees Pay Act of 1946, and the purchase of passenger motor vehicles, $8,000,000, to remain available until expended."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House recede from its disagreement to the amendment of the Senate numbered 22 and concur in the same with an amendment, as follows: In line 5 of the matter inserted by said amendment, strike out the following: "(H. R. 6918, 79th Cong.)"; and in lines 15 and 16 of the matter inserted by said amendment, strike out the following: "and section 14 (a) of the Federal Employees Pay Act of 1946."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 28: On page 22, line 9, insert the following:

"SEC. 302. Section 2 (a) of the act of June 11, 1946 (Public Law 404, 79th Cong.), is amended by striking out the period at the end thereof and inserting a semicolon and the following: 'and the Veterans' Emergency Housing Act of 1946.'"

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 29: On page 22, line 14, strike out "302" and insert "303."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that all who have spoken on the conference report may have 5 days in which to extend their remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. WIGGLESWORTH asked and was given permission to extend his own remarks in the RECORD and include a newspaper article.

Mr. KNUTSON (at the request of Mr. MARTIN of Massachusetts) was given permission to extend his remarks.

Mr. McCORMACK (at the request of Mr. BULWINKLE) was given permission to extend his remarks in the RECORD with respect to the legislative achievements of the Seventy-ninth Congress.

STILL FURTHER MESSAGE FROM THE SENATE

A still further message from the Senate, by Mr. Koerber, its assistant enrolling clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5626) entitled "An act to authorize the Veterans' Administration to appoint and employ retired officers without affecting their retired status," and for other purposes.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

DECLARATION OF RECESS

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent that it may be in order for the Speaker to declare a recess of the House at any time today.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. HENDRICKS. Mr. Speaker, reserving the right to object, I would like to ask the chairman of the Committee on Rules if he is going to call up some rules because I am interested in one particular rule.

The SPEAKER. The gentleman from Illinois [Mr. SABATH] is going to file a rule as soon as he can get recognition.

Mr. SABATH. Mr. Speaker, I have been trying to file it earlier during the day and I have it in my hand now.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

APPOINTMENT OF COMMISSIONS AND COMMITTEES

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent that, notwithstanding the sine die adjournment of the House, the Speaker be authorized to appoint commissions and committees authorized by law or by the House.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS UNTIL LAST EDITION OF RECORD

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent that all Members of the House shall have the privilege until the last edition authorized by the Joint Committee on Printing is published to extend and revise their own remarks in the CONGRESSIONAL RECORD, on more than one subject, if they so desire, and also to include therein such short quotations as may be necessary to explain or complete such extension of remarks; but this order shall not apply to any subject matter which may have occurred or to any speech delivered subsequent to the adjournment of Congress.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

AUTHORIZING CLERK OF HOUSE TO RECEIVE SENATE MESSAGES

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent that, notwithstanding the sine die adjournment of the House, the Clerk be authorized to receive messages from the Senate.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

AUTHORIZING CLERK OF THE HOUSE TO DESIGNATE A SUBORDINATE

Mr. BULWINKLE. Mr. Speaker, I ask for the immediate consideration of a resolution (H. Res. 753) which I send to the Clerk's desk:

The Clerk read the resolution, as follows:

Resolved, That in order that the duties of his office may be discharged in case of his absence or disability or in case his office should become vacant, the Clerk of the House of Representatives on or before August 2, 1946, shall designate a subordinate in his office to perform the duties thereof in any of such contingencies until there shall have been an election of officers of the House at the commencement of the Eightieth Congress. Such designee, when acting under this authorization, shall subscribe himself as Acting Clerk of the House of Representatives, and shall be paid in addition to his present compensation, from the contingent fund of the House, an additional amount at the rate of $200 per month, dating from the date of his designation until the commencement of the Eightieth Congress.

The Clerk of the House shall promptly communicate to the Speaker the name of the employee designated hereunder for the information of the House.

The resolution was agreed to.

COMMITTEE ON POSTWAR ECONOMIC POLICY AND PLANNING

Mr. COLMER. Mr. Speaker, I ask unanimous consent for the immediate consideration of a resolution (H. Res. 754), which I send to the desk.

The Clerk read the resolution, as follows:

Resolved, That the Special Committee on Postwar Economic Policy and Planning be authorized to continue its investigations authorized under House Resolution 408 of the Seventy-eighth Congress as continued by House Resolution 60 of the Seventy-ninth Congress notwithstanding the adjournment of the House. The Committee on Postwar Economic Policy and Planning shall make reports to the House of the results of its studies and investigations provided for in said resolutions, House Resolution 408 of the Seventy-eighth Congress as continued by House Resoluntion 60 of the Seventy-ninth Congress, during recesses and adjournments and that such reports shall be filed with the Clerk of the House for printing.

The resolution was agreed to.

MEDITERRANEAN FRUITFLY ERADICATION

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 757) for printing in the RECORD:

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. 3760) for the relief of certain claimants who suffered losses and sustained damages as the result of the campaign carried out by the Federal Government for the eradication of the Mediterranean fruitfly in the State of Florida; 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 the ranking minority member of the Committee on Claims, the bill shall be read for amendment under the 5-minute rule; that at the conclusion of the consideration 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; that after the passage of the bill (H. R. 3760) it shall be in order to move to discharge the Committee on Claims from the further consideration of the bill S. 1250 and the House shall proceed to consider the same.

EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and insert therein a résumé and analysis of the important recent measures and a digest of committee action with reference to veterans' legislation in the Seventy-ninth Congress, together with an index. I have an estimate from the Government Printing Office that this will cost $240. Notwithstanding the extra cost, I ask unanimous consent that the extension may be made.

The SPEAKER. Notwithstanding and without objection, the extension may be made.

There was no objection.

Mr. PRICE of Illinois asked and was given permission to extend his remarks in the RECORD in two instances and include a newspaper article.

Mr. DOYLE asked and was given permission to extend his remarks in the RECORD and include an elegy to the memory of the late Franklin Delano Roosevelt.

Mr. FORAND. Mr. Speaker, on yesterday I requested permission for the gentleman from Oklahoma [Mr. STIGLER] to extend his remarks. I am advised by the Public Printer that the cost will be $150. Notwithstanding the extra cost, I ask unanimous consent that the extension may be made.

The SPEAKER. Notwithstanding and without objection, the extension may be made.

There was no objection.

Mr. GORSKI asked and was given permission to extend his remarks in the RECORD and include a plea for human rights for the Baltic states published by the League for Lithuanian Freedom.

Mr. MORRISON asked and was given permission to extend his remarks in the RECORD in four instances, in one to include a letter, in a second to include a letter, and in a third to include two of his own letters.

Mr. DE LACY asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances, in one to include a statement by 135 veterans on the Philippine situation.

Mr. BOYKIN (at the request of Mr. RIVERS) was granted permission to extend his remarks in the RECORD in two instances and include reports from the Secretary of the Interior and the Secretary of Agriculture on Government-owned patents.

Mr. LEA asked and was given permission to extend his own remarks in the RECORD.

Mr. RABAUT asked and was given permission to extend his remarks in the RECORD in three instances, in the first two to include editorials and in the third to include some letters.

Mr. BIEMILLER asked and was given permission to extend his remarks in the RECORD in three instances, in one to include a speech by Howard Williams.

Mrs. ROGERS of Massachusetts asked and was given permission to extend her remarks in the RECORD at the point where the amputee amendment was under consideration and to include certain bills.

HISTORICAL RECORD OF AMERICA'S FIGHTING CONGRESS

Mr. JARMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (H. Res. 755), which I send to the desk.

The Clerk read the resolution, as follows:

Resolved, That a supplementary report to Senate Document No. 94, Seventy-eighth Congress, first session, containing the historical record of "America's Fighting Congress," by William P. Kennedy, Lit. D., be printed as a House document.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. TIBBOTT asked and was given permission to extend his own remarks in the Appendix and include an address.

Mr. ELLIS, Mr. GROSS, Mr. JENKINS, and Mr. HAND asked and were given permission to extend their remarks in the Appendix of the RECORD.

Mr. WOLVERTON of New Jersey asked and was given permission to extend his remarks in seven separate instances, and to include extracts from testimony, reports, and so forth.

Mr. SCHWABE of Missouri asked and was given permission to extend his remarks in the Appendix of the RECORD and include a newspaper article.

Mr. McDONOUGH asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter from the Amvets, and a column and a news story from the Washington Post of this morning.

Mr. BROWN of Ohio asked and was given permission to extend his own remarks in the RECORD and include an article from the Washington Post of Friday, August 2.

Mr. JUDD asked and was given permission to extend his remarks in the Appendix of the RECORD and include a newspaper article and an editorial.

Mr. PHILLIPS. Mr. Speaker, I have two requests: First, that I may extend my own remarks in the Appendix of the RECORD and include a letter from the Independent Petroleum Association; second, that I may extend my remarks on the subject of the naming of Hoover Dam and insert the supporting material.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BARRETT of Wyoming asked and was given permission to extend his own remarks in the Appendix of the RECORD.

Mr. REED of New York asked and was given permission to extend the remarks he made today on the social security conference report and include tables and other matters.

Mr. AUCHINCLOSS (at the request of Mr. CANFIELD) was given permission to extend his remarks in the Appendix of the RECORD and include a short address.

Mr. FULLER (at the request of Mr. CANFIELD) was given permission to extend his remarks and include a newspaper article.

Mr. SCHWABE of Oklahoma asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. SCHWABE of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include a newspaper article which may slightly exceed the limit fixed by the Joint Committee on Printing.

The SPEAKER. Notwithstanding the excess, without objection, the extension may be made.

There was no objection.

Mr. MUNDT asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. GWINN of New York asked and was given permission to extend his remarks in the Appendix of the RECORD and include excerpts from the Bulletin of the National Republican Club.

Mr. ROBERTSON of North Dakota asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

CONGRESSIONAL RECORD

Mr. BULWINKLE. Mr. Speaker, several Members have requested information as to when the last issue of the CONGRESSIONAL RECORD would be printed. It will be 10 days after the date of adjournment, so that anything that is to be inserted in the RECORD must be presented before that time.

UNITED STATES MERCHANT MARINE ACADEMY

Mr. PETERSON of Florida. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1751) to authorize the course of instruction at the United States Merchant Marine Academy to be given to not exceeding 20 persons at a time from the

American Republics, other than the United States, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, strike out "twenty" and insert "twelve."

Page 2, line 1, strike out "three" and insert "two."

Page 2, strike out lines 15 to 20, inclusive.

Amend the title so as to read: "And act to authorize the course of instruction at the United States Merchant Marine Academy to be given to not exceeding 12 persons at a time from the American Republics, other than the United States."

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I understand the Senate amendments merely cut down the amount authorized by the House.

Mr. PETERSON of Florida. That is right, and also strikes out the War Shipping Administration.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

CHICAGO SUN

Mr. KELLY of Illinois. 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 Illinois?

There was no objection.

Mr. KELLY of Illinois. Mr. Speaker, on Monday last, the Chicago Sun, a daily newspaper, carried an editorial regarding my votes on certain legislative matters, with which they, or anyone else, have a right to disagree.

However, in view of what is now happening in Europe—as I read in the morning paper, at least—they may agree with the demand that Soviet Foreign Minister V. M. Molotov is now seeking in his demand for peace by crushing out of existence the form of government of another country whose people are satisfied with its regime.

The majority leader, the gentleman from Massachusetts, the Honorable JOHN MCCORMACK, struck the nail on the head Saturday last in an eloquent address before this Chamber as to what is happening under the spread of communism in Europe. While the Sun and I may disagree, I am not ready to give America away.

The Smith amendment to the emergency housing bill that I voted for, I would gladly support again.

I was one who spoke and voted to repeal the eighteenth amendment to the Constitution, because of the everlasting encroachment practiced by Government agencies into the lives and homes of American citizens.

I well remember the Jones 5-and-10 law.

I certainly would never allow that to happen again in America.

The Democratic Party came into power in 1930 fighting the very issue that you now condemn me for not supporting in section 703 of the National Housing Act, which was equivalent to the Jones 5-and-10 law.

If section 703 remained in the bill, it would practically make Wilson Wyatt, or whoever would be the Administrator, a building czar.

It would give him the right to go into the books and files of all persons, firms, and corporations, or persons having anything to do with distribution, sale, or handling in any manner of materials that go into the construction of homes, including the sale of vacant property.

If this amendment were not defeated, it would show absolute lack of faith in the honesty and integrity of the American people.

It would make it criminal in cases where persons were selling real estate if they could not produce canceled mortgages and tax receipts, even though they were not in default, but if these were asked for and were not forthcoming, the building czar could, under this section, question the honesty of the seller.

The Smith amendment, which I supported, strikes out the language that would give the housing czar the power of subpena and the unconscionable penalties—$5,000 fine or a year of imprisonment, or both, for violation.

This section would, if it remained in the bill, strike at the heart of the little fellow who is more or less careless in keeping documents and receipts, and if he sold his home and could not produce same, he would be classified as a criminal under this section.

With regard to my vote for the appropriation of $75,000 to the Un-American Activities Committee, this is a standing committee of the House, which I opposed in its creation, but as long as it is a standing committee of the House it is entitled to receive from Congress funds appropriated for its functions.

This, of course, has been opposed by organized groups, who have taken part in opposing all apppropriations for its functions—groups who demand legislators to do their bidding and to think the way they think, who constantly disagree with the American ideals of life.

No citizen who believes in our American form of government need have any fear of this committee.

But the groups who do fear this committee and are opposed to it are groups that want to spread the principles of Stalin, nazism, and fascism as was practiced under Mussolini.

Is it a sin to protect America?

And if I am classified as an ambidextrous person for that by your newspaper, I welcome such criticism.

My opposition to the McMahon bill for civilian control of atomic energy is simple.

I have never seen where the President of the United States has ever declared officially that the war has ended.

We who practically perfected the atomic bomb under military supervision have during the fighting kept this secret from other nations.

In reference to section II, which refers to patents, I cannot agree with anybody who wishes to give to a civilian commission during the duration of war the secret of the atomic bomb.

I have met some of the groups who demanded civilian control and some of the scientists who clamored for it, and after my observations and talks with them, I, like many other Members of Congress, feel that this legislation is a bit premature and we are likely to take steps that will menace our security if we pass legislation of this kind in advance of the agreement with reference to peace treaties and the establishment of peace in the world.

The rejection of the Lanham amendment in conference was a mistake, at least in the opinion of many Members, including myself.

From the very beginning, the cards were stacked against the Lanham amendment by well-organized propaganda.

Yet all the authorities on patents in the United States tell us that the Lanham features, the section put in the House bill, would not only protect the Atomic Energy Commission and protect the United States when it came to the question of atomic energy and the making of the bomb, but would protect the industry of the United States, as well.

I further believe that the secrets involved in the formula of the atomic bomb should not be divulged to any nation; that no financial aid and no supplies or equipment which can be converted to or utilized for military purpose shall be granted any country, until a concrete plan for world peace and nonaggression is both proposed and practiced by all nations.

That all nations be frank and honest concerning their plans for the occupation of other nations, and today I only have to cite the condition of the Balkan States, that are practically under supervision of the Soviet Union, without the freedom they enjoyed as free and independent states before the war, with a vague promise that that freedom would be restored upon the ending of the war; yet a year has passed since the shooting has ceased and these nations are still under the Russian domination.

In a recent secret session of the Military Affairs Committee, when this bill was being considered, Mr. Conder C. Henry appeared as an expert witness against the bill.

Mr. Henry was for 17 years the chief examiner of patent applications in the United States Patent Office and for 5 years was Assistant United States Patent Commissioner.

As a witness, he represented both the American Bar Association and the House Committee on Patents, being a member of the committee's national advisory council.

And this man, a loyal American and qualified to speak intelligently upon the merits of this legislation, said, and I quote:

By removing the incentive provided by our patent laws the bill is a radical departure from anything known in our history.

The only parallel I can find to it is a Soviet patent law.

Knowing many angles involved in the greatest discovery yet, I, as an American, am not going to give it up until a just peace has been established, so it will not be used against our Nation.

My vote against the British loan, I explained to many groups before it ever came before Congress.

I served in World War I and remember the vast amount of obligations that this country had to absorb, both in England and France, while actually fighting that war as an ally of England.

In this connection, there are many things too involved to discuss here, but, to cite one example, there was not an American soldier who went to Europe and rode in an English boat going and coming, whose expenses this Government did not have to defray to the English Government.

A few months ago, on a Sunday evening, I met, in the Mayflower Hotel, three very prominent Englishmen—businessmen.

One had been in and out of America since before the First World War.

The other two had just arrived a fortnight ago.

These gentlemen had all seen service in the First World War and one had seen service in the Second World War.

In discussing the situation prevailing in England, much to my surprise, these businessmen of England, here on business, boldly told me and others in the group that the majority of English people were opposed to this loan, stating they did not want to be obligated with this burdensome debt and stating further that they wanted to be left alone, that they were capable of working out their own salvation—that all they needed was food, and nothing else.

They elaborated most extensively on this, saying it was being forced upon them by the party in control of the English Government and made many predictions about its future.

If I were sure that this loan would be applied for the purpose of enabling Britain to choose a better course than economic war and will pledge her to do so, and if Britain agrees to stop restricting United States trade with the sterling countries, to begin negotiations of the debt to India and other nations, and to remove or reduce barriers to trade, such as tariffs, quotas, and cartels, and participate in the International Stabilization Fund and World Bank designed at Bretton Woods, I would not hesitate to vote its approval.

But the very thing I feared is now developing.

Britain has suggested any number of methods in dealing with the Near Eastern difficulties, but they are now almost advocating bribery and with our money to the amount of $300,000,000, for the improvement of the Arabs.

The proposal of the $300,000,000 is designed to soften the Arabs up to the federalization which is used by the British in their search for words to take the curse off partition, which the Arabs are strongly opposed to.

If our money is to be used for the development of projects in Palestine, for the modernization of the Arabs, we can use it right here in America, by a large-scale development, at least, for those who sacrificed their all, that America may live.

I say and will say if our own economy were more stable and our future more secure, perhaps we could afford to be liberal.

There is one thing I respect about the British Government, so ably told by the distinguished gentleman from New York, the Honorable DAN REED, when he states that an English statesman is first, last and all the time for his own nation.

Let us be a little more thoughtful of ours, especially when we are giving away the taxpayers' money.

When you take the time to ridicule a person, you at least ought to be fair.

During the war, I supported and fought for price control, to prevent inflation.

I supported it again when I came back to Congress in 1945.

However, while I was out of Congress, I had the opportunity to see and find out for myself the many inequities that were prevailing under people who administered this act and were not doing it according to the intent of Congress.

They made up their own laws and regulations and exercised them with authority upon the ignorant, unfortunate people.

Congress never gave any OPA board or any person in the Office of Price Administration the right to write people letters or, by threat, to close down their business, without a hearing.

Many hearings were held by incompetent people—and their word was law.

Oh! What I encountered in the way of stupidity!

One could write a book.

And, of course, the shake-down wizard was always on hand.

If I am to be criticized for rectifying these inequities, I can take it.

I am at least trying to put some common sense into the heads of the people who are running this agency, that they may know that all people in business are not scoundrels.

I am enclosing some speeches I made regarding this agency and, in fairness to me, I ask that you publish same, that is, if your paper still carries the motto: "The Truth."

EXTENSION OF REMARKS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Ohio [Mr. BENDER] may be permitted to extend his remarks in the RECORD and insert a series of articles by Mr. Bellamy. I am informed by the Public Printer that they will exceed two pages of the RECORD and will cost $255, but I ask that they be inserted notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. HAVENNER asked and was given permission to extend his remarks in the RECORD and include therein a digest of veterans' legislation.

Mr. SABATH asked and was given permission to extend his remarks in the RECORD in three instances, and include in one an article from the Chicago Sun, and in the other an article from the Chicago Times.

UNFINISHED BUSINESS

Mrs. DOUGLAS of California. 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 gentlewoman from California?

Mrs. DOUGLAS of California. Mr. Speaker, last week within the borders of this democracy—for the preservation of which nearly a quarter of a million young men laid down their lives in the recent world war—four American citizens, two of them women and one a veteran of 5 years' service in the Army—were brutally shot by an armed and apparently disciplined band of unmasked men.

This week we learned that at almost the same time another American citizen in another State, was lynched. And the press carried stories about still another, who served 15 months in the Philippines and New Guinea, being dragged off a bus in another State by two policemen, who beat him and gouged out his eyes.

These people were Negroes. Had any of the crimes against them been committed by our enemies in the war, the perpetrators would have been summarily sought out and punished.

For nearly half a century—46 years—antilynching bills have been brought, one after another, before the law-makers of the United States. Even now, in the Seventy-ninth Congress, seven such bills have been before the Judiciary Committee of the House of Representatives, since January 1945.

And now we are about to adjourn and go home, leaving this unfinished business.

They say that lynchings have decreased in the United States in recent years. But so long as one lynching is committed in this country—that one is too many.

We cannot legislate against the right of free speech which permits people to make inflammatory statements that foment prejudice and contribute to lynchings—any more than we can legislate against prejudice itself.

But it is within our power—and it is our responsibility, a responsibility that Congress has shirked too long—to enact legislation that will stop these murders.

The Attorney General of the United States and his staff have acted in these recent lynchings with a promptness that is to be highly commended. The President of the United States has expressed himself forcefully on the horror of these acts of violence. He has again gone on record—as he did when he was a Member of Congress—for the passage of Federal antilynching legislation.

The Federal Government, through the Attorney General, is doing all that it is now empowered to do. FBI agents, invited by Governor Arnall, are in his and other States where the crimes have been committed. The local district attorneys are working closely with the Attorney

General's office. The Civil Rights Section of the Attorney General's office is studying all complaints for any sign or evidence which will permit the Federal Government to step in.

But right here we come up against States' rights. Murder is a State affair, though it is the shame of the entire Nation.

The Federal Government—the Attorney General's office—can interfere only where it is proved there has been negligence on the part of the State officials. That is why we need a Federal law, making that kind of mob violence a Federal offense.

VETERANS' ADMINISTRATION

Mr. DURHAM submitted the following conference report and statement on the bill (H. R. 5626) to authorize the Veterans' Administration to appoint and employ retired officers without affecting their retired status, and for other purposes:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5626) to authorize the Veterans' Administration to appoint and employ retired officers without affecting their retired status, 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 amendment and agree to the same.

CARL T. DURHAM,
ROBERT L. F. SIKES,
CHARLES R. CLASON,
LESLIE C. ARENDS,
Managers on the Part of the House.

WALTER F. GEORGE,
DAVID I. WALSH,
EDWIN C. JOHNSON,
ROBERT M. LA FOLLETTE, Jr.,
ROBERT A. TAFT,
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 amendments of the Senate to the bill (H. R. 5626) to authorize the Veterans' Administration to appoint and employ retired officers without affecting their retired status, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report.

The Senate amendment added a new section to the bill which provided under certain conditions an increase in the Federal share of old-age-assistance payments under the Social Security Act to the aged, the dependent children, and the blind. The House bill did not deal with the social-security laws but authorized the Veterans' Administration to appoint and employ retired officers of the Army and Navy without affecting their retired status.

The conference believed that, inasmuch as the subject matter of the Senate amendment is being amply considered by the Congress in connection with the House bill (H. R. 7037) to amend the Social Security Act and the Internal Revenue Code, and for other purposes, the amendment should be stricken from this bill.

CARL T. DURHAM,
ROBERT L. F. SIKES,
CHARLES R. CLASON,
LESLIE C. ARENDS,
Managers on the Part of the House.

Mr. DURHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H. R. 5626) to authorize the Veterans' Administration to appoint and employ retired officers without affecting their retired status, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain this legislation?

Mr. DURHAM. This legislation gives the Veterans' Administration the privilege of hiring these retired doctors. General Bradley is very much in favor of it and urges the passage of the bill.

Mr. MARTIN of Massachusetts. He needs it because of the shortage of physicians?

Mr. DURHAM. Yes. There are something like 200 of them, and under the law at the present time they cannot be rehired.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

SILVER CREEK RECREATIONAL DEMONSTRATION PROJECT, OREGON—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith without my approval the bill (H. R. 2423) to authorize the exchange of lands acquired by the United States for the Silver Creek recreational demonstration project, Oregon, for the purpose of consolidating holdings therein, and for other purposes.

The bill authorizes the Secretary of the Interior to exchange lands for other lands of approximately equal value when, in his opinion, such action is in the interest of the United States.

While I am in accord with the general purposes and objectives of this measure, it contains the same objectionable type of provision which prompted me to withhold my approval recently of the bill S. 1273. The bill S. 1273 provided, as does section I of the present measure, that the title to any lands acquired thereunder shall be satisfactory to the Secretary of the Interior. This provision is objectionable and represents a material change in existing law involving an unwarranted deviation from the long-established and manifestly sound practice under which the Attorney General is charged with the duty of examining the validity of titles to lands acquired by the Government. This duty has for more than a century been vested in the Attorney General with respect to the vast majority of acquisitions and I see no reason to change this general practice which has proven so satisfactory through the years.

An advantage of this long-standing policy has been that the agency of the Government acquiring the land has the independent checking of the title by a disinterested agency. Moreover, there can be no question that the maintenance in the different departments of the Government of staffs of attorneys for the purpose of examining title to land will result in duplication and additional expense, as well as less efficient administration. It is to avoid duplication of this character that the Congress passed and I approved the Reorganization Act of 1945.

For these reasons, I am constrained to withhold my approval from the bill.

HARRY S. TRUMAN.

THE WHITE HOUSE, *August 2, 1946.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Without objection, the message and the accompanying bill will be referred to the Committee on Public Lands and ordered to be printed.

There was no objection.

GEORGIA POWER CO.

Mr. DURHAM. Mr. Speaker, by direction of the Committee on Military Affairs, I ask unanimous consent for the immediate consideration of the bill (S. 2306) to authorize the Secretary of War to grant Georgia Power Co. a 100-foot perpetual easement across certain land in the State of Alabama constituting a portion of the military reservation designated as Fort Benning, Ga.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. MICHENER. Reserving the right to object, Mr. Speaker, will the gentleman explain the bill?

Mr. DURHAM. Mr. Speaker, this simply reinstates a former right of the Georgia Power Co. which was taken over by Fort Benning and replaced in another part of the camp.

Mr. MARTIN of Iowa. Reserving the right to object, Mr. Speaker, this bill has for its purpose only the reinstatement of a right that was taken over for use during the wartime?

Mr. DURHAM. That is correct. The line has already been replaced.

Mr. MARTIN of Iowa. There is no objection from this side, Mr. Speaker.

Mr. MICHENER. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and empowered, under such terms and conditions as he may deem advisable, to grant to the Georgia Power Co., its successors and/or assigns for transmission-line purposes, a 100-foot perpetual easement over, across, in, and upon certain land in the State of Alabama

constituting a portion of the military reservation designated as Fort Benning, Ga.

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.

KARL E. BOND

Mr. FERNANDEZ. Mr. Speaker, I call up the conference report on the bill (H. R. 783) for the relief of Karl E. Bond.

The Clerk read the title of the bill.

The Clerk read the conference report.

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 Senate to the bill (H. R. 783) for the relief of Karl E. Bond, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows: In lieu of the sum inserted by the Senate insert "$5,000"; and the Senate agree to the same.

A. M. FERNANDEZ,
E. H. HEDRICK,
Managers on the Part of the House.

H. M. KILGORE,
KENNETH S. WHERRY,
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 Senate to the bill (H. R. 783) for the relief of Karl E. Bond, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report:

The bill as passed the House appropriated the sum of $7,500 to Karl E. Bond, of Shiprock, N. Mex., in full settlement of all claims against the United States for personal injuries and all expenses incident thereto, resulting from an explosion in the basement of his home caused by leakage of gas from an Indian Service pipe line running from wells at Rattlesnake, N. Mex., to the Indian Service power plant at the Indian agency, Shiprock, N. Mex., on May 26, 1943.

The Senate amended the bill reducing the sum to $2,464.28, and at the conference the sum of $5,000 was agreed upon.

A. M. FERNANDEZ,
E. H. HEDRICK,
Managers on the Part of the House.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. KNUTSON] may extend his own remarks in reply to Representative CANNON of Missouri on taxation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

JOINT COMMITTEE ON ATOMIC ENERGY

The SPEAKER. Pursuant to the provisions of Public Law 585, Seventy-ninth Congress, the Chair appoints as members of the Joint Committee on Atomic Energy the following Members on the part of the House: Messrs. THOMASON, DURHAM, FORAND, HOLIFIELD, PRICE of Illinois, ELSTON, THOMAS of New Jersey, HINSHAW, and Mrs. LUCE.

DEAN OF OKLAHOMA'S DELEGATION SAYS FAREWELL; PRAISED BY COLLEAGUES

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, as we come to the closing hours of this the second session of the Seventy-ninth Congress, and Members are saying their good-byes and farewells, I have asked the indulgence of my colleagues for this brief time to say what is commonly called my swan song.

During my rather extended service in this body it had never occurred to me what I should say should the occasion ever arise that would necessitate words of farewell to my colleagues in the Congress. As I have listened to swan songs from others who "also ran," after every primary or election during the past 20 years, I have determined that one thing that I would not say or do if and when my hour for such a speech came—that I would not show a bitterness in my heart either against my successful opponent or any of those who contributed to my political demise.

At the closing hour of this session I do not propose to spend the valuable time of this body in discussing the various factors that contributed to my recent defeat, even though they were factors over which I had no control. That is all of little consequence now. Rather than to point out the forces that operated against me, the sizable sum of money that was sent to the district to bring about my defeat, of the unfair smear articles of alleged columnists and others against me, both before and since the primary, I much prefer to think of the many loyal, devoted friends who have remained steadfast during all of these years and who were loyal and true to me at all times. Despite the rising tide of opposition against the ins, the fact that so many friends remained steadfast and loyal is a source of considerable satisfaction. To those real tried-and-true friends I shall ever be grateful and to those who opposed me I hold no malice nor ill will.

Let me make it plain, Mr. Speaker, that I am not angry with anyone. Especially do I desire to emphasize the fact that I have nothing unkind to say about the gentleman who defeated me in the recent Democratic primary and who I am assuming will succeed me in Congress. Strange as it may seem to some I have not the slightest ill will toward him and am not embittered in the remotest degree by the action of the people of the Sixth Congressional District of Oklahoma. The people have been extremely kind to me for the past 20 years and I shall always be grateful to them for the opportunity of representing them in the greatest legislative body in the world. Moreover, they have permitted me not only to think as I please but also I am glad to say to vote as my conscience dictated. That I have done at all times and under all circumstances.

I might add that my successful primary opponent is not only a splendid gentleman, an able lawyer, with a fine personality, but if elected will no doubt in time become an outstanding Member of this body. My wish for him would be that my friends here extend him the same courtesy that you have given me as a Member of this great body where I have been privileged to serve during the past two decades.

Within a few hours after the results of the run-off primary were known, I sent a telegram of congratulations to my successful opponent. The same day I gave out a statement to the newspapers of the district as follows:

The voters of the Sixth District have spoken. I have no excuses to offer. The reason I was not reelected for the eleventh consecutive time to Congress is that I didn't get sufficient votes.

I have sent my successful opponent my hearty congratulations, and wish him well. I might add that I have no bitterness nor ill will toward anyone. It was impossible to buck the rising tide of opposition and resentment against the "ins."

I shall always be deeply grateful to my devoted friends for their faith and confidence in me and for the opportunity of serving the good people of the Sixth Congressional District. I am also thankful to the newspapers of the district that, almost without exception, have been extremely kind to me. The consciousness of knowing that I have given the people the best that is within me is a source of genuine satisfaction.

In leaving this Congress I also want my colleagues to know that I have the kindest feeling toward every Member of this body. Without exception Members of this House have been kind and considerate of me. I have made some close friendships during my life—in college, in the Army, in the State Senate of Oklahoma and finally during my rather extended period of public service in Congress. I can truthfully say that I have never met a finer nor more patriotic group of men and women than those with whom I have served in the Congress nor do I have better friends anywhere than in this House.

The public hears considerable about the sharp political division in this body, how the Democrats sit on one side of the center aisle and the Republicans on the other. It is true that sometimes that division seems sharp and important; but as I stand before you today the much-talked of division between Democrats and Republicans appears almost obliterated. That center aisle before me seems misty and indistinct. The truth is that some of the dearest and best friends that I have formed in this House are among those of the opposition party.

That is especially true in connection with the Committee on Appropriations which I have had the honor to serve for the past 10 years. I have first hand knowledge that Members of that committee have worked faithfully and well and I am sure that what I say about the Appropriations Committee applies to other committees of this House. I have heretofore mentioned Members of my own Subcommittee on Appropriations

that have worked so harmoniously and effectively in our determination to drastically reduce expenses of government without impairing the efficiency of any department or agency of government. The fact that we were able to reduce expenditures in the last annual supply bill for the Interior Department more than $100,000,000 is best evidence of that spirit of cooperation and teamwork. I shall always have a warm spot in my heart for those fine patriotic, courageous men with whom I have had the pleasure and honor of serving and who did their duty without flinching despite carping criticisms and obstacles that were thrown in their pathway.

In paying my respects to all the membership of this House, not only the leaders on both sides and Members in responsibility, I cannot conclude without paying my special tribute to the great Speaker of this House, the Honorable SAM RAYBURN. I have served under a great number of Speakers. They include the late Speaker Longworth, of Ohio; the Honorable John Garner, of Texas; the late Henry T. Rainey, of Illinois; the Honorable Joe Byrns, of Tennessee; and the late brilliant and eloquent William B. Bankhead, of Alabama. As I say, they were all able men and outstanding Speakers. I knew all of them personally and some quite intimately, and was fond of each of them, but I say in all sincerity that the present Speaker of the House, the Honorable SAM RAYBURN, who has served with such distinction and honor as the Presiding Officer of this body during the dark days of the war, measures well in stature with any of the several Speakers who it was my privilege and good fortune to know. In fact, SAM RAYBURN has won a place in the hearts of the Members of this House and the hearts of his countrymen that no other has yet attained. He is not only the soul of honor, but he has been so fair and just in his ruling, so considerate of the rights of others that Members on both sides of this aisle respect and honor him. When the story of the Congress is written and the great Speakers of this House have been listed by the historians, the name of SAM RAYBURN will stand high in the galaxy of fame, among those great men who have been accorded this high honor.

As long as we shall have the Congress of the United States elected by the vote of the sovereign people of America, just that long will democracy live and the rights and liberties of our people be secure. Long live the Congress of the United States.

Mr. MONRONEY. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. MONRONEY. As a Member of Congress who came in as a freshman to receive the splendid and efficient help of the dean of the Oklahoma delegation, I deeply regret, personally and for the State, to see him depart from the House of Representatives. I am fully aware of the great contribution that he has made through the years of his long service here. Particularly have I watched him fight vigorously through the years for the things that benefited not only Oklahoma and its people but the people of the entire Nation. It will be difficult to imagine the House of Representatives without JED JOHNSON engineering important legislation through this House, as he has so ably done in years past.

Mr. JOHNSON of Oklahoma. I thank my distinguished colleague from Oklahoma for his generous statement.

Mr. PETERSON of Florida. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to my colleague from Florida.

Mr. PETERSON of Florida. I simply want to express my deep regret at the fact that the gentleman from Oklahoma is leaving the House of Representatives. He has rendered fine unselfish public service. Shortly after I came here he very greatly assisted me as I know he helped many other new Members. I deeply regret his departure and commend him for his fine spirit. I wish him and his good family happiness and prosperity which they so richly deserve.

Mr. JOHNSON of Oklahoma. I thank the gentleman from Florida for his kind words.

Mr. RIZLEY. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to my colleague.

Mr. RIZLEY. I join with my colleague from the Fifth Congressional District, and I am sure all of the other members of the Oklahoma delegation, in saying that we deeply regret that the gentleman is not to return when the new Congress convenes. I want to personally express my appreciation for the many kindnesses extended to me by the dean of the Oklahoma delegation during the 6 years I have been in the Congress. I wish for him and his family the very best from this time on.

Mr. JOHNSON of Oklahoma. I thank the gentleman from the bottom of my heart.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to proceed for a minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JENSEN. Mr. Speaker, I have had the pleasure and privilege for the last four sessions to be a member of the Subcommittee on Appropriations, of which JED JOHNSON has been chairman. I have had an opportunity to know JED JOHNSON, and with a mixed feeling of regret and pleasure I stand here before his colleagues, who hold him in the highest esteem, and say to them and to all who read these remarks that I have never known a more noble patriot, a more honest or a finer man than JED JOHNSON of Oklahoma.

I deeply regret that this House and the American people will not have the benefit of Jed's services in the next Congress. Those in his district who took stock in the smear campaign waged against him will, I am sure, live to regret it as days go by and they learn the truth. But JED JOHNSON of Oklahoma will have peace of mind in the knowledge that he called them as he saw them.

THE PHILIPPINE ARMY

Mr. RANKIN. Mr. Speaker, before we get to the special orders——

The SPEAKER. Will the gentleman permit the Chair to make a statement?

The Chair is going to recognize Members for consent requests to call up legislation but will recognize on no rule, because it would be futile.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2235) to provide a system of relief for veterans, and dependents of veterans, who served during World War II in the organized military forces of the Government of the Commonwealth of the Philippines while such forces were in the service of the armed forces of the United States pursuant to the military order of July 26, 1941, of the President of the United States and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. SMITH of Ohio. I object.

Mr. RANKIN. Mr. Speaker, will not the gentleman withhold his objection for a moment? I wish to call the attention of the gentleman to the fact that——

Mr. SMITH of Ohio. If the gentleman wishes to make an explanation I will yield for that purpose but I am reserving the right to object.

Mr. RANKIN. I want the gentleman to yield for that purpose. I wish to say to the gentleman from Ohio that the standing Philippine Army was made a part of the armed forces of the United States by the President's order of July 26, 1941. Certain guerrillas, who so courageously carried on the war against the enemy after the fall of the Philippines, were recognized as members of the Philippine Army, and, therefore, a part of the Army of the United States.

The bill provides benefits commencing on July 26, 1941, with respect to those members of the organized military forces and from December 7, 1941, with respect to the guerrilla forces. With respect to both groups the eligible period for benefits under the bill terminates on July 4, 1946.

It is estimated that the number of individuals whose service may be certified by the proper officials of the War Department will be excess of 300,000 and possibly may exceed 350,000.

It is a reasonable estimate that there will be a saving of approximately $5,000,000 per year over the cost under existing law due to the provisions of title I. Hospitalization for service-connected cases only, under title III might, because of backlog cost approximately $5,000,000 the first year and $1,500,000 thereafter, subject to reduction because of mortality. Burial under title IV would cost approximately 15 to 20 million spread over a long period of years, conditioned on mortality rate of such veterans. Therefore, the saving will offset the cost of the benefits in titles III and IV.

The benefits provided in the bill S. 2235 as passed by the Senate are: One, pensions for service-connected disability on a peso basis; two, pensions for service-connected death on a peso basis; three, hospitalization including medical care and necessary supplies and appliances in service-connected cases; and, four, burial benefits. It will be noted that benefits under the Servicemen's Readjustment Act of 1944, as amended are not included in the bill. The bill also contains important administrative provisions necessary for administrative purposes under existing law and for efficient administration of the bill in the Philippine Islands.

Provision is also made for the hospital care and medical treatment in the Philippine Islands of American veterans residing there.

Before the enactment of Public Law 301, Seventy-ninth Congress, February 18, 1946, First Supplemental Surplus Appropriation Rescission Act, 1946, service in the organized military forces of the Government of the Commonwealth of the Philippines was considered active military service for the purpose of all benefits under laws administered by the Veterans' Administration. The Rescission Act approved February 18, 1946, constitutes the present law providing benefits for these veterans and restricts such benefits to the following:

First, as to national service life insurance only such benefits under contracts entered into before the enactment of Public Law 301, Seventy-ninth Congress; and, second, those benefits under laws administered by the Veterans' Administration providing for the payment of pension on account of service-connected disability or death. This law provides that the payment shall be made at the rate of one Philippine peso for each dollar authorized to be paid under the law providing for such pension. The act further validates certain payments made before its enactment.

The existing law is more liberal, by far, than the bill S. 2235 as to benefits for service-connected disability or death in that the former authorizes the application of liberal presumptions both as to sound condition at the time of entry into service and service connection of chronic diseases such as tuberculosis.

Eligibility requirements under the bill are made more restrictive, first, by requiring a screening through new certificates by the War Department and, second, requiring that disability must have resulted from disease or injury or aggravation thereof directly resulting from the performance of active service.

Under existing law, and the bill S. 2235, the same general group of persons is involved. However, due to the screening process employed the load of potential eligibles would be considerably reduced under the bill.

Under existing law hospitalization is not authorized for these persons. This bill would authorize hospitalization of such persons only where they are suffering from disability found to be due to service under the restrictive provisions just mentioned. The Congress has, at least since 1917, recognized hospitalization as an incident to compensation for service-connected disability.

The bill provides a burial allowance not to exceed 100 pesos and the United States flag to drape the casket and thereafter to become the property of the decedent's next of kin.

The bill provides necessary flexibility in order that the benefits may be administered properly taking into consideration the special circumstances existing in the Philippines.

It is provided that the Administrator of Veterans' Affairs be authorized to continue and to establish and maintain in the Philippines such offices, hospitals, and other field installations as he may deem necessary and to purchase land and purchase, construct, and maintain such buildings as he deems necessary, including hospitals and buildings which will be required to house officers and employees of the Veterans' Administration and their dependents. The administration of this authority will be subject, however, to the scrutiny of the Bureau of the Budget and the approval of the Congress in connection with any appropriation requested therefor.

The bill authorizes appointment and employment in the Philippine Islands of persons who are not citizens of the United States and to establish pay scales commensurate with such positions. Under existing law there is no authority which would authorize permanent employment of noncitizens. This provision is thought desirable because of the living conditions in the Philippines which makes it improbable to secure the services of enough citizens of the United States to administer properly all of the provisions of this measure.

The bill provides that while in the Philippine Islands, employees of the Veterans' Administration and members of their immediate families, if citizens of the United States, shall be eligible for hospitalization and medical care at the charges and rates established by the Administrator. The bill has provisions designed to integrate the administration of the measure with the system of laws and veterans regulations presently administered by the Veterans' Administration insofar as the unique conditions in the Philippine Islands make it feasible and desirable.

Successful administration of these benefits will be dependent on the cooperation of the Philippine Government to a large extent and accordingly, it is provided that the President may suspend by Executive order the benefits provided by the bill when it is found that the Government of the Philippine Republic has failed to cooperate in the administration, enforcement, and execution of the act.

Under present law there is no authority for providing domiciliary, medical, or hospital care including treatment, to any person who resides outside of the continental limits of the United States or its Territories or possessions, except hospitalization, including medical treatment, for veterans of the United States who are citizens and who are temporarily sojourning or residing abroad, for disability due to war service in the armed forces of the United States. Accordingly, unless this provision is enacted, all United States citizen-veterans who are permanently residing in the Philippine Islands will be deprived of such benefits.

Mr. SMITH of Ohio. Mr. Speaker, it is of no use for the gentleman to proceed further; I object.

The SPEAKER. Objection is heard.

EXTENSION OF REMARKS

Mr. LECOMPTE asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Union Republican, of Albia, Iowa.

Mr. FOLGER asked and was given permission to extend his remarks in the Appendix of the RECORD and insert a short newspaper article.

RETIREMENT OF HON. MICHAEL J. BRADLEY FROM SERVICE IN THE CONGRESS

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, this will probably be my last opportunity to address my colleagues of the House of Representatives, for, as many of you know, I am not a candidate for reelection in the forthcoming congressional elections. I had no thought until a few moments ago of saying anything in the nature of farewell remarks, but even now as I sit here there is a bit of a feeling of nostalgia in my heart, knowing that I shall not return to this great body when it reconvenes for the next Congress in January; so I wish to say briefly for the RECORD that I am grateful to the people of my district who for 10 years honored me by selecting me as their Representative in Congress.

I shall carry with me to my home in Philadelphia a sincere feeling of affection for all those with whom I have served in this Congress. If at times in the heat of debate I have appeared to be unduly emphatic in the presentation of my views, I would only ask those of whom perhaps I have appeared to be critical to realize that there was nothing personal in my attitude, but that I was animated solely by the intenseness of my convictions in expressing what I thought were the sentiments of the people of my district.

I deem it a great honor to have served under the Speaker of this House, the gentleman from Texas, SAM RAYBURN. It was my privilege as a freshman in the Seventy-fifth Congress to vote for him as the majority leader of the House, from which position he was subsequently elevated to Speaker of the House, which to me is the greatest legislative body in the world. I shall also always recollect with pride my association with his distinguished predecessor, the late Speaker Bankhead.

So, my friends, to those not only on my own side of the aisle but also to my Republican colleagues with whom I have had such an intimate friendship, I want

to say that I have an abiding affection for all those with whom I have had the honor and privilege of serving in the Congress of the United States.

Mr. EBERHARTER. Mr. Speaker, I wish I had the eloquence to adequately portray the great sense of loss that we feel by the retirement from this body of my colleague and friend the gentleman from Pennsylvania [Mr. BRADLEY].

Mr. Speaker, MIKE BRADLEY need not apologize for the emphatic manner in which he presented his views on the floor of this House. There is not a Member of this body who does not positively know that when BRADLEY spoke he was advancing views arising purely from the utmost sincerity of conviction and with the highest of motives. This would be a sorry body were there no differences of opinion insofar as legislative policy is concerned, and it is only by the forthright expression of our various and contending views that this country can continue under a true democratic form of Government. There is no man who has served in the past 10 years in Congress who does not have the highest respect and regard for our departing colleague from Pennsylvania. We all feel sorry that he made a decision which will deprive us of not only his comradeship, but of his knowledge, experience, and practical wisdom. He leaves this body with the heartiest wishes from every Member that his future may be happy and contented in every respect, and all that any man could wish.

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks in the RECORD at this point on the subject of departing Members of Congress.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HARLESS of Arizona asked and was given permission to extend his remarks in the RECORD.

RETIREMENT OF HON. JOHN S. GIBSON FROM SEVENTY-NINTH CONGRESS

Mr. GIBSON. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GIBSON. Mr. Speaker, this will probably be my last address to you as the beloved Speaker of this House, and to the membership constituting this august body, that it will be my privilege to make. As it is known, my services as a Member of this House will terminate at midnight on the 2d of January 1947. It might be said that this was a farewell address to you and to the membership of this House, but this is far from being true. Some of the finest, warmest, deepest, and most cherished friendships of my life have been made through my associations here, and I will never have a farewell for my friends until the last sunset. I would term what I have to say on this occasion as my parting remarks, realizing full well that if it should not be my good fortune for my path to cross that of the membership of this House in the future, that we will meet many times in pleasant memories of our close association here. What I have said and may say, applies to both sides of the Hall; there is no distinction, as I speak not as a Democrat nor as a Republican, but as an American, and I speak to you not as Democrats nor as Republicans, but as Americans who are my friends and in whom I have abiding confidence. I love you as my friends and as great and good Americans. I have since my entry into the Congress realized that it had never been my privilege to associate with more outstanding people than those who constitute the membership of this House.

On many occasions my governmental philosophy has not coincided with that of some other Members, but even on such occasions I have found those disagreeing with me to keep their disagreements on an elevated plane to where personalities were not involved and where friendships were not marred. I feel much richer by having had this association, and the association with the fine ladies and gentlemen who make up this House has broadened me and added much to my perspective of life.

Having been a strong advocate of Jeffersonian democracy throughout my life, I have naturally held as sacred this body and its functions. My associations here have given me new faith in the honor and integrity of this body and new hope for the continuation of our way of life. The Congress of the United States stands as a sea wall against all waves of destruction that seek to dig into the heart of this democracy. As long as this body is made up of men and women of the character and convictions that now occupy these seats before me the heritages we love will be preserved.

With regard to the termination of my services here, I could have but one regret—that is giving up the fine association with my friends to whom I am devoted. It is unfortunate that the populace of the United States are not more mindful of the sacrifices made by one serving in our capacity. I have sacrificed financially, physically, and of my personal privileges and pleasures to serve in this body, which I do not regret.

There is an element working under cover in this country today whose every aim is to destroy the confidence of the American people in its Congress. It is pitiful to know that in too many instances the press and radio commentators have been either willing or unwilling partners in this conspiracy. The purpose is not to hurt any individual, but to destroy the confidence of the people in its legislative body. If this can ever be accomplished, then, of course, our democracy crumbles like snow before a blistering sun.

Finally and at last, the responsibility for the future course of this Nation rests with the people of the United States. The electorate must take the responsibility for the conduct of public officials and the public business. After all, they have a right of choice in that they choose those who are to discharge the public trusts imposed in them by the electorate. The progress being made by the CIO and the Communist Party of this country through the CIO-PAC, which is nothing short of a front organization—yes, a spearhead for communism—is the most alarming and most dangerous force in this country today. It is amazing to see how they can go through the South and literally take over the destiny of the South by the control of the ballot by the underhanded means used by them and by the inexhaustible supply of money they use.

When they can go into Georgia, Alabama, and Oklahoma and take complete control of the ballot, the situation becomes alarming. Frankly, they are meeting with much more success through the South than through the North. The most pitiful spectacle presented is the fact that the poor old southern Negro, the first time he has received the ballot, has permitted this gang to take them over and vote them like cattle. The will of the people would have been just as fully expressed by permitting the CIO to have voted the cattle in Georgia as it was by the colored vote strictly controlled by this gang. How a people, even with the intelligence of the colored people through the South, on their first chance to express themselves at the polls, take the long step they did to sell themselves back into slavery of a more vicious type than that known to the old South is beyond me.

Recently Ilya Ehrenburg, a Russian writer, traveled through the South and wrote most distorted articles tending to create race prejudice and inflame the Negroes against the whites who have proven through the years to be their best friends. One expression used was with reference to Mississippi, describing it as a place where whites—I quote—"shiver with fright thinking about the mass of unfortunate, angry people who may become tired of singing 'Hallelujah' while waiting their turn to be hanged."

Unfortunately, southern newspapers have seen fit to feed this kind of stuff to our colored people. How any Negro can be gullible enough to swallow such filth, copied from a Russian newspaper where human rights are totally disregarded, is beyond me. I wish that the colored people could see the absolute misery of the slavery and serfdom in which the Russian people live, and compare it with the lives they enjoy in the South.

God pity this Nation and its future unless the people of the United States become awakened to the crisis this democracy now faces.

With faith yet in mankind, and with high hopes for the future of our Commonwealth, I say to you that I bid you adieu, undefeated, and that I will never be defeated until the principles for which I have fought are defeated, and these principles will never perish so long as the hearts of freemen continue to beat.

CONGRESSIONAL REORGANIZATION

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONRONEY. Mr. Speaker, the President today signed the congressional reorganization bill and it has now become law. At this time I want to express my deep appreciation for the great contribution that was made to this proposal to modernize the Congress by our beloved Speaker the gentleman from Texas, SAM RAYBURN, by our majority leader the gentleman from Massachusetts [Mr. McCORMACK], and by the minority leader the gentleman from Massachusetts [Mr. MARTIN]. Without their conscientious and effective help this bill could never have reached the floor of the House nor become law.

This law is not the product of any one man or two men or even the 12 members of the Reorganization Committee, it is the product of almost 100 Members of the House and the Senate who helped to build it by testifying on the various matters that are necessary to modernize our procedure.

Particularly, I want to pay my sincere appreciation and tribute to the distinguished gentleman from Illinois [Mr. DIRKSEN]. He was one of the moving spirits in this reorganization of Congress from its very inception more than 2 years ago. Without his valued and powerful help we could not have even established the committee to study the reorganization of Congress. As every Member within the sound of my voice knows, we could not have carried it through the floor of the House to its final passage without devastating amendments had it not been for his superb work, his excellent debate, and his ability in engineering the bill through to final passage.

And last, but not least, I want to pay a tribute to the help that the members of the press, both daily and special writers, have given to this move to modernize the Congress. They helped immeasurably in acquainting the public with the need for legislative reform, and kept them fully informed as to the provisions of the plan. Much of its support throughout the country has been due to the splendid reporting job that they did in this regard.

The President, in signing the bill, issued a splendid statement regarding the measure which I am printing in the RECORD herewith.

The President's statement is as follows:

STATEMENT BY THE PRESIDENT

The Legislative Reorganization Act of 1946, which I signed today, is one of the most significant advances in the organization of the Congress of the United States since the establishment of that body.

Both as United States Senator and as President, I have had occasion to observe some of the outmoded organizational and procedural traditions that have burdened the legislative branch. The problem of reorganizing and modernizing the Congress has been a peculiarly difficult one, and session after session the Members of the Congress found themselves unable to take decisive steps in tackling the problem.

The Seventy-ninth Congress, however, approached the task with vigor and in a sound and orderly manner. I have nothing but admiration for the way in which the investigation of congressional organization was conducted and particularly for the leaders who formed the special investigating committee and who wrote and sponsored the bill.

I realize that in the process of congressional consideration, compromises and adjustments had to be made and some desirable provisions were deleted. However, the passage of this act shows that progress can be made, and I anticipate that the Congress will continue to pay attention to those parts of the legislative reorganization problem not yet solved.

The present act should permit easier and closer relations between the executive agencies of the Government and the Congress. The expanded staff of the congressional committees and of the agencies in the legislative branch can become a valuable link between the policy-making deliberations of the Congress and the practical administrative experience of the executive branch.

The legislative budget and the provisions on the handling of appropriations will undoubtedly result in clearer and more realistic relationships between the income and expenditure sides of the budget. Further, the changes in the dates for the transmitting of the President's economic report and the report of the Joint Committee on the economic report, required under the Employment Act of 1946, will result in proper integration between the legislative budget and the national program for maximum employment. The Joint Committee will now present its findings and recommendations to the Congress before February 1. The four revenue and appropriation committees in carrying out their new responsibilities under the Reorganization Act, therefore, will have the benefit of the Joint Committee's report for their over-all appraisal and recommendations on Federal receipts, expenditures, debt, and surplus. This timing is essential today when Federal fiscal policy is so closely related to the Nation's economic conditions.

One other provision of the bill deserves special praise—that which raises the salary of Members of Congress from $10,000 to $12,500 plus an expense allowance of $2,500. This is a long overdue step in providing adequate compensation for our Federal legislators.

CONTROL OF RIVER POLLUTION

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CANFIELD. Mr. Speaker, when H. R. 6024 was debated on July 10 the gentleman from South Dakota [Mr. MUNDT] claimed to have seen rank instances of pollution in the State of New Jersey early that month, and he made the following statement:

I regret that a great State like New Jersey should have what virtually represent open sewers coursing through its fair commonwealth and misnamed streams and rivers. I believe legislation of this type could help to correct that very serious situation, and I believe that if you good New Jersey people during the week will go back and stand on the banks of those streams with a clothespin on your nose and dark glasses on your eyes, looking at the disgraceful misuse of the water courses which is permitted in New Jersey, you can come back in a better mood to vote for pollution control legislation.

Mr. Speaker, since that time I have returned to New Jersey, and I did not need a clothespin nor dark glasses to look on New Jersey's waterways. Nor have I come back any more inclined to vote for this bill, which is a gratuitous invasion of the rights of the State of New Jersey and every other State.

We of New Jersey do not claim that our streams are free of all pollution. They are not, and possibly they can never be, because New Jersey is an industrial State, and our navigable waters are used by vessels of commerce more than any other such waters in the United States, as they serve the great ports of New York and Philadelphia.

The gentleman from South Dakota overlooked this, no doubt, when he saw our waterways, and perhaps he compared them with those of his State. He should have borne in mind that New Jersey ranks forty-seventh in land area in the United States, and South Dakota fourteenth; New Jersey ranks ninth in density of population, and South Dakota forty-first. Yet New Jersey ranked seventh in war contracts awarded, and South Dakota forty-seventh, so the gentleman from South Dakota, when speaking of the relatively clean waters of South Dakota in contrast to the alleged polluted waters in New Jersey should realize how densely populated and heavily industrialized New Jersey is compared to the sparse populations and practically no industrial activity in South Dakota.

We of New Jersey, who have spent and are spending millions of dollars annually to combat pollution do resent the unwarranted and untrue charge that our streams and rivers are open sewers. We are combatting pollution and we are winning despite the interruptions of pollution control already caused by the United States Public Health Service and other Federal agencies.

Yet even with the pollution that went with New Jersey's industrial contributions to the war efforts, it might be pointed out that during the year 1944, the last year in which Bureau of Census reports on the subject are available, the death rate in New Jersey declined 3.4 percent, while the death rate in South Dakota was rising 3.1 percent. One of the most dread diseases arising from impure water is typhoid fever, yet New Jersey in 1944 had a death rate of only two-tenths per 100,000 from this cause, a figure identical with the rate in South Dakota, and it can be added that while New Jersey's rate had been consistent at that figure for the past 4 years, South Dakota's during the same period always exceeded that of New Jersey.

Another foul water disease is dysentery. The death rate in New Jersey from this cause is only one-tenth percent per 100,000, and is steadily declining. There were only six deaths from dysentery in the entire State during 1944, a period when considerable infection from this disease was being brought in by men who served overseas in infected areas.

None of the six leading causes of death in New Jersey can be attributed to diseases caused by water pollution. They are heart diseases, cancer, intracranial lesions of vascular origin, nephritis, and pneumonia, and influenza; five of them identical with the leading causes of death in South Dakota, the other, nephritis, dropping behind accidents in the West.

In New Jersey we are controlling pollution, which we admit does exist to some extent, but the State department of

health, which has power under existing laws to rectify these conditions, is working diligently on the subject. There seems to be no question in the minds of Jerseymen that eventually this agency will have rectified these conditions. New Jersey has adequate laws—chapters 10, 11, and 12 of the Revised Statutes of 1937—to preclude pollution of its streams, and this measure, this infringement on our State's rights, might not only nullify but might tie the hands of our State department of health. Insofar as streams within the State of New Jersey and interstate streams bordering on the State are concerned, there is no need for Federal interference.

One of the largest streams in the State is the Passaic River, on which the port of Newark is located, and which carries a great number of oceangoing vessels. In its lower reaches, much of it in my district, it passes through an area of dense population, with hundreds of industries. This river and its tributaries have been cleared of pollution principally by means of the Passaic Valley intercepting sewerage system, operated by the Passaic Valley Sewerage Commission. This system was constructed with moneys appropriated by municipalities in that area in the amount of approximately $23,000,000. The area served by this system has a population of about 1,000,000, or about one-quarter of the population of the State.

The chief engineer of the Passaic Valley Sewage Commission, J. Ralph Van Duyne, in a recent report advised that the river was in "very excellent condition for the month of July," said to be the worst month from the standpoint of pollution. Purity of the river is gaged by the amount of dissolved oxygen in it, the engineer's report stated, and the present percentage is high, thus insuring that the river would not go bad or get smelly.

The next largest stream in importance is the Hackensack River, which has been considerably polluted. However, at the behest of the State department of health, the 1945 session of the State legislature passed an act known as "An act creating the Bergen-Hackensack sanitary sewer district, creating an authority to manage the same, and prescribing the powers and duties thereof and of other public bodies in connection with the construction and operation of sewers and sewage-disposal facilities in said district, and providing ways and means for paying the costs of construction and operation thereof." This act was approved by Gov. Walter E. Edge on May 3, 1945.

In pursuance of this act the authority has been created, and a firm of sanitary and hydraulic engineers has been retained to evolve a comprehensive plan of a sewerage system and sewage-treatment plant to collect the sewage and other polluting matter from the contributory municipalities and convey the same to a treatment plant of adequate capacity and degree of treatment. This report has been approved by the State department of health, and the engineers are now in the process of preparing the details of the design. Manifestly, the program to clean up the pollution of the Hackensack River is actively in progress.

In the Rahway River Valley, the collection and the treatment of the sewage and other polluting matter contributed by the nine municipalities above the point at which the city of Rahway derives its potable water supply from the Rahway River, is controlled by a Rahway Valley joint meeting, which is an organization composed of the nine participating municipalities. Owing to the accleration and increase in production of needed war materials, and the corresponding increase in population, the volume of the sewage and industrial wastes arriving at the sewage treatment plant increased beyond the capacity of the treatment works. At the insistence of the State department of health, the Rahway Valley joint meeting retained a hydraulic and sanitary engineer, who has prepared a report for the expansion of the treatment to care for not only the present but the future demands. This report being acceptable to the Rahway Valley joint meeting, the engineer was directed to prepare the plans and specifications for submission to, and approval by, the department. This is another accomplishment to the end of controlling pollution in the State of New Jersey, and it also is presently very active.

Dr. J. Lynn Mahaffey, director of health for the State of New Jersey, who is doing an excellent job in leading the fight against pollution in our State, says:

The pollution control in the lower Raritan River Basin is, in my opinion, outstanding.

In this densely populated area, directly in the heart of the State, industrial activity expanded greatly during the war, new manufacturing enterprises were established and the population increased correspondingly. Yet, by reason of the New Jersey State Department of Health's enforcement of pollution laws, municipal sewage treatment plants and such industrial waste treatment plants were installed as was possible with the construction materials made available by the Federal Government. The result was that the Department held control of the pollution in status quo, thus preventing the river from becoming an open sewer. Now that materials and manpower situations show promise of relief many antipollution projects in the Raritan Valley area are again active.

The waters of the Cohansey and Maurice Rivers basin are relatively clean, by reason of the fact that the sewage and other polluting matter discharged into said waters are first subjected to a method of treatment consisting of, as a minimum, sedimentation and chlorination.

Sewage and other polluting matter in the Elizabeth River Valley is presently being collected and treated. This sewerage system serves 11 municipalities in the counties of Essex and Union. The treated effluent discharges into Arthur Kill, the waters of which are under the control of the Interstate Sanitation Commission, and it is significant to note that the treatment provided by this joint treatment plant produces an effluent not only meeting but bettering by far the requirements set forth in the Tri-State compact.

This compact was ratified by Congress in 1935, and creates the Interstate Sanitation Commission for the purpose of controlling the future and abating the existing pollution in the tidal and coastal waters of the adjacent portions of the signatory states of New York, New Jersey, and Connecticut. This commission, pursuant to the powers vested in it by the compact, has issued citations or orders to municipalities contributing to the pollution of said waters, requiring the cessation of same.

As a result, the joint outlet sewer district comprising the municipalities of Weehawken, West New York, and Union City has submitted a preliminary report describing the sewer-collecting system and treatment plant it proposes to build in order to comply with the terms of the compact. The State department of health approved the basic design factors and the joint outlet is now in the process of preparing detailed plans and specifications.

The Borough of Carteret has submitted to the State department of health for approval detailed plans and specifications for its proposed sewer-collecting system, and a preliminary report relating to the proposed sewage-treatment plant.

The municipalities of Bayonne, Hoboken, and Jersey City have retained a hydraulic and sanitary engineer to prepare plans for a comprehensive sewer-collecting and sewage-treatment works. The preliminary proposal relating to the Bayonne system has already been submitted and conferences held respecting the design factors.

The municipalities of Fort Lee, Roselle, and Linden have also retained consulting engineers for the purpose of preparing plans and specifications for a comprehensive sewerage system designed to abate the pollution of the interstate and/or intrastate waters.

There is considerable pollution of the waters of New York Harbor at present, but the above outlined steps, being undertaken by the States involved, will do much—as much if not more than could be done even if this measure were passed—to correct the situation. The conditions in the harbor now are not generally obnoxious to the sight or smell, and the Interstate Sanitation Commission has moved and is moving aggressively and effectively to purify the waters of New York Harbor and the adjacent streams within the metropolitan area.

As to the waters of the Atlantic Ocean extending from Sandy Hook to Cape May, which are constantly policed by the New Jersey Department of Health, particularly during the period of recreational activities, these waters are practically devoid of harmful pollution in spite of the fact that scores of municipalities discharge their sanitary wastes, after treatment, of course, into the ocean. The evidence proving this to be a fact is that millions of vacationists from all parts of the country and foreign lands patronize these waters, and yet there is no recent case where any bather has been affected in his health owing to bathing in these waters. As further evidence, it can be pointed out that New Jersey ranks second among the 48 States

in the shellfish industry, with a $7,000,000 annual business that could not exist if there were excessive contamination and pollution.

In that portion of the Delaware River adjacent to the cities of Camden and Gloucester, N. J., and Philadelphia, Pa., the waters are grossly polluted. Realizing this fact the State department of health instituted chancery court proceedings against the cities of Gloucester and Camden, and with the assistance of the Interstate Commission on the Delaware River Basin obtained a decree commanding each municipality to cease pollution of the Delaware River. As a result, consulting engineers were retained by these communities for the preparation of a comprehensive collecting sewer system and sewage treatment plant. In the case of Camden a preliminary report relating to the proposed sewerage system has already been submitted to the department for review, conferences have been held, and the basic design factors and the method of sewage treatment have been agreed upon. This is another indication that the program of stream pollution in the State of New Jersey is actively in progress.

Respecting Philadelphia, which unquestionably exerts a pollution load on the river many times that emanating from the Jersey side, plans for a collecting-sewer system and sewage-treatment plant are reported to be practically completed. However, should it be that the New Jersey municipalities are menaced by the pollution from Philadelphia, New Jersey can have recourse to the United States Supreme Court for injunctive relief.

Manifestly, it ill-behooves the gentleman from South Dakota [Mr. MUNDT] even to imply that the State of New Jersey is lax in its pollution-control activities. It is true that in some instances the abatement of stream pollution in New Jersey did not, during the war years, keep pace with the increase in volume of pollution discharged into its waters, but this was not due to any relaxation of the State department of health's requirements or its activities in respect to pollution. It was interference by the Federal Government which retarded progress. If any charges are made for the retardation of progress in the matter of stream pollution in New Jersey the responsibility for the suspension of pollution control should be placed where it belongs, that is, upon the United States Public Health Service and other Federal agencies, as has been pointed out in the brief stating the reason for the State department of health's opposition to H. R. 6024.

That the United States Public Health Service has hampered the State of New Jersey in its pollution-control campaign is shown by these examples of actual instances in which the Public Health Service fostered water contamination:

The State of New Jersey proceeded against the Deerfield Packing Corp. with a view toward causing the cessation of the pollution of the Cohansey River, the waters of which are used by the city of Bridgeton, N. J., for potable purposes. The corporation submitted plans and specifications, which the State department of health found satisfactory and in accordance with its rules, regulations, and policies, for treatment of sewage and industrial waste. The State department of health issued permits authorizing the construction and operation of such a treatment plant, but the plant was not constructed because the War Production Board, upon the advise of the United States Public Health Service, questioned the need of the project.

Another example is the case of the United States naval station in Ewing Township, N. J., which is located on the Delaware River watershed above the point from which the city of Trenton derives its potable water. The State department of health required that the station install the highest degree of treatment; sedimentation, oxidation, and chlorination, with a view to safeguarding the health of the public consumers of the potable water. The State required three degrees of treatment. The United States Public Health Service for the same case recommended:

> We feel that under a wartime criteria one of the following minimum degrees of treatment should be employed to protect against excessive pollution of the creek or the creation of nuisance conditions.

This recommendation also stated:

> A review of the available records indicates that the filtration plant is adequate to handle the existing pollution in the river.

It was thus indicated again that Federal standards of pollution control are lower than the State standards in New Jersey.

Still another instance where the Federal Government has interfered at the expense of lowering standards in New Jersey: When a housing development was completed in the Borough of Bellmawr, the State Department of Health required and issued permits to the Borough authorizing the construction and operation of a sewage treatment plant, consisting of sedimentation, oxidation, and chlorination. However, before the War Production Board could authorize the release of materials for the construction of the plant it required the recommendations of the United States Public Health Service as to the need of the project. This service reported the recommendations that a lesser degree of treatment be approved, and recommended that instead of carrying out the full construction plan of the State Board, that the outfall discharge point of the sewer merely be moved further into the creek, below the low-tide level.

State Health Director Mahaffey says:

> It is my considered opinion that no other State in the Union has been as progressive in abatement and control of stream pollution as the State of New Jersey, as a result of its aggressive enforcement of its pollution laws, which I believe are sufficiently adequate. There is nothing the Federal Government could do that is not now being done or for which there is not presently ample remedy.

It must be borne in mind that countless municipalities of New Jersey have in the aggregate spent countless millions of dollars to eliminate pollution. They have in large part been successful. They have done this by means of existing regulatory agencies and under existing laws. There is no need for this bill. It will only mean that an army of inspectors, agents, and clerks will invade the State to duplicate what is already being done. It should be defeated.

INVESTIGATION OF EXCESS PROFITS AND RENEGOTIATION OF CONTRACTS

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DINGELL. Mr. Speaker, I have taken cognizance of the recent declaration made before the Mead investigating committee by our former colleague, Lindsay Warren, now Comptroller General of the United States, that the American taxpayer has been imposed upon by unscrupulous and unpatriotic wartime profiteers to the extent of untold billions. He made other and startling charges which I cannot gloss over lightly because I have every confidence in the actions and opinions of Lindsay Warren. He has both feet on the ground at all times and is not given to looseness of expression. When he states that from his own experience he knows of leakages and losses due to loose practices on the part of the renegotiation authorities, then I say to you, Mr. Speaker, that the time has come when the Congress, and more particularly the Committee on Ways and Means should take cognizance and go into the question of renegotiation more thoroughly so that we may tighten up the procedure under the law and recapture all unwarranted and excess profits.

In my speech on renegotiation in the CONGRESSIONAL RECORD, volume 91, part 5, pages 6080–6081, I voiced my opinions affecting repricing, renegotiation, and excess profits. It was thought at the time legislation intended to skim off unwarranted profits was ample but whether it is or not, I think that it should be the first order of business of the Eightieth Congress, meeting in January 1947, to reexamine the entire problem and to authorize the Comptroller General to make a thorough audit and, wherever justified, excessive profits should be recaptured and returned to the Treasury of the United States. It is an ineffectual method which on the one hand imposes an excess profits tax while on the other hand permits a nullifying advantage to the war contractor by way of a loose Renegotiation Act. In view of the revelation made by Mr. Warren the entire question of excess profits and renegotiation requires the most careful scrutiny of the Congress at the earliest possible date.

FAREWELL TO OUR COLLEAGUES

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SABATH. Mr. Speaker, I join with other Members in regretting that we should be deprived of the services and fellowship of our friend from Oklahoma,

JED JOHNSON, with whom I have served for over 20 years. We regret also losing that splendid and aggressive Democrat from Pennsylvania, MIKE BRADLEY, whom we all admire for his desire to be of great service to our country at all times. I congratulate his State and the Democratic Party for selecting him as their leader. I feel under his leadership the party will gain the victory that it deserves. I also regret losing our other Members with whom I have had the pleasure of serving. I regret, too, the unfortunate remarks of the gentleman from Georgia assailing organized labor. I feel that organized labor supports and helps those who support and help them. If he did not have their support, I regret that perhaps they felt he was not entitled to their support upon his record. I also regret, Mr. Speaker, that we have not been able to consider and vote on legislation that the country urged and demanded, such as the Wagner-Ellender-Taft general housing bill, the minimum wage bill, the St. Lawrence waterways bill, and several other measures that the country demanded, and which legislation I feel was entitled to favorable consideration at our hands.

Mr. Speaker, I hope we all come back, myself included and though I may say a few harsh things at times about my friends on the left, I do so because I do not possess the ability of expression that other gentlemen have, and put my thoughts into words that may not be pleasing, because I have always felt if I could not say something good about one, I should say nothing. But if I have said anything that might be offensive to anyone I ask his forgiveness. It is never my intention to hurt the feelings of any one. Of course, when I speak of the Republican Party I speak of it as a whole which I believe I am justified in criticizing, because it does not come up to expectations and does not carry out the pledges and promises that it makes to the American people before election day.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. BROWN of Ohio. I appreciate very deeply the remarks of the distinguished gentleman from Illinois, the dean of the House and chairman of the Rules Committee. As chairman of that Rules Committee he has presided over the committee of which I have had the privilege to be a member, and we have had many notable meetings. I think we have put on some pretty good shows, as we say in the parlance of the day. I will say that the gentleman has fought valiantly for his party, many times successfully. Frankly, too often he has been successful in his attempt to take care of his party. But I rose, Mr. Speaker, to say to the House that my distinguished friend, the chairman of the Rules Committee, was kind enough to say to me earlier in the day, and to one or two other Members, that whenever we should happen to be in Chicago to just ask the nearest policeman where we might find the gentleman from Illinois, Congressman SABATH, and we would be welcome to his hospitality. I am sure the gentleman meant that to include every Member of this House.

Mr. SABATH. I do, and I mean it.

Mr. BROWN of Ohio. Of course, it is understood that the policemen will escort the visiting brethren from Congress to the gentleman's residence or club, rather than to the Chicago jail.

Mr. SABATH. Or to the office. I do not think anybody here would be entitled to be taken to jail.

I have confidence in the membership, and including even Republican Members, and should they visit my city they will not need the guidance of any law officer or policeman, because I am sure they possess sufficient resourcefulness and ability to be able to find their way around. My city and I are happy to receive distinguished visitors and we shall at all times try to make their visit a pleasant one. It is my personal hope that you will have an opportunity to visit the metropolis of the Middle West and to become better acquainted with its people.

Mr. Speaker, in conclusion, I wish the membership on both sides of the aisle well in returning to their homes and I hope all the sitting Members will come back to continue to serve our country, and that the Republicans especially will continue under the minority leadership of our distinguished colleague from Massachusetts, the Honorable JOSEPH W. MARTIN, after next January. I know the Democrats will come back again with determination to lead and to aid the administration and the party in serving the people and safeguarding their interest and the country's interest, and to further our democratic form of government.

I appreciate that the membership is aware that in my position of chairman of the Committee on Rules my task was an arduous and difficult one and that I was unable to give some of them a hearing for a rule on some measures, but I have tried to be of service and have endeavored to expedite the business of the House.

We have had extremely exacting sessions during the past 6 years in passing on legislation for defense and for war itself and you are deserving of this vacation to rejoin your families, your friends, and your neighbors, and it is my hope that you will come back with renewed determination and vigor to serve our beloved country.

Mr. Speaker, we were fortunate in having in you such a fair, kindly, and capable presiding officer who, unlike a Speaker of not so many years ago, ruled the House only with his eye to the left. Godspeed to you and the membership.

The SPEAKER. The time of the gentleman from Illinois has expired.

BENEFITS TO FORMER MEMBERS OF WOMEN'S ARMY AUXILIARY CORPS

Mr. DURHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1560) to amend the Service Extension Act of 1941, as amended, to extend reemployment benefits to former members of the Women's Army Auxiliary Corps who entered the Women's Army Corps.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. DURHAM]?

Mr. SMITH of Ohio. Mr. Speaker, reserving the right to object, will the gentleman from North Carolina explain the bill?

Mr. DURHAM. The gentleman will recall that when the Women's Army Auxiliary Corps was in existence it was some year and a half before we made it a permanent part of the Army and there were some 40,000 WAAC's transferred to the WAC's when it became a unit under the War Department. They are not entitled to reemployment benefits. This simply gives to them the benefits that any ordinary soldier gets under the Selective Training and Service Act.

Mr. MARTIN of Iowa. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. MARTIN of Iowa. I just want to add to the comments of the gentleman from North Carolina that this bill has for its purpose an effort on the part of Congress to do justice to the loyal girls who served in the WAAC's, who continued their service under the WAC later in the war. Those girls should have the privileges and protection of the reemployment rights provided in this legislation.

Mr. DURHAM. That is correct.

Mr. SMITH of Ohio. Mr. Speaker, this is a good bill and I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 7 of the Service Extension Act of 1941, approved August 18, 1941 (55 Stat. 627), as amended (50 U. S. C. App., Supp. IV 357), is further amended by inserting "(a)" after "SEC. 7." and by adding at the end of such section a new subsection (b) to read as follows:

"(b) Any former member of the Women's Army Auxiliary Corps who, within 90 days after termination of her service in that corps, entered active military service by enlistment or appointment in the Women's Army Corps without having accepted a position, other than a temporary position, in the employ of any employer during such 90-day period, shall be entitled to all the reemployment benefits of section 8 of the Selective Training and Service Act of 1940, as amended, with respect to a position which she left to enter service in the Women's Army Auxiliary Corps, to the same extent that a person inducted under said act is entitled to reemployment benefits with respect to a position which he left in order to perform training and service: *Provided*, That, in the case of any such former member who has been discharged from or relieved from active duty in the Women's Army Corps prior to the effective date of this subsection, application for reemployment may be made at any time within 90 days after such effective date. The provisions of section 8 (b) (A) of the Selective Training and Service Act of 1940, as amended, shall be applicable to any such former member without regard to whether the position which she held shall have been covered into the classified civil service during the period of her military service or during the period of her service in the Women's Army Auxiliary Corps."

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.

TRANSFER OF PAINTING FIRST FIGHT OF IRONCLADS, MONITOR AND MERRIMAC

Mr. DURHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (S. J. Res. 186) to provide for the transfer of the painting First Fight of Ironclads, *Monitor* and *Merrimac*, now stored in the United States Capitol Building, to the custody of the United States Naval Academy.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. DURHAM]?

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the painting First Fight of Ironclads, *Monitor* and *Merrimac*, by William Formby Halsall, now stored in the United States Capitol Building, be, and the same is hereby, transferred to the permanent custody of the United States Naval Academy. The removal and transport of this painting from the Capitol to the United States Naval Academy at Annapolis, Md., shall be effected at the expense of said Academy, and the Architect of the Capitol shall act for the Joint Committee on the Library in carrying out the provisions of this joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RACKETEERING IN SETTLEMENT OF GOVERNMENT CONTRACTS MUST BE STOPPED

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, a very unsavory situation has recently been called to the attention of this Congress and to the people of the country. High commissioned officers and high-ranking officials in Government who during the war period were engaged in procuring contracts on behalf of the Government and in the renegotiation and settlement of contracts for the procurement of war supplies, have after being separated from the Federal service, become engaged in prosecuting claims against the Government arising out of contracts and agreements for supplies to the Army and the Navy and other Departments of Government. Hearings recently held before congressional commitees have disclosed that this thing has become a real racket. Former military and Government officials have taken advantage of information and of connections they acquired while in Government service. It is a shame and a disgrace that such thing should be perpetrated against the people of this country. It should have been stopped long ago.

Mr. Speaker, I have introduced a bill in this House to prohibit commissioned officers of the military or naval forces of the United States, or any officer or employee of this Government, who has been engaged in the negotiation or settlement or adjustment of contracts on behalf of the Government, to solicit employment in the presentation or the prosecution of claims against the United States, for a period of at least 2 years after he is discharged or released from Government service. Violation of the act is punishable by imprisonment for 1 year or a fine of $10,000.

Mr. Speaker, I realize this legislation will not have a chance to pass during the present session, but I have submitted it so that the Congress can be placed on notice and with the intention of asking for this legislation to have immediate consideration when the Congress convenes again.

In the meantime, I am calling upon the President of the United States to use the War Powers Act granted him by Congress, to issue an Executive order forbidding any Federal employee, military or civilian, from taking part in the settlement or renegotiation of any contracts for a period of 2 years after his separation from the service.

Mr. Speaker, the great majority of Army and Government officials, as well as contractors dealing with war property, are patriotic and have tried to do the right thing. It is indeed a disgrace that a few individuals who have been in Government service, as well as a minority group who obtained contracts during the war, have taken advantage of their own Government at a crucial time in its history, by lining their pockets with millions and hundreds of millions of dollars that belong to the people of this country.

EXTENSION OF REMARKS

Mr. JENSEN asked and was given permission to extend his own remarks in the Appendix of the RECORD and include therein a letter from the Commissioner of Reclamation and a table.

Mr. RANDOLPH asked and was given permission to extend his remarks on three subjects in the Appendix of the RECORD.

Mr. KEE (at the request of Mr. BAILEY) was given permission to extend his remarks in the Appendix of the RECORD and include a copy of a telegram from former Congressman Mitchell, of Illinois.

ACTING CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House:

AUGUST 2, 1946.

The honorable the SPEAKER,
House of Representatives.

SIR: Pursuant to the provisions of House Resolution 753, adopted by the House today, I have designated Mr. Harry Newlin Megill, an official in my office, to discharge the duties contemplated by said resolution.

Respectfully yours,
SOUTH TRIMBLE,
Clerk of the House of Representatives.

The SPEAKER. Without objection, the President and the Senate will be notified accordingly.

There was no objection.

RECESS

The SPEAKER. The House will stand in recess subject to the call of the Chair.

Thereupon (at 4 o'clock and 19 minutes p. m.) the House stood in recess.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 5 o'clock and 32 minutes p. m.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Gathing, its enrolling clerk, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 165. Concurrent resolution providing for the sine die adjournment of the second session of the Seventy-ninth Congress.

The message also 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. 76. Joint resolution authorizing the signing of enrolled bills and joint resolutions after adjournment of the present session of Congress.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. J. Res. 390) entitled "Joint resolution making additional appropriations for the fiscal year 1947, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate, numbered 1, 12, 13, 14, 15, 20, 22, and 24, to the foregoing joint resolution.

The message also announced that the President pro tempore of the Senate had appointed Mr. MCMAHON, Mr. RUSSELL, Mr. JOHNSON of Colorado, Mr. CONNALLY, Mr. BYRD, Mr. VANDENBERG, Mr. MILLIKIN, Mr. HICKENLOOPER, and Mr. KNOWLAND as members on the part of the Senate, of the Atomic Energy Committee created by (S. 1717) entitled "An act for the development and control of atomic energy," approved August 1, 1946.

COMMITTEE TO NOTIFY THE PRESIDENT

Mr. BULWINKLE. Mr. Speaker, I offer a resolution (H. Res. 758) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That a committee of two members be appointed by the House to join a similar committee appointed by the Senate, to wait upon the President of the United States and inform him that the two Houses have completed the business of the session and are ready to adjourn, unless the President has some other communication to make to them.

The resolution was agreed to.

The SPEAKER. The Chair appoints the gentleman from North Carolina [Mr. BULWINKLE] and the gentleman from Michigan [Mr. MICHENER] as a committee to wait upon the President.

SIGNING ENROLLED BILLS

The Speaker laid before the House the following resolution (S. Con. Res. 76):

Resolved by the Senate (the House of Representatives concurring), That notwithstanding the adjournment of the second session of the Seventy-ninth Congress, the Speaker of the House of Representatives and the President pro tempore of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses which have been examined by the

Committee on Enrolled Bills of the House of Representatives and the Secretary of the Senate and found truly enrolled.

The resolution was agreed to.

RICHARD MORFORD

The SPEAKER. The Chair desires to announce that pursuant to House Resolution 752, Seventy-ninth Congress, he did, on today, August 2, 1946, certify to the United States Attorney, District of Columbia, the willful and deliberate refusal of Richard Morford to produce before the Committee on Un-American Activities for its inspection certain books, papers, and records which had been duly subpenaed.

GEORGE MARSHALL

The SPEAKER. The Chair desires to announce that pursuant to House Resolution 749, Seventy-ninth Congress, he did, on today, August 2, 1946, certify to the United States Attorney, District of Columbia, the willful and deliberate refusal of George Marshall to produce before the Committee on Un-American Activities for its inspection certain books, papers, and records which had been duly subpenaed.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1250. An act for the relief of certain claimants who suffered losses and sustained damages as the result of the campaign carried out by the Federal Government for the eradication of the Mediterranean fruitfly in the State of Florida; to the Committee on Claims.

S. 1439. An act to amend section 2 of the act of January 29, 1942 (56 Stat. 21), relating to the refund of taxes illegally paid by Indian citizens; to the Committee on Indian Affairs.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 341. An act relating to the status of Keetoowah Indians of the Cherokee Nation in Oklahoma, and for other purposes, and authorizing conveyance of the Seger Indian School to Colony Union Graded School District No. 1, Colony, Okla.;

H. R. 434. An act to provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship through voting in a political election in a country not at war with the United States during the Second World War;

H. R. 1002. An act for the relief of Marvin Sachwitz;

H. R. 1070. An act for the relief of Elmer C. Hadlen;

H. R. 1088. An act for the relief of the Eastern Contracting Co., Inc.;

H. R. 1351. An act for the relief of the estate of Estelle Daniel Boyle, deceased, and E. B. Rosegarten;

H. R. 1402. An act for the relief of certain Basque aliens;

H. R. 1459. An act for the relief of Mr. and Mrs. J. W. Williams, Jr.;

H. R. 1497. An act to amend subsection 9 (a) of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939, as amended;

H.R. 1519. An act relating to marine insurance in the case of certain employees of the War Department who suffered death, injury, or other casualty prior to April 23, 1943, as a result of marine risks;

H. R. 1570. An act for the relief of Edward Pittwood;

H. R. 1631. An act for the relief of William Tolar Smith;

H.R. 1788. An act for the relief of Mr. and Mrs. Conrad Newman;

H. R. 1860. An act to authorize the Secretary of the Interior to issue a duplicate of Porterfield scrip certificate numbered 53 to the Muskegon Trust Co., Muskegon, Mich., as trustee of the John Torrent trust;

H. R. 1887. An act for the relief of Mrs. Leroy A. Robbins;

H. R. 2033. An act authorizing Federal participation in the cost of protecting the shores of publicly owned property;

H. R. 2161. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Algernon Blair, his heirs or personal representatives, against the United States;

H. R. 2222. An act for the relief of J. L. Harris;

H. R. 2377. An act to authorize the coinage of 50-cent pieces in commemoration of the one-hundredth anniversary of the admission of Iowa into the Union as a State;

H. R. 2485. An act for the relief of Moses Tennenbaum;

H. R. 2504. An act to discontinue certain reports now required by law;

H. R. 2523. An act to provide for lump-sum payment of compensation for accumulated leave and current accrued annual leave to certain officers and employees, and authorizing the appropriation of funds for that purpose;

H. R. 2663. An act for the relief of W. C. Jones, Myrtle M. Jones, and W. W. Tilghman;

H. R. 2716. An act to provide for health programs for Government employees;

H. R. 2850. An act for the relief of Felix Napiorkowski;

H. R. 3099. An act for the relief of Coy C. Brown;

H. R. 3197. An act for the relief of William F. Patchell, Jr.;

H. R. 3361. An act to amend paragraph (1) of section 73 of the Hawaiian Organic Act, as amended;

H. R. 3593. An act relating to the disposition of public lands of the United States situated in the State of Oklahoma between the Cimarron base line and the north boundary of the State of Texas;

H. R. 3742. An act for the relief of Burgess C. Moore, as administrator of the estate of Lela May Tomlinson, deceased, and as legal guardian of Kay Tomlinson and Larry Max Tomlinson;

H. R. 3833. An act for the relief of Viola McKinney;

H. R. 3908. An act to provide increased pensions to members of the Regular Army, Navy, Marine Corps, and Coast Guard who become disabled by reason of their service therein during other than a period of war;

H. R. 3944. An act authorizing the President of the United States to award a special medal to General of the Armies of the United States John J. Pershing;

H. R. 3973. An act to amend the act entitled "An act to provide reemployment rights for persons who leave their positions to serve in the merchant marine, and for other purposes," approved June 23, 1943 (57 Stat. 162), and for other purposes;

H. R. 4114. An act to authorize the Secretary of the Interior to sell certain land of Alice Scott White on the Crow Indian Reservation, Mont.;

H. R. 4190. An act granting the consent of Congress to the Pennsylvania Railroad Co. to construct, maintain, and operate a railroad bridge across the Allegheny River at or near Warren, Pa.;

H. R. 4341. An act for the relief of James B. McGoldrick;

H. R. 4375. An act for the relief of Charles Martin;

H. R. 4386. An act to facilitate and simplify the administration of Indian affairs;

H. R. 4406. An act for the relief of Loyal F. Willis;

H. R. 4410. An act to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to make regulations to prevent and control the spread of communicable and preventable diseases," approved August 11, 1939;

H. R. 4428. An act to adjust the rate of dividends paid by the Federal Savings and Loan Insurance Corporation on its capital stock and to decrease the premium charge for its insurance;

H. R. 4435. An act to establish the Theodore Roosevelt National Park; to erect a monument in memory of Theodore Roosevelt in the village of Medora, N. Dak.; and for other purposes;

H. R. 4466. An act for the relief of Francis T. Lillie and Lois E. Lillie;

H. R. 4497. An act to create an Indian Claims Commission, to provide for the powers, duties, and functions thereof, and for other purposes;

H. R. 4562. An act to insure the preservation of technical and economic records of domestic sources of ores of metals and minerals;

H. R. 4608. An act for the relief of Mrs. Mary D. Johnson;

H. R. 4686. An act for the relief of the estate of Harry Wright;

H. R. 4720. An act to amend the act of December 7, 1944, relating to certain overtime compensation of civilian employees of the United States;

H. R. 4842. An act to amend the act of April 29, 1943, so as to afford a preference for veterans in acquiring certain vessels;

H. R. 4947. An act for the relief of Ethel Guenther;

H. R. 5198. An act for the relief of Marjorie B. Marable;

H. R. 5223. An act to extend temporarily the time for filing applications for patents, for taking action in the United States Patent Office with respect thereto, for preventing proof of acts abroad with respect to the making of an invention, and for other purposes;

H. R. 5261. An act for the relief of David Weiss;

H. R. 5278. An act to legalize the admission to the United States of Virginia Harris Casardi;

H. R. 5368. An act for the relief of W. G. Magruder;

H. R. 5372. An act for the relief of Jessie Wolfington;

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. 5414. An act for the relief of Marie Gorak;

H. R. 5537. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Susquehanna River at a point between the borough of Plymouth, in Plymouth Township, and Hanover Township, in the county of Luzerne, and in the Commonwealth of Pennsylvania;

H. R. 5654. An act to provide basic authority for the performance of certain functions and activities of the Bureau of Reclamation;

H. R. 5725. An act for the relief of Sadie Frey and the estate of Marie Hviding;

H. R. 5756. An act for the retirement of public-school teachers in the District of Columbia;

H. R. 5851. An act for the relief of Second Lt. Francis W. Anderson;

H. R. 5874. An act for the relief of Joseph Maezer;

H. R. 5928. An act to name the bridge located on New Hampshire Avenue, Washington, D. C., over the Baltimore & Ohio Railroad tracks "The Charles A. Langley Bridge";

H. R. 5932. An act providing for the conveyance to the town of Ipswich, in the State of Massachusetts, of lighthouse property at Castle Neck, for public use;

H. R. 5970. An act 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;

H. R. 5991. An act to simplify and improve credit services to farmers and promote farm ownership by abolishing certain agricultural lending agencies and functions, by defining the lending powers of the Secretary of Agriculture, by authorizing Government insurance of loans to farmers, by creating preferences for loans and insured mortgages to enable veterans to acquire farms, by providing additional specific authority and directions with respect to the liquidation of resettlement projects and rural rehabilitation projects for resettlement purposes, and for other purposes;

H. R. 6023. An act providing for the conveyance to the city of Atlantic City, in the State of New Jersey, of lighthouse property at Atlantic City, for public use;

H. R. 6030. An act to amend the Civil Aeronautics Act of 1938, as amended, so as to improve international collaboration with respect to meteorology;

H. R. 6057. An act to amend the act of July 11, 1919 (41 Stat. 132), relating to the interchange of property between the Army and the Navy, so as to include the Coast Guard within its provision;

H. R. 6097. An act to amend the act of March 10, 1934, entitled "An act to promote the conservation of wildlife, fish, and game, and for other purposes;

H. R. 6141. An act to provide funds for cooperation with the school board of Hunter School District for the construction and equipment of a new school building in the town of Hunter, Sawyer County, Wis., to be available to both Indian and non-Indian children;

H. R. 6148. An act to exempt certain vessels from filing passenger lists;

H. R. 6223. An act to authorize the highway departments of the States of Kentucky and West Virginia to construct, maintain, and operate a free highway bridge across the Tug Fork of the Big Sandy River at or near Williamson, W. Va.;

H. R. 6231. An act for the relief of Frank A. Gorman;

H. R. 6248. An act for the relief of Capital Office Equipment Co.;

H. R. 6263. An act to amend the act of June 23, 1943, so as to authorize inclusion of periods of education and training in an Army Transportation Corps civilian marine school as "service in the merchant marine";

H. R. 6298. An act to protect and facilitate the use of national-forest lands in township 2 north, range 18 west, Ohio River survey, township of Elizabeth, county of Lawrence, State of Ohio, and for other purposes;

H. R. 6307. An act for the relief of Francesco D'Emilio;

H. R. 6408. An act to authorize the War Shipping Administration and the Maritime Commission to make available certain surplus property to certain maritime academies;

H. R. 6423. An act for the relief of Mrs. Ivan B. Hofman;

H. R. 6488. An act to amend the act to provide for the issuance of devices in recognition of the services of merchant sailors;

H. R. 6536. An act for the relief of Southeastern Sand & Gravel Co.;

H. R. 6593. An act for the relief of Milton A. Johnson, and for other purposes;

H. R. 6610. An act to wave certain restrictions of the Hawaiian Organic Act, relating to land exchanges, for the acquisition of certain lands at Hilo, T. H.;

H. R. 6629. An act to provide basic authority for the performance of certain functions and activities of the National Park Service;

H. R. 6642. An act for the relief of certain postmasters;

H. R. 6811. An act relating to veterans' pension, compensation, or retirement pay during hospitalization, institutional, or domiciliary care, and for other purposes;

H. R 6817. An act to provide for the appointment of additional commissioned officers in the Regular Army, and for other purposes;

H. R. 6859. An act to amend section 121 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended, to authorize the appointment of three additional deputies for the register of wills;

H. R. 6890. An act to amend the First War Powers Act, 1941;

H. R. 6896. An act to grant to the city of Miles City, State of Montana, certain land in Custer County, Mont., for industrial and recreational purposes and as a museum site;

H. R. 6899. An act to authorize the Indiana State Toll Bridge Commission to construct, maintain, and operate a toll bridge, or a free bridge, across the Ohio River at or near Lawrenceburg, Dearborn County, Ind.;

H. R. 6900. An act to grant increased service pensions in certain Spanish-American War cases not included in recent legislation providing increases to other Spanish-American War veterans and their dependents, and for other purposes;

H. R. 6918. An act to provide emergency relief for the victims of the seismic waves which struck the Territory of Hawaii, and for other purposes;

H. R. 6932. An act to provide for further research into basic laws and principles relating to agriculture and to improve and facilitate the marketing and distribution of agricultural products;

H. R. 6953. An act authorizing the city of East St. Louis, Ill., its successors and assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near a point between Delmar Boulevard and Cole Street in the city of St. Louis, Mo., and a point opposite thereto in the city of East St. Louis, Ill.;

H. R. 6967. An act to improve, strengthen, and expand the Foreign Service of the United States and to consolidate and revise the laws relating to its administration;

H. R. 7004. An act to revise the boundaries of Wind Cave National Park in the State of South Dakota, and for other purposes;

H. R. 7020. An act to provide for the acquisition by exchange of non-Federal property within the Glacier National Park;

H. R. 7030. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Allegheny River, between a point in or near the Borough of Tarentum, in the county of Allegheny, and a point near the boundary of the city of New Kensington and Lower Burrel Township in Westmoreland County in the Commonwealth of Pennsylvania;

H. R. 7039. An act to further amend section 304 of the Naval Reserve Act of 1938, as amended, so as to grant certain benefits to naval personnel engaged in training duty prior to official termination of World War II;

H. R. 7109. An act to amend section 6 of Public Law No. 516 of the Seventy-ninth Congress, approved July 16, 1946;

H. R. 7126. An act to amend section 2 of the act of July 16, 1946 (Public Law 514, 79th Cong.), relating to the establishment and operation in the District of Columbia of nurseries and nursery schools, so as to permit payment of compensation for services rendered after June 30, 1946, and prior to the enactment of such act;

H. J. Res. 366. Joint resolution authorizing and directing the Director of the Fish and Wildlife Service of the Department of the Interior to investigate and eradicate the predatory sea lampreys of the Great Lakes;

H. J. Res. 370. Joint resolution granting certain property to the Commonwealth of Pennsylvania and relinquishing jurisdiction therein; and

H. J. Res. 387. Joint resolution granting permission to Thomas Parran, Surgeon General of the Public Health Service; Rolla E. Dyer, Assistant Surgeon General, Public Health Service; Howard F. Smith, Assistant Surgeon General, Public Health Service; Herbert A. Spencer, medical director, Public Health Service; Vance B. Murray, medical director, Public Health Service; and Gilbert L. Dunnahoo, medical director, Public Health Service, to accept and wear certain decorations bestowed upon them by France, Cuba, Mexico, Chile, Finland, and Luang-Prabang.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 2100. An act to remove the limitations on the amount of death compensation or pension payable to widows and children of certain deceased veterans;

S. 2125. An act to amend the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, and the acts amendatory thereof and supplementary thereto;

S. 2256. An act to amend the Servicemen's Readjustment Act of 1944.

S. 2286. An act to amend the act entitled "An act for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital," approved May 29, 1930.

S. 2332. An act to provide that the unexpended proceeds from the sale of 50-cent pieces coined in commemoration of the two hundred and fiftieth anniversary of the founding of the city of Albany, N. Y., may be paid in to the general fund of such city.

S. 2408. An act to amend the act of February 9, 1907, as amended, with respect to certain fees;

S. 2460. An act to provide additional inducements to citizens of the United States to make a career of the United States military or naval service, and for other purposes;

S. 2477. An act to authorize the Veterans' Administration to reimburse State and local agencies for expenses incurred in rendering services in connection with the administration of certain training programs for veterans, and for other purposes;

S. 2479. An act to amend the act entitled "An act to regulate within the District of Columbia the sale of milk, cream, and ice cream, and for other purposes," approved February 27, 1925;

S. 2480. An act authorizing the appointment of Robert Sprague Beightler as permanent brigadier general of the line of the Regular Army; and

S. 2498. An act to provide for fire protection of Government and private property in and contiguous to the waters of the District of Columbia.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee did on this day pre-

sent to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 434. An act to provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship through voting in a political election in a country not at war with the United States during the Second World War;

H. R. 1002. An act for the relief of Marvin Sachwitz;

H. R. 1070. An act for the relief of Elmer C. Hadlen;

H. R. 1088. An act for the relief of the Eastern Contracting Co., Inc.;

H. R. 1351. An act for the relief of the estate of Estelle Daniel Boyle, deceased, and E. B. Rosegarten;

H. R. 1402. An act for the relief of certain aliens;

H. R. 1459. An act for the relief of Mr. and Mrs. J. W. Williams, Jr.;

H. R. 1497. An act to amend subsection 9 (a) entitled "An act to prevent pernicious political activities," approved August 2, 1939, as amended;

H. R. 1519. An act relating to marine insurance in the case of certain employees of the War Department who suffered death, injury, or other casualty prior to April 23, 1943, as a result of marine risks.

H. R. 1570. An act for the relief of Edward Pittwood;

H. R. 1631. An act for the relief of William Tolar Smith;

H. R. 1788. An act for the relief of Mr. and Mrs. Conrad Newman;

H. R. 1860. An act to authorize the Secretary of the Interior to issue a duplicate of Porterfield scrip certificate No. 53 to the Muskegon Trust Co., Muskegon, Mich., as trustee of the John Torrent trust.

H. R. 1887. An act for the relief of Mrs. Leroy A. Robbins;

H. R. 2033. An act authorizing Federal participation in the cost of protecting the shores of publicly owned property;

H. R. 2161. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Algernon Blair, his heirs or personal representatives, against the United States;

H. R. 2222. An act for the relief of J. L. Harris;

H. R. 2377. An act to authorize the coinage of 50-cent pieces in commemoration of the one-hundredth anniversary of the admission of Iowa into the Union as a State;

H. R. 2485. An act for the relief of Moses Tennenbaum;

H. R. 2504. An act to discontinue certain reports now required by law;

H. R. 2523. An act to provide for lump-sum payment of compensation for accumulated leave and current accrued annual leave to certain officers and employees, and authorizing the appropriation of funds for that purpose;

H. R. 2663. An act for the relief of W. C. Jones, Myrtle M. Jones, and W. W. Tilghman;

H. R. 2716. An act to provide for health programs for Government employees;

H. R. 2850. An act for the relief of Felix Napiorkowski;

H. R. 3099. An act for the relief of Coy C. Brown;

H. R. 3197. An act for the relief of William F. Patchell, Jr.;

H. R. 3361. An act to amend paragraph (1) of section 73 of the Hawaiian Organic Act, as amended;

H. R. 3593. An act relating to the disposition of public lands of the United States situated in the State of Oklahoma between the Cimarron base line and the north boundary of the State of Texas;

H. R. 3742. An act for the relief of Burgess C. Moore, as administrator of the estate of Lela May Tomlinson, deceased, and as legal guardian of Kay Tomlinson and Larry Max Tomlinson;

H. R. 3833. An act for the relief of Viola McKinney;

H. R. 3908. An act to provide increased pensions to members of the Regular Army, Navy, Marine Corps, and Coast Guard who become disabled by reason of their service therein during other than a period of war;

H. R. 3944. An act authorizing the President of the United States to award a special medal to General of the Armies of the United States John J. Pershing;

H. R. 3973. An act to amend the act entitled "An act to provide reemployment rights for persons who leave their positions to serve in the merchant marine, and for other purposes," approved June 23, 1943 (57 Stat. 162), and for other purposes;

H. R. 4114. An act to authorize the Secretary of the Interior to sell certain land of Alice Scott White on the Crow Indian Reservation, Mont.;

H. R. 4190. An act granting the consent of Congress to the Pennsylvania Railroad Co. to construct, maintain, and operate a railroad bridge across the Allegheny River at or near Warren, Pa.;

H. R. 4341. An act for the relief of James B. McGoldrick;

H. R. 4375. An act for the relief of Charles Martin;

H. R. 4386. An act to facilitate and simplify the administration of Indian Affairs;

H. R. 4406. An act for the relief of Loyal F. Willis;

H. R. 4410. An act to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to make regulations to prevent and control the spread of communicable and preventable diseases," approved August 11, 1939;

H. R. 4428. An act to adjust the rate of dividends paid by the Federal Savings & Loan Insurance Corp., on its capital stock and to decrease the premium charge for its insurance;

H. R. 4435. An act to establish the Theodore Roosevelt National Park; to erect a monument in memory of Theodore Roosevelt in the village of Medora, N. Dak.; and for other purposes;

H. R. 4466. An act for the relief of Francis T. Lillie and Lois E. Lillie;

H. R. 4497. An act to create an Indian Claims Commission, to provide for the powers, duties, and function thereof, and for other purposes;

H. R. 4562. An act to insure the preservation of technical and economic records of domestic sources of ores of metals and minerals;

H. R. 4608. An act for the relief of Mrs. Mary D. Johnson;

H. R. 4686. An act for the relief of the estate of Harry Wright;

H. R. 4720. An act to amend the act of December 7, 1944, relating to certain overtime compensation of civilian employees of the United States;

H. R. 4842. An act to amend the act of April 29, 1943, so as to afford a preference for veterans in acquiring certain vessels;

H. R. 4947. An act for the relief of Ethel Guenther;

H. R. 5198. An act for the relief of Marjorie B. Marable;

H. R. 5223. An act to extend temporarily the time for filing applications for patents, for taking action in the United States Patent Office with respect thereto, for preventing proof of acts abroad with respect to the making of an invention, and for other purposes;

H. R. 5261. An act for the relief of David Weiss;

H. R. 5278. An act to legalize the admission to the United States of Virginia Harris Casardi;

H. R. 5368. An act for the relief of W. G. Magruder;

H. R. 5372. An act for the relief of Jessie Wolfington;

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. 5414. An act for the relief of Marie Gorak;

H. R. 5537. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Susquehanna River at a point between the borough of Plymouth, in Plymouth Township, and Hanover Township, in the county of Luzerne, and in the Commonwealth of Pennsylvania;

H. R. 5654. An act to provide basic authority for the performance of certain functions and activities of the Bureau of Reclamation;

H. R. 5725. An act for the relief of Sadie Frey and the estate of Marie Hviding;

H. R. 5756. An act for the retirement of public-school teachers in the District of Columbia;

H. R. 5851. An act for the relief of Second Lt. Francis W. Anderson;

H. R. 5874. An act for the relief of Joseph Maezer;

H. R. 5928. An act to name the bridge located on New Hampshire Avenue, Washington, D. C., over the Baltimore & Ohio Railroad tracks, the Charles A. Langley Bridge;

H. R. 5932. An act providing for the conveyance to the town of Ipswich, in the State of Massachusetts, of lighthouse property at Castle Neck for public use;

H. R. 5970. An act 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;

H. R. 5991. An act to simplify and improve credit services to farmers and promote farm ownership by abolishing certain agricultural lending agencies and functions, by transferring assets to the Farmers' Home Corporation, by enlarging the powers of the Farmers' Home Corporation, by authorizing Government insurance of loans to farmers, by creating preferences for loans and insured mortgages to enable veterans to acquire farms, by providing additional specific authority and directions with respect to the liquidation of resettlement projects and rural rehabilitation projects for resettlement purposes, and for other purposes;

H. R. 6023. An act providing for the conveyance to the city of Atlantic City, in the State of New Jersey, of lighthouse property at Atlantic City, for public use;

H. R. 6030. An act to amend the Civil Aeronautics Act of 1938, as amended, so as to improve international collaboration with respect to meteorology;

H. R. 6057. An act to amend the act of July 11, 1919 (41 Stat. 132), relating to the interchange of property between the Army and the Navy, so as to include the Coast Guard within its provision.

H. R. 6097. An act to amend the act of March 10, 1934, entitled "An act to promote the conservation of wildlife, fish, and game, and for other purposes;

H. R. 6141. An act to provide funds for cooperation with the school board of Hunter school district for the construction and equipment of a new school building in the town of Hunter, Sawyer County, Wis., to be available to both Indian and non-Indian children;

H. R. 6148. An act to exempt certain vessels from filing passenger lists;

H. R. 6223. An act to authorize the Highway Departments of the States of Kentucky and West Virginia to construct, maintain, and operate a free highway bridge across the Tug Fork of the Big Sandy River at or near Williamson, W. Va.;

H. R. 6231. An act for the relief of Frank A. Gorman;

H. R. 6248. An act for the relief of Capital Office Equipment Co.;

H. R. 6263. An act to amend the act of June 23, 1943, so as to authorize inclusion of periods of education and training in an

Army Transportation Corps civilian marine school as "service in the merchant marine";

H. R. 6298. An act to protect and facilitate the use of national-forest lands in township 2 north, range 18 west, Ohio River survey, township of Elizabeth, county of Lawrence, State of Ohio, and for other purposes;

H. R. 6307. An act for the relief of Francesco D'Emilio;

H. R. 6408. An act to authorize the War Shipping Administration and the Maritime Commission to make available certain surplus property to certain maritime academies;

H. R. 6423. An act for the relief of Mrs. Ivan B. Hofman;

H. R. 6488. An act to amend the act to provide for the issuance of devices in recognition of the services of merchant sailors;

H. R. 6536. An act for the relief of Southeastern Sand & Gravel Co.;

H. R. 6593. An act for the relief of Milton A. Johnson, and for other purposes;

H. R. 6610. An act to waive certain restrictions of the Hawaiian Organic Act, relating to land exchanges, for the acquisition of certain lands at Hilo, Hawaii;

H. R. 6629. An act to provide basic authority for the performance of certain functions and activities of the National Park Service;

H. R. 6642. An act for the relief of certain postmasters;

H. R. 6811. An act relating to veterans' pension, compensation, or retirement pay during hospitalization, institutional, or domiciliary care, and for other purposes;

H. R. 6817. An act to provide for the appointment of additional commissioned officers in the Regular Army, and for other purposes;

H. R. 6859. An act to amend section 121 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended, to authorize the appointment of three additional deputies for the Register of Wills;

H. R. 6890. An act to amend the First War Powers Act, 1941;

H. R. 6896. An act to grant to the city of Miles City, State of Montana, certain land in Custer County, Mont., for industrial and recreational purposes and as a museum site;

H. R. 6899. An act to authorize the Indiana State Toll Bridge Commission to construct, maintain, and operate a toll bridge, or a free bridge, across the Ohio River at or near Lawrenceburg, Dearborn County, Ind.;

H. R. 6900. An act to grant increased service pensions in certain Spanish-American War cases not included in recent legislation providing increases to other Spanish-American veterans and their dependents, and for other purposes;

H. R. 6918. An act to provide emergency relief for the victims of the seismic waves which struck the Territory of Hawaii, and for other purposes;

H. R. 6932. An act to provide for further research into basic laws and principles relating to agriculture and to improve and facilitate the marketing and distribution of agricultural products;

H. R. 6953. An act authorizing the city of East St. Louis, Ill., its successors and assigns, to construct, maintain and operate a toll bridge across the Mississippi River at or near a point between Delmar Boulevard and Cole Street in the city of St. Louis Mo., and a point opposite thereto in the city of East St. Louis, Ill.;

H. R. 6967. An act to improve, strengthen, and expand the Foreign Service of the United States and to consolidate and revise the laws relating to its administration;

H. R. 7004. An act to revise the boundaries of Wind Cave National Park in the State of South Dakota, and for other purposes;

H. R. 7020. An act to provide for the acquisition by exchange of non-Federal property within the Glacier National Park;

H. R. 7030. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Allegheny River, between a point in or near the Borough of Tarentum, in the county of Allegheny, and a point near the boundary of the city of New Kensington and Lower Burrel Township in Westmoreland County in the Commonwealth of Pennsylvania;

H. R. 7039. An act to further amend section 304 of the Naval Reserve Act of 1938, as amended, so as to grant certain benefits to naval personnel engaged in training duty prior to official termination of World War II.

H. R. 7109. An act to amend section 6 of Public Law No. 516 of the Seventy-ninth Congress, approved July 16, 1946;

H. R. 7126. An act to amend section 2 of the act of July 16, 1946 (Public Law No. 514, 79th Cong.), relating to the establishment and operation in the District of Columbia of nurseries and nursery schools, so as to permit payment of compensation for services rendered after June 30, 1946, and prior to the enactment of such act.

H. J. Res. 366. Joint resolution authorizing and directing the Director of the Fish and Wildlife Service of the Department of the Interior to investigate and eradicate the predatory sea lampreys of the Great Lakes.

H. J. Res. 370. Joint resolution granting certain property to the Commonwealth of Pennsylvania and relinquishing jurisdiction therein; and

H. J. Res. 387. Joint resolution granting permission to Thomas Parran, Surgeon General of the Public Health Service; Rolla E. Dyer, assistant Surgeon General, Public Health Service; Howard F. Smith, assistant Surgeon General, Public Health Service; Herbert A. Spencer, medical director, Public Health Service; Vance B. Murray, medical director, Public Health Service; and Gilbert L. Dunnahoo, medical director, Public Health Service, to accept and wear certain decorations bestowed upon them by France, Cuba, Mexico, Chile, Finland, and Luang-Prabang.

HON. SAM RAYBURN

The SPEAKER. Will the gentleman from New York [Mr. HANCOCK] kindly take the chair?

Mr. HANCOCK assumed the chair.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Speaker, I offer a resolution (H. Res. 759), which I send to the Clerk's desk.

The Clerk read the resolution, as follows:

Resolved, That the thanks of the House are presented to the Honorable SAM RAYBURN, Speaker of the House of Representatives, for the able, impartial, and dignified manner in which he has presided over the deliberations and performed the arduous duties of the Chair during the present term of Congress.

Mr. MICHENER. Mr. Speaker, I am sure that this resolution speaks the sentiment of every Member of the House, regardless of political affiliations. We all realize the difficulty of dispensing exact justice under the rules of the House, especially when the Members are oftimes in such different and beligerent frames of mind. You have done your job well. You have the respect and confidence of every one of us, and the Members on this side of the aisle are in unison in wishing for you a pleasant, restful, and profitable vacation.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was unanimously agreed to.

The SPEAKER resumed the chair.

The SPEAKER. Members of the House of Representatives, and to you Mr. MICHENER especially, for this high tribute I offer to you the thanks of a grateful heart. There have been many times when we have had disagreements in this Chamber, but I have not known of a time in all the many years—now more than a third of a century that I have served in this body—that when the supreme test came we have not thought and acted together. There has never been a crisis in all of these years when with practical unanimity the House of Representatives has failed to demonstrate not only its patriotism but a high order of wisdom. It is going to be said that many things have been left undone that should have been done. In a few instances that is true. But many times it is better to leave undone some things than to rush and do them in too great a hurry. Always just out ahead is another session of Congress. Sometimes it does not hurt for some proposal to ripen a little while. I have said in your presence before that the House of Representatives has been my life; and next to family and friends, it has been and is my love. Everywhere and at all times I shall defend your patriotism, your love of country, and I will always say that you are as wise a group of men and women as could possibly be assembled in the United States of America. To each and every one of you I return my heartfelt thanks for your manifold kindnesses and courtesies. If it had not been for your helpfulness and your friendship and your loyalty to me personally, the duties that I have had to carry would have been even more arduous and onerous. Again, let me say, I thank you. I wish for each and everyone of you a safe return home, that your surroundings may be pleasant, and that you will find your loved ones and friends well and happy. Again, I thank you.

REPORT OF JOINT COMMITTEE TO NOTIFY PRESIDENT

Mr. BULWINKLE. Mr. Speaker, your committee appointed to join a committee of the Senate to inform the President that the Congress is ready to adjourn, and to ask him if he has any further communications to make to the Congress, has performed that duty. The President has directed us to say that he has no further communication to make to the Congress, and he wishes to have his kindest regards expressed to the Members.

ADJOURNMENT

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

The motion was agreed to; thereupon (at 5 o'clock and 43 minutes p. m.), pursuant to House Concurrent Resolution 165, the House adjourned sine die.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED AFTER SINE DIE ADJOURNMENT

Pursuant to the authority granted the Speaker by Senate Concurrent Resolution 76, he did, on August 5, 1946, sign the

following enrolled bills and joint resolution of the Senate:

S. 334. An act for the relief of the Trust Association of H. Kempner;

S. 1560. An act to amend the Service Extension Act of 1941, as amended, to extend reemployment benefits to former members of the Women's Army Auxiliary Corps who entered the Women's Army Corps;

S. 2306. An act to authorize the Secretary of War to grant Georgia Power Co. a 100-foot perpetual easement across certain land in the State of Alabama constituting a portion of the military reservation designated as Fort Benning, Ga.; and

S. J. Res. 186. Joint resolution to provide for the transfer of the painting First Fight of Ironclads, *Monitor* and *Merrimac*, now stored in the United States Capitol Building, to the custody of the United States Naval Academy.

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported on August 3, 1946, that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker pursuant to authority granted him by Senate Concurrent Resolution 76:

H. R. 228. An act for the relief of Robert June;

H. R. 386. An act to amend the law relating to the authority of certain employees of the Immigration and Naturalization Service to make arrests without warrant in certain cases and to search vehicles within certain areas;

H. R. 783. An act for the relief of Karl E. Bond;

H. R. 935. An act for the relief of Andreas Andersen;

H. R. 957. An act for the relief of Margaret Dunn;

H. R. 1357. An act for the relief of the estate of Otto Frederick Gnospelius, deceased;

H. R. 1633. An act for the relief of Raymond Crosby;

H. R. 1751. An act to authorize the course of instruction at the United States Merchant Marine Academy to be given to not exceeding 12 persons at a time from the American Republics, other than the United States;

H. R. 2093. An act for the relief of J. P. Kerr and Robert P. Kerr;

H. R. 2480. An act for the relief of Wesley A. Mangelsdorf;

H. R. 2586. An act to authorize the leasing of Indian lands situated within the State of Washington, for business and other purposes;

H. R. 2736. An act for the relief of Norman Abbott;

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

H. R. 2893. An act to amend the act of February 15, 1929;

H. R. 3058. An act to authorize the use of certain lands of the United States for flowage in connection with providing additional storage space in the Pensacola Reservoir of the Grand River Dam project in Oklahoma, and for other purposes;

H. R. 3209. An act for the relief of Edward A. Mason;

H. R. 3210. An act for the relief of Clyde O. Payne;

H. R. 3619. An act for the relief of Harry D. Koons;

H. R. 3703. An act for the relief of the city and county of San Francisco;

H. R. 3855. An act for the relief of Martin A. Tucker and Emma M. Tucker;

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. 4374. An act for the relief of the legal guardian of Rudolph K. Bartels, Jr., a minor;

H. R. 4769. An act to amend section 5 of the act entitled "An act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton";

H. R. 4844. An act to place Chinese wives of American citizens on a nonquota basis;

H. R. 4860. An act for the relief of Materials Handling Machinery Co., Inc.;

H. R. 4924. An act for the relief of Joseph A. Brown;

H. R. 5031. An act for the relief of Ernest C. Heine and Harriet W. Heine;

H. R. 5050. An act for the relief of Minnie P. Shorey;

H. R. 5093. An act for the relief of Albert Whilden;

H. R. 5125. An act to establish the Castle Clinton National Monument, in the city of New York, and for other purposes;

H. R. 5128. An act to provide for the conveyance of certain real property to Roy C. Lammers;

H. R. 5134. An act for the relief of Clarence W. Ohm;

H. R. 5144. An act to establish a national air museum, and for other purposes;

H. R. 5166. An act for the relief of Raphael Elder;

H. R. 5287. An act for the relief of Mrs. Cecile W. McAfee, the legal guardian of Sarah McAfee, a minor, and Haven H. McAfee;

H. R. 5288. An act for the relief of Warren M. Miller;

H. R. 5463. An act for the relief of Hiram H. Wilson;

H. R. 5469. An act for the relief of Bertha Lillian Robbins and Charles Robbins;

H. R. 5527. An act for the relief of Dimitrios Karamouzis (known as James C. Karamouzis or James C. Kar);

H. R. 5552. An act relating to the sale by the United States of surplus vessels suitable for fishing;

H. R. 5560. An act to fix the rate of postage on domestic air mail, and for other purposes;

H. R. 5603. An act for the relief of Wilford B. Brown;

H. R. 5626. An act to authorize the Veterans' Administration to appoint and employ retired officers without affecting their retired status, and for other purposes;

H. R. 5847. An act for the relief of Watson Airfotos, Inc.;

H. R. 5848. An act for the relief of Mrs. Millicent Moore;

H. R. 5849. An act for the relief of Mrs. Grace A. Phillips;

H. R. 6012. An act for the relief of Lippert Bros.;

H. R. 6161. An act for the relief of the legal guardian of Samuel Roscoe Thompson, a minor;

H. R. 6165. An act to provide for the preparation of a membership roll of the Indians of the Yakima Reservation, Wash., and for other purposes;

H. R. 6255. An act for the relief of Thomas A. Beddingfield and his wife, Opal May Beddingfield;

H. R. 6381. An act for the relief of Thomas L. Brett;

H. R. 6399. An act for the relief of Caesar Henry;

H. R. 6455. An act to amend the act entitled "An act to provide books for the adult blind";

H. R. 6721. An act to authorize the Postmaster General to accept gifts and bequests for the benefit of the library of the Post Office Department.

H. R. 6828. An act to provide for continuance of the farm labor supply program up to and including June 30, 1947;

H. R. 7037. An act to amend the Social Security Act and the Internal Revenue Code, and for other purposes;

H. R. 7046. An act to revive and reenact the act entitled "An act granting the consent of Congress to the State Highway Commission, Commonwealth of Kentucky, to construct, maintain, and operate a toll bridge across the Cumberland River at or near Burkesville, Cumberland County, Ky." approved May 18, 1928;

H. J. Res. 35. Joint resolution designating November 19, 1946, the anniversary of Lincoln's Gettysburg Address, as Dedication Day; and

H. J. Res. 390. Joint resolution making additional appropriations for the fiscal year 1947, and for other purposes.

HOUSE OF REPRESENTATIVES—PROCEEDINGS SUBSEQUENT TO ADJOURNMENT

The SPEAKER, pursuant to the authority conferred upon him by House Resolution 645, Seventy-ninth Congress, and the order of the House of August 2, 1946, empowering him to appoint commissions and committees authorized by law or by the House did on August 6, 1946, appoint as members of the Special Committee to Investigate Campaign Expenditures, the following Members of the House: Mr. O'NEAL, chairman; Mr. PRIEST; Mr. FOGARTY; Mr. ALLEN of Illinois; Mr. CURTIS.

MESSAGE FROM THE SENATE AFTER SINE DIE ADJOURNMENT

A message from the Senate, received by the Clerk of the House on August 3, 1946, after the sine die adjournment of Congress, announced that the Senate had passed, without amendment, bills of the House of the following titles:

H. R. 2893. An act to amend the act of February 15, 1929;

H. R. 3058. An act to authorize the use of certain lands of the United States for flowage in connection with providing additional storage space in the Pensacola Reservoir of the Grand River Dam project in Oklahoma, and for other purposes;

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. 4769. An act to amend section 5 of the act entitled "An act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton";

H. R. 4844. An act to place Chinese wives of American citizens on a nonquota basis;

H. R. 5527. An act for the relief of Dimitrios Karamouzis (known as James C. Karamouzis or James C. Kar);

H. R. 5552. An act relating to the sale by the United States of surplus vessels suitable for fishing;

H. R. 6165. An act to provide for the preparation of a membership roll of the Indians of the Yakima Reservation, Wash., and for other purposes;

H. R. 6721. An act to authorize the Postmaster General to accept gifts and bequests for the benefit of the library of the Post Office Department; and

H. R. 6828. An act to provide for continuance of the farm-labor-supply program up to and including June 30, 1947.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT AFTER SINE DIE ADJOURNMENT

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee did on August 5, 1946, present to the President, for his

approval, bills of the House of the following titles:

H. R. 228. An act for the relief of Robert June;

H. R. 341. An act relating to the status of Keetoowah Indians of the Cherokee Nation in Oklahoma, and for other purposes, and authorizing conveyance of the Seger Indian School to Colony Union Graded School District No. 1, Colony, Okla.;

H. R. 386. An act to amend the law relating to the authority of certain employees of the Immigration and Naturalization Service to make arrests without warrant in certain cases and to search vehicles within certain areas;

H. R. 783. An act for the relief of Karl E. Bond;

H. R. 935. An act for the relief of Andreas Andersen;

H. R. 957. An act for the relief of Margaret Dunn;

H. R. 1357. An act for the relief of the estate of Otto Frederick Gnospelius, deceased;

H. R. 1633. An act for the relief of Raymond Crosby;

H. R. 1751. An act to authorize the course of instruction at the United States Merchant Marine Academy to be given to not exceeding 12 persons at a time from the American Republics, other than the United States;

H. R. 2093. An act for the relief of J. P. Kerr and Robert P. Kerr;

H. R. 2480. An act for the relief of Wesley A. Mangelsdorf;

H. R. 2586. An act to authorize the leasing of Indian lands situated within the State of Washington, for business and other purposes;

H. R. 2736. An act for the relief of Norman Abbott;

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

H. R. 2893. An act to amend the act of February 15, 1929;

H. R. 3058. An act to authorize the use of certain lands of the United States for flowage in connection with providing additional storage space in the Pensacola Reservoir of the Grand River Dam project in Oklahoma, and for other purposes;

H. R. 3209. An act for the relief of Edward A. Mason;

H. R. 3210. An act for the relief of Clyde O. Payne;

H. R. 3619. An act for the relief of Harry D. Koons;

H. R. 3703. An act for the relief of the city and county of San Francisco;

H. R. 3855. An act for the relief of Martin A. Tucker and Emma N. Tucker;

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. 4769. An act to amend section 5 of the act entitled "An act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton";

H. R. 4374. An act for the relief of the legal guardian of Rudolph K. Bartels, Jr., a minor;

H. R. 4844. An act to place Chinese wives of American citizens on a nonquota basis;

H. R. 4860. An act for the relief of Materials Handling Machinery Co., Inc.;

H. R. 4924. An act for the relief of Joseph A. Brown;

H. R. 5050. An act for the relief of Minnie P. Shorey;

H. R. 5031. An act for the relief of Ernest C. Heine and Harriet W. Heine;

H. R. 5093. An act for the relief of Albert Whilden;

H. R. 5125. An act to establish the Castle Clinton National Monument, in the city of New York, and for other purposes;

H. R. 5128. An act to provide for the conveyance of certain real property to Roy C. Lammers;

H. R. 5134. An act for the relief of Clarence W. Ohm;

H. R. 5144. An act to establish a national air museum, and for other purposes;

H. R. 5166. An act for the relief of Raphael Elder;

H. R. 5287. An act for the relief of Mrs. Cecile W. McAfee, the legal guardian of Sarah McAfee, a minor, and Haven H. McAfee;

H. R. 5288. An act for the relief of Warren M. Miller;

H. R. 5463. An act for the relief of Hiram H. Wilson;

H. R. 5469. An act for the relief of Bertha Lillian Robbins and Charles Robbins;

H. R. 5527. An act for the relief of Dimitrios Karamouzis (known as James C. Karamouzis or James C. Kar);

H. R. 5552. An act relating to the sale by the United States of surplus vessels suitable for fishing;

H. R. 5560. An act to fix the rate of postage on domestic air mail, and for other purposes;

H. R. 5603. An act for the relief of Wilford B. Brown;

H. R. 5626. An act to authorize the Veterans' Administration to appoint and employ retired officers without affecting their retired status, and for other purposes;

H. R. 5847. An act for the relief of Watson Airfotos, Inc.;

H. R. 5848. An act for the relief of Mrs. Millicent Moore;

H. R. 5849. An act for the relief of Mrs. Grace A. Phillips;

H. R. 6012. An act for the relief of Lippert Bros.;

H. R. 6161. An act for the relief of the legal guardian of Samuel Roscoe Thompson, a minor;

H. R. 6165. An act to provide for the preparation of a membership roll of the Indians of the Yakima Reservation, Wash., and for other purposes;

H. R. 6255. An act for the relief of Thomas A. Beddingfield and his wife, Opal May Beddingfield;

H. R. 6381. An act for the relief of Thomas L. Brett;

H. R. 6399. An act for the relief of Caesar Henry;

H. R. 6455. An act to amend the act entitled "An act to provide books for the adult blind";

H. R. 6721. An act to authorize the Postmaster General to accept gifts and bequests for the benefit of the library of the Post Office Department;

H. R. 6828. An act to provide for continuance of the farm-labor supply program up to and including June 30, 1947;

H. R. 7037. An act to amend the Social Security Act and the Internal Revenue Code, and for other purposes;

H. R. 7046. An act to revive and reenact the act entitled "An act granting the consent of Congress to the State Highway Commission, Commonwealth of Kentucky, to construct, maintain, and operate a toll bridge across the Cumberland River at or near Burkesville, Cumberland County, Ky.," approved May 18, 1928;

H. J. Res. 35. Joint resolution, designating November 19, 1946 the anniversary of Lincoln's Gettysburg Address, as Dedication Day; and

H. J. Res. 390. Joint resolution making additional appropriations for the fiscal year 1947, and for other purposes.

APPROVAL OF BILLS AND JOINT RESOLUTIONS AFTER SINE DIE ADJOURNMENT

A message from the President, received subsequent to the sine die adjournment of Congress, announced that the President had, on the following dates, approved and signed bills and joint resolutions of the House of the following titles:

On August 2, 1946:

H. R. 6004. An act to provide authorization for the village of Cahokia, Ill., to construct, maintain, and operate a toll bridge across the Mississippi River at or near Cahokia, Ill., and for other purposes; and

H. R. 6406. An act authorizing the State of Texas, acting through the State Highway Commission of Texas, or the successors thereof, to acquire, construct, maintain, and operate a free bridge across the Rio Grande at or near Del Rio, Tex.

On August 7, 1946:

H. R. 386. An act to amend the law relating to the authority of certain employees of the Immigration and Naturalization Service to make arrests without warrant in certain cases and to search vehicles within certain areas;

H. R. 434. An act to provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship through voting in a political election in a country not at war with the United States during the Second World War;

H. R. 935. An act for the relief of Andreas Andersen;

H. R. 1070. An act for the relief of Elmer C. Hadlen;

H. R. 1351. An act for the relief of the estate of Estelle Daniel Boyle, deceased, and E. B. Rosegarten;

H. R. 1402. An act for the relief of certain Basque aliens;

H. R. 1459. An act for the relief of Mr. and Mrs. J. W. Williams, Jr.;

H. R. 1631. An act for the relief of William Tolar Smith;

H. R. 1887. An act for the relief of Mrs. Leroy A. Robbins;

H. R. 2091. An act for the relief of Joseph E. Bennett;

H. R. 2222. An act for the relief of J. L. Harris;

H. R. 2377. An act to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of Iowa into the Union as a State;

H. R. 2485. An act for the relief of Moses Tennenbaum;

H. R. 2504. An act to discontinue certain reports now required by law;

H. R. 2663. An act for the relief of W. C. Jones, Myrtle M. Jones, and W. W. Tilghman;

H. R. 3099. An act for the relief of Coy C. Brown;

H. R. 3197. An act for the relief of William F. Patchell, Jr.;

H. R. 3209. An act for the relief of Edward A. Mason;

H. R. 3210. An act for the relief of Clyde O. Payne;

H. R. 3361. An act to amend paragraph (1) of section 73 of the Hawaiian Organic Act, as amended;

H. R. 3593. An act relating to the disposition of public lands of the United States situated in the State of Oklahoma, between the Cimarron base line and the north boundary of the State of Texas;

H. R. 3703. An act for the relief of the city and county of San Francisco;

H. R. 3748. An act to amend an act entitled "An act to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and

about the construction of the Panama Canal" approved May 29, 1944;

H. R. 3833. An act for the relief of Viola McKinney;

H. R. 3855. An act for the relief of Martin A. Tucker and Emma M. Tucker;

H. R. 3944. An act authorizing the President of the United States to award a special medal to General of the Armies of the United States John J. Pershing;

H. R. 4080. An act to authorize the Commissioner of Patents to designate examiners to serve temporarily as examiners in chief;

H. R. 4114. An act to authorize the Secretary of the Interior to sell certain land of Alice Scott White on the Crow Indian Reservation, Mont.;

H. R. 4190. An act granting the consent of Congress to the Pennsylvania Railroad Co. to construct, maintain, and operate a railroad bridge across the Allegheny River at or near Warren, Pa.;

H. R. 4341. An act for the relief of James B. McGoldrick;

H. R. 4374. An act for the relief of the legal guardian of Rudolph K. Bartels, Jr., a minor;

H. R. 4375. An act for the relief of Charles Martin;

H. R. 4466. An act for the relief of Francis T. Lillie and Lois E. Lillie;

H. R. 4608. An act for the relief of Mrs. Mary D. Johnson;

H. R. 4686. An act for the relief of the estate of Harry Wright;

H. R. 4924. An act for the relief of Joseph A. Brown;

H. R. 4947. An act for the relief of Ethel Guenther;

H. R. 5093. An act for the relief of Albert Whilden;

H. R. 5128. An act to provide for the conveyance of certain real property to Roy C. Lammers;

H. R. 5148. An act to provide for the payment of pension or other benefits withheld from persons for the period they were residing in countries occupied by the enemy forces during World War II;

H. R. 5198. An act for the relief of Marjorie B. Marable;

H. R. 5261. An act for the relief of David Weiss;

H. R. 5278. An act to legalize the admission to the United States of Virginia Harris Casardi;

H. R. 5368. An act for the relief of W. G. Magruder;

H. R. 5372. An act for the relief of Jessie Wolfington;

H. R. 5414. An act for the relief of Marie Gorak;

H. R. 5469. An act for the relief of Bertha Lillian Robbins and Charles Robbins;

H. R. 5537. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Susquehanna River at a point between the borough of Plymouth, in Plymouth Township, and Hanover Township, in the county of Luzerne, and in the Commonwealth of Pennsylvania;

H. R. 5603. An act for the relief of Wilford B. Brown;

H. R. 5756. An act for the retirement of public-school teachers in the District of Columbia;

H. R. 5847. An act for the relief of Watson Airfotos, Inc.;

H. R. 5849. An act for the relief of Mrs. Grace A. Phillips;

H. R. 5851. An act for the relief of Second Lt. Francis W. Anderson;

H. R. 5874. An act for the relief of Joseph Maezer;

H. R. 5928. An act to name the bridge located on New Hampshire Avenue, Washington, D. C., over the Baltimore & Ohio Railroad tracks "The Charles A. Langley Bridge";

H. R. 5970. An act 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;

H. R. 6057. An act to amend the act of July 11, 1919 (41 Stat. 132), relating to the interchange of property between the Army and the Navy, so as to include the Coast Guard within its provision;

H. R. 6148. An act to exempt certain vessels from filing passenger lists:

H. R. 6161. An act for the relief of the legal guardian of Samuel Roscoe Thompson, a minor;

H. R. 6223. An act to authorize the highway departments of the States of Kentucky and West Virginia to construct, maintain, and operate a free highway bridge across the Tug Fork of the Big Sandy River at or near Williamson, W. Va.;

H. R. 6231. An act for the relief of Frank A. Gorman;

H. R. 6248. An act for the relief of Capital Office Equipment Co.;

H. R. 6255. An act for the relief of Thomas A. Beddingfield, and his wife, Opal May Beddingfield;

H. R. 6307. An act for the relief of Francesco D'Emilio;

H. R. 6381. An act for the relief of Thomas L. Brett;

H. R. 6399. An act for the relief of Caesar Henry;

H. R. 6408. An act to authorize the War Shipping Administration and the Maritime Commission to make available certain surplus property to certain maritime academies;

H. R. 6423. An act for the relief of Mrs. Ivan B. Hofman;

H. R. 6488. An act to amend the act to provide for the issuance of devices in recognition of the services of merchant sailors;

H. R. 6528. An act to authorize the coinage of 50-cent pieces to commemorate the life and perpetuate the ideals and teachings of Booker T. Washington;

H. R. 6593. An act for the relief of Milton A. Johnson, and for other purposes;

H. R. 6610. An act to waive certain restrictions of the Hawaiian Organic Act, relating to land exchanges, for the acquisition of certain lands at Hilo, T. H.;

H. R. 6629. An act to provide basic authority for the performance of certain functions and activities of the National Park Service;

H. R. 6642. An act for the relief of certain postmasters;

H. R. 6702. An act to clarify the rights of former owners of real property to reacquire such property under the Surplus Property Act of 1944;

H. R. 6836. An act to establish and provide for the maintenance and operation of a Veterans' Canteen Service in the Veterans' Administration, and for other purposes;

H. R. 6859. An act to amend section 121 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended, to authorize the appointment of three additional deputies for the register of wills;

H. R. 6899. An act to authorize the Indiana State Toll Bridge Commission to construct, maintain, and operate a toll bridge, or a free bridge, across the Ohio River at or near Lawrenceburg, Dearborn County, Ind.;

H. R. 6900. An act to grant increased service pensions in certain Spanish-American War cases not included in recent legislation providing increases to other Spanish-American War veterans and their dependents, and for other purposes;

H. R. 6953. An act authorizing the city of East St. Louis, Ill., its successors and assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near a point between Delmar Boulevard and Cole Street in the city of St. Louis, Mo., and a point opposite thereto in the city of East St. Louis, Ill.;

H. R. 7030. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Allegheny River, between a point in or near the Borough of Tarentum, in the county of Allegheny, and a point near the boundary of the city of New Kensington and Lower Burrel Township in Westmoreland County in the Commonwealth of Pennsylvania;

H. R. 7039. An act to further amend section 304 of the Naval Reserve Act of 1938, as amended, so as to grant certain benefits to naval personnel engaged in training duty prior to official termination of World War II;

H. R. 7046. An act to revive and reenact the act entitled "An act granting the consent of Congress to the State Highway Commission, Commonwealth of Kentucky, to construct, maintain, and operate a toll bridge across the Cumberland River, Ky.," approved May 18, 1928;

H. R. 7109. An act to amend section 6 of Public Law No. 516 of the Seventy-ninth Congress, approved July 16, 1946;

H. R. 7126. An act to amend section 2 of the act of July 16, 1946 (Public Law 514, 79th Cong.), relating to the establishment and operation in the District of Columbia of nurseries and nursery schools, so as to permit payment of compensation for services rendered after June 30, 1946, and prior to the enactment of such act;

H. J. Res. 35. Joint resolution designating November 19, 1946, the anniversary of Lincoln's Gettysburg Address, as Dedication Day;

H. J. Res. 370. Joint resolution granting certain property to the Commonwealth of Pennsylvania and relinquishing jurisdiction therein; and

H. J. Res. 387. Joint resolution granting permission to Thomas Parran, Surgeon General of the Public Health Service; Rolla E. Dyer, Assistant Surgeon General, Public Health Service; Howard F. Smith, Assistant Surgeon General, Public Health Service; Herbert F. Spencer, medical director, Public Health Service; Vance B. Murray, medical director, Public Health Service; and Gilbert L. Dunnahoo, medical director, Public Health Service, to accept and wear certain decorations bestowed upon them by France, Cuba, Mexico, Chile, Finland, and Luang-Prabang.

On August 8, 1946:

H. R. 228. An act for the relief of Robert June;

H. R. 1002. An act for the relief of Marvin Sachwitz;

H. R. 1357. An act for the relief of the estate of Otto Frederick Gnospelius, deceased;

H. R. 1497. An act to amend subsection 9 (a) of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939, as amended;

H. R. 1519. An act relating to marine insurance in the case of certain employees of the War Department who suffered death, injury, or other casualty prior to April 23, 1943, as a result of marine risks;

H. R. 1633. An act for the relief of Raymond Crosby;

H. R. 1788. An act for the relief of Mr. and Mrs. Conrad Newman;

H. R. 2480. An act for the relief of Wesley A. Mangelsdorf;

H. R. 2523. An act to provide for lump-sum payment of compensation for accumulated annual leave and current accumulated leave to certain officers and employees, and authorizing the appropriation of funds for that purpose;

H. R. 2716. An act to provide for health programs for Government employees;

H. R. 2850. An act for the relief of Felix Napiorkowski;

H. R. 3619. An act for the relief of Harry D. Koons;

H. R. 3908. An act to provide increased pensions to members of the Regular Army, Navy, Marine Corps, and Coast Guard who become

disabled by reason of their service therein during other than a period of war;

H. R. 3973. An act to amend the act entitled "An act to provide reemployment rights for persons who leave their positions to serve in the merchant marine, and for other purposes," approved June 23, 1943 (57 Stat. 162), and for other purposes;

H. R. 4386. An act to facilitate and simplify the administration of Indian affairs;

H. R. 4406. An act for the relief of Loyal F. Willis;

H. R. 4410. An act to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to make regulations to prevent and control the spread of communicable and preventable diseases," approved August 11, 1939;

H. R. 4718. An act to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide annuities for certain officers and employees who have rendered at least 25 years of service;

H. R. 4720. An act to amend the act of December 7, 1944, relating to certain overtime compensation of civilian employees of the United States;

H. R. 4769. An act to amend section 5 of the act entitled "An act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton";

H. R. 5031. An act for the relief of Ernest C. Heine and Harriet W. Heine;

H. R. 5050. An act for the relief of Minnie P. Shorey;

H. R. 5134. An act for the relief of Clarence W. Ohm;

H. R. 5166. An act for the relief of Raphael Elder,

H. R. 5223. An act to extend temporarily the time for filing applications for patents, for taking action in the United States Patent Office with respect thereto, for preventing proof of acts abroad with respect to the making of an invention, and for other purposes;

H. R. 5287. An act for the relief of Mrs. Cecile W. McAfee, the legal guardian of Sarah McAfee, a minor, and Haven H. McAfee;

H. R. 5288. An act for the relief of Warren M. Miller;

H. R. 5463. An act for the relief of Hiram H. Wilson;

H. R. 5527. An act for the relief of Dimitrios Karamouzis (known as James C. Karamouzis or James C. Kar);

H. R. 5725. An act for the relief of Sadie Frey and the estate of Marie Hviding;

H. R. 5848. An act for the relief of Mrs. Millicent Moore;

H. R. 5932. An act providing for the conveyance to the town of Ipswich, in the State of Massachusetts, of lighthouse property at Castle Neck, for public use;

H. R. 6030. An act to amend the Civil Aeronautics Act of 1938, as amended, so as to improve international collaboration with respect to meteorology;

H. R. 6141. An act to provide funds for cooperation with the school board of Hunter School District for the construction and equipment of a new school building in the town of Hunter, Sawyer County, Wisconsin, to be available to both Indian and non-Indian children;

H. R. 6263. An act to amend the act of June 23, 1943, so as to authorize inclusion of periods of education and training in an Army Transportation Corps civilian marine school as "service in the merchant marine";

H. R. 6298. An act to protect and facilitate the use of national-forest lands in township 2 north, range 18 west, Ohio River survey, township of Elizabeth, county of Lawrence, State of Ohio, and for other purposes;

H. R. 6455. An act to amend the act entitled "An act to provide books for the adult blind";

H. R. 6721. An act to authorize the Postmaster General to accept gifts and bequests for the benefit of the library of the Post Office Department;

H. R. 6811. An act relating to veterans' pension, compensation, or retirement pay during hospitalization, institutional or domiciliary care, and for other purposes;

H. R. 6817. An act to provide for the appointment of additional commissioned officers in the Regular Army, and for other purposes;

H. R. 6890. An act to amend the First War Powers Act, 1941;

H. R. 6896. An act to grant to the city of Miles City, State of Montana, certain land in Custer County, Montana, for industrial and recreational purposes and as a museum site;

H. R. 6918. An act to provide emergency relief for the victims of the seismic waves which struck the Territory of Hawaii, and for other purposes;

H. R. 7020. An act to provide for the acquisition by exchange of non-Federal property within the Glacier National Park;

H. J. Res. 366. Joint resolution authorizing and directing the Director of the Fish and Wildlife Service of the Department of the Interior to investigate and eradicate the predatory sea lampreys of the Great Lakes; and

H. J. Res. 390. Joint resolution making additional appropriations for the fiscal year 1947, and for other purposes.

On August 9, 1946:

H. R. 783. An act for the relief of Karl E. Bond;

H. R. 1751. An act to authorize the course of instruction at the United States Merchant Marine Academy to be given to not exceeding 12 persons at a time from the American Republics, other than the United States;

H. R. 1860. An act to authorize the Secretary of the Interior to issue a duplicate of Porterfield scrip certificate No. 53 to the Muskegon Trust Co., Muskegon, Mich., as trustee of the John Torrent trust;

H. R. 2093. An act for the relief of J. P. Kerr and Robert P. Kerr;

H. R. 2586. An act to authorize the leasing of Indian lands situated within the State of Washington for business and other purposes;

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

H. R. 2893. An act to amend the act of February 15, 1929;

H. R. 3058. An act to authorize the use of certain lands of the United States for flowage in connection with providing additional storage space in the Pensacola Reservoir of the Grand River Dam project in Oklahoma, and for other purposes;

H. R. 4051. An act to grant to personnel of the armed forces equal treatment in the matter of leave, and for other purposes;

H. R. 4844. An act to place Chinese wives of American citizens on a nonquota basis;

H. R. 4860. An act for the relief of Materials Handling Machinery Co., Inc.;

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

H. R. 6012. An act for the relief of Lippert Bros.;

H. R. 6023. An act providing for the conveyance to the city of Atlantic City, in the State of New Jersey, of lighthouse property at Atlantic City, for public use;

H. R. 6165. An act for the preparation of a membership roll of the Indians of the Yakima Reservation, Wash., and for other purposes;

H. R. 6828. An act to provide for continuance of the farm labor supply program up to and including June 30, 1947; and

H. R. 7004. An act to revise the boundaries of Wind Cave National Park in the State of South Dakota, and for other purposes.

On August 10, 1946:

H. R. 341. An act relating to the status of Keetoowah Indians of the Cherokee Nation in Oklahoma, and for other purposes, and authorizing conveyance of the Seger Indian School to the Cheyenne and Arapaho Indians of Oklahoma;

H. R. 3742. An act for the relief of Burgess C. Moore, as administrator of the estate of Lela May Tomlinson, deceased, and as legal guardian of Kay Tomlinson and Larry Max Tomlinson, minors;

H. R. 4842. An act to amend the act of April 29, 1943, so as to afford a preference for veterans in acquiring certain vessels;

H. R. 5552. An act relating to the sale by the United States of surplus vessels suitable for fishing;

H. R. 5626. An act to authorize the Veterans' Administration to appoint and employ retired officers without affecting their retired status, and for other purposes; and

H. R. 7037. An act to amend the Social Security Act and the Internal Revenue Code, and for other purposes.

On August 12, 1946:

H. R. 5125. An act to establish the Castle Clinton National Monument, in the city of New York, and for other purposes; and

H. R. 5144. An act to establish a national air museum, and for other purposes.

On August 13, 1946:

H. R. 2033. An act authorizing Federal participation in the cost of protecting the shores of publicly owned property;

H. R. 4497. An act to create an Indian Claims Commission, to provide for the powers, duties, and function thereof, and for other purposes;

H. R. 4562. An act to insure the preservation of technical and economic records of domestic sources of ores of metals and minerals; and

H. R. 6967. An act to improve, strengthen, and expand the Foreign Service of the United States and to consolidate and revise the laws relating to its administration.

On August 14, 1946:

H. R. 5560. An act to fix the rate of postage on domestic air mail, and for other purposes;

H. R. 5991. An act to simplify and improve credit services to farmers and promote farm ownership by abolishing certain agricultural lending agencies and functions, by transferring assets to the Farmers' Home Corporation, by enlarging the powers of the Farmers' Home Corporation, by authorizing Government insurance of loans to farmers, by creating preferences for loans and insured mortgages to enable veterans to acquire farms, by providing additional specific authority and directions with respect to the liquidation of resettlement projects and rural rehabilitation projects for resettlement purposes, and for other purposes;

H. R. 6097. An act to amend the act of March 10, 1934, entitled "An act to promote the conservation of wildlife, fish, and game, and for other purposes"; and

H. R. 6932. An act to provide for further research into basic laws and principles relating to agriculture and to improve and facilitate the marketing and distribution of agricultural products.

DISAPPROVAL OF BILLS AFTER SINE DIE ADJOURNMENT

The message also announced that the President had vetoed the following bills of the House on the dates indicated:

SOUTHEASTERN SAND & GRAVEL CO.

H. R. 6536. I withhold my approval of the bill H. R. 6536, "For the relief of Southeastern Sand & Gravel Co."

The bill provides for the payment of the sum of $10,631.12 by the Federal Works Administrator to the Southeastern Sand & Gravel Co., or its assignee, in full satisfaction of all claims of the Southern Bitumen Co., the Southeastern Sand & Gravel Co. and Roberts Blount, arising out of the construction of an outfall sewer in the city of Anniston, Ala., under a Federal Works Agency project No. Ala. 1–160 (F).

It appears that in 1942 the Southern Bitumen Co. contracted with the United States through the Federal Works Agency to build an outfall sewer in the city of Anniston, Ala., a project which was considered essential to the war effort by reason of war activities located in that area. The Southern Bitumen Co. encountered unforeseen construction difficulties and defaulted on the contract. Roberts Blount, a guarantor on the contract, arranged for the completion of the project by the Southeastern Sand & Gravel Co. The construction was completed in 1943. The Federal Works Agency withheld $13,685 from the contract price of $267,387.59, on account of liquidated damages for delay in completion and on account of an alleged defect in workmanship resulting in water seepage into the sewer main, which defect has since proved in actual use to be of no material consequence.

By agreement dated December 30, 1944, between the Southern Bitumen Co., Roberts Blount, and the Southeastern Sand & Gravel Co., the latter company became the assignee of the Southern Bitumen Co., for all recoveries and refunds which might be due or arise in connection with the project. Thereafter, Private Law 27 (79th Cong.), approved April 16, 1945, directed the Federal Works Agency to relieve the contractor, Southern Bitumen Co., of all claims of the Federal Works Agency, amounting to $13,500 covering liquidated damages for delays due to "labor shortages, low priorities, failure to obtain rights-of-way, and exceptional inclement weather conditions." The claim was then forwarded to the Comptroller General for settlement and payment in accordance with the private law. However, certain tax indebtedness of the Southern Bitumen Co. to the United States was set off against the $13,500, leaving a net balance of only $3,053.88 which was sent to the Southern Bitumen Co. and ultimately to the Southeastern Sand & Gravel Co. as assignee under the aforementioned agreement. The purpose of the instant bill evidently is to compensate the Southeastern Sand & Gravel Co. for the difference between the liquidated damages, $13,685, originally withheld by the Federal Works Agency on the contract price, and the $3,053.88 which the Southeastern Sand & Gravel Co. received as a consequence of the private law. This difference amounts to $10,631.12, the identical sum payable under the instant bill.

It appears that the Government, by paying the $3,053.88 and erasing the tax indebtedness of the Southern Bitumen Co., has fully discharged its obligations under the construction contract. Should this bill be approved, the Government would be paying twice for a portion of what it received. While it is to be regretted that the Southeastern Sand & Gravel Co., because of the tax liability of its assignor, the Southern Bitumen Co., did not receive the full relief which Private Law 27 would have otherwise provided, there seems to be no legal or moral reason on the part of the United States to correct this misfortune. Any remedy which the Southeastern Sand & Gravel Co. may have would appear to be a matter between it and its assignor.

Accordingly, I am constrained to withhold my approval of the bill.

HARRY S. TRUMAN.

THE WHITE HOUSE, *August 8, 1946.*

MARGARET DUNN

H. R. 957. I am withholding my approval of the bill, H. R. 957, Seventy-ninth Congress, "An act for the relief of Margaret Dunn."

The purpose of this bill is to grant a pension to the daughter of a Civil War veteran, in addition to a monthly pension of $20 which she has been receiving under a special act of Congress since 1929, for a period prior to that date, to which she has been found ineligible under general pension laws.

For some years enactment of special legislation to individual veterans or their dependents who are ineligible for pension under general laws has been discouraged, and Congress has undertaken to eliminate inequalities and inequities in public pension laws by amendatory legislation applicable to all persons under identical circumstances. This bill constitutes an exception to this policy. A comprehensive report on the facts by the Veterans' Administration indicates that there are no circumstances which would warrant exceptional treatment in this case.

Enactment of the measure would discriminate against numbers of persons, similarly situated who have an equal right to seek gratuitous benefits from the Government.

HARRY S. TRUMAN.

THE WHITE HOUSE, *August 8, 1946.*

EDWARD PITTWOOD

H. R. 1570. I withhold my approval of the bill H. R. 1570, for the relief of Edward Pittwood.

The bill would confer jurisdiction upon the United States District Court for the Eastern District of Washington to hear, determine, and render judgment on the claim of Dr. Edward Pittwood, of Spokane, Wash., to recover damages for the loss of rent, depreciation, and loss of his warehouse property in Spokane, Wash., by action of the Interstate Commerce Commission.

It appears that in 1890 Dr. Pittwood bought a lot from the land comprising the right of way of the Northern Pacific Railway Co. in Spokane, Wash. In 1907 he built a warehouse on this lot for the purpose of renting it to the public. In 1917 Dr. Pittwood remodeled his building into a modern fireproof warehouse. Dr. Pittwood claims that warehouse properties owned by the Northern Pacific Railway Co. were leased at such low rentals that he could not compete with the lessees and as a result was unable to rent his building profitably and finally lost it through judicial sale.

At one time Dr. Pittwood instituted a proceeding before the Interstate Commerce Commission to recover damages from the railway company for depreciation of the rental value of his warehouse as a result of this condition, but it was held by the Commission that because he was not a shipper he was not being discriminated against within the meaning of the statute (51 I. C. C. 535). Upon further complaint from Dr. Pittwood, the Interstate Commerce Commission made a general investigation of such warehouse leases in Spokane and rendered a decision in October 1922 declaring that it had no authority to prescribe the terms under which carriers may lease their lands to shippers. In 1924 the Commission again made investigations to ascertain if the warehouse rental conditions in Spokane would warrant legal proceedings. The Commission referred the report of its investigation to the Department of Justice on October 18, 1924, without recommendation.

As a result of this last mentioned investigation, the grand jury at Spokane returned an indictment against the Northern Pacific Railway Co., charging concessions to certain shippers in violation of section 1 of the Elkins Act. The Government also filed a civil action against the railway company seeking to enjoin the operation of the leases on the ground that the railway company was thereby committing discriminations in violation of section 3 of the Elkins Act. It was agreed that trial of the criminal case should await the outcome of the civil suit. After protracted litigation the civil action was dismissed without prejudice to the right of the Government to institute new proceedings if warranted after impending readjustment of the terms of the leases. The court held that in view of the situation as it then existed, the question of the reasonableness of the rentals was only academic. The leases were subsequently readjusted by increasing the rents in some instances and reducing them in others and the indictment against the railway company was dismissed.

Dr. Pittwood now bases his claim for relief upon the alleged failure of the Interstate Commerce Commission promptly to enforce the law. He claims that if the Government had forced the railway company to charge reasonable rentals for their warehousing properties, he could have remained in business in competition with warehousemen who were lessees of the railway company and could have saved his property. He claims losses aggregating upward of a half a million dollars.

There is no legal liability upon the part of the Government to compensate Dr. Pittwood for his losses, and there likewise appears to be no moral obligation to recognize this claim. Dr. Pittwood's losses appear to have been suffered more as the result of an improvident investment and subsequent mismanagement of

his business. Assuming, without admitting, that agencies of the Government did fail immediately to terminate the condition which is alleged to have caused Dr. Pittwood's losses, when it was first called to their attention, it would create a most undesirable precedent to recognize a right of judicial review of the reasonableness of the dispatch with which a particular administrative agency acted upon a complaint received by it.

Accordingly, I am constrained to withhold my approval of the bill.

HARRY S. TRUMAN.

THE WHITE HOUSE, *August 8, 1946.*

NORMAN ABBOTT

H. R. 2736. I have today withheld my approval of the bill H. R. 2736 for the relief of Norman Abbott.

It is the purpose of the bill to pay the sum of $10,000 to Norman Abbott, of Baltimore, Md., in settlement of his claims against the United States by reason of personal injuries, and medical and hospital expenses incurred, and loss of earnings sustained as a result of having been struck by a Coast Guard vehicle on March 26, 1944, while standing at a street intersection in Baltimore, Md.

It appears that on the date in question a Coast Guard vehicle, operated by an enlisted man on official business, was proceeding in a westerly direction on one of the streets in Baltimore, Md., and was approaching a street intersection; that at a distance of approximately 80 feet before reaching the intersection the Coast Guard vehicle passed on the right side of a streetcar on the same street and moving in the same direction as the Coast Guard vehicle; that as the Coast Guard vehicle reached a point approximately 5 or 10 feet from the intersection the driver suddenly noticed a group of three pedestrians standing alongside the streetcar tracks, waiting for the streetcar; and that, although the driver of the vehicle applied his brakes and turned sharply to his right, the left front fender and headlight of the vehicle struck one of the pedestrians—the claimant.

As a result of the accident, the claimant, who was 31 years of age at the time, sustained a laceration about 1½ inches in length on the left of his forehead and a laceration about 3 inches in length in the left middle third of the thigh, with a third laceration about 1½ inches in diameter on his thigh, which was classified by the examining physician as an abrasion. For the period November 30, 1938, to January 9, 1942, Mr. Abbott was employed as a grocer-order filler at $21 a week. From the date of the accident until May 1945 he apparently was unemployed. Since May 1945 he has been working for his board and room at a dog farm. He was employed at a substantial wage in war work just prior to the accident. While he is married and has a 7-year-old child, apparently he and his wife are separated, his wife having returned to her mother's home to live.

Since the accident the claimant has been examined by a number of doctors, some of whom were attached to the Public Health Service, and finally by a doctor of Johns Hopkins Hospital. The earlier examinations following the accident indicated that the injuries were superficial and that within a short time he had fully recovered from the physical injuries sustained. There was an indication that he had disability of his right ankle which medical evidence attributed to an attack of infantile paralysis when the claimant was 12 years of age. It was concluded, therefore, that he was suffering more from a mental than from a physical disability. The final examination of the claimant at the Johns Hopkins Hospital resulted in the conclusion that the patient's condition was the result of several factors, namely (1) the patient's own personality as reflected in his previous difficulty in adjustment; (2) trauma incident to the accident; and (3) marital difficulties, which had been in operation before the accident, but which came to a decisive head several months later; and that it was not possible to evaluate the relative significance of these factors, insofar as his present incapacity is concerned. The claimant has incurred medical and hospital expenses in the amount of $253.90. On the basis of his earnings of $4,607.42 for the year 1943, when he was engaged in war industries, he sustained a loss of earnings from the date of the accident through May 1945 of approximately $5,493.42, but there is considerable question as to whether the physical disabilities sustained by the claimant were responsible for this wage loss.

There appears to be no question but what the accident and resulting personal injuries sustained by the claimant were not caused by negligence on his part but were caused by the negligence of the Coast Guard driver in failing to maintain a proper look-out for the pedestrians, including the claimant, who were preparing to board the streetcar.

While, therefore, the claimant is entitled to an appropriate measure of relief, the award of $10,000 proposed by the bill appears excessive.

I would be glad to give my approval to a measure which would provide relief to the claimant commensurate with the injuries and loss of earnings sustained and the expenses incurred due to this accident.

HARRY S. TRUMAN.

THE WHITE HOUSE, *August 8, 1946.*

EASTERN CONTRACTING CO.

H. R. 1088. I return herewith without my approval the bill H. R. 1088, for the relief of the Eastern Contracting Co.

The measure proposes to authorize and direct payment to the Eastern Contracting Co. the sum of $86,545 in full settlement of all claims against the United States for damages occasioned by reason of delays caused by the United States Government in carrying out the terms of a contract entered into by the company and the United States Government on June 8, 1934, for the construction of highway approaches to the Bourne Bridge, Cape Cod Canal, Bourne, Mass.

It appears that on October 5, 1942, the Court of Claims found against the Eastern Contracting Co. in an action for damages growing out of the delays set forth in this bill (97 Ct. Cls. 341). The court held that although the plaintiff was damaged, it had failed to furnish evidence by which such damages could be measured. Motion for a new trial was overruled.

It appears that the case was fairly tried in the Court of Claims and was decided against the claimant for failure to sustain the necessary burden of proof.

During the first session of the present Congress, I withheld my approval from legislation (H. R. 2518), to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of the Eastern Contracting Co. against the United States for damages arising under the same contract. The pending measure, H. R. 1088, now proposes to authorize and direct an appropriation in favor of the claimant. I find no reason for receding from my previous position in regard to such legislation. Accordingly, I am withholding approval of the measure.

HARRY S. TRUMAN.

THE WHITE HOUSE, *August 9, 1946.*

THEODORE ROOSEVELT NATIONAL PARK

H. R. 4435. I have withheld my approval from H. R. 4435, "To establish the Theodore Roosevelt National Park; to erect a monument in memory of Theodore Roosevelt in the village of Medora, N. Dak.; and for other purposes."

The area that would be established by this bill as the Theodore Roosevelt National Park does not possess those outstanding natural features or scenic qualities that would justify its establishment as a national park and has no direct historical association with Theodore Roosevelt. Neither the Maltese Cross ranch, in which President Roosevelt had an interest, nor the Elkhorn ranch, which he owned, are embraced within the proposed park area. The Maltese Cross ranch is situated some distance south of Medora, N. Dak., while the proposed national park area is situated north of Medora. The Elkhorn ranch is situated 35 miles north of Medora, and is a considerable distance from the proposed park.

The land within the proposed national park area is now a part of the Theodore Roosevelt National Wildlife Refuge, and is best fitted for use as a wildlife protection and management area. Prior to its inclusion within the refuge, it was a part of the Roosevelt recreational demonstration area, which consisted of submarginal land acquired originally by the Resettlement Administration for recreational demonstration purposes. The area is largely of a badlands character, the formations being rounded, mostly dark red in color, and interspersed with grass-covered flats and plateaus. It is not of national park caliber.

Existing or authorized national parks contain or relate to areas that possess scenic, scientific, or historic features of outstanding national significance. The same high standards should be maintained whenever national parks are established in the future. I feel strongly, therefore, that to confer national park

status upon the area described in H. R. 4435 would be an unwise departure from sound policy. If a national park is to be established in honor of Theodore Roosevelt, it should more fully measure up to the standards developed and maintained in the past for national parks.

I may add, in this connection, that the bill contains a provision with respect to the determination of the validity of the title to the lands in question, which provision I would have considered sufficiently objectionable to justify a disapproval of the measure, entirely aside from the above indicated reasons for its disapproval. I refer to the provision for the determination, by the Secretary of the Interior instead of by the Attorney General, of the validity of the land titles in question. This duty of examining the titles of lands acquired by the Government has, for more than a century, been vested in the Attorney General with respect to the vast majority of acquisitions, and I perceive no reason to change this general practice which has proven satisfactory through the years.

Accordingly, I am constrained to withhold approval from H. R. 4435.

HARRY S. TRUMAN.

THE WHITE HOUSE, *August 9, 1946.*

EXECUTIVE COMMUNICATIONS, ETC.

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

1524. A letter from the Director, Office of Contract Settlement, transmitting the Eighth Quarterly Progress Report of the Office of Contract Settlement, entitled "War Contract Terminations and Settlements" (H. Doc. No. 768); to the Committee on the Judiciary and ordered to be printed with illustrations.

1525. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to relieve collectors of customs of liability for failure to collect certain special tonnage duties and light money, and for other purposes; to the Committee on Ways and Means.

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. COLMER: Special Committee on Postwar Economic Policy and Planning. House Resolution 60. Resolution authorizing the continuation of the Special Committee on Postwar Economic Policy and Planning; without amendment (Rept. No. 2728). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, a report of committee was delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COX: Committee on Rules. House Resolution 757. Resolution providing for the consideration of H. R. 3760, a bill for the relief of certain claimants who suffered losses and sustained damages as the result of the campaign carried out by the Federal Government for the eradication of the Mediterranean fruitfly in the State of Florida; without amendment (Rept. No. 2727). 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. LEWIS:

H. R. 7234. A bill to equalize competitive opportunity in the markets of the United States for articles of American manufacture or production, and like or similar competitive articles of foreign manufacture or production; to the Committee on Ways and Means.

By Mr. REES of Kansas:

H. R. 7235. A bill to prohibit certain activities and certain employment by former commissioned officers of the United States and former officers and employees of the United States; to the Committee on the Judiciary.

By Mr. LAFOLLETTE::

H. R. 7236. A bill to implement the fourteenth amendment; to the Committee on the Census.

By Mrs. ROGERS of Massachusetts:

H. Res. 760. Resolution requesting the Administrator of Veterans' Affairs to submit information on matters pertaining to certain veterans; to the Committee on World War Veterans' Legislation.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. REES of Kansas:

H. R. 7237. A bill for the relief of Mrs. May Lary; to the Committee on Claims.

H. R. 7238. A bill for the relief of Mrs. Helen L. Hamilton; to the Committee on Claims.

By Mr. ROGERS of New York:

H. R. 7239. A bill for the relief of Mrs. Grace W. Potter; 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:

2143. By Mr. FEIGHAN: Petition of 1,522 residents of Cleveland, urging the maintenance of price and rent control and favoring the extension of priorities and allocation regulations, to force production of low-cost commodities; to the Committee on Banking and Currency.

2144. By Mr. TIBBOTT: Petition of citizens of Armstrong County, Pa., supporting the Pace bill (H. R. 752); to the Committee on Military Affairs.