religion; to the Committee on Foreign Affairs.

1076. By Mr. HESELTON: Resolution of the General Court of the Commonwealth of Massachusetts, memorializing the Secretary of State to increase the status of the representative to the Irish Republic to that of an ambassador; to the Committee on Foreign Affairs.

1077. By Mr. NORBLAD: Petition signed by Charles B. Wallace and 93 other citizens of the State of Oregon, urging enactment of the railroad retirement bills H. R. 4282, 2741, 4334, and 2146; to the Committee on Interstate and Foreign Commerce.

1078. Also, petition signed by L. J. Berke and 73 other citizens of the State of Oregon, urging enactment of the railroad retirement bills H. R. 4282, 2741, 4334, and 2146; to the Committee on Interstate and Foreign Commerce.

1079. By Mr. PLUMLEY: Petition of residents of Springfield, Vt., requesting legislation to prohibit the transportation of alcoholic-beverage advertising in interstate commerce and the broadcasting of alcoholic-beverage advertising over the radio; to the Committee on Interstate and Foreign Commerce.

1080. By Mrs. ROGERS of Massachusetts: Memorial of the General Court of Massachusetts, memorializing Congress to enact the 75-cent minimum-wage bill; to the Committee on Education and Labor.

# SENATE

## WEDNESDAY, JUNE 15, 1949

*(Legislative day of Thursday, June 2, 1949)*

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

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

Our Father God, again we bow at this altar of prayer, as into the calm and confidence of Thy presence we bring our drained and driven souls that the benediction of Thy peace may fall upon our restless lives. Let not any indifference or callousness in us make Thy presence unreal.

Make sensitive our spirits that through Thy grace and power we may be cleansed and strengthened. Come close to us one by one, for we can do nothing together unless singly we are clean and strong.

In a world that is a neighborhood and must be a brotherhood or perish, join us to that saving minority that across the boundaries of prejudice, intolerance, and hatred extends the dominion of understanding and good will.

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

### THE JOURNAL

On request of Mr. LUCAS, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 14, 1949, was dispensed with.

### MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

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

On June 14, 1949:

S. 835. An act authorizing the issuance of a patent in fee to James Madison Burton;

S. 836. An act authorizing the Secretary of the Interior to issue a patent in fee to Clarence M. Scott;

S. 837. An act authorizing the Secretary of the Interior to issue a patent in fee to Irene Scott Bassett;

S. 1036. An act authorizing the issuance of a patent in fee to Lavantia Pearson;

S. 1037. An act authorizing the issuance of a patent in fee to Virginia Pearson;

S. 1038. An act authorizing the issuance of a patent in fee to Ethel M. Pearson George;

S. 1040. An act authorizing the issuance of a patent in fee to Leah L. Pearson Louk;

S. 1057. An act authorizing the Secretary of the Interior to issue a patent in fee to Kathleen Doyle Harris;

S. 1058. An act authorizing the Secretary of the Interior to issue a patent in fee to June Scott Skoog; and

S. 1142. An act authorizing the Secretary of the Interior to issue a patent in fee to Mrs. Pearl Scott Loukes.

On June 15, 1949:

S. 42. An act for the relief of Ellen Hudson, an administratrix of the estate of Walter R. Hudson;

S. 191. An act for the relief of the legal guardian of Louis J. Waline; and

S. 408. An act for the relief of the estate of William E. O'Brien.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a joint resolution (H. J. Res. 242) extending for 2 years the existing privilege of free importation of gifts from members of the armed forces of the United States on duty abroad, in which it requested the concurrence of the Senate.

### ENROLLED BILLS SIGNED

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

S. 1127. An act to amend sections 130 and 131 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to the notice to be given upon a petition for probate of a will, and to the probate of such will; and

S. 1134. An act to amend section 13-108 of the Code of Laws of the District of Columbia to provide for constructive service by publication in annulment actions.

### REPORT OF COMMITTEE FILED DURING RECESS

Under authority of the order of the Senate of the 14th instant,

Mr. ELLENDER, from the Committee on Appropriations, to which was referred the bill (H. R. 5060) making appropriations for the legislative branch for the fiscal year ending June 30, 1950, and for other purposes, reported it on June 14, 1949, with amendments, and submitted a report (No. 502) thereon.

### CALL OF THE ROLL

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

The VICE PRESIDENT. The Secretary will call the roll.

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

| | | |
|---|---|---|
| Aiken | Hayden | Morse |
| Anderson | Hendrickson | Mundt |
| Brewster | Hill | Murray |
| Bricker | Hoey | Neely |
| Bridges | Holland | O'Mahoney |
| Butler | Humphrey | Reed |
| Byrd | Hunt | Robertson |
| Cain | Ives | Russell |
| Capehart | Jenner | Saltonstall |
| Chapman | Johnson, Colo. | Schoeppel |
| Chavez | Johnson, Tex. | Smith, Maine |
| Connally | Kefauver | Sparkman |
| Cordon | Kem | Taft |
| Donnell | Kerr | Taylor |
| Douglas | Knowland | Thomas, Okla. |
| Downey | Langer | Thomas, Utah |
| Ecton | Lodge | Thye |
| Ellender | Long | Tobey |
| Ferguson | Lucas | Tydings |
| Flanders | McCarthy | Watkins |
| Frear | McClellan | Wherry |
| Fulbright | McFarland | Wiley |
| George | McGrath | Williams |
| Gillette | McKellar | Withers |
| Graham | Martin | Young |
| Green | Maybank | |
| Gurney | Millikin | |

Mr. LUCAS. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from West Virginia [Mr. KILGORE], and the Senator from Nevada [Mr. MCCARRAN] are absent on official business.

The Senator from South Carolina [Mr. JOHNSTON], the Senator from Washington [Mr. MAGNUSON], and the Senator from Pennsylvania [Mr. MYERS] are absent on public business.

The Senator from Idaho [Mr. MILLER] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Connecticut [Mr. MCMAHON] is absent on official business, presiding at a meeting of the Joint Committee on Atomic Energy in connection with an investigation of the affairs of the Atomic Energy Commission.

The Senator from Maryland [Mr. O'CONOR] is absent on official business, having been appointed a delegate to the International Labor Conference at Geneva, Switzerland.

The Senator from Florida [Mr. PEPPER] is absent by leave of the Senate on public business.

The Senator from Mississippi [Mr. STENNIS] is absent because of illness.

Mr. SALTONSTALL. I announce that the Senator from Connecticut [Mr. BALDWIN] and the Senator from New Jersey [Mr. SMITH] are absent because of illness.

The Senator from Nevada [Mr. MALONE] is detained on official business.

The Senator from Iowa [Mr. HICKENLOOPER] and the Senator from Michigan [Mr. VANDENBERG] are in attendance at a meeting of the Joint Committee on Atomic Energy.

By order of the Senate, the following announcement is made:

The members of the Joint Committee on Atomic Energy are in attendance at a meeting of the said committee in connection with an investigation of the affairs of the Atomic Energy Commission.

The VICE PRESIDENT. A quorum is present.

### TRANSACTION OF ROUTINE BUSINESS

Mr. LUCAS. Mr. President, I ask unanimous consent that Senators be

permitted to introduce bills and joint resolutions, and incorporate routine matters in the RECORD, as would be done in the morning hour, without debate.

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

### METHODS OF COUNTERACTING BUSINESS RECESSION

Mr. TOBEY. Mr. President, I wish to address an inquiry to the distinguished majority leader. It may seem irrelevant, but I think it bears on the national situation.

The Members of this body of both parties, and the people of the country as a whole, are grievously concerned and very apprehensive about the recession in business which has taken place. Last night I thought about a piece of legislation which Congress passed 3 or 4 years ago, known as the Full Employment Act.

The distinguished Vice President was chairman of the conferees on the part of the Senate at the time that bill was passed. The act was supposed to enable the Nation to meet an eventuality such as faces it today, with declining employment and recession in business, and to take time by the forelock, since we are aware that history has a bad habit of repeating itself. Under the program set forth in the act it might be well that plans be made to forestall such a recession as much as possible.

Under that act, as the Senator from Illinois knows, the Federal Government looked first to free enterprise to meet the need, and if that was inadequate, then to the States, to set up a program of public works of constructive value, then if such State programs were inadequate, the Federal Government itself would have ready a comprehensive program of worth-while public works to meet the challenge of unemployment, and hold the line.

I shall state the question which is in my mind. Perhaps the distinguished Senator from Illinois does not know the answer, but I should like to ask him, as the head of his party in the Senate, if he knows what steps, if any, constructively and genuinely, have been taken to forestall such an emergency under the terms of the Full Employment Act.

Mr. LUCAS. Mr. President, I will say to the Senator from New Hampshire that I cannot give a categorical answer to his question. From the information I have I am certain the Federal Government does have plans with respect to placing before the country a Federal works project program in the event the so-called recession which evidently the Senator from New Hampshire has in mind became serious enough to do so.

Mr. President, I am not one of those who believe that economic conditions are as bad as they are being painted. I appreciate the fact that a number of people are out of employment at the present time, and that perhaps more will be out of employment before conditions finally level off. But I am an optimist about the future of America. I am not in the category of those who are constantly predicting a major depression, or a recession in major terms. I believe the country will be much better off if the leaders of industry, labor, and officials of government will, instead of talking about a recession and a depression, try to bring about calm thought and judgment on the part of the people of America, rather than try to stress fear of the economic trend.

The Senator from New Hampshire knows there is plenty of consumer buying power in this country at the present time. There is plenty of money in this country at the present time. In my own individual judgment—and I do not say it is infallible, of course—all we have to fear is fear itself, as the great Franklin D. Roosevelt said during the depression in 1933.

Mr. President, it was only 9 months ago that many were complaining about high prices. The cry went forth, "Bring prices down." Now that prices are leveling off many are crying out that a depression is around the corner. I simply do not believe there is anything seriously disturbing about the Nation's economy at the moment. I am satisfied, however, that those who are now in charge of the executive branch of the Government are making plans to meet any emergency that might arise. It will be done expeditiously and effectively. I will say to my distinguished friend, that I shall make inquiry through the agencies of Government on the question he propounded and give him a complete answer.

Mr. TOBEY. I appreciate the Senator's cooperation. I share the feelings of the Senator from Illinois. I think he will credit me with no partisan political motive in rising to speak on this subject. I think it is up to the Members of the Senate, representing the 48 States, to be concerned with the signs and portents on the horizon, which in many ways are such as at least to excite our apprehension. We should take time by the forelock if we can.

I appreciate the kindness of the Senator from Illinois. I should be greatly pleased if some day at his convenience he would inform the Senate what steps have been taken under what I regard as a constructive piece of legislation. We should be taking some measures of preparedness. I quite agree with the Senator that the recession is a normal thing, and nothing to be excited about. It is perfectly natural that the extreme profits and high prices of the past 3 or 4 or 5 years should be only temporary. They do not represent the norm in America. At the same time, we would be derelict in our duty if we did not express our concern and try to see what can be done to build up an assurance against such an eventuality. Does not the Senator agree?

Mr. LUCAS. I wholeheartedly agree with the distinguished Senator from New Hampshire. The very reason for passing the act was to meet any economic crisis which might arise. We passed the act at a time when America was strong financially and economically. I am satisfied, as I previously stated, that plans have been made. Exactly what the plans are, I cannot advise the Senator in detail. However, as I stated a moment ago, I shall be glad to make further inquiry and furnish the Senate with whatever information I can obtain.

Mr. TOBEY. In the inquiry which the Senator proposes to make, would he be so kind as to find out not only what the Federal Government has done, but whether or not the Federal Government has communicated with the 48 States to find out what they have done? There should be teamwork all along the line.

Mr. LUCAS. I agree with the Senator that the entire question should be explored, not only from the standpoint of the Federal Government, but also from the standpoint of the State governments, to see what cooperation has been had between the Federal Government and the State governments, and what has been done.

Mr. TOBEY. I recall that when the bill was on the floor of the Senate—and I say it in no spirit of immodesty—I had a deep conviction of the need to anticipate direful times. I stood on the floor of the Senate and took the thrusts of the spears of many Senators on both sides of the aisle who minimized, decried, and ridiculed the legislation. I believed in it then. I believe in it now. It is a measure of prudence, taking time by the forelock and being ready for any appearance of evil along the lines of industrial decline.

I thank the Senator from Illinois.

The VICE PRESIDENT. This discussion is out of order. Under the unanimous-consent agreement Senators are permitted to present routine matters without debate. The Chair feels obligated to enforce the order.

### EXECUTIVE COMMUNICATIONS, ETC.

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

PROPOSED PROVISION AND SUPPLEMENTAL ESTIMATE, DEPARTMENT OF INTERIOR (S. DOC. NO. 84)

A communication from the President of the United States, transmitting a draft of a proposed provision and a supplemental estimate of appropriation, amounting to $500,000, Department of the Interior, fiscal year 1950, in the form of amendments to the budget (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAME

A letter from the Attorney General, withdrawing the name of Felipe Dominquez Hurtado from a report relating to aliens whose deportation he suspended more than 6 months ago, transmitted by him to the Senate on April 1, 1949; to the Committee on the Judiciary.

LAWS PASSED BY LEGISLATIVE ASSEMBLY AND MUNICIPAL COUNCILS OF ST. CROIX AND ST. THOMAS AND ST. JOHN, V. I.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, copies of laws enacted by the Legislative Assembly and the Municipal Council of St. Croix, and the Municipal Council of St. Thomas and St. John, V. I. (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT OF OPERATION OF TRADE AGREEMENTS PROGRAM

A letter from the Chairman of the United States Tariff Commission, transmitting, pursuant to law, parts III and IV of the report of the Commission on the Operation of the Trade Agreements Program, June 1934 to April 1948, entitled "Trade-Agreements Con-

cessions Granted by the United States" and "Trade-Agreements Concessions Obtained by the United States," respectively (with accompanying documents); to the Committee on Finance.

REPORT OF NATIONAL ACADEMY OF SCIENCES

A letter from the president of the National Academy of Sciences, Washington, D. C., transmitting, pursuant to law, the annual report of the Academy for the fiscal year ended June 30, 1948 (with an accompanying report); to the Committee on Rules and Administration.

## PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of California, relating to the use of the water of the Colorado River; to the Committee on Interior and Insular Affairs.

(See text of joint resolution printed in full when presented by Mr. KNOWLAND on June 14, 1949, p. 7618, CONGRESSIONAL RECORD.)

By Mr. McMAHON:

A joint resolution of the General Assembly of the State of Connecticut; to the Committee on the Judiciary:

*"Resolved by this assembly:*

"Whereas war is now a threat to the very existence of our civilization because modern science has produced weapons of war which are overwhelmingly destructive and against which there is no sure defense; and

"Whereas the effective maintenance of world peace is the proper concern and responsibility of every American citizen; and

"Whereas the people of the State of Connecticut, while now enjoying domestic peace and security under the laws of their local, State, and Federal Government, deeply desire the guaranty of world peace; and

"Whereas all history shows that peace is the product of law and order, and that law and order are the product of government; and

"Whereas the United Nations, as presently constituted, although accomplishing great good in many fields, lacks authority to enact, interpret, or enforce world law, and under its present Charter is incapable of restraining any major nations which may foster or foment war; and

"Whereas the Charter of the United Nations expressly provides, in articles 108 and 109, a procedure for reviewing and altering the Charter; and

"Whereas several nations have recently adopted constitutional provisions to facilitate their entry into a world federal government by authorizing a delegation to such a world federal government of a portion of their sovereignty to endow it with powers adequate to prevent war; and

"Whereas the State of Connecticut has memorialized Congress, both through passage by the general assembly in 1943 of the so-called Humber resolution and through the world government referendum of 1948, overwhelmingly approved by the voters of the State, to initiate steps toward the creation of a world federal government: Now, therefore, be it

*"Resolved by the Senate and House of Representatives of the General Assembly of the State of Connecticut,* That application is hereby made to the Congress of the United States, pursuant to article V of the Constitution of the United States, to call a convention for the sole purpose of proposing amendments to the Constitution which are appropriate to authorize the United States to negotiate with other nations, subject to later ratification, a constitution of a world federal government, open to all nations, with limited powers adequate to assure peace, or amendments to the Constitution which are appropriate to ratify any world constitution which is presented to the United States by the United Nations, by a world constitutional convention or otherwise; and be it further

*"Resolved,* That the secretary of the State of Connecticut is hereby directed to transmit copies of this application to the Senate and the House of Representatives of the Congress, to the Members of the said Senate and House of Representatives from this State, and to the presiding officers of each of the legislatures in the several States, requesting their cooperation.

"Given under my hand and the seal of the State, this 1st day of June in the year of our Lord 1949.

"CHESTER BOWLES,
*"Governor.*

"By His Excellency's command:
"WINIFRED McDONALD,
*"Secretary."*

The VICE PRESIDENT laid before the Senate a joint resolution of the General Assembly of the State of Connecticut, identical with the foregoing, which was referred to the Committee on the Judiciary.

## INTERSTATE TRAFFIC IN SUBVERSIVE TEXTBOOKS—PETITION

Mr. MARTIN. Mr. President, I present for appropriate reference a petition of the Pennsylvania Society of the Sons of the American Revolution, Pittsburgh, Pa., asking a congressional investigation into interstate traffic in subversive textbooks and teaching materials, and I ask unanimous consent that it may be printed in the RECORD.

There being no objection, the petition was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

PETITION FOR REDRESS OF GRIEVANCES

*To the Senate and House of Representatives of the Congress of the United States:*

We hereby petition for an independent and impartial investigation of the interstate traffic in subversive textbooks and teaching materials as requested in the petitions now on file presented by the National Society and the California Society of the Sons of the American Revolution, and we do hereby join in and make ourselves a party to those proceedings.

We request the Congress to grant us all relief possible in this matter by determining the facts and giving them to the people with appropriate recommendations.

Dated this 7th day of June 1949 in the city of Pittsburgh State of Pennsylvania.

PENNSYLVANIA SOCIETY OF THE SONS OF THE AMERICAN REVOLUTION,
By JOHN A. FRITCHEY II,
*President.*
EDWIN B. GRAHAM,
*Secretary.*

## MUNDT-NIXON ANTICOMMUNISM BILL—MEMORIAL

Mr. LANGER. Mr. President, I present for appropriate reference a letter from Rev. Charles A. Hill, pastor of the Hartford Avenue Baptist Church, of Detroit, Mich., remonstrating against the enactment of the so-called Mundt-Nixon anticommunism bill, and I ask unanimous consent that it may be printed in the RECORD.

There being no objection, the letter was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

HARTFORD AVENUE BAPTIST CHURCH,
*Detroit, Mich., June 13, 1949.*

Senator WILLIAM LANGER,
*Senate Building, Washington, D. C.*

HONORABLE SIR: I wish to convey to you the complete opposition of my church of over 1,200 members to the Mundt-Nixon bill which will come up before this session of Congress.

We are as much opposed to organizations seeking to overthrow the Government by violence as anyone in America. On the other hand we are against this method of calling labor groups or any group, Communist or Communist fronts, without a fair hearing and if they so desire in a court where they can be tried by the peers. The latitude of this bill makes it possible for any party or group in power, to label their opponents regardless of the honesty of their motive, Communist or Communist front and as the bill now seems they have no redress. Such a bill will only create more confusion and unrest in the country. Just as no type of legislation could hold back the antislavery movement, neither will any type of legislation which has to be for free living people of America but which opposed to Jim Crow and segregation in any form, these individuals will give their life for democracy where everyone is equal regardless of race, creed, or color, or national origin. The Mundt-Nixon bill will only drive the subversive forces underground where other effectiveness will be much more dangerous.

Trusting that you will use your influence against any form of legislation that points to thought control, we are yours for a real democracy.

Rev. CHARLES A. HILL,
*Pastor, Hartford Avenue Baptist Church.*

## THE UNEMPLOYMENT PROBLEM—LETTER FROM UNIVERSAL AFRICAN NATIONALIST MOVEMENT, INC.

Mr. LANGER. Mr. President, I have received a letter from the Universal African Nationalist Movement, Inc., of New York, N. Y., signed by Benjamin Gibbons, president, and Benjamin W. Jones, executive secretary, relating to the unemployment problem, which I ask unanimous consent to have printed in the body of the RECORD.

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

UNIVERSAL AFRICAN NATIONALIST MOVEMENT, INC.,
*New York N. Y., June 11, 1949.*

Hon. WILLIAM LANGER,
*United States Senator, Senate Office Building, Washington, D. C.*

HONORABLE SIR: Inasmuch as we had replied to your of the 7th inst., it became evident to us, after its dispatch, that there are certain suggestions we can make; therefore we hasten to transmit them.

Since the list of unemployed is growing rapidly, it becomes the duty of the leaders and administrators of the Nation to find a solution to the problem; so when we turn to statistics furnished by the Government we find the situation quite appalling, for if we turn to the World Almanac and Book of Facts we will find on page 312, column 4, under the caption Beneficiaries, as of June 30, 1948, that there were 3,820,774 persons receiving unemployment compensation at the rate of an average of $18.17 per week; mark you, this does not represent all those whose status were of such that they were not covered by this insurance; but we will take that figure for the basis of our argument; if the ratio of 10 percent was used,

which represents the percentage of persons of African blood and descent in the Nation; from this we will get an average of 382,077 persons of our race receiving $18.17 per week, a total of $6,942,339.09 among them every week, or a grand total of $361,001,632.68 a year, if the number of unemployed is not increased; so in 5 years we will find a tremendous strain on the Nation's economy to the tune of the stupendous sum of $1,805,008,163.40 being spent to keep this vast amount of unemployed sapping and draining the life's blood of the Nation, which does not make good common sense.

This same amount of money, if used wisely, by being appropriated in one lump sum, would enable this same amount of people to go to Liberia to engage themselves in useful occupation, producing raw materials and other much needed goods that would serve as a stopgap in the increased list of unemployed; for this money, being used as dead wood, by only just going to the grocer and the rent man, would enable these people to purchase ships, machines, engines, tools, building materials, and things too numerous to mention, and would not only give these people a longer and better lease on life, but their productivity of much needed goods, and the industrialization of their newly established community, would build a mighty and formidable bridge of commerce between the two countries; thus killing two birds with one stone.

It must be borne in mind, no matter how great a Nation might be, it cannot continue peeling out dole to so vast an amount of unemployed, while being engaged in so great a responsibility, that of aiding and assisting almost two-thirds of the nations, without seriously impairing the fabric of its economy; so, while this opportunity presents itself, it is to the best interest of this Nation that advantage be taken of it, because, in this rapidly changing world, no one can guess from one day to the other what serious developments will ensue; people everywhere are crying and seeking for freedom, and if pushed in a tight corner, being squeezed to death, as it were, will seek a way out, and will take a chance of accepting any aid and assistance from any source, so long as it appears to be a helping hand; a desperate man loses the power to think discreetly and will do almost anything in the act of self-preservation.

We do think that if and when the bill comes up for a hearing, if these arguments would be advanced, it might be the means of enlightening many who might have a different view on the subject, for if there should be something done in behalf of the African peoples of the world it is now, because of their deplorable plight they are restive, very much so, and the only way a cancer can be cured is to attack it in its embryonic stage, lest it might develop and prove fatal.

We are hoping and trusting for the best, and are praying that the enactment of this bill will be hastened; so while invoking the care and keeping of a benign Father on you and yours, we shall expect an early reply, remaining as ever, most respectfully,

Yours very truly,

BENJAMIN GIBBONS,
*President.*

BENJ. W. JONES,
*Executive Secretary.*

## REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. ROBERTSON, from the Committee on Banking and Currency:

S. 1664. A bill to amend the National Bank Act and the Bretton Woods Agreements Act, and for other purposes; with an amendment (Rept. No. 504).

## AMENDMENT OF NATIONAL HOUSING ACT—REPORT OF A COMMITTEE

Mr. MAYBANK. Mr. President, from the Committee on Banking and Currency, I report an original joint resolution to amend the National Housing Act, as amended, and I submit a report (No. 505) thereon.

The VICE PRESIDENT. The report will be received, and the joint resolution will be placed on the calendar.

The joint resolution (S. J. Res. 109) to amend the National Housing Act, as amended, was read twice by its title, and ordered to be placed on the calendar.

## ENROLLED BILLS PRESENTED

The Secretary of the Senate reported he presented to the President of the United States the following enrolled bills:

On June 14, 1949:

S. 1125. An act to amend section 16-415 of the Code of Laws of the District of Columbia, to provide for the enforcement of court orders for the payment of temporary and permanent maintenance in the same manner as directed to enforce orders for permanent alimony;

S. 1129. An act to amend section 16-416 of the Code of Laws of the District of Columbia, to conform to the nomenclature and practice prescribed by the Federal Rules of Civil Procedure;

S. 1131. An act to amend sections 260, 267, 309, 315, 348, 350, and 361 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, to provide that estates of decedents being administered within the probate court may be settled at the election of the personal representative of the decedent in that court 6 months after his qualification as such personal representative;

S. 1132. An act to amend section 137 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to the time within which a caveat may be filed to a will after the will has been probated;

S. 1133. An act to amend section 16-418 of the Code of Laws of the District of Columbia, to provide that an attorney be appointed by the court to defend all uncontested annulment cases;

S. 1135. An act to amend the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, to provide a family allowance and a simplified procedure in the settlement of small estates; and

S. 1557. An act to provide for the appointment of an additional judge for the juvenile court of the District of Columbia.

On June 15, 1949:

S. 1127. An act to amend sections 130 and 131 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to the notice to be given upon a petition for probate of a will, and to the probate of such will; and

S. 1134. An act to amend section 13-108 of the Code of Laws of the District of Columbia to provide for constructive service by publication in annulment actions.

## EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

## BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. MCKELLAR:

S. 2081. A bill for the relief of William M. Greene; to the Committee on the Judiciary.

By Mr. MARTIN:

S. 2082. A bill for the relief of Yan Wrobel; to the Committee on the Judiciary.

By Mr. VANDENBERG:

S. 2083. A bill to provide for the preparation of a plan for the celebration of the one hundredth anniversary of the building of the Soo Locks; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 2084. A bill for the relief of Jackson Riley Holland; to the Committee on the Judiciary.

By Mr. O'MAHONEY (for himself and Mr. FLANDERS):

S. 2085. A bill to amend the Employment Act of 1946 with respect to the Joint Committee on the Economic Report; to the Committee on Banking and Currency.

By Mr. THOMAS of Oklahoma:

S. 2086. A bill transferring management of certain public lands from the Agriculture Department to the Fort Sill Indian School in Oklahoma for agriculture uses; to the Committee on Agriculture and Forestry.

By Mr. MCGRATH (for Mr. WAGNER):

S. 2087. A bill for the relief of Anna Bartok; to the Committee on the Judiciary.

(Mr. MAYBANK, from the Committee on Banking and Currency, reported an original joint resolution (S. J. Res. 109) to amend the National Housing Act, as amended, which was ordered to be placed on the calendar, and appears under a separate heading.)

## NATIONAL LABOR RELATIONS ACT OF 1949—AMENDMENTS

Mr. IVES submitted amendments intended to be proposed by him to the amendment in the nature of a substitute intended to be proposed by Mr. TAFT for title III of the amendment of Mr. THOMAS of Utah dated May 31, 1949, to the bill (S. 249) to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, and for other purposes, which were ordered to lie on the table and to be printed.

Mr. DOUGLAS (for himself and Mr. AIKEN) submitted amendments intended to be proposed by them, jointly, to the amendment proposed by Mr. THOMAS of Utah as a substitute for the committee amendment to Senate bill 249, supra, which were ordered to lie on the table and to be printed.

## HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 242) extending for 2 years the existing privilege of free importation of gifts from members of the armed forces of the United States on duty abroad, was read twice by its title, and referred to the Committee on Finance.

## LABOR SITUATION IN THE HAWAIIAN ISLANDS—CORRESPONDENCE BETWEEN SENATOR MORSE AND EARL B. WILSON

[Mr. MORSE asked and obtained leave to have printed in the RECORD correspondence between him and Mr. Earl B. Wilson, of the California & Hawaiian Sugar Refining Corp., regarding the strike situation in Hawaii, which appears in the Appendix.]

MEMORIAL DAY ADDRESS BY REV. JOHN S. STRENG

[Mr. WHERRY asked and obtained leave to have printed in the RECORD a Memorial Day address delivered by Rev. John S. Streng, pastor of St. John's Lutheran Church, Beatrice, Nebr., before the American Legion post at Fairbury, Nebr., on May 30, 1949, which appears in the Appendix.]

VILLANOVA COLLEGE COMMENCEMENT ADDRESS BY HON. JAMES P. McGRANERY

[Mr. McCARRAN asked and obtained leave to have printed in the RECORD the commencement address delivered by the Honorable James T. McGranery, judge of the United States District Court, Eastern Division of Pennsylvania, to the graduates of Villanova College, June 6, 1949, which appears in the Appendix.]

REMOVAL OF FEDERAL RENT CONTROL—EDITORIAL FROM CLEVELAND PLAIN DEALER

[Mr. BRICKER asked and obtained leave to have printed in the RECORD an editorial entitled "Thwarting Home Rule," published in the Cleveland Plain Dealer of June 3, 1949, which appears in the Appendix.]

THE TRUMAN-BYRD CONTROVERSY—EDITORIAL COMMENT

[Mr. WILLIAMS asked and obtained leave to have printed in the RECORD a series of editorial comments on the so-called Truman-Byrd controversy, which appear in the Appendix.]

THE COMMUNIST THREAT TO HAWAII—EDITORIAL FROM HONOLULU ADVERTISER

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an editorial entitled "Our Misguided Friend," published in the Honolulu Advertiser of May 31, 1949, which appears in the Appendix.]

PROPOSED BASING-POINT LEGISLATION

[Mr. KEFAUVER asked and obtained leave to have printed in the RECORD a letter from Rankin Peck, president of the National Congress of Petroleum Retailers, relative to Senate bill 1008, which appears in the Appendix.]

NATIONAL LABOR RELATIONS ACT OF 1949

The Senate resumed the consideration of the bill (S. 249) to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Alabama [Mr. HILL], for himself and other Senators, to the so-called Thomas substitute.

Mr. HILL obtained the floor.

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

Mr. HILL. I yield for a question.

Mr. ELLENDER. I desire to ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of House bill 5060. I can assure the Senator that it will not require very long to enact the bill. I ask the Senator if he will permit me to submit that request at this time.

Mr. HILL. Mr. President, I do not think it will take more than a few minutes to dispose of the pending amendment. The amendment has been pending since a week ago last Monday. I was about to make a very brief statement on the amendment. I do not think there will be very much debate. I wonder if the Senator will allow us to dispose of the amendment first.

Mr. ELLENDER. How long will it take?

Mr. HILL. I assure the Senator that I do not think it will take very long.

The VICE PRESIDENT. Is there objection to the request of the Senator from Louisiana?

Mr. HILL. Mr. President, I did not yield for that purpose. I said I would yield for a question.

The VICE PRESIDENT. The question has been asked and answered.

Mr. HILL. Mr. President, the amendment under consideration is very simple. It adds a new paragraph, subsection (3), to section 8 (b) of the National Labor Relations Act of 1935, as proposed to be reenacted and amended.

If this amendment were adopted, the language would read as follows——

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

Mr. HILL. I yield.

Mr. WHERRY. I ask the distinguished Senator from Alabama if it is his intention, at the conclusion of his remarks, to try to obtain a vote on the pending amendment.

Mr. HILL. I very much hope that we may have a vote and dispose of the amendment.

If the amendment is agreed to, the subsection in the bill will read as follows:

(b) It shall be an unfair labor practice for a labor organization—

* * * * *

(3) to refuse to bargain collectively with an employer, subject to the provisions of section 9 (a).

It is well at the outset to compare this amendment with the provisions now in the bill which place upon employers the duty to bargain collectively. These are the provisions of the Wagner Act, as well as those of the present law:

(a) It shall be an unfair labor practice for an employer—

(6) to refuse to bargain collectively with the representatives of his employees, subject to the provisions of section 9 (a).

So far as possible, Mr. President, the same language is followed, therefore, with respect to labor organizations as is now written into the law with respect to employers. The same general duties of meeting and bargaining in good faith will be imposed by the amendment upon both groups at the bargaining table.

The amendment is consistent with the spirit, the policy, and the purpose of the proposed legislation now before the Senate. The purpose is the same as that of the original Wagner Act, namely, to remove obstructions in the path of free and peaceful collective bargaining in the interest of harmonious industrial relations.

Mr. President, if this country wishes to remain free, in my opinion, it must have a true national policy of free collective bargaining, which the Thomas bill would reestablish. By that, I mean that employers and employees must be encouraged to make their own private collective contracts. The history of the past 50 years has shown that individuals cannot go up single handed and alone and bargain with corporations, for when they attempt to do so, the result is dictation by management. If we fail to encourage equal and mutual collective bargaining, I fear the ultimate result will be dictation by the Government as to the terms and conditions of employment, enforced by law.

Collective bargaining is the middle ground between dictation by management, on the one hand, and dictation by Government, on the other hand. The more collective bargaining we have, the more freedom we shall have—freedom of true private contract with equal bargaining power, freedom from domination by Government or domination by management, freedom of enterprise in the face of modern industrial realities. That is what the pending amendment seeks to bring about.

As a matter of fact, Mr. President, the present provisions of the bill, as now written, head in this direction. For example, section 204, dealing with mediation and arbitration, to be found on page 29, beginning in line 25, and continuing on page 30, contains the following:

It shall be the duty of employers and employees and their representatives to—

(a) exert every reasonable effort to make and maintain collective bargaining agreements for definite periods of time.

That provision, now written in the bill, reflects Federal labor policy, just as does another provision contained in section 8 (c) of the amendments of the bill to the Wagner Act. The latter provision appears on page 12, in line 22, reading as follows:

It shall be an unfair labor practice for an employer or a labor organization to terminate or modify a collective-bargaining contract covering employees in an industry affecting commerce unless the party desiring such termination or modification notifies the United States Conciliation Service of the proposed termination or modification at least 30 days prior to the expiration date of the contract, or 30 days prior to the time it is proposed to make such termination or modification, whichever is earlier.

The provision I have just quoted is in the interest of stimulating, encouraging, and assisting the collective-bargaining process, of seeking to encourage and assist both management, on the one hand, and labor, on the other hand, to come together and bargain collectively. Of course, normally, as we know, labor unions do not interfere with collective bargaining; in fact, it is not to their interest to do so, or not to wish to bargain collectively, or to refuse to bargain collectively. In fact, labor unions exist for the purpose of collective bargaining, and they must bargain if they are to serve their functions, both their functions as to the membership of the labor unions and their functions in our American society. It is only in the unusual case that the union fails to engage in collective bargaining, and it is to those unusual cases that this amendment is addressed. In other words, the amendment requires labor unions to bargain collectively.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. JOHNSON of Colorado. Does the Senator from Alabama know of any political party which does not claim to believe in free collective bargaining?

Mr. HILL. Not only do I not know of any political party which does not claim to believe in free collective bargaining, but, as I recall, all political parties have declared in their platforms in favor of free collective bargaining.

Mr. JOHNSON of Colorado. Does the Senator from Alabama know of any management group or any industry which does not state that it favors free collective bargaining?

Mr. HILL. I say to the Senator from Colorado that in days past some management groups were very much opposed to free collective bargaining.

Mr. JOHNSON of Colorado. I am speaking about today.

Mr. HILL. As of today, I think it can be stated with accuracy that, on the whole, management, as well as labor, believes in free collective bargaining, and recognizes that free collective bargaining is the cornerstone of what should be the American labor policy, and that if we are to continue our great free-enterprise system and are to maintain freedom in industrial and labor affairs, we must have free collective bargaining.

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

Mr. HILL. I yield.

Mr. WITHERS. Does the Senator from Alabama know of any greater service which the Government can render than when it attempts to encourage both management and labor to proceed by way of collective bargaining?

Mr. HILL. The Senator from Kentucky is correct; I think the Government can render no greater service either to management or to labor or a greater service to our free-enterprise system than by the encouragement of free collective bargaining.

Of course, Mr. President, if this amendment is adopted, the rules for collective bargaining by unions must be developed by the National Labor Relations Board, taking into consideration the traditions, customs, and practices of the particular union, its methods of bargaining, and the basic nature and purpose of labor organizations, as well as the problems they must face and overcome.

At all times the touchstone in regard to collective bargaining and whether there is free collective bargaining, whether both sides are engaging in the process in good faith, is whether there is a bona fide effort on the part of both sides to negotiate and agree to bring forth a contract. In that way, through such collective bargaining, it will be possible to avoid the tendency to pry into the internal affairs of unions and any attempt to regulate organizational relationships within the union itself, of course, will be rejected. It is the intention of this amendment that such a tendency should be as thoroughly avoided as it should be in the case of employers or corporations.

Mr. DOUGLAS. Mr. President, will the distinguished Senator from Alabama yield for a few questions to clarify some features of this subject?

Mr. HILL. I yield to the Senator from Illinois.

Mr. DOUGLAS. I should like to ask the Senator whether he understands the requirement for collective bargaining as being one which compels either party necessarily to agree to the proposals of the other side. Is that obligatory?

Mr. HILL. No. There is no obligation on the part of either the employer or the employee to agree. The obligation goes to an honest, bona fide effort on the part of both parties to try to agree.

Mr. DOUGLAS. In other words, all the term "collective bargaining" means is that the parties agree that they will sit down around the table, compare relative demands, and try to reach an agreement; but there is no obligation upon either side to come to an agreement. Is that correct?

Mr. HILL. The Senator is absolutely right.

Mr. DOUGLAS. And there is no obligation to come to an agreement, either in whole or in part, upon the demands of either side?

Mr. HILL. The Senator is absolutely right.

Mr. DOUGLAS. In other words, if an employer objects to the closed shop, for example, even though the union requests the closed shop, there is no obligation upon the part of the employer to grant the closed shop. Is that correct?

Mr. HILL. There is no obligation whatever on the part of the employer to grant the closed shop. The employer does not have to grant anything. All he has to do is to sit around the table and, in good faith, discuss the problems, negotiate, and endeavor to arrive at an agreement between himself and his employees.

Mr. DOUGLAS. For example, with respect to seniority rules, to which a union may hold so strongly that it does not want to yield on them, and believes there is no obligation upon them to do so, if an employer wishes to compel the union to give up its seniority rules, there is no obligation upon the union to yield to the employer's demands. Is that correct?

Mr. HILL. There is absolutely no obligation; none whatever.

Mr. DOUGLAS. I may also ask the distinguished Senator from Alabama whether the process of collective bargaining requires a definite procedure. Must the topics be taken up in a given sequence, or are the parties free to discuss the various topics in any fashion which is mutually acceptable?

Mr. HILL. Absolutely no particular procedure is required, and I may say to the Senator, on the other hand, I think nothing would be more unfortunate than to try to prescribe any procedure. The whole essence of this thing is freedom on the part of people who are acting to try to reach some agreement in an atmosphere of freedom for both sides.

Mr. DOUGLAS. Mr. President, will the Senator permit a further question?

Mr. HILL. I yield.

Mr. DOUGLAS. I should like to inquire, in an industry where bargaining in the past has been primarily conducted on a multi-employer basis, namely, where unions meet with groups of employers, either on an industry-wide basis or or a regional basis, whether the term "collective bargaining" means that after the discussion has taken place on the multi-employer basis, is the union then compelled to go to each and every individual employer to negotiate with him separately?

Mr. HILL. Oh, no.

Mr. DOUGLAS. Or can there be an agreement for the group of employers as a whole?

Mr. HILL. There very definitely can be an agreement for the group of employers as a whole, certainly, and there is no obligation on the part of the union, no obligation whatever, to go to each of the employers in the industry separately.

Mr. DOUGLAS. In other words, in the case of the coal industry, where bargaining has taken place on a regional basis and if an agreement is being negotiated on the regional basis, it is not then necessary for the union to bargain with each and every mine operator. Is that correct?

Mr. HILL. It is not necessary. I can tell the Senator very definitely, it is not necessary.

Mr. DOUGLAS. I thank the Senator from Alabama for his very clarifying and very succinct answers.

Mr. HILL. I thank the Senator.

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

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from North Dakota?

Mr. HILL. I yield.

Mr. LANGER. Will the distinguished Senator advise me whether the proposed amendment was presented to the subcommittee and to the full Committee on Labor and Public Welfare?

Mr. HILL. We did not have a subcommittee on this particular subject at this session of the Congress. I may say to the Senator there was no vote or action on it by the full committee.

Mr. LANGER. Why was it not presented to the full committee?

Mr. HILL. There were no votes on amendments to the bill in the committee.

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

Mr. HILL. I yield.

Mr. TAFT. What the Senator proposes to do, as I understand, is to take a piece of the Taft-Hartley law which he likes and to put it into the Thomas bill, which proposes to eliminate the provision from the existing law. Is not that correct?

Mr. HILL. No; I would not say that at all. I would say that long before we had the Taft-Hartley law, there were many who believed that the original Wagner Act should be amended to impose the obligation of collective bargaining upon labor as well as upon the employer. The fact is that the main criticism in many ways of the original Wagner Act through the years has been that there was not imposed upon labor an obligation to bargain collectively, such as was imposed by the act on employers. So this proposition, I may say, was born long before the Taft-Hartley bill was introduced. In fact, it had reached lusty

and full manhood before we ever heard of the Taft-Hartley Act.

Mr. TAFT. Can the Senator refer me to any place where anybody ever introduced a bill to accomplish this objective until the Taft-Hartley Act provided for it?

Mr. HILL. I may say that the substitute bill which was offered by certain members of the minority—that is, the Democrats—2 years ago, at the time we had under consideration the Taft-Hartley Act, embodied this very provision. This very provision was in the substitute bill at that time.

Mr. TAFT. The Senator means, does he not, that it was drafted after the Taft-Hartley bill had been introduced in the Senate with the approval of the Senator from Alabama and myself, among others?

Mr. HILL. I may say to the Senator there was nothing new, there was no rabbit pulled out of the hat, when this provision was carried in the Taft-Hartley bill, because it had been in other bills, and had been suggested by many different people. It had been with us, certainly since the days of the enactment of the original Wagner Act.

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

Mr. HILL. I yield.

Mr. TAFT. Then, if that has been the position of the administration, how does the Senator account for the fact that the Thomas bill, on behalf of the administration, proposes to take the provision out of the Taft-Hartley law, the existing statute, and repeal it?

Mr. HILL. They were removing so many bad things, there was so much in the Taft-Hartley law that was bad, that, just as when a surgeon performing an operation finds a situation which is so bad that it is necessary for him to make a sweeping dissection to remove all the unhealthy tissues, this item went along with a great many bad features.

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

Mr. HILL. I yield to my friend.

Mr. TAFT. I understood the distinguished Senator from Florida [Mr. PEPPER] to say the other day that such a provision as this should not be included, and that he was still opposed to any amendment to the Thomas bill in spite of the proposal made by the Senator from Alabama. Was not that the Senator's understanding?

Mr. HILL. I understood that was the position of the Senator from Florida, and the Senator from Florida has just as much right to be against the amendment as the Senator from Ohio has to stand on this floor and advocate the bobtailed Taft-Hartley bill.

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

Mr. HILL. I yield.

Mr. TAFT. I am only trying to bring out the facts. It is true also, is it not, that Mr. Green, of the American Federation of Labor, in testifying before the committee, said that he thought this provision was wholly unnecessary? Was not that, in effect, his testimony with respect to this provision?

Mr. HILL. As I remember Mr. Green's testimony, whereas he thought the writing of this provision into the law was unnecessary, he did not feel that there should be any objection on the part of labor to the proposition that labor should bargain collectively. As I recall Mr. Green's testimony, he emphasized the fact that one of the principal purposes, one of the main reasons for having labor unions, was that they might bargain collectively.

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

Mr. HILL. I yield.

Mr. TAFT. May I read to the Senator Mr. Green's testimony, in reply to my general question?

Mr. HILL. From what page is the Senator reading?

Mr. TAFT. I read from pages 1922 and 1923, part 4. I shall read merely the part at the end:

> Mr. GREEN. You must have information that I don't have. I never knew of a single union that ever refused to bargain collectively.
>
> Senator TAFT. The courts have found that they have. Mr. Green, in any event you don't think the unions should be subject to the obligation to bargain collectively under the law?
>
> Mr. GREEN. There is the obligation by our union to do it. So far as I am concerned, if there is anyone that refuses, I will see that he does.

Mr. HILL. The whole spirit and purport of Mr. Green's statement, whether he thinks this amendment ought to go into the law or not, is the spirit and purport of the pending amendment.

Mr. TAFT. Of course the Senator is aware of the fact that the actions against the ITU which have been so strenuously denounced by those representing the labor position of recent days, was due to their refusal to bargain collectively as found by the court. So that all the injunctions in that case were based primarily on their refusal to bargain under this provision of the Taft-Hartley law. Is the Senator aware of that?

Mr. HILL. I think so. So that the Senate and the RECORD may have the full facts, I will say that if they did not bargain, it is because they could not bargain collectively under the Taft-Hartley law.

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

Mr. HILL. I yield.

Mr. TAFT. Can the Senator tell us whether the distinguished Senator in charge of the bill will accept this amendment if there is no opposition on this side of the aisle?

Mr. HILL. I will say that the amendment is entirely within the spirit of the fundamental purposes of the bill and contributes substantially to achieving its main objective—collective bargaining. The Senator in charge of the bill can speak for himself better than I can speak for him, and I would much prefer that he speak for himself than for me to attempt to put words into his mouth.

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

Mr. HILL. I yield to the Senator from Utah.

Mr. THOMAS of Utah. I cannot answer the question "Yes" or "No." Being in charge of the bill, I represent the action of the committee on the bill. If I am faithful to what the committee has reported, the answer would have to be "No." I do not think it would be proper for me to accept an amendment of this kind, because while it is not a controversial amendment, while it would not destroy the unity of the bill in any way, I think each individual Senator should be free to vote as he pleases upon the bill.

If the Senator will yield further——

Mr. HILL. I shall be glad to yield the floor, if the Senator wishes to speak at length.

Mr. THOMAS of Utah. No; I wish to speak only for a moment. I think we have missed the whole story of the purpose of the original National Labor Relations Act. No one assumed that labor, which was asking to bargain and asking to have its representatives, whom it might freely choose, represent it in bargaining with employers, would ever refuse to bargain. That was not the point at all. It was alleged by the opponents of the Wagner Act that the act was one-sided. Of course it was, in that regard. It was for the purpose of establishing rights for labor, and one of those rights was to bargain collectively with employers. That is the reason there was not a double provision. The assumption was completely and wholly covered in the National Labor Relations Act, and that is the reason why this provision found no place in the pending bill.

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

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

Mr. NEELY. Will the distinguished Senator from Alabama be good enough to explain the difference between his amendment and the comparable language of the Taft-Hartley law?

Mr. HILL. I would say that so far as the pending amendment is concerned, the phraseology is substantially the same. The Taft-Hartley law, however, goes into the matter of what collective bargaining is and seeks to prescribe what it is. This amendment does not go into those prescriptions or seek to lay down those rules or regulations laid down by the Taft-Hartley law.

Mr. NEELY. Does the Senator mean that the only difference is that the Taft-Hartley law spells out the procedure, and the Senator's amendment does not?

Mr. HILL. I would not say the Taft-Hartley law spells out all the procedure, but it does lay down certain definite prescriptions and regulations which impairs the freedom of true collective bargaining and which my amendment does not contain.

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

Mr. HILL. I yield to the Senator from Montana.

Mr. MURRAY. Do I correctly understand that the Senator from Alabama takes the position that the adoption of this provision would cure the situation confronting the Nation with reference to labor and management relations?

Mr. HILL. The Senator from Montana must think I am a greater optimist than I really am. I have not yet found any cure-all for anything. I think this

amendment would be beneficial and significant from the standpoint of laying down a basic national labor policy with its cornerstone, free from collective bargaining.

Mr. MURRAY. Does the Senator feel that the adoption of his amendment, without removing the other restrictive and punitive provisions in the labor law, would accomplish anything for the country?

Mr. HILL. I will say to the Senator that I am standing side by side with him, and shall do all I can to remove the restrictive and punitive provisions to which he has referred.

Mr. MURRAY. Does not the Senator feel that if, 2 years ago, we had undertaken to adopt an amendment of this kind, and a few other amendments which at that time appeared desirable, and had avoided the enactment of those punitive measures and provisions, we would be far ahead today in our labor relations?

Mr. HILL. I think the Senator is correct. If my memory is correct, the Senator was one of the authors of the substitute bill which was offered 2 years ago for the Taft-Hartley bill. That substitute bill carried this provision for collective bargaining. I thoroughly agree with the Senator that had the Senate passed the substitute offered by the Senator, instead of passing the Taft-Hartley bill, the whole labor-management situation would be much healthier and better than it is at this time.

Mr. MURRAY. I thank the Senator for that statement.

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

Mr. HILL. I yield to the Senator from Illinois.

Mr. DOUGLAS. In other words, the amendment offered by the Senator from Alabama is not copied from the Taft-Hartley Act, but is a return to the Murray amendment of 1947. Is that correct?

Mr. HILL. The Senator has very accurately stated the situation.

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

Mr. HILL. I yield.

Mr. DOUGLAS. Is it not true that the omission of this phrase from the Wagner Act of 1935 was a purely technical omission which is now being remedied by the perfecting amendment offered by the Senator from Alabama?

Mr. HILL. The distinguished Senator from Utah, the chairman of the committee, made what I thought was a very fine, concise statement as to why this provision was not put into the original act. In 1935, when the original act was passed, there was no question about labor not bargaining collectively. Labor was begging, petitioning, pleading to have the right to bargain collectively, to be able to bargain collectively. It was the denial on the part of management to bargain collectively with labor that brought forth the Wagner Act. In 1935 there was no question of any consequence raised with reference to labor bargaining collectively, because labor, throughout the country, was asking, petitioning, and begging to be allowed to be given the opportunity by management to bargain collectively.

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

Mr. HILL. I yield.

Mr. MURRAY. At no time during that period was there any position taken by labor that it would not bargain collectively, was there?

Mr. HILL. There certainly was no position taken by labor in that respect. On the other hand, labor's postion at that time was that it was asking for an opportunity to bargain collectively. That is exactly what it wanted to do, because labor was wise enough to recognize that there can be no free, worthwhile bargaining as between management on the one hand and the individual industrial worker on the other hand. That means, and has always meant, dictation by management. We either have dictation by management, free collective bargaining, or else we have some form of dictation by Government.

Mr. MURRAY. The adoption of this amendment, standing by itself, would not cure labor conditions in this country. If we continue to maintain the punitive and restrictive measures and processes which undertake to prevent the expansion of labor unionism and weakening its bargaining power, we shall continue to have such problems between labor and management.

Mr. HILL. I think the Senator is exactly right.

Mr. MURRAY. When we offered that amendment we were offering it as part of a program to bring about better relations between management and workers, and we would not have offered it as a part of a program that undertook to restrict and strait-jacket labor. Labor can never bargain collectively if it is going to be subject to the kind of provisions which were inflicted on it by the Taft-Hartley Act.

Mr. HILL. Knowing that that was the spirit, intent, and purpose of the substitute amendment offered 2 years ago by the Senator from Montana and some of his colleagues on the floor of the Senate, we who offer the pending amendment today went back to that substitute amendment and there received inspiration which brings us here today with the pending amendment.

Mr. MURRAY. If this amendment is incorporated in the Thomas bill and at the same time the Taft provisions are incorporated, we will not have fair, honest collective bargaining in this country.

Mr. HILL. I agree with the Senator; we should have this amendment, and then reject the unfair and punitive restrictions, referred to by the Senator.

Mr. President, I hope we may have a vote on the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Alabama.

Mr. THOMAS of Utah. Mr. President, before we vote on the amendment I think I should say a word or two about it. I have been asked by the Senator from Ohio if I would accept the amendment on the part of the committee. The answer is "no." I should like to add that if the amendment is offered in the spirit of the Taft-Hartley law, the answer is of course definitely "No." If, on the other hand, it is offered in the spirit of the original Wagner Act, the National Labor Relations Act, or offered in the spirit of the amendment which was offered as a substitute in 1947, the answer is that it will be given serious consideration, and in giving it serious consideration, it should be said to the Members of the Senate, when they are called upon to vote for the amendment, that the amendment was offered by members of the committee who are friendly to the bill which is now before the Senate . It was offered by members of the committee who would have supported, had they been present, and who did support, the substitute bill offered in 1947.

It is a question, therefore, as to whether Senators want to put into the pending bill something representing the spirit that has developed since the National Labor Relations Act came into existence, when we did find some representing labor who refused to bargain. I think that refusal on the part of labor is entirely and wholly out of harmony with and not in any way in keeping with the spirit labor had in asking for the National Labor Relations Act, and it was out of harmony with the purpose of the National Labor Relations Act.

If advantage-taking comes into the bargaining room, and instead of bargaining to come to an agreement, there is an attempt to make agreement more difficult, those participating are not collectively bargaining, they are merely arguing and not attempting to bring about peace between employers and employees. If bargaining is not to be honestly done, why bargain at all? If men are merely going to be present, read magazines, and talk about other things, and then come to no agreement under any consideration, that is not collective bargaining.

The questions asked of the Senator from Alabama by the Senator from Illinois [Mr. DOUGLAS], give us the true purpose we are trying to accomplish by the bill which is before us, namely, to bring into life again the National Labor Relations Act as it was.

This amendment comes within the category of which I spoke toward the conclusion of my opening remarks, of the type of amendment which can be added to the committee bill without in any way destroying its spirit or purpose. It will not in any way affect that which is being done by the committee bill, except in this one particular, that it does assume a duality of responsibility under a bill which should be only unitary in its nature, because it is assumed all the time that labor will want to live up to its rights.

If, on the other hand—and this is a repetition—the amendment is offered for the purpose of keeping in the bill the spirit, the punitive nature, of all the Taft-Hartley law represents in the minds of labor, the amendment would be just as distasteful to the leaders of labor and to labor generally in the United States as any of the other amendments which are entirely out of harmony with what we are trying to do.

I trust, Mr. President, that when we have a vote on the bill each Senator will vote his convictions.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Alabama [Mr. HILL] for himself and other Senators.

Mr. TAFT. Mr. President, of course this particular amendment is taken out of the Taft-Hartley law. All the talk about it being in the spirit of the Wagner Act is complete nonsense. The Wagner Act did not contemplate any unfair labor practices on the part of the unions, it did not provide any machinery of any kind whatever against unions. The entire spirit was only of one nature, namely, to force an employer to recognize a union, and be subject to compulsion by the Board if he engaged in unfair labor practices. The Wagner Act was one-sided in spirit, it was always intended to be one-sided, and no suggestion was ever made in the act that a union should be compelled to do anything, or that there could be any unfair labor practice on the part of a union.

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

Mr. TAFT. I yield to the Senator from Utah.

Mr. THOMAS of Utah. I think we should out of fairness to everybody read the Taft-Hartley law and what it says, and interpret the spirit of it. I refer to page 7, subsection (3):

> To refuse to bargain collectively with an employer, provided—

And this is where the damage of the Taft-Hartley law comes in. It is assumed that labor is never honest, that labor is never straightforward, that labor is not acting properly, and it is this in the Taft-Hartley law to which labor objects.

> To refuse to bargain collectively with an employer.

We do not object to that, but we do object to the proviso. I am sure that every laboring man would object to it, because it carries a sting which hurts laboring men down to their boots.

Mr. TAFT. What proviso is the Senator talking about, if I may ask?

Mr. THOMAS of Utah. In subsection (3), "provided it is the representative of his employees subject to the provisions of section 9 (a)."

Of course, that means that employers do not have to bargain with employees unless they represent a properly organized union.

Mr. TAFT. With due respect to the Senator, the two provisions mean exactly the same. The amendment offered by the Senator from Alabama does not obligate a union to bargain collectively if the union does not represent a majority of the employees. While words to that effect are perhaps unnecessary, the legal effect is exactly the same. There is no reflection on any union. There can be an unfair labor practice only when the union is the representative of the employees. If it is not so designated by the Board, it is no longer obligated to bargain collectively. Obviously it might have some difficulty in doing so if it did not represent a majority. Those words in no way change the provisions of the Taft-Hartley law. The amendment offered by the Senator from Alabama is exactly the same as the present law.

Mr. THOMAS of Utah. Mr. President, we may say it would be exactly the same provided the part after the word "provided" in the Taft-Hartley law were not there.

Mr. TAFT. The words in no way get rid of the provision of the Taft-Hartley law. They mean substantially nothing except to make perfectly clear that a union which does not represent a majority of the employees is not obligated to engage in collective bargaining and to sign a contract.

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

Mr. TAFT. I yield.

Mr. THOMAS of Utah. We are hitting at the very subject, the very principle, that labor objects to in the Taft-Hartley law. It is that the bill is wholly legalistic from start to finish; that even in mediation it is necessary to have lawyers present, which destroys mediation in a certain way, and opens up a chance for argument on any kind of point imaginable. Whenever a lawyer comes into a collective bargaining circle collective bargaining goes out and litigation comes in. It is that sort of thing which labor objects to, because laborers are not lawyers.

Mr. TAFT. Do I understand the Senator from Utah is supporting the Hill amendment, or is not supporting the Hill amendment? Is he supporting the amendment or opposing the amendment?

Mr. THOMAS of Utah. I am trying to explain the effect of the amendment, Mr. President.

Mr. TAFT. The effect of the amendment is to put into the Thomas bill the exact provision of the Taft-Hartley law on the subject of requiring unions to bargain collectively. The Senator talks about legal language, but the Hill amendment says "subject to the provisions of section 9 (a)." So we have to turn to section 9 (a), which provides:

> Representatives designated or selected for the purpose of collective bargaining by the majority of the employees in a unit appropriate for such purposes shall be the exclusive representatives of all the employees in such unit for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment.

So I think that without the words which are in the Taft-Hartley Act the Hill amendment still is confined to unions which represent the employees under section 9 (a).

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

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

Mr. NEELY. Will the eminent Senator from Ohio inform us whether in his opinion the Hill amendment is anything but a paraphrase of certain language contained in the Taft-Hartley law?

Mr. TAFT. No, it is exactly the same. There are merely a few different words. But the meaning, so far as I can judge, legally and any other way, is just 100 percent the same as the provision in the Taft-Hartley Act, which was being removed by the Thomas bill until the Hill amendment was offered.

Mr. NEELY. I thank the distinguished Senator from Ohio. He has expressed the identical conclusion which I long since regretfully reached. He has also fortified my determination to vote against the amendment because it is, in effect, a part of the Taft-Hartley law.

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

Mr. TAFT. I yield to the Senator from Illinois.

Mr. DOUGLAS. I do not wish to split hairs, but I should like to inquire of the distinguished Senator from Ohio if he will turn to section 8 (b) (3), which is the clause of the Taft-Hartley law which he alleges is identical with the provision in the Hill amendment. If the Senator does so he will find the qualifying words: "provided it is the representative of his employees"; whereas in the Hill amendment the Senator will notice that this limiting clause is removed. Therefore I think there is a very substantial difference between the two provisions. Is it not also true that the Hill amendment, therefore, merely returns to the spirit of the Wagner Act?

Mr. TAFT. No. I think anyone who examines it will find it means the same thing. So long as the Senator from Alabama [Mr. HILL] left in his amendment the words "subject to the provisions of section 9 (a)," the meaning is exactly the same as in the clause of the Taft-Hartley Act.

Mr. President, I do not think anyone, by this general argument, can really be deceived as to the exact nature of the words in the Hill amendment now under discussion, or in the next three amendments. What is obvious is that the authors of these amendments are willing to accept four provisions of the Taft-Hartley law. They propose to write those provisions into the Thomas bill, although the distinguished author of the bill refused to put them in his bill, and proposes to repeal them. That is the situation.

So far as I am concerned, I am delighted to have them in the bill. In substance they are all in the substitute bill which I propose to offer at a later time. So how could I possibly consistently oppose the amendments? I think we should vote them into the bill. There may be a few votes against them.

There are some differences in each one of the other three which I shall point out when they come before the Senate. They are not differences of principle, however, from the Taft-Hartley law. Obviously the other three amendments are provisions contained in the Taft-Hartley law. One deals with the filing of financial statements. Another deals with the filing of the non-Communist affidavit. That provision was put into the law on the floor of the Senate; not by the committee. The fourth one is the provision dealing with free speech, which came from the Taft-Hartley law. Those provisions were all written in the bill by the Senate Labor Committee. Witnesses came before us and suggested the provisions were really taken from the amendment of the Senator from Montana [Mr. MURRAY], which was offered at the very end of the long debate on the Taft-Hartley law.

Of course, Mr. President, those provisions were obviously taken from the Taft-Hartley law. They were not prepared until long after the Taft-Hartley law had been adopted. So the situation is, and we might as well recognize it, that the sponsors of the amendments want to make the Thomas bill more acceptable by adding to it four provisions of the Taft-Hartley law, to which I have no objection. I am in favor of putting them all in the bill and getting on to the matters which are really in substantial controversy.

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

The PRESIDING OFFICER (Mr. GILLETTE in the chair). Does the Senator from Ohio yield to the Senator from Montana?

Mr. TAFT. I yield.

Mr. MURRAY. Is it not true that long before the Taft-Hartley Act was passed, this matter was discussed in the committee hearings, and some of the labor leaders even had discussed with us the question of whether or not there should be a corresponding obligation on the part of labor? That was before the Taft-Tartley Act was passed.

Mr. TAFT. Yes, I think so. I think there were some labor leaders then, as there are some labor leaders now, who are willing to accept some of these provisions. Others do not want them. We have had a continual complaint against any of the amendments from Mr. Lewis, representing the United Mine Workers. I do not know what Mr. Philip Murray's position, representing the CIO, is respecting them. I have not been able to find that out. I do not know whether he has stated that he is for or against the amendments. I do not know whether Mr. Green is entirely against them, although in his testimony before the committee he was opposed to them. But I think the A. F. of L. has modified its position.

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

Mr. TAFT. I yield.

Mr. MURRAY. The point I want to make is that the subject was discussed in the committee long before the Taft-Hartley Act was passed.

Mr. TAFT. Oh, yes.

Mr. MURRAY. And some of the leaders of the labor organizations, as a part of a fair, just program, would not have had any objection to the proposal. But when it is proposed to place it in the bill as a part of a program designed to restrict and penalize labor and make it difficult for labor to carry on the bargaining processes, then I can agree with my friend, the Senator from West Virginia, that it is of no advantage to labor to have this provision in the bill. This is especially true if at the same time we are going to have in the bill provisions which would so penalize labor that it would not be possible for labor to bargain freely and fairly.

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

Mr. TAFT. I yield.

Mr. DOUGLAS. I should like to ask the Senator from Ohio if there is not another point of differentiation between the Hill amendment and the clause which the Senator from Ohio sponsors, namely, that under the Taft-Hartley law the obligation to bargain collectively on the part of the union is conditional upon section 8 (b), which defines in minute detail what the process of collective bargaining is; which imposes time limits, and a series of other matters, which are altered under the Thomas bill to which the Hill amendment is proposed? Does not that constitute a very substantial difference between the Hill amendment and this clause in the Taft-Hartley Act?

Mr. TAFT. No. I think the two things are exactly the same. Of course, this clause may be of more value against a union if used in connection with other provisions of the Taft-Hartley Act. Yes, the Senator from Illinois states that condition very directly.

I may say, Mr. President, that, as I have heretofore said, I have placed on the desks of Senators a list of the important features of the Taft-Hartley Act which we retain in our substitute amendment, of which there are 22 listed. What the authors of the four amendments now in question are doing is to accept No. 2 in our list, that is the pending amendment; No. 6, with some change; number 15, with some change; and No. 16, with some change. The original Thomas bill accepted the outlawing of jurisdictional strikes. So that makes five changes accepted.

There remain 17 provisions in the Taft-Hartley law which are not accepted by these amendments. As the Senator says, the adoption of this amendment, while I think it is important, in no way retains the Taft-Hartley law as a whole. I quite agree that these amendments, while important each in itself, do not substantially change the Thomas bill from a bill which still undertakes to return to the general spirit of the Wagner Act, as opposed to the amendments which attempt to retain the spirit of the Taft-Hartley Act, with 28 corrections to meet objections which have been made or which have developed in the course of the operation of that act.

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

Mr. TAFT. I yield.

Mr. DOUGLAS. I thank the Senator from Ohio for his characteristic candor in saying that these amendments retain the spirit of the Wagner Act, whereas he wishes to retain the spirit of the Taft-Hartley Act.

Mr. TAFT. May I correct that statement? I do not say that the amendments retain it. I said that the Thomas bill, even though these amendments are made, retains the spirit of the Wagner Act.

Mr. DOUGLAS. That is correct.

Mr. TAFT. The one-sided spirit of the Wagner Act.

Mr. DOUGLAS. Therefore, the fundamental issue will be joined, if these amendments are approved, as between the spirit of the Wagner Act and the spirit of the Taft-Hartley Act. I again congratulate the Senator on the candor and honesty with which he states his position, a candor and honesty which compels respect on both sides of the aisle.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Alabama [Mr. HILL] for himself and other Senators to the so-called Thomas substitute.

Mr. MORSE. Mr. President, I wish to make a few brief remarks in support of the pending amendment.

The proposed amendment would make it an unfair labor practice for a union to refuse to bargain collectively with an employer, provided it is the representative of his employees subject to the provisions of section 9 (a). By the amendment it is intended to impose on unions the same obligation to bargain collectively that is imposed on employers. Since trade-unions are chiefly organized for the purpose of bargaining collectively, there will be—or should be—little occasion for its employment. However, ever since the passage of the Wagner Act I have held to the point of view that the Wagner Act was in need of amendment in accordance with the principles of mutuality of responsibility, obligation, and rights. I think the failure of the Wagner Act to impose the affirmative duty upon the union to engage in good-faith collective bargaining has been one of the great weaknesses of the act. It has been pointed out in the debate thus far today that under the Taft-Hartley Act, section 8 (a) (5) and section 8 (b) (3), an attempt was made by language to establish an obligation of mutuality of bargaining on the part of the employer and of the union.

There has been considerable discussion in the debate today in regard to what good-faith collective bargaining is. Of course we must go to the act and look at the definition. I think it is important to place in the RECORD at this point the definition of collective bargaining. I believe that under the administration and enforcement of the Taft-Hartley Act to date this definition has not been as carefully followed by Government officials—as I shall point out later in my remarks—as I think the definition should have been followed.

Thus we find, in section 8, subdivision (d), the following language:

(d) For the purposes of this section, to bargain collectively is the performance of the mutual obligation of the employer and the representative of the employees to meet at reasonable times and confer in good faith with respect to wages, hours, and other terms and conditions of employment, or the negotiation of an agreement, or any question arising thereunder, and the execution of a written contract incorporating any agreement reached if requested by either party, but such obligation does not compel either party to agree to a proposal or require the making of a concession: *Provided*, That where there is in effect a collective-bargaining contract covering employees in an industry affecting commerce, the duty to bargain collectively shall also mean that no party to such contract shall terminate or modify such contract, unless the party desiring such termination or modification—

(1) serves a written notice upon the other party to the contract of the proposed termination or modification 60 days prior to the expiration date thereof, or in the event such contract contains no expiration date, 60 days prior to the time it is proposed to make such termination or modification;

(2) offers to meet and confer with the other party for the purpose of negotiating a

new contract or a contract containing the proposed modifications;

(3) notifies the Federal Mediation and Conciliation Service within 30 days after such notice of the existence of a dispute, and simultaneously therewith notifies any State or Territorial agency established to mediate and conciliate disputes within the State or Territory where the dispute occurred, provided no agreement has been reached by that time; and

(4) continues in full force and effect, without resorting to strike or lock-out, all the terms and conditions of the existing contract for a period of 60 days after such notice is given or until the expiration date of such contract, whichever occurs later.

The duties imposed upon employers, employees, and labor organizations by paragraphs (2), (3), and (4) shall become inapplicable upon an intervening certification of the Board, under which the labor organization or individual, which is a party to the contract, has been superseded as or ceased to be the representative of the employees subject to the provisions of section 9 (a), and the duties so imposed shall not be construed as requiring either party to discuss or agree to any modification of the terms and conditions contained in a contract for a fixed period, if such modification is to become effective before such terms and conditions can be reopened under the provisions of the contract. Any employee who engages in a strike within the 60-day period specified in this subsection shall lose his status as an employee of the employer engaged in the particular labor dispute, for the purposes of section 8, 9, and 10 of this act, as amended, but such loss of status for such employee shall terminate if and when he is reemployed by such employer.

In commenting on this definition of collective bargaining I wish to press the point that good-faith collective bargaining does not require the granting of concessions. I think that point is very much misunderstood. The notion is rather widespread that if one engages in collective bargaining he must necessarily show his good faith by making some concessions. I am inclined to believe that there is some indication, from the actions of the general counsel of the National Labor Relations Board in respect to certain cases, that he and his staff have been laboring under the mistaken notion that the granting of concessions is almost a condition precedent to a finding of good-faith collective bargaining. I think we need to keep that in mind as we set forth this afternoon the legislative history and meaning of the amendment upon which we are about to vote. Whether we adopt it or not, we should vote on it with our eyes wide open as to what I think its clear meaning is.

The amendment does not propose to incorporate into existing law certain erroneous constructions which have been given the similar provision contained in section 8 (b) (3) of the Taft-Hartley Act. These interpretations have imposed a different standard upon labor unions than that applied under the Wagner and Taft-Hartley Acts upon employers; and in proposing the amendment we wish to make it clear that these constructions should be corrected.

For example, it has been contended by the general counsel of the NLRB and others that the obligation to bargain collectively resides only in local unions, or in the employees of a single enterprise, and that any supervision of local negotiations by the officers of national labor organizations constitutes an interference with the duty of local unions to bargain collectively. This view we reject, for if accepted by the National Labor Relations Board and the courts, its effect is to introduce into the law the Ball "anti-industry-wide bargaining" amendment which was defeated in the Senate at the time the Taft-Hartley Act was adopted. It is our national objective to encourage strong, stable and responsible labor organizations. If that purpose is to be achieved, it is important that we recognize the necessity that unions be permitted to devise and enforce methods for achieving stability and responsibility through their own procedures. The most usual method, common to all trade unions, is to empower officials of the union, by constitutional or other written provisions or by custom, to supervise and guide local negotiations and local agreements, in order to protect the interests of the union as a whole.

That practice is very common in industry. How many times do representatives of a union sit down with the representatives of an industry which has a far-flung, widely expanded organization throughout the country, an industry with a great many plants? Because I do not want to discuss any existing industry, even by way of mentioning it in connection with a hypothetical example, for fear that some unintended interpretation will be made of my remarks, I shall discuss industry X. We will assume that it has a plant in Albany, one in Cleveland, Ohio, one in Chicago, Ill., and one in Oakland, Calif. Labor trouble develops in the Illinois plant. The resident manager of the plant says, "I am very sorry, but my superiors have decided that the most we can offer is an increase of 10 cents an hour. That is tops, and any further discussion about even a half-cent above 10 cents is just a waste of time. I am not free to discuss it. It is 10 cents or nothing. That is going to be the standard pattern for our industry X across the Nation."

Cases such as that happen frequently. Is the local manager of the Illinois plant engaging in good-faith collective bargaining? Of course, he is. He is engaging in collective bargaining subject to certain limitations that his superiors have imposed upon him as to the offers he can make, and as to the terms of the contract to which he can agree. That is very common in industry. It has been involved in a great many cases over which I have presided as arbitrator, cases in which we were dealing, in effect, with the national pattern of the industry as to certain terms and conditions affecting wages, hours, and conditions of employment.

We may not like industry-wide bargaining, but industry-wide bargaining is perfectly lawful. I happen to be a strong proponent of it, because I believe it lends itself to stability in management-labor relations.

But assuming for the moment that one does not like industry-wide bargaining, the fact remains that large industries are engaging in it constantly by laying down certain terms and conditions beyond which their resident managers in their respective plants throughout the country cannot go in negotiating contracts with labor unions.

Mr. President, I believe in mutuality. Therefore, I think the principle of mutuality should be applied here, too. In view of the sections of the Taft-Hartley Act to which I have already referred, I do not think that act should be subject to interpretation by the General Counsel or by the Board or the court to the extent of having one meaning applied in respect to bargaining on the part of representatives of industry, but a much more restricted or limited meaning applied in respect to bargaining on the part of representatives of the union. So I say that since it has been the traditional practice over many years, it can hardly be said that such supervision or guidance is incompatible with collective bargaining, nor does it mean that a local union ceases to be the actual bargaining representative. But the construction which has been erroneously urged would make it impossible for labor organizations to achieve stability and responsibility, would preclude the carrying out of intraunion procedures and policies and inject the Federal Government into the internal affairs of unions, and would fragmentize each union into its smallest local components. It is worth emphasizing that we do not intend by this amendment to interfere in internal union affairs, and that under the proposed amendments unions may adopt such procedures or conditions with respect to bargaining as they deem wise, so long as they represent union decisions which the rank and file, through their democratic processes, by way of delegates to district conventions, State conventions, or national conventions, have expressed themselves as favoring, so that it can be said that the policy of the union is, after all, one which represents the point of view of the rank and file of the union.

Second. I point out that the general counsel of the National Labor Relations Board has argued, and some trial examiners and courts have accepted the position, that a union demand that an employer recognize the rules or laws of the union is in and of itself a refusal to bargain collectively. The essence of trade-unionism, and particularly of democratic trade-unionism, is to be found in the rules or laws of the union. Union members, through their union procedures, adopt rules concerning the terms and conditions under which they will sell their labor. For example, they may agree that they will not work on unsafe premises, or for dangerously long hours, or for less than a specified minimum wage, or adopt many other rules or laws to abolish practices deemed detrimental to the union or its members or their job security. Through their officers, procedures are devised to carry out and enforce the contract so made. A demand for the recognition of these minimum conditions, even to the point of insistence through strike action, is not incompatible with collective bargaining in good faith. Employers have had a clear right, which has been recognized by the Board, to insist upon matters

which they deem fundamental in collective bargaining, and unions should be accorded the same right. Necessarily, unions must, in justice to the fair employers with whom they have agreements, insist on substantial uniformity in the agreements which are concluded. Many employers demand and receive in their agreements most-favored-nation clauses by which the union agrees to accord them any more favorable conditions granted any other employer. Underlying economic facts may, therefore, make it impossible for a union to do other than insist on a particular form of agreement. In no case has the Board held that an employer's insistence on the same agreement with several different unions constitutes a failure on the part of the employer to bargain, and it is intended that the same principle, in the interest of mutuality, shall apply to unions.

Mr. President, I wish to say something more about this problem, because as I make these remarks I am perfectly aware of the fact that here we are dealing with a situation which may be subject to grave abuse in the actual carrying out of the principle of mutuality, and I think it illustrates as clearly as anything can that we simply cannot legislate good faith. Men either have it in their hearts or they do not have it. Either they are going to sit down around the collective-bargaining table and engage in good-faith bargaining or they are going to attempt to "slip something over" on each other, and, rather than carry out the spirit and intent of free collective bargaining, they are going to be guilty of subjecting it to abuse. I simply do not know how we can by way of legislative language prevent men from acting in bad faith, but at the same time guarantee to the parties on both sides of the collective-bargaining table that mutuality of principle which permits them to engage in good-faith collective bargaining.

Let me illustrate that point by a hypothetical situation, because, just as I did not wish to indicate any particular industry by name, I do not wish to indicate any particular union by name. But all of us know that unions, as well as employers, too frequently are guilty of very arbitrary practices. The question as to whether the union is engaging in good-faith collective bargaining cannot be made a question of law; it is always going to be a question of fact, because it always involves an interpretation of human behavior around the collective-bargaining table. So let us consider a hypothetical situation. Let us suppose that the representatives of a union walk in and lay down its constitution and bylaws and some very arbitrary terms and conditions which they say must be the collective bargaining agreement between the union and the employer, if any collective-bargaining agreement is to be executed. Considering only that hypothetical situation, I wish to say for the RECORD today what I have said so many times outside the Senate, that within the framework of mutuality, within the framework of actual labor cases, I do not believe a "take-it-or-leave-it" attitude on the part of union negotiators or employer negotiators constitutes good-faith collective bargaining.

The Senator from North Carolina [Mr. GRAHAM] sat with me, by the hour and the day and the week and the month, during the war, in connection with many labor cases, and I can offer him on this occasion as my best witness to the fact that I have always held to the proposition that arbitrariness on the part of either employers or union negotiators is not consonant with good-faith collective bargaining. We frequently say by way of the technical language used in labor cases that there of course must be a spirit of give-and-take. By that, as I pointed out earlier in my remarks I do not mean that there is any obligation to make concessions. There must be an open-mindedness. There must be a demonstration that the union negotiator is trying to negotiate a contract that is fair and reasonable in respect to the interests and the rights of the employers, on the basis of the surrounding facts, circumstances, and data that can be presented in the record of the case.

Thus I say it cannot be done by a legislative formula, it cannot be done by a legislative rule-of-thumb. All that can be done, it seems to me, is not much more than we seek to do by the amendment, namely, express a legislative intent that there shall be mutuality of collective bargaining as an obligation resting upon both employers and employees and their representatives. But when we start to break that down into a series of restrictions and mandates seeking to circumscribe the parties within the framework of technical legislative rules, we kill free collective bargaining. It cannot operate, and it does not operate, under such a legislative framework.

If it be true, as some employers contend—and I have much mail on this point—that the leaders of some unions take the position that they can walk into the shop of the employer and say, "Here it is—take it or leave it," I have always held to the view that there ought to be provision which entitled the employer in that case to come before the National Labor Relations Board, and charge that, in the light of all the facts of the case, bad faith was exercised in the alleged collective-bargaining negotiations. Labor does not like that, and labor has made very clear to me that it does not like it. But my point is that we are dealing here with a question of fact, and I do not think it is proper in legislation to provide, for example, that union constitutions and laws and rules and regulations cannot be made a part of the collective-bargaining agreement and if the union negotiators insist upon the union laws, rules, and regulations, they engage in bad faith collective bargaining. I say that cannot be done by automatic legislative provision. It remains a question of fact as to whether they are engaging in good faith collective bargaining. In the industry-wide situation I cited earlier in my remarks, employers have a perfect right under the law as it now exists to say, "It is this framework within which we propose to work as a matter of managerial policy of our industry, and beyond which we will not go." Likewise, the union, for the reasons I have stated, should, as a matter of general principle, have the right to say, "These rules, these regulations, and these constitutional provisions, which after all are the product of years of collective bargaining with employers, constitute the framework within which we say we are willing to sell our labor." As a general proposition I think that is a sound principle of mutuality for both sides.

Thus I find myself in increasing disagreement with what I think is the point of view that prevails in the Office of the General Counsel, to the effect that even the insistence upon the constitution and the rules of the union cannot be reconciled in the first instance with good faith collective bargaining, and is prima facie evidence of bad faith. I say that any such trend within the policies of the General Counsel's Office cannot be reconciled with the provisions of the Taft-Hartley law which I have already read into the RECORD and certainly is not intended to be perpetuated by this amendment.

The next point I desire to make in regard to the amendment is that it is intended that the same rules shall apply to employers and unions with respect to the appropriate bargaining unit. It has long been held that an employer who, in good faith, believed that a union was seeking to bargain collectively in an inappropriate unit was under no obligation to bargain until that question had been resolved. There is no reason why labor unions should not be accorded the same right.

Next, this amendment intends that genuinely free collective bargaining be encouraged. Bargaining in good faith means entering into negotiations for the purpose of reaching an agreement. We do not believe that the Board or the courts should undertake to pass on the reasonableness of proposals, or their desirability, or their legality, except insofar as necessary to determine whether the parties are genuinely trying to arrive at an agreement in good faith—which is again, I say, a question of fact. The legality of the substantive provisions of contracts, or of contract proposals, should be left as it has always been, it seems to me, to the ordinary machinery of the courts, when and if a question concerning legality arises in connection with the application of the specific contract clause to an actual situation.

Finally, some efforts have been made to use the corresponding section of the Taft-Hartley Act to deprive employees of real freedom in their choice of bargaining representatives. I may say, Mr. President, there is a considerable feeling on this point on the part of a certain segment of the American employers. I think it is fair to say that this particular group of employers do not like the idea that they have to bargain anyway, but, knowing that collective bargaining is here to stay, and having reconciled themselves to that unpleasant fact, they strenuously object to bargaining with anyone except men from their local shops, their local employees. So they would, if they could, either by statute or by administrative interpretation

of an existing statute, try to have established in American employer-employee relationships the principle that collective bargaining carries with it the limitation that the employer shall be required only to sit down with the employees from his own shop. Of course, organized labor has learned from sad experience that it cannot protect its legitimate rights in that way. They know that the local unions need the strengthening arm and the support of brother unionists in a national union, with its great economic powers stretching across the country, because, when we get down to the very essence of this question, we must face the fact that collective bargaining, in the last analysis, is enforced by economic force.

The right to strike or to lock out is, after all, an essential power that gives effectiveness to collective bargaining. As I have been heard to say previously, that right, that economic power, does not belong to employers and workers alone. It is exercised by them, but that freedom, the right to strike, is a precious right which belongs to all the American people. Frequently the public, because it is inconvenienced by a strike and has its economic toes stepped on a bit during such periods of economic inconvenience, seems to indicate at times that it is almost ready, at least for that period, to give up that very previous freedom. But from this desk I say to the men and women in all walks of life that I do not think, upon reflection, that they want to live in a society in which the basic economic right of employees to strike and employers to lock out have been eliminated. They must be willing as consumers, as citizens generally, to make the sacrifices we always have to make from time to time to preserve any of our great basic freedoms and rights.

So I say, Mr. President, the local union frequently would be at a tremendous disadvantage with a powerful employer if its representatives in the negotiations with the employer were limited to men from the local union. In the labor movement we cannot reconcile any other view with the theory that in union there is strength, or with the theory that, after all, there is an obligation resting upon the national union to come to the aid of the local union, especially when they get down to that last stand which they have to take sometimes—strike action. How many local unions could possibly survive in a strike against a powerful employer? Suppose there were a corresponding rule that in case of strike the only financial support would be from the local union treasury? We know that when a local union strikes over what the national union considers to be a fundamental principle which involves the welfare of the entire union, the funds of the entire union frequently are made available to the local union for the expenses of the strike in order to draw the contest to a successful close. We certainly would not want to restrict that, if we wish to preserve the right to strike.

So I say, in respect to the matter of representation and collective bargaining, it is the union's business. It is the union's business to decide who shall be its representatives in collective bargaining, and if it is the policy of the union to have a national officer or a district officer or a State official of the union participate in collective bargaining, I do not think that we, as the Congress, should seek to interfere by legislative restriction.

As I have been speaking on this point, Mr. President, my mind has been flashing back to a very interesting case which I had to decide in 1939 when the whole port of San Francisco was tied up by a strike. In that case the union objected to the selection by the employer of the employer's representative on the Port Labor Relations Committee. They did not like him. Because the union did not like him, since it felt he had been, in years prior to the great strike of 1934 in the maritime industry, one of the great industry leaders in the drive to prevent the unionization of the maritime industry, they did not want even to sit down with him at the collective-bargaining table. So they struck the port because the employer did not select an employer representative to the liking of the union. Of course, that was a reprehensible act on the part of the union. Of course it was a violation of their contract. Of course they could not reconcile it with the question of good faith in collective bargaining. In that case I think I wrote one of the strongest decisions against the union I have ever penned; but I could not tolerate that sort of arbitrary, unilateral conduct on the part of the union in that instance. I believe in mutuality. I believe that employers have the right to have come into the collective-bargaining room any person of their own choosing to help negotiate a collective-bargaining agreement. Likewise I think the union should have the same right.

I make these remarks because I do not want any Senator to vote for this amendment without at least knowing that these observations have been made, because, in my judgment, it should be clear that at least I, as one of the sponsors of the amendment, have no intention of having it interpreted as empowering any administrative officer of the Government subsequently to rule by way of administrative order, or regulation, that the negotiators for the union shall exclude the district, the State, or the national officials of the national or international union.

For example, it has been claimed that a national union, in fulfilling the duty imposed on it by the democratic action of union members to guide and supervise local negotiations, becomes the bargaining agent of employees who have selected a local union to represent them. We reaffirm the declaration in section 7 of the act that "employees have the right to bargain through representatives of their own choosing" and reject any implication that the Board or the courts may, under color of this provision, designate a representative for employees other than that selected by them.

Each of these observations is necessary to make the obligation to bargain exactly mutual as between employers and unions. We feel that this explanation is necessary to achieve the desire of the Congress that the law shall bear with equal weight on both parties in the bargaining process.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the senior Senator from Alabama for himself and other Senators, to the so-called Thomas substitute.

The amendment was agreed to.

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

## LEGISLATIVE BRANCH APPROPRIATION, 1950

Mr. ELLENDER. Mr. President, I move that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of House bill 5060 making appropriations for the legislative branch for the fiscal year ending June 30, 1950, and for other purposes. I wish to say to Senators that it will not take very long to dispose of the measure. I think we can complete it in about 20 minutes.

Mr. HILL. Mr. President, I suggest that the Senator from Louisiana ask unanimous consent temporarily to lay aside the unfinished business and to consider the bill which he has mentioned.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of House bill 5060.

Mr. HILL. Mr. President, reserving the right to object—I shall not object—I wish to say to the Senator from Louisiana that if protracted debate ensues I shall ask for the regular order, because I think we should dispose today of as many of the amendments to the labor bill as is possible.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Louisiana?

There being no objection, the Senate proceeded to consider the bill (H. R. 5060) making appropriations for the legislative branch for the fiscal year ending June 30, 1950, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with, and that the bill be read for amendment, committee amendments to be considered first.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

| | | |
|---|---|---|
| Aiken | Gillette | Long |
| Anderson | Graham | Lucas |
| Brewster | Green | McCarran |
| Bricker | Gurney | McCarthy |
| Bridges | Hayden | McClellan |
| Butler | Hendrickson | McFarland |
| Byrd | Hickenlooper | McGrath |
| Cain | Hill | McKellar |
| Capehart | Hoey | McMahon |
| Chapman | Holland | Malone |
| Chavez | Humphrey | Martin |
| Connally | Hunt | Maybank |
| Cordon | Ives | Millikin |
| Donnell | Jenner | Morse |
| Douglas | Johnson, Colo. | Mundt |
| Downey | Johnson, Tex. | Murray |
| Eastland | Kefauver | Neely |
| Ecton | Kem | O'Mahoney |
| Ellender | Kerr | Reed |
| Ferguson | Kilgore | Robertson |
| Flanders | Knowland | Saltonstall |
| Fulbright | Langer | Schoeppel |
| George | Lodge | Smith, Maine |

| | | |
|---|---|---|
| Sparkman | Thye | Wherry |
| Taft | Tobey | Wiley |
| Taylor | Tydings | Williams |
| Thomas, Okla. | Vandenberg | Withers |
| Thomas, Utah | Watkins | Young |

The PRESIDING OFFICER. A quorum is present.

Mr. ELLENDER. Mr. President, before the Senate proceeds to consideration of the committee amendments I should like to state that the net increase made by the Senate Appropriations Committee over the House bill is $61,405. The increase comes about partly through increases in a few salaries. The increases in salaries were made to low-paid clerks and laborers employed by the Sergeant at Arms and the Secretary of the Senate. The most substantial part of the increase was due to the fact that the committee received a budget estimate of $28,000 for emergency replacement of existing steam lines in the tunnel located under the Senate Office Building courtyard. These pipes have been in use for 40 years, and a recent failure has made it necessary to replace them.

Another addition of $10,210 was made necessary because of additional clerical assistants to the Senators from California and Virginia. The four Senators from those two States by virtue of increased population, are each entitled to an additional clerkship at $1,500 per annum, as authorized by law. The bill as a whole is 15.8 percent under the budget estimate.

I now ask that the amendments of the committee be considered.

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

Mr. ELLENDER. I yield.

Mr. BRIDGES. Does the Senator indicate that the bill as reported by the Senate committee is approximately 16 percent under the budget estimate?

Mr. ELLENDER. That is correct. I have just stated that the bill as a whole is 15.8 percent under the budget.

The PRESIDING OFFICER. The committee amendments will be stated.

The first amendment of the Committee on Appropriations was, under the heading "Senate", on page 2, after line 1, to strike out the subhead "Salaries, mileage, and expenses of Senators", and in lieu thereof to insert the following: "Salaries and expense allowance of Senators, mileage of the President of the Senate and of Senators, and expense allowance of the Vice President."

The amendment was agreed to.

The next amendment was, on page 2, after line 9, to insert:

For expense allowance of the Vice President, $10,000.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Vice President," on page 2, after line 21, to strike out:

For expense allowance of the Vice President, $10,000.

The amendment was agreed to.

The next amendment was, on page 2, line 25, after the word "month", to strike out "$47,640" and insert "$47,970."

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Secretary," on page 3, line 4, after the word "Secretary", to strike out "$334,615", and insert "$334,730: *Provided*, That the basic annual rates of compensation of the following positions shall be: Printing clerk at $5,160 in lieu of $5,000; two assistants in the library at $2,100 each in lieu of two at $1,800 each; one laborer at $2,280 in lieu of $2,040; three laborers at $1,740 each in lieu of three at $1,500 each; one laborer at $1,740 in lieu of $1,440; one skilled laborer at $1,740 in lieu of $1,440."

The amendment was agreed to.

The next amendment was, under the subhead "Conference committees," on page 3, line 18, after the word "committee", to strike out "$28,030" and insert "$28,835."

The amendment was agreed to.

The next amendment was, on page 3, line 21, after the word "committee", to strike out "$28,030" and insert "$28,835."

The amendment was agreed to.

The next amendment was, under the subhead "Administrative and clerical assistants to Senators," on page 3, line 24, after the word "Senators", to strike out $4,786,155" and insert "$4,796,365."

The amendment was agreed to.

The next amendment was, under the subhead "Office of Sergeant at Arms and Doorkeeper," on page 4, line 2, after the word "Doorkeeper", to strike out "$948,-210" and insert "$950,525: *Provided*, That the basic annual rates of compensation of the following positions shall be: Clerk at $2,280 in lieu of $2,120; clerk at $2,160 in lieu of $1,800; assistant janitor at $2,100 in lieu of $1,860; night foreman at $1,680 in lieu of one laborer at $1,320; laborer at $1,700 in lieu of $1,580; foreman in folding room at $3,600 in lieu of $3,000; chief cabinetmaker at $3,200 in lieu of $3,080; secretary at $3,540 in lieu of clerk at $3,300; one additional special employee at $1,000; superintendent of Radio Press Gallery at $4,020 in lieu of $3,660, two assistant superintendents at $2,580 each in lieu of two at $2,400 each, one assistant superintendent at $2,100 in lieu of $1,960."

The amendment was agreed to.

The next amendment was, under the subhead "Offices of the secretaries for the majority and the minority," on page 4, after line 16, to strike out:

For the offices of the secretary for the majority and the secretary for the minority, $44,940.

And in lieu thereof, to insert the following:

For the offices of the secretary for the majority and the secretary for the minority, including compensation for two chief telephone pages at basic rates to be fixed by the respective secretaries, but not exceeding $2,880 each per annum, in lieu of one clerk in the office of the Secretary of the Senate at $1,860 per annum and one messenger acting as assistant doorkeeper under the Sergeant at Arms and Doorkeeper at $2,560 per annum, $54,340; and the compensation of the clerk to the secretary for the majority and the clerk to the secretary for the minority shall be at the basic rate of $3,000 each per annum.

The amendment was agreed to.

The next amendment was, under the subhead "Contingent expenses of the Senate," on page 6, line 16, after the word "same", to strike out the comma and "exclusive of labor, and for the purchase of furniture, $12,000" and insert "$18,-000."

Mr. ELLENDER. Due to a printer's error in that committee amendment, it is necessary to offer an amendment to the amendment, which I send to the desk with the request that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 6, line 16, it is proposed to restore the language beginning with the comma after the word "labor" and ending with the comma after the word "furniture."

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

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, on page 7, line 4, after the figures "$674,750", to strike out the following proviso:

*Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses, except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

And in lieu thereof to insert the following:

*Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses (as defined in the Travel Expense Act of 1949) at rates in excess of $9 per day except that higher rates may be established by the Committee on Rules and Administration in the case of travel beyond the limits of the continental United States: *And provided further*, That the paragraph relating to advances for the expenses of Senate committees, under the caption "Senate," in the act entitled "An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1879, and for prior years, and for those heretofore treated as permanent, and for other purposes," approved March 3, 1879 (20 Stat. 419; 2 U. S. C., sec. 69), is amended to read as follows: "When any duty is imposed upon a committee involving expenses that are ordered to be paid out of the contingent fund of the Senate, upon vouchers to be approved by the chairman of the committee charged with such duty, the receipt of such chairman for any sum advanced to him or his order out of said contingent fund by the Secretary of the Senate for committee expenses not involving personal services shall be taken and passed by the accounting officers of the Government as a full and sufficient voucher; but it shall be the duty of such chairman, as soon as practicable, to furnish to the Secretary of the Senate vouchers in detail for the expenses so incurred."

The amendment was agreed to.

The next amendment was, on page 9, after line 1, to strike out:

Postage stamps: For office of Secretary, $350; office of Sergeant at Arms, $150; in all, $500.

And in lieu thereof to insert the following:

Postage stamps: For office of Secretary, $500; office of Sergeant at Arms, $225; offices of the secretaries for the majority and the minority, $100; in all, $825.

The amendment was agreed to.

Mr. BRIDGES. Mr. President, we have now completed action on the Senate items. The Senate committee refused to include an item which I think should be discussed on the floor to a certain extent. I wonder whether the Senator from Louisiana is willing to have discussion of that item at this time, or whether he desires that all the committee amendments be acted on first.

Mr. ELLENDER. Mr. President, I prefer that all the committee amendments be acted on first.

Mr. BRIDGES. Very well.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, under the heading "Office of the legislative counsel," on page 19, line 10, after the word "Representatives," to strike out "and so long as the position is held by the present incumbent, the legislative counsel of the House shall be compensated at the gross annual rate of $12,000" and insert "and so long as the positions are held by the present incumbents, the legislative counsel of the Senate and the legislative counsel of the House shall each be compensated at the gross annual rate of $12,000."

Mr. WILLIAMS. Mr. President, will the Senator from Louisiana yield for a question?

Mr. ELLENDER. I yield.

Mr. WILLIAMS. Does that amendment propose a change in the basic salary?

Mr. ELLENDER. Yes. The amendment places the Senate legislative counsel on a parity with the legislative counsel of the House. It does not increase the appropriation at all.

Mr. WILLIAMS. What is the current salary scale of those positions?

Mr. ELLENDER. The gross salary is $10,330.

Mr. WILLIAMS. Then the amendment would increase the amount by $1,670?

Mr. ELLENDER. Yes, but it does not increase the amount of the appropriation whatsoever, as I have just indicated.

Mr. WILLIAMS. It increases the base salary scale, however?

Mr. ELLENDER. Yes.

Mr. WILLIAMS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WILLIAMS. Is not this legislation on an appropriation bill?

The PRESIDING OFFICER. The present occupant of the chair is advised by the Parliamentarian that it would be, as applicable to the Senate provision only.

Mr. ELLENDER. Mr. President, I hope the Senator will not press the point of order. The House made provision for its legislative counsel, and what we are doing is to make provision for the legislative counsel of the Senate, so that both will receive the same pay.

Mr. WILLIAMS. Mr. President, I ask that the amendment go over for the time being, and I will discuss it later with the Senator from Louisiana.

The PRESIDING OFFICER. The amendment will be passed over. The clerk will state the next committee amendment.

The next amendment was, under the heading "Architect of the Capitol—Office of the Architect of the Capitol," on page 20, line 24, after the word "act", to strike out "$115,200" and insert "$120,100."

The amendment was agreed to.

The next amendment was, under the subhead "Capitol Buildings and Grounds," on page 23, line 3, after the words "in all", to strike out "$616,800" and insert "$643,000."

The amendment was agreed to.

The next amendment was, under the heading "Library of Congress—Increase of the Library of Congress," on page 28, line 24, after the words "by the", to strike out "Marshal" and insert "Librarian."

The amendment was agreed to.

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

Mr. BRIDGES. Mr. President, for several years Members of the United States Senate have come to the chairman of the Committee on Rules and Administration—to former Senator Brooks, of Illinois, when he was chairman of the commitee, and to the Senator from Arizona [Mr. HAYDEN], the present chairman of the committee—and they came to me when I was chairman of the Committee on Appropriations for 2 years, and impressed very sincerely and ably upon those Senators the necessity for additional space in order to operate the offices of Senators efficiently, and in order that committees may function effectively and efficiently. Acting in good faith, in the Eightieth Congress, legislation was introduced and passed authorizing the establishment of a Senate Office Building Commission. The members of that Commission at that time were Senator Brooks, of Illinois; Senator Revercomb, of West Virginia; the Senator from New Hampshire [Mr. BRIDGES], the Senator from Rhode Island [Mr. GREEN], and the late Senator Overton, of Louisiana. After the sad passing of Senator Overton, the Senator from Alabama [Mr. SPARKMAN] replaced him.

As a result of the legislative plan, an authorization was made for the procuring of a site, the drafting of plans, and laying the basis for construction of a new Senate Office Building. The Eightieth Congress passed out of existence, and the Eighty-first Congress came in. The distinguished Vice President of the United States filled the vacancies on the Commission. He replaced Senator Brooks, of Illinois, and Senator Revercomb, of West Virginia, with the distinguished Senator from New Mexico [Mr. CHAVEZ] and the distinguished Senator from Nevada [Mr. MALONE]. So there are five members of the Senate Office Building Commission, three Democrats and two Republicans. The Commission made a study under the very able leadership of the distinguished Senator from New Mexico [Mr. CHAVEZ] and reached the unanimous decision that we should proceed as provided in the authorization bill passed by the Eightieth Congress.

Then things began to happen. The distinguished Senator from Louisiana [Mr. ELLENDER], chairman of the legislative subcommittee, started on a crusade to stop the building, which he had every right to do. After hearings before the Public Works Committee, of which the Senator from New Mexico [Mr. CHAVEZ] is chairman, and after the presentation of evidence before a subcommittee of the Committee on Appropriations, the subcommittee and the full committee eliminated the provision for the Senate Office Building.

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

Mr. BRIDGES. I yield.

Mr. CHAVEZ. At the hearing before the legislative subcommittee, under the leadership of the senior Senator from Louisiana [Mr. ELLENDER], there appeared two members of the Senate Building Commission, the Senator from Rhode Island [Mr. GREEN] and the Senator from Alabama [Mr. SPARKMAN], who testified as to the investigation made by the Commission established during the Eightieth Congress. They told how they had investigated the necessity of additional space for Senators, and suggested to the subcommittee that the item for the construction of the building be included, not only because it had been authorized by Congress, but also because of the necessity of more space for Senators, and because the item had the approval of the Bureau of the Budget at that time.

Mr. BRIDGES. The Senator is correct.

Senator after Senator is complaining that he has not sufficient room. Senators have testified that they have had as many as 17 employees in three rooms. Bear in mind that every Senator has a minimum number of clerical employees. The number is increased according to the population of the State, so that a Senator like the distinguished Senator from New York [Mr. IVES] has several more clerical employees than the minimum number. Moreover, some Senators are paying out of their own pockets the cost of additional employees. After they do that, they have no facilities for them.

I am for economy. If a movement were made in the United States Senate to limit all public buildings, including the Senate Office Building, I would be for it. But such a movement has not been started. I have in my files an item from the Washington Post of June 7. The headline is "Senate votes bill for $70,000,000 in new buildings." Recently we approved an item of $65,000,000 for the United Nations to erect a new building in New York. We are spending $20,000,000 to erect a new court building down town in Washington. We are spending $28,000,000 to erect a new building for the General Accounting Office. Yesterday or the day before we approved a new Federal Office Building in Nashville, Tenn. We are doing everything all over the world with our funds.

I shall not urge Members of the Senate to vote for a new Senate Office Building if they do not want one. However, I hope that no Senator who votes against it will complain that he has not sufficient office facilities, or sufficient facilities to hold hearings. If Senators wish to look after

everyone in this country and all over the world, and deny themselves the opportunity of functioning effectively when it comes to a Senate Office Building, that is perfectly fine so far as I am concerned. I shall get along. But this is a decision which we must make.

The chairman of the Committee on Rules and Administration tells us that hardly a day goes by without demands being made upon him for additional office space. If Senators want to spend $20,000,000 for a new court building down town, $28,000,000 for a new General Accounting Office Building, $65,000,000 for new buildings for the United Nations, a million or two for a new Federal office building in Nashville, Tenn., and $70,000,000 for other new buildings around the country, that is all right.

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

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

Mr. BRIDGES. I yield.

Mr. IVES. I merely wish to ask the Senator if he does not recall that the item of $65,000,000 for the United Nations was a loan, and not a grant. My question does not indicate that I am not in full sympathy with the expression now being made by the Senator from New Hampshire.

Mr. BRIDGES. I point it out merely to indicate that we did not hesitate a moment when we provided $65,000,000 for the United Nations organization.

Mr. IVES. The Senator from New York would like to point out that he is probably more affected by the scarcity of office space than is any other Senator.

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

Mr. BRIDGES. I yield.

Mr. MALONE. What is the Senator's estimate of our chances of being repaid the $65,000,000 for the United Nations office building?

Mr. BRIDGES. I dislike to make a prediction as to when or how we shall be repaid.

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

Mr. BRIDGES. I yield.

Mr. IVES. I believe the able Senator from New Hampshire will recall that there is a recapture clause in connection with that loan.

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

Mr. BRIDGES. I yield.

Mr. MALONE. In other words, we could recapture it and have a $65,000,000 office building in New York City.

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

Mr. BRIDGES. I yield.

Mr. IVES. I think the able Senator will remember that were we to acquire that property, we would be saving money because of the high rental cost in New York City at the present time.

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

Mr. BRIDGES. I yield.

Mr. FLANDERS. I have been much impressed by the statements made by the Senator from Louisiana [Mr. ELLENDER] with regard to the lavishness of the plans for the proposed building. I am one of those Senators who have asked for more space. However, I should like to inquire of the Senator whether I have been personally remiss in not having been present in the Senate Chamber, or at some other place where the plans have been exposed to the criticism or approval of the Senate as a whole, or of its individual Members, amounting to the Senate in the aggregate. Probably I have been remiss. I know nothing whatever about the proposed new Senate Office Building. I am interested in it. Has it ever been displayed before this body at any time or at any place? Have I missed somehow seeing it?

Mr. BRIDGES. If the Senator from New Mexico wishes to answer the question, I shall be glad to have him do so. The Senator from Vermont asks whether the plan has ever been displayed to the Senate. I do not think it has ever been exhibited in the Capitol Building.

Mr. CHAVEZ. Mr. President, if the Senator from New Hampshire will yield to me, I shall try to answer the question.

Mr. BRIDGES. I yield.

Mr. CHAVEZ. Basic legislation was introduced in the early part of 1947, in the Eightieth Congress, providing that a preliminary survey be made first.

In 1948, after that preliminary survey had been made, more legislation was introduced, to provide for carrying out the conclusions arrived at in the preliminary survey. That basic legislation was enacted, and, as a result of it, a Senate Office Building Commission was appointed, according to law. That Commission was composed of the Senator from New Hampshire [Mr. BRIDGES], the then Senator Brooks, of Illinois; the then Senator Revercomb, of West Virginia, who at that time was chairman of the Committee on Public Works; the Senator from Rhode Island [Mr. GREEN]; and the late Senator Overton, of Louisiana. Under the basic law, that Commission was authorized to look into the matter, make arrangements for plans, and so forth. The Commission did so.

A New York firm of architects was employed, and a contract was let with that firm. It proceeded to make the plans. The Government purchased the property, took title to the property, and obtained possession of it.

When this Congress was organized—with a somewhat different organization as a result of the unpleasantness which the Republicans experienced last fall—Senator Revercomb and Senator Brooks could no longer be members of the Commission. Under the new set-up, the Vice President appointed the senior Senator from New Mexico and the Senator from Nevada [Mr. MALONE], from the Committee on Public Works, to serve on the Commission under the basic law.

The work to which I have referred had already been done by the Commission. The appropriation was made by the Eightieth Congress.

Plans were made, were submitted to the Commission, and were approved by the Commission. The basic law provides for that. Until it is changed, it is the law; and we do not have to appropriate one additional penny, because a contract can be let at this particular time. Under the law passed by the Eightieth Congress, in which a majority of the Senate was composed of members of the political faith of the Senator from Vermont, the Commission could proceed to accept a contract for a total obligation in the amount of $20,600,000.

However, it was impossible to do all the work at one time, and thus spend all the $20,600,000 at one time. So the Architect of the Capitol, proceeding under the law passed by Congress, requested the Bureau of the Budget to allow, in the legislative appropriation bill, an item of $10,000,000, to permit the work to be proceeded with.

The work has been proceeded with to such an extent that $345,000 has already been spent for architectural fees alone.

Until the new building is constructed, that land will be wasted. Sufficient funds are available to pay for the land and for the preliminary work of razing the existing structures on the land. All that work was done prior to the time when we took over. We are simply carrying through with the work which previously had been begun.

Mr. FLANDERS. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I yield.

Mr. FLANDERS. I thank the Senator from New Mexico for his explanation. He has cleared my mind of any doubt that the work done thus far has been done legally and in order.

But I say to the Senator from New Hampshire that although in this case I am in the market for a young, healthy pig, yet it seems to me that I am being asked to buy a pig in a poke. I have not seen the plans of this building.

As I have said, I am very much impressed with the criticism which has been made by the Senator from Louisiana [Mr. ELLENDER] that if the building is constructed as it is planned, it will be extravagant, that it is supposed to contain many things which we do not need and which, as a matter of fact, we ought not to have.

However, I cannot now pass my own judgment on those matters. I could do so if I were to go to the Architect of the Capitol and see the plans.

However, it seems to me that this matter is and has been of sufficient importance that one of the easels, which occasionally appear on the floor of this chamber for the display of diagrams and similar matters, should be set up to display to us a diagram of the proposed new Senate Office Building, with which we are asked to proceed.

I want more room; I am one of those who do. However, I do not want another swimming pool or an out-door restaurant, or this or that.

Am I now asked to agree to appropriate money for things which I do not want? That is what I should like to know.

Mr. BRIDGES. Of course, Mr. President, a new Senate Office Building could be built for much less than the sum of money proposed; but here we have the Capitol of the United States, the House Office Buildings, the Senate Office Building, the Supreme Court of the United States, the Congressional Library—all of

them buildings which are in keeping with the dignity of the United States and its Government.

Let me say that a year ago I traveled in various countries of Europe to which we are furnishing aid, and also at previous times I have traveled in various other parts of the world. Every foreign country I have visited has as good or better facilities for its national government than we have here in Washington for the Government of the United States, at least insofar as the legislative branch of Government is concerned.

I favor economy, and if a resolution providing for the cessation of all Federal building is submitted, I shall favor having the proposed new Senate Office Building included under its provisions. However, when we are going ahead with the Federal building program, it seems to me that it would be foolish to single out our own Senate Office Building and prevent its construction.

I admit that so far as I am concerned, I can get along with the space I have. I am not pleading for myself in any way in that connection. I am pleading on the basis of the argument which has been made to me, not by one Senator, but by dozens of Senators in the past few years—Senators who have presented their appeals to me because of the position I have held.

Of course, it may be possible to revise the plans, if the Senator from Vermont wishes to have that done; but to abandon the project entirely would be quite a different matter.

Of course, the Senator from Vermont has not had a chance to pass on all these plans. The only way that would have been possible would have been to have had a Senate Office Building Commission composed of all Members of the Senate. On the other hand, in order to function efficiently, it is necessary to have a small group handle these matters.

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

The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Rhode Island?

Mr. BRIDGES. I yield.

Mr. GREEN. Mr. President, it seemed to me that I might explain a misconception which seems to be common among some of the Senators as to the disposition of space in the proposed annex to the Senate Office Building. It is not the idea that most of the Senators will move into it or a considerable number of them. The idea is to make more space in the Senate Office Building for the most of us, the common or garden variety of Senators, by giving special space in the annex for all the standing committees. That is one reason why all the Senators were not consulted individually. The chairmen of all the standing committees were consulted as to how much space they need. There would be provision there for each chairman, for each committee, and for the committee staff, and, for convenience sake also, for the Senator as an individual, and his private staff. When those accommodations are made available for those 15 individuals, there are some other common rooms for all the Senators, and hearing rooms. A great deal of additional space will be available, so that all Senators can spread a little, and not be compelled to have three or four or five employees trying to work under distracting conditions in our own offices. I suppose that each Senator may still occupy his own office, or a corresponding office for himself. The new building is not for the Senators principally but for the staffs of Senators, and also for the staff of the Senate. It is only necessary to go across the corridor in order to see the congestion. There is one room there with 13 employees in it; another with 10, and in a very small room outside the Office of the Secretary of the Senate there are 3 employees.

When some of the committee rooms are moved out of the Capitol there will then be more room here to expand, more room for the restaurant to expand, more room for the office staff of the Senate to expand. That is the theory on which the building was planned.

I thought it would perhaps be a little helpful if I added that bit of information.

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

Mr. BRIDGES. I yield.

Mr. FLANDERS. As in the case of the Senator from New Mexico, the Senator from Rhode Island has enlightened me, and I know more than I did when I first rose to my feet. I should like however to say again that I see the need for more space. For instance, the Small Business Subcommittee of the Committee on Banking and Currency needs a room of its own, with the name on the door, to which small-business men can go and feel that that is their spot. The Committee on Post Office and Civil Service is a standing committee, whenever we have a hearing, because there is no room to sit down. That committee needs more room. In some way, out of this new office building I should like to make a swap, a dicker, or something or other, to get another room for myself.

I am not arguing against a new office building. I do want to know whether it is being provided extravagantly or not. And when I say extravagantly, I do not mean a concrete block, with windows and doors and rooms. It seems to me we can have a dignified building, a building which probably would not draw down upon itself the objections which were raised by the Senator from Louisiana. I can form, with respect to these points, no personal opinion as to whether the objections are warranted. They sounded a bit serious to me. I am not asking to sit in on any committee, or to be a member of a committee of 96 for determination of what the building should be, but I feel very strongly that every Senator should have a chance to see, in some public place, a sketch or plan of what it is that we are buying.

Mr. BRIDGES. The Senator voted for $65,000,000 for the United Nations building in New York, did he not?

Mr. FLANDERS. I did.

Mr. BRIDGES. Did the Senator see the plans before he voted?

Mr. FLANDERS. If I had seen the plans, or the exterior, I doubt that I would have voted the money. It is the most god-awful piece of architecture which has ever been perpetrated upon the nations of the world.

Mr. BRIDGES. Did the Senator vote for the General Accounting Office Building?

Mr. FLANDERS. I did.

Mr. BRIDGES. Did the Senator see the plans of that building before he voted?

Mr. FLANDERS. I did not. That is different. I am a tenant of the Senate Office Building, and I am not a tenant of the General Accounting Office.

Mr. BRIDGES. I may remind the Senator of his remark about not wishing to buy a pig in a poke.

Mr. FLANDERS. Does the Senator know what a pig in a poke is?

Mr. BRIDGES. I know the expression very well. But let me say, the Senator has bought many a pig in a poke on all these other things. Now, when it comes to the Senate Office Building, he raises a question.

Mr. FLANDERS. It is something in which I have a personal interest.

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

Mr. BRIDGES. I yield.

Mr. GREEN. I should like to remind the Senator from Vermont that he will not have a personal interest in this building. There is no expectation, unless he is made the chairman of a standing committee, that he will have any space in that building. He will probably have the same office he has now, with perhaps an additional room or two. That is all.

Mr. BRIDGES. I do not want to engage in any controversy with my friend, the Senator from Rhode Island, because we are on the same side, but I may say we hope to complete the building in time for the Republicans to take over the chairmanships 2 years from now.

The VICE PRESIDENT. That is not a question. [Laughter.]

Mr. BRIDGES. Mr. President, in order to bring the matter to a head, I now offer an amendment, which I send to the desk and ask to have read.

The VICE PRESIDENT. The Secretary will read the amendment.

The amendment offered by Mr. BRIDGES was, at the proper place in the bill insert:

Construction and equipment of an additional Senate office building: To enable the Architect of the Capitol, under the direction of the Senate Office Building Commission, to continue to provide for the construction and equipment of a fireproof building for the use of the United States Senate, in accordance with the provisions of the Second Deficiency Appropriation Act of 1948, $9,000,000.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from New Hampshire.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

| | | |
|---|---|---|
| Aiken | Connally | Fulbright |
| Anderson | Cordon | George |
| Bricker | Donnell | Gillette |
| Bridges | Douglas | Graham |
| Butler | Downey | Green |
| Byrd | Eastland | Gurney |
| Cain | Ecton | Hayden |
| Capehart | Ellender | Hendrickson |
| Chapman | Ferguson | Hickenlooper |
| Chavez | Flanders | Hill |

| | | |
|---|---|---|
| Hoey | McCarran | Robertson |
| Holland | McCarthy | Russell |
| Humphrey | McClellan | Saltonstall |
| Hunt | McFarland | Schoeppel |
| Ives | McGrath | Smith, Maine |
| Jenner | McKellar | Sparkman |
| Johnson, Colo. | McMahon | Taft |
| Johnson, Tex. | Malone | Thomas, Okla. |
| Kefauver | Martin | Thomas, Utah |
| Kem | Maybank | Thye |
| Kerr | Millikin | Tobey |
| Kilgore | Morse | Vandenberg |
| Knowland | Mundt | Watkins |
| Langer | Murray | Wherry |
| Lodge | Neely | Williams |
| Long | O'Mahoney | Withers |
| Lucas | Reed | Young |

The VICE PRESIDENT. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from New Hampshire.

Mr. ELLENDER. Mr. President, I do not wish to delay the Senate in reaching final action on the pending bill. I made a speech in the Senate on May 24 in which I presented my views and the results of my study regarding the proposed new Senate Office Building. I do not believe the building is needed. I do not believe the Senate should appropriate money at this time, when we are calling upon all Government agencies to economize, to build an extravagant, luxurious building to house its committee chairmen and their staffs. The Committee on Appropriations by a vote of 14 to 4 refused to add $10,000,000 to the pending bill for the project. I hope that the Senate will sustain the committee's action.

Mr. LANGER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the roll was called.

Mr. LUCAS. I announce that the Senator from Delaware [Mr. FREAR] and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

The Senator from South Carolina [Mr. JOHNSTON], the Senator from Washington [Mr. MAGNUSON], and the Senator from Pennsylvania [Mr. MYERS] are absent on public business.

The Senators from Idaho [Mr. MILLER and Mr. TAYLOR] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Maryland [Mr. O'CONOR] is absent on official business, having been appointed a delegate to the International Labor Conference at Geneva, Switzerland.

The Senator from Florida [Mr. PEPPER] is absent by leave of the Senate on official business.

The Senator from Mississippi [Mr. STENNIS] is absent because of illness.

On this vote the Senator from South Carolina [Mr. JOHNSTON] is paired with the Senator from Idaho [Mr. TAYLOR]. If present and voting, the Senator from South Carolina would vote "nay," and the Senator from Idaho would vote "yea."

I announce further that if present and voting, the Senator from Maryland [Mr. TYDINGS] would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Connecticut [Mr. BALDWIN] and the Senator from New Jersey [Mr. SMITH] are absent because of illness. If present and voting, the Senator from New Jersey [Mr. SMITH] would vote "nay."

The Senator from Maine [Mr. BREWSTER] and the Senator from Wisconsin [Mr. WILEY] are detained on official business. If present and voting, the Senator from Wisconsin would vote "nay."

The result was announced—yeas 29, nays 52, as follows:

YEAS—29

| | | |
|---|---|---|
| Anderson | Ives | Millikin |
| Bricker | Jenner | Morse |
| Bridges | Kefauver | Murray |
| Cain | Kem | Schoeppel |
| Chavez | McCarthy | Smith, Maine |
| Cordon | McFarland | Sparkman |
| Ecton | McGrath | Thomas, Utah |
| Green | McMahon | Thye |
| Hayden | Malone | Tobey |
| Hill | Martin | |

NAYS—52

| | | |
|---|---|---|
| Aiken | Hendrickson | Maybank |
| Butler | Hickenlooper | Mundt |
| Byrd | Hoey | Neely |
| Capehart | Holland | O'Mahoney |
| Chapman | Humphrey | Reed |
| Connally | Hunt | Robertson |
| Donnell | Johnson, Colo. | Russell |
| Douglas | Johnson, Tex. | Saltonstall |
| Downey | Kerr | Taft |
| Eastland | Kilgore | Thomas, Okla. |
| Ellender | Knowland | Vandenberg |
| Ferguson | Langer | Watkins |
| Flanders | Lodge | Wherry |
| Fulbright | Long | Williams |
| George | Lucas | Withers |
| Gillette | McCarran | Young |
| Graham | McClellan | |
| Gurney | McKellar | |

NOT VOTING—15

| | | |
|---|---|---|
| Baldwin | Miller | Stennis |
| Brewster | Myers | Taylor |
| Frear | O'Conor | Tydings |
| Johnston, S. C. | Pepper | Wagner |
| Magnuson | Smith, N. J. | Wiley |

So Mr. BRIDGES' amendment was rejected.

The VICE PRESIDENT. The Secretary will state the amendment passed over.

The amendment passed over was, on page 19, line 10, to strike out ", and so long as the position is held by the present incumbent, the legislative counsel of the House shall be compensated at the gross annual rate of $12,000" and insert "and so long as the positions are held by the present incumbents, the legislative counsel of the Senate and the legislative counsel of the House shall each be compensated at the gross annual rate of $12,000."

The amendment was agreed to.

The VICE PRESIDENT. The bill is open to further amendment. If there be no further amendment to be offered, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 5060) was read the third time and passed.

Mr. ELLENDER. Mr. President, I move that the Senate insist on its amendments, ask for a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. ELLENDER, Mr. CHAVEZ, Mr. MCKELLAR, Mr. BRIDGES, and Mr. SALTONSTALL conferees on the part of the Senate.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, notified the Senate that Mr. MCGRATH and Mr. ENGEL of Michigan, had been appointed additional 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. 3734) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1950, and for other purposes.

The message 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. 3083) making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import Bank and the Reconstruction Finance Corporation for the fiscal year ending June 30, 1950, and for other purposes; that the House had receded from its disagreement to the amendment of the Senate numbered 49, and concurred therein, and that the House insisted upon its disagreement to the amendments of the Senate numbered 5, 6, and 7 to the bill.

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 amendments of the Senate to the bill (H. R. 4046) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1949, and for other purposes; that the House had receded from its disagreement to the amendments of the Senate numbered 8, 67, 68, 69, and 79, and concurred therein; that the House receded from its disagreement to the amendments of the Senate numbered 3, 9, and 26, severally with an amendment, in which it requested the concurrence of the Senate, and that the House insisted upon its disagreement to the amendments of the Senate numbered 4, 10, and 12 to the bill.

## NATIONAL LABOR RELATIONS ACT OF 1949

The Senate resumed the consideration of the bill (S. 249) to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, and for other purposes.

Mr. MORSE. Mr. President, I shall speak rather briefly in regard to emergency dispute procedures because I intend at a later time in the debate on the pending labor legislation to discuss this subject at greater length. However, in fairness to certain of my colleagues on the floor of the Senate, as well as in fairness to myself, I wish to make some explanatory remarks in connection with offering, in my own capacity, an amendment relating to the subject of emergency disputes. I offer the amendment, and ask that it be printed and lie on the table until that subject is before the Senate for debate and consideration.

The VICE PRESIDENT. Without objection, the amendment will be received, printed, and lie on the table.

Mr. MORSE. Mr. President, in offering this amendment I wish to say that

I do not think there is any completely satisfactory legislation which can be passed for the handling of emergency disputes. The problem, because of its very nature, is one which for the most part lies outside the field of legislation.

Mr. DOWNEY. Mr. President, may we have order? I am very anxious to hear the remarks of the distinguished Senator from Oregon.

The VICE PRESIDENT. The Senate will be in order.

Mr. MORSE. Mr. President, I do not think anyone has the answer to the question: What should be the procedure to be followed in the handling of emergency disputes? I believe no answer to that question can be framed, at least in the form of a legislative rule of thumb capable of blanket application to all the emergency disputes which the imagination of the Senate of the United States can conjure up during the course of this debate.

Here again, as I said earlier this afternoon in my remarks on another phase of the labor legislative problem, I think we are dealing with a subject which can be treated only on a case-to-case basis. The moment we try to fit this subject matter into a legislative strait-jacket, the moment we try to lay down any legislative language or any stereotyped set of rules and procedures to be followed in the handling of emergency disputes, it seems to me we have undertaken to prescribe a legislative form which will prove not to be workable and applicable in future cases which are likely to arise under facts and circumstances we cannot at the present time foresee.

At the same time I am perfectly aware of the fact that in the problem which confronts us in the Senate in respect to proposed labor legislation, the one question above all others constantly put to us by our colleagues and by the public generally is: What is Congress going to do about emergency disputes?

Many Members of Congress, and certainly many of the American people, are looking for and they are expecting some magical automatic formula which will settle emergency disputes in a manner that will avoid sacrifice and some suffering and considerable inconvenience on the part of the people. Mr. President, in my judgment, there is no such magical formula. There cannot be, for the simple reason that we are dealing here with a subject which goes to a basic American freedom and right, namely, the freedom and the right to exercise economic force on the part of management and labor in respect to disputes which arise over wages, hours, and conditions of employment.

Yet there does fall upon the Congress, as I see it, an obligation to provide machinery or a procedure which will make possible the quick and careful consideration of individual emergency disputes as they arise from time to time. However, I would caution the Senate to remember what William Davis so soundly pointed out, I think, during the course of the hearings, that—and I paraphrase him, but I know I quote his meaning accurately—if more than one or two emergency disputes occur within a generation, then whatever machinery we set up is bound to break down.

It seems to me that in trying to devise a framework of procedure for handling emergency disputes we should face the fact that what is essential in the handling of emergency labor disputes is just as essential in the handling of minor labor disputes. That is to say a procedure must be found which will give the parties ample opportunity to change their course of action during the period of attempted settlement of the dispute, or as some in this field so frequently say, a procedure which will give the parties plenty of chance to save face. Let us not forget that in the handling of labor disputes under an administrative law process the parties must always have available to them, if we are wise in the action we take, a procedure which will make it possible to change their course of action, to save their face, in respect to a former or more undesirable course of action which they have been following, to rationalize, yes, Mr. President, even alibi, a previous position which they have taken.

If I say nothing else during the course of this labor debate, I hope I can make plain that, for the most part, in the handling of labor-management problems we are not handling legal issues at all. We are handling economic and social and human-relations problems. We are dealing with conflicts which frequently develop between management and labor based upon emotional differences which sometimes develop between the parties. Strict rules of procedure, rules of thumb, formulas, will not work, no matter how plainly written into the law. We need to give the parties a procedure which will offer them adequate opportunity to think a second time about the course of action they are following.

We need to keep in mind also the relationship between the representatives of the unions and their constituency, and the representatives of the employers and their constituency. I have seen it frequently happen that a representative of the employers was certain his principals wanted him to follow a certain course of action, only to find that he was wrong. I recall a case in San Pedro not so many years ago in which the spokesman for the employers was perfectly satisfied that a certain mandate he issued to the Board of Arbitration was the wish of his principals. As an arbitrator in that case, I remember I said, "I should like to suggest to counsel, before he takes a position of absolute finality on the basis of the statement he has just made to the Board that he had better check with his principals to make certain that that is the course of action they want him to follow, because the statement counsel makes, if it becomes the final position of the employers in this case, amounts to tearing up this contract, and the employers will be responsible not only for having breached the contract in the first instance, but they will be responsible now for taking a course of action which amounts to a complete abrogation of the contract."

Even as I was making that statement, representatives of the employers were frantically whispering in the ears of the spokesman for the industry, and by the time I had finished my statement, counsel, with a smile on his face said, "Mr. Arbitrator, I have already heard from my principals. I withdraw my statement, and I inform the Board that the industry will accept the ruling."

I give that illustration from my own personal experience and I hope I will be pardoned for doing so because I want to drive home the point that we must provide the parties in labor cases with an informal procedure, not a strict strait-jacket procedure which makes it possible for them easily to retrace their steps and follow another course of action, once they have had a chance to think the matter over a second or a third time. There is a tendency in the thinking of too many members of the Senate in connection with emergency disputes, to subject the parties to a labor dispute to fixed, inflexible, automatic rules of procedure which will operate irrespective of the intangible human face-saving factors which I submit must be kept in mind as we come to consider the procedure we should adopt for handling emergency disputes. I have tried to draft a procedure which will permit of considerable flexibility, and afford ample opportunity and latitude for representatives of industry and labor to change their course of action before the final action under my amendment may be imposed upon them.

Next I point out that in discussing the procedure which I am offering in this amendment, the American people should be told—and I have said this in another way on another occasion—that they are wrong in thinking that every major strike constitutes a national emergency. Likewise they are wrong in thinking that a major dispute which results in a considerable amount of public inconvenience or economic loss or sacrifice constitutes a national emergency. They are wrong in thinking that they can have all the benefits of freedom and not at the same time recognize that they must also pay some of the cost which goes along with enjoying freedom.

On this premise I am either right or wrong. The right to strike or lock-out is either a basic American freedom and right, inseparable from the operation of a free economy and a system of democratic self-government, or it is not. But let the American people be aware of the fact that if they propose in the legislation now pending before the Senate to adopt procedures which make the right to strike or lock-out only a token right, then they have dealt a very serious blow to the principles of a free economy and a system of democratic self-government. If they wish to make that right merely a token right, they should recognize now, before it is too late, that what they are advocating, is really a restriction upon a free economy. Any such course is likely, in my judgment, to lead to further and further restrictions upon both workers and industry, and therefore automatically and inescapably upon the public as well, until finally we have the government in the business of determining the wages, hours, and conditions of employment which shall prevail in American industry. The pattern will first appear in major industry, in those industries which so many speakers talk about as

vitally affecting the national health and safety. But a pattern would be set. I submit that once we have the Government, in any number of major industries, setting the economic pattern for those industries, it will be only a matter of time until such patterns will become standard patterns which will, to a substantial extent, determine the wages, hours, and the conditions of employment for all industry.

I warn American employers today that they not only have little to gain, but in the long run, nothing to gain, from a procedure which, in respect to individual cases, may seem to put the Government on their side of the table. Such a precedent, or the establishment of such a policy, can spread. I fear the danger that with the passage of time American industry would come to realize that by seeking to give the Government such blanket authority as some would have the Government exercise in connection with emergency disputes, they would bring about a situation in which the Government would become the determiner not only of wages, hours, and conditions of employment with respect to labor, but the determiner as well of what has heretofore been believed to be managerial rights in respect to production, prices, and the terms and conditions under which industry shall operate.

It is no alarmist argument to warn industry in all seriousness today that it ought to join with labor in a united effort to keep Government participation in employer-labor relationships at a bare minimum, consistent with the basic obligation of government. In my view, that obligation is to see to it that no segment of our economy, be it labor, management, or any other can use the principles of our free enterprise system in such an abusive manner as to jeopardize the legitimate rights of any other segment of the economy or of the public.

To find that balance, and to determine for a certainty just how far the Government can or should go as a matter of public policy is the test which is ahead of us in this debate. Would that I thought I knew the answer. I do not. Would that I could be sure that the amendment I am now offering would provide the answer. I am not. There are implications of my own amendment which I do not like, but I have come to the conclusion that it is worth a trial, if we will only keep in mind the flexible features of it, to which I shall shortly direct my attention.

I conclude this point by saying that I think there is need for a little greater consideration on the part of my colleagues in the Senate of the danger of establishing in statute law Government regulations and procedures for the handling of labor disputes which may lead, whether we will it or not, to a gradual taking over by the Government of employer-labor relations.

I saw it practiced during the war. As a member of the War Labor Board I saw the Government, through that Board, decide more and more matters in the field of collective bargaining which should have been reserved to labor and management. There is no doubt about the fact that during the war, with the no-strike, no-lockout obligation resting upon labor and management, good faith, free collective bargaining broke down in many thousands of cases. The break-down was such that the Board itself for a certain period of time completely failed in its work, until we set up a series of regional offices and adopted certain policies in regard to turning cases back for collective bargaining.

What happened was that in certain individual cases the employer and union representatives reached a deadlock; and instead of remaining at the job and trying to reduce to a narrower and narrower area their differences of opinion, they "passed the buck" to the War Labor Board. The members of that Board were, in effect, writing the collective-bargaining agreements in thousands of cases. Of course that is dangerous. There were many things about our work on the Board which, if extended into peacetime, would represent a very dangerous policy. Speaking very frankly, I am frightened about the danger of having the Government take over more and more in this field, under some of the proposals which will be made during the course of this debate. The tendency is here now in the present operations of the Taft-Hartley law.

One of my objections to the Taft-Hartley law, among many others, is that I think it goes too far in putting the Government in the business of determining wages, hours, and conditions of employment. That is a job for the parties to the dispute to determine, not for the Government to decree. Even under the Taft-Hartley law we already see an increasing tendency of the parties to a dispute, when they reach a deadlock, to "pass the buck" to the National Labor Relations Board. During the course of this debate it has been said—and very aptly, I think—that the real purpose of the Wagner Act was to make perfectly clear that free collective bargaining through unionization was a legal right in the United States and that it had come to stay.

As I have said so many times, and as I said earlier this afternoon, it is unfortunate that when the Wagner Act was passed, the draftsmen did not give greater consideration to the principle of mutuality of rights and obligations to and between the parties to labor disputes. That is one of the great weaknesses of the Act. We should correct it, and we should give to both parties the same procedural rights. In my judgment, however, we should not go to the extent that so many are advocating, namely, of setting up a complex, detailed, procedural structure which in fact amounts to governmental determination and decision of a host of issues which should be left to the parties to the dispute, under the good old American system of voluntarism. I shall have more to say about that by way of giving specific examples and cases when we take up other amendments to this measure; but I give this general warning this afternoon in regard to enacting at this session of Congress labor legislation which will have the effect, in the last analysis, of making the Government the final determiner of a great many of the relationships between management and labor, which ought to be determined, not by the Government, but by the parties to the dispute, through good-faith collective bargaining. I repeat that we cannot legislate good-faith collective bargaining, we cannot put good will into the hearts of men, by means of legislation.

I wish to make another point before I take up the amendment. I said earlier in my remarks that Will Davis pointed out in the committee hearings that if in a generation there are more than one or two emergency disputes, which have to go through some governmental procedure for final determination, the system and procedure will break down.

He said something else which supported a point of view which some of us expressed during the 1947 debate, namely, that under our free economy in an emergency dispute case the public is not entitled to be protected in the same degree of economic enjoyments—I do not say rights, Mr. President—which they enjoyed prior to the existence of the emergency dispute. The public must realize that it too, is a partner in this free economy, and if the public is going to permit the exercise of the basic freedom to strike and lock-out, it must expect, when that right is exercised from time to time, that it, the public, will suffer some inconvenience.

So let us consider a coal case or a utilities case or a railroad case, and let us apply to some hypothetical facts the general proposition to which I am referring. Suppose there were a widespread strike in a certain utility. It could be of such proportions as to affect the national health and safety. To the extent that it affected the national health and safety to the detriment of the public, in that it really endangered health and safety, I believe the Government would have an obligation to move in and protect that public interest. However, that does not mean Mr. President, that you and I would be entitled, each night during the course of the dispute, to have for our reading lamps sufficient electric current to enable us to read our daily newspaper. It does not mean that every economic establishment in the community would be entitled to the same amount of electric power it previously had. It means that in such a case if we are going to preserve the right to strike, the Government should take the necessary steps, through whatever procedure it can use to accomplish the desired results, to see to it that sufficient power is available to protect health and safety, but no more. That is true, because if the Government were to go further than that, the public and thus the Government would then be allied on the employer's side of the dispute.

As I have said before, that is one reason why I cannot go along with the stereotyped blanket-injunction procedure in such disputes. It must be remembered that an injunction is not handed down on the merits of the case—because the merits would not yet have been determined. We do not know who is more at fault, in such cases, until there has been a hearing on the merits. Under the injunctive process, the Government would automatically be put on the side of the employer, and the employer

would know it. Consequently, if he felt he had a good chance to obtain an injunction, he would have a weapon, in his negotiations with the workers, which would be superior to any which the workers might have.

The public wants to be fair, and unless it is fair, in the long run it will jeopardize its own basic freedoms. Any injustice or unfairness, even when exercised by the general public, sooner or later reaps a costly toll, threatens national unity, forces upon us class-conscious conflict, and breeds great discontent within our country. It is only by the public's remaining fair that such trends in our society can be prevented. So I say that the public should recognize, in the handling of emergency disputes affecting national health and safety, that the only thing for which it has the right to ask is the operation of our economy during the course of such a dispute and only to the extent necessary to protect health and safety. The public should not expect that every factory in the town will continue to operate, or that the elevators in every office building will run, or that the average Mr. and Mrs. Citizen will be able to go through their daily economic lives unaffected by the dispute. If that is not the standard we are proposing in handling emergency disputes, then why does not someone forthrightly say that the objective is to do away with the right to strike or lock out? They do not say that, Mr. President, and I will tell you why I think they do not say it. They do not say it because they know that even the public upon reflection would not approve of such a course. I am afraid the public is somewhat in the position of the little boy who really wants to eat his cake and have it, too.

Let us apply my premise to the railroads. Suppose there were a railroad strike. The health and safety of the Nation—and I think this was completely missed in the last threatened railroad strike—do not call for the operation of every railroad train in the country. The health and safety of the Nation do not call for the maintenance during the dispute of the same economic intercourse which took place through the operation of the railroads prior to the dispute. If it is health and safety we are seeking to protect, then let us face the fact that the obligation of the Government should be to take such steps as may be necessary to protect health and safety, and stop there. Of course, that means sacrifice to the public. It means loss to the railroads. But it is necessary to come to grips with this whole business of what the right to strike and lock-out means.

Take the question of coal. Suppose a shut-down occurs because of a strike in the coal industry. Does that mean that we should have an emergency-dispute procedure which makes it mandatory upon the part of the Government to insist that all the coal mines shall operate? How much coal must the Nation have in order to protect its health and safety during the period of a coal strike? That is a question of fact. Some would make it a conclusion of law, by adopting a procedure which would in effect place upon the Government the duty of taking whatever steps within its powers it thinks it has to operate all the coal mines.

The difference of opinion that exists over this one premise partly explains why it is so difficult for us to reach some reasonable agreement upon emergency-dispute procedure. I am so convinced that the fundamental right of workers and employers to use economic force, if necessary, is essential to maintaining a free society, and avoiding the development of governmental dictation of our economic life, that I am willing to make the very impolitic statement—and well do I know how impolitic it is, Mr. President—that during the emergency the public is not entitled to enjoy all the economic conveniences which it enjoyed prior to the development of a deadlock between management and labor. Certainly I want to see that essential services are maintained.

That leads me to point out that we are dealing here with a field of human relations that cannot be separated from the exercise of wise discretion and objective judgment. It cannot be done by a cold legal rule. Mr. President, we may disagree as to what discretion should be exercised and what judgment should be reached on the facts as to how much of an industry must be maintained in operation in order to protect national health and safety, but I am willing, on a case-to-case basis, to entrust that judgment, with reasonable checks against the exercise of arbitrary caprice, to public servants who are charged by the Congress with the task of doing whatever they can within a very flexible framework of rules and procedures to lead the parties to their better senses and to settle disputes on the basis of rules of reason rather than on a continuation of the rules of economic force. And that usually happens.

Oh, the hypotheticals that are thrown at us, Mr. President. If John L. Lewis, for example, closes down all the coal mines of the country, and adamantly says, "I will go to jail," or if 150,000 coal miners say, "We will go to jail," what are we going to do? I shall propose to treat that case when we reach it, because that is the only way we can ever solve the problem. We must be in position to treat that case on the basis of the individual facts existing at the time it arises. I do not think there is any other answer to it. I certainly shall not vote for a blanket injunctive process in such cases. There are a great many reasons why I shall not vote for a blanket-injunction process in such cases.

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

Mr. MORSE. I yield.

Mr. THYE. If I may ask the Senator a question, I should like to know how he would deal with strikes in connection with hospitals and city water supplies. I am keenly interested in what the Senator is saying, and I ask the question only in order that I may have a broader understanding of what the Senator would recognize as the essentials of the emergency.

Mr. MORSE. I appreciate the Senator's question. I think it is very pertinent. I will simply say that I would have the facts of the individual case determined by a competent board, handing down a decision as to what services need to be rendered in order to maintain the minimum services essential to public health and safety.

Mr. THYE. The question would be submitted to a board before the shut-down or the lock-out or the cessation of the work, and then the board would have an opportunity to act. For example, if the electric switches were to be pulled at a given hour, the board would have a right to determine whether the switch of the hospital or of the city water pumps could be pulled. That is what comes to my mind, because it could occur any day or night, at any hour of the 24 hours.

Mr. MORSE. I want, first, to eliminate one assumption that the Senator has in his hypothetical question. I may say to the Senator that I do not know of anything by way of a law which can stop men, if they will, and if they become so lacking in full appreciation of their responsibility to the public, from quitting work. But if they do, and if it is a real national emergency, I propose to have the matter submitted to the board so that we can have the benefit, as quickly as possible, of the board's decision as to what the solution of the particular case should be, and also to have the matter submitted by the President to the Congress. If a dispute is so serious as to constitute a menace to national health and safety, I believe it should be considered on the floor of the Senate. The representatives of the people have an obligation to proceed to consider it on its merits, aided by such expert advice and decision as such a board would be able to give to the Congress.

Mr. THYE. Will the Senator yield further?

Mr. MORSE. I shall be glad to yield.

Mr. THYE. The mechanics of the board, as proposed in the Senator's amendment, would be such that the board would be aware of the threatened shut-down. Is that correct?

Mr. MORSE. The moment the shut-down is threatened, the President would issue a proclamation calling on the parties to maintain the status quo and appoint an emergency board which would report within 30 days. If the status quo is not maintained, the President would be required to lay the matter before Congress.

Mr. THYE. In the event Congress were in recess, it would take some time to reassemble the Congress, would it not?

Mr. MORSE. Not more than from 12 to 24 hours.

Mr. THYE. So the union could not pull the switch on a hospital for 12 hours, or could not pull the switch on a city water system for 12 hours.

I am very much interested in what the Senator is saying, and I ask these questions in order to enlighten myself as to how we could protect ourselves in situations of that kind.

Mr. MORSE. I know of no rule of procedure which would protect us from such gross irresponsibility as that which the Senator has included in his hypothetical question. I care not what procedure may be adopted, if there is any group of workers so completely asocial in

their attitude toward the public as to endanger a hospital or to endanger a water supply of a city, as is suggested by the Senator, without taking the steps necessary to protect health and safety, I do not know of any law which would prevent the workers from walking out. If they are so asocial that they are going to follow that course of action, what can we do with them? Put them in jail? That is why I object to the injunctive process. If we have the injunctive process, the choice we give the individual is either to follow the mandate of the court or go to jail for contempt. Coal cannot be mined in a jail. A public utility cannot be operated if the workers are in a jail.

The Senator can disagree with me to his heart's content and let history determine whether I am right or wrong, but if we make the American pattern for the handling of emergency disputes the process of injunction, we shall have to send many persons to jail, if we attempt to make it really effective. On this point I am convinced that American workers are so certain that the injunctive process endangers their basic rights to economic freedom that they will go to jail before they will allow that pattern to become a pattern of public policy.

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

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Does the Senator from Oregon yield to the Senator from Minnesota?

Mr. MORSE. I yield.

Mr. THYE. If I may be allowed to make a comment along with my question, I recognize that under the injunctive procedure, if an injunction is imposed for 60 to 90 days, at the end of that period the dispute immediately continues, and there may be a second injunction imposed. Would there not come a time when we would actually be proceeding under a constant injunction? The same idea could be applied to seizure. At the end of the seizure period, if the question arose again, there could be imposed another seizure. Would not the plant, under those circumstances, be under the supervision of the Government or a board or a commission established by law to maintain control and operate the plant?

Those are two questions which come to my mind in connection with the injunctive process, and the question of seizure, with respect to which I am greatly disturbed. I am seeking, as earnestly as a man can seek, an answer which will satisfy my own mind and conscience on the point. I wish the Senator would stress the danger of processes of seizure and injunction, and explain each of them, as I know the Senator so ably can explain them if he takes a few minutes on each one of the points.

Mr. MORSE. It is my personal view that the adoption of the injunction pattern in emergency-dispute cases will not work satisfactorily. If we make that the policy of the Government, labor will be of the opinion that it must contest it, because labor looks upon it as destructive of its basic right to free collective bargaining. As I have said before, labor looks upon it as putting the Government on the employer's side of the table, and it has the effect, to all intents and purposes, of permitting the court to decide the ultimate case against labor, for the reason that the issuance of an injunction, whether we will it or not, causes the average American citizen to say, "Well, labor certainly must be wrong in this case, because an injunction has been already issued against labor." On the other hand, seizure and Government operation threaten the rights of employers and may, in like manner, tend to prejudice the employer's case in the public mind.

Mr. President, I should like to hold to the coal case, because I think we should face the facts frankly. Very many of these proposals for the handling of emergency disputes are the direct result of the discussion within the Senate of the hypothetical "What are you going to do about John L. Lewis?" It seems to me we are letting that hypothetical case cause us to consider some legislative patterns which are not in the public interest.

Of course, I might reply to those who ask the question "What are you going to do about John L. Lewis in an emergency-dispute case?" by asking a second question, "Well, what have we done?" Under the Taft-Hartley law we had an injunction. We did not put a single man in jail. We did not put John L. in jail. So, if we want to deal in conjecture and hypothetical, I can give one, "What do you think would have happened if we had?"

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

Mr. MORSE. I yield.

Mr. THYE. I recognize that coal is not so critical as a utility that deals with electrical current for a city, electrical current for a hospital, or electrical current to operate city pumps controlling the water supply. If such a utility were shut down for 1 hour or 2 hours, or for any time, the situation would be critical, as it would be if the members of a union were so irresponsible as to pull a switch on a pump controlling the water for a city. I am not concerned so much about coal, because there could be a shut-down in the coal supply for a week and people could survive and there would be no endangerment of the welfare of the public.

But I conceive that the pulling of a switch on an electrical utility could be very serious, and could endanger the welfare and the health of a great number of people. If a union were irresponsible and did such a thing, how would we deal with that situation?

Mr. MORSE. Assuming the facts of the hypothetical, and adding to it the condition that there is the worst possible set of facts——

Mr. THYE. That is what I intended.

Mr. MORSE. That we have a condition endangering the health and safety of the public, then we would all agree with Will Davis' testimony when he said in effect, before our committee, "Under those circumstances, of course, people have to protect themselves." They cannot do it by law, it seems to me, except by way of a proclamation by the President to whatever citizens' committees are necessary to protect health and safety in helping to operate the waterworks, for instance. Under our system of free government, a city has the right to protect itself, and if the situation is so bad that the governmental processes break down, then of course there must be martial-law procedure.

I say to my good friend from Minnesota that it seems to me that he is thinking in terms of that rare and exceptional case which, if it does come to pass, must be dealt with on its own terms. He is permitting that rare possibility, I think, to influence him greatly in the determination of what procedure should be written into the law, which, if it is written into the law, will be automatically applied to a host of cases which are not of so serious a nature as the one the Senator from Minnesota fears may occur.

Mr. THYE. I am not being influenced; I am inquisitive; I am searching; I am trying to find all the answers to problems which I can imagine could arise. I am merely trying to find the answers. I have not been influenced. I am as inquisitive as a person possibly could be in these matters.

Mr. MORSE. My choice of language was probably bad. What I am trying to say is that I assume the Senator from Minnesota is troubled in his thinking, as I am troubled in mine, and as I think most of my colleagues are troubled in theirs, as to what if anything we can do by way of blanket legislation to cover the rare and exceptional case which may arise sometime in the future. The best answer I can make is to say that I do not believe we can meet the situation by blanket legislation, other than by providing a procedure which will permit the Government at such a time to consider the case on its individual facts and merits.

Mr. THYE. I am happy the Senator said he was troubled, because I am troubled, and the only reason why I am asking the questions is that I am troubled.

Mr. LONG. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield to the Senator from Louisiana.

Mr. LONG. With reference to the hypothetical question given by the Senator from Minnesota, would it not be true that if such an emergency occurred and electricians, let us say, went on strike in a hospital, we would probably see the same public response we see when a person is dying in a hospital, even though he may be a criminal, and the hospital calls over the radio for blood, and it comes from all directions? My guess is that when the public feels that way about it, there would be very little difficulty, if union members could be induced to close the hospital down.

Mr. MORSE. On the basis of the assumptions raised by the Senator from Louisiana, I wish to say that the conclusion he has reached is the same conclusion reached by Mr. Davis when—paraphrasing him—he talked about the importance of citizens' committees really proceeding to protect the public.

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

Mr. MORSE. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I wonder whether the Senator from Oregon does not make a distinction between what we may call local disputes, those which may be dealt with under local State laws and regulations, as compared with those which require national legislation.

Mr. MORSE. I have certainly meant to make that distinction, in remarks I made earlier this afternoon, but I am glad the Senator raised the question as it gives me an opportunity to make it clear in the RECORD.

I said earlier this afternoon that one of the great dangers we face is passing legislation which will result in a great many disputes being called national emergency disputes when in fact they are not national emergency disputes. They may be serious disputes, but not disputes in which one can say that the national health and safety are involved, or that the safety and health of a large area of the country are involved. There are a great many measures on the books at the State level which many people would like to have written into the Federal law to cover a good many of the situations.

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

Mr. MORSE. I yield to the Senator from Minnesota.

Mr. THYE. My only reason for referring to electricity in connection with utilities was that I was thinking of some large utilities such as the TVA, the Columbia Valley Authority, and other large installations such as those, which stretch across many States and involve electric power for large cities, wherein, many hospitals might be involved if a switch were pulled. It was for that reason that I asked the question. I know the Senator from Oregon is possibly one of the best qualified judicial minds to discuss and to explain these questions, and it was for that reason that I propounded the questions to him.

Mr. MORSE. Mr. President, the Senator from Minnesota has a higher regard for the thinking of the Senator from Oregon on this matter than the Senator from Oregon has himself, because I am so perplexed and disturbed about it, so concerned about its importance to our whole economy, that I want to make perfectly clear that I do not claim what I am offering to be the answer which should be adopted. I do claim it to be a suggestion which is deserving of very serious consideration as we study the other proposals made, such as the one made by the Senator from Ohio [Mr. TAFT], the one made by the Senator from New York [Mr. IVES], and the one made by the Senator from Illinois [Mr. DOUGLAS], which I understand will subsequently be offered.

Mr. HUMPHREY. Mr. President, will the Senator yield for one more question in regard to the national emergency proposition?

Mr. MORSE. I yield.

Mr. HUMPHREY. Does the Senator from Oregon believe that the provisions outlined under the national emergency section of the Taft-Hartley Act, or any other national emergency section, have the tendency to create at least artificial situations, or situations which are termed national emergencies? I do not recall that there was a labor dispute which was particularly termed a national emergency from the beginning of our Nation, until about 1947. We had railroad strikes in connection with which troops were used. We had a half a dozen serious major industry-labor relations problems. But all at once, with the passage of the Taft-Hartley Act there were seven instances within 2 years of national emergency disputes. In all these years from 1935 to 1937 I do not think there were seven instances of cases which we termed or even thought of as national emegencies.

Mr. MORSE. I completely agree with the Senator from Minnesota. I think in the public's thinking, since the passage of the Taft-Hartley Act, there has been a tendency to assume that every major dispute partook of a national emergency character. I think the public has not drawn the distinction among the disputes which I seek to draw here this afternoon. I do not consider the last coal strike was a national emergency case.

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

Mr. MORSE. I will yield in a moment. I do not believe the proof was available that, at the time the Government took the drastic action it took, the shutting down of the mines, a threat to national health and safety had been established to exist.

Let me refer to a wartime coal case. I wish the Senator from North Carolina [Mr. GRAHAM] were present to check the statement I now make. It was in the spring of 1943. The Nation was at war. A serious coal dispute occurred. Some of us held to the position that during the course of the war the Government should use every force at its command to maintain coal production. I sat in the office of the President of the United States one afternoon with the membership of the War Labor Board to discuss the procedure and the strategy which should be followed in case the contest should be drawn between the miners and the Government as to whether the mines should be kept open during the course of the war. I heard men who had been called there, and who knew the facts, state, and I heard the President of the United States himself agree, that as of that time we could stand a coal strike of 3 months' duration. I am satisfied that in the case of the last coal strike the national health and safety would not have been jeopardized if the strike had been of several weeks' or months' duration.

Now what is happening is that every time a dispute occurs in one of the major industries which may look like it is going to lead to a stoppage, the hue and cry goes up in the land, "Right now health and safety are in danger." What those who cry out in that language really mean is some economic sacrifices will have to be made by a great many people if workers and management exercise the free right to use economic force. I simply do not think we can ignore the significance of that fact.

I now yield to the Senator from Alabama.

Mr. HILL. I wish to ask the Senator from Oregon a question. Does not the Senator think that it should be made clear that the procedure we are now talking about applies and should apply only when there is a very real national emergency which imperils the health and safety of the Nation?

Mr. MORSE. I do, but I insist that that is a question of fact, and in the last analysis, after the President's proclamation, it should be determined on the floor of the Congress of the United States.

Mr. HILL. Does the Senator from Oregon mean to say that we can write out a definition?

Mr. MORSE. No. Just the opposite.

Mr. HILL. The Senator does not mean that at all?

Mr. MORSE. That is what I am urging against, that we do not attempt to write a rule of thumb into this legislation. I urge that we must recognize, that we must consider these matters on a case-to-case basis, and that we should not provide a blanket injunctive procedure for the handling of any cases.

Mr. President, I am obliged to leave by 5 o'clock to attend the graduation exercises at the school from which my daughter is graduating, which is the most important thing for me to do just now. I am going to conclude my speech quickly, but I will yield to the Senator for another question.

Mr. HILL. The Senator will agree that the injunctive procedure in and of itself is only the machinery, or would only be the machinery. It would not define what is or what is not a national emergency imperiling health and safety of the Nation, would it?

Mr. MORSE. That is correct. Under the present law it is automatic. A decision is not made on the merits. It is automatic.

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

Mr. MORSE. I yield.

Mr. DONNELL. The Taft-Hartley Act provides:

> If the court finds that such threatened or actual strike or lock-out—
>
> * * * * *
>
> (ii) if permitted to occur or to continue, will imperil the national health or safety, it shall have jurisdiction to enjoin any such strike or lock-out.

Does not the Senator agree with me that that is not at all automatic, but that it requires proof, and that the courts must find that the threatened or actual strike or lock-out, if permitted to occur and continue, will imperil the national health and safety?

Mr. MORSE. That is one of the points on which the Senator from Oregon and the Senator from Missouri disagree—the application of literal language in the statute to the practice of the courts. The Senator has read language that is typical of temporary injunction language which has appeared in the law for decades. It has been labor's experience that in practice it is automatic. In practice the injunction is obtained. As a lawyer, I speak most respectfully of the bench, but in practice those seeking the

injunction appear before men on the bench who from experience and conditioning are not the ones who in our society should be entrusted with the determination of whether disputes should be handled or stopped or suspended by way of injunction.

I care not, I may say to the Senator from Missouri, even if there is placed in the statute the language, "And they must consider the case on the merits," the result would still be that injunctions would practically, as a matter of practice, automatically follow, and labor would be back again on the road that leads to government by injunction. It does not make any difference whether you and I or millions of other people in this country think labor ought to accept that procedure; we are confronted with a fact, not a theory. We are confronted with the fact—impolitic again as this statement may be—that organized labor is not going to accept, without a deep and abiding sense of injury, a law which requires the settling of labor disputes, even for a 60- or 80- or 90-day period, by way of an injunctive process, because the choice given labor, from labor's sights, is that it must either work under the conditions laid down in the injunction or go to jail for contempt. And labor says, "There is something about that which violates a basic American freedom. There is something about that which says in effect, 'For whatever period of time the injunction is going to last the court gives us a choice of the bars of a jail or working for an employer under his terms and conditions, for his profit, for such period of time as the injunction lasts.'" Whether the American people like it or not, they must face the fact that the workers will not take it without protest or bitterness.

We are then confronted, it seems to me, with a situation which we should always seek to avoid in a democracy if we want to keep democracy strong. We must find methods which will accomplish socially desirable results without imposing upon any large segment of our population a procedure which that segment conscientiously believes is unacceptable to it because of what it does to its rights. What are we going to do, if we wish to talk in terms of hypotheticals, if 150,000 of John L. Lewis' coal miners say, "We will go to jail"? What are we going to do if we put Lewis in jail, and the 150,000 coal miners say, "Either Lewis goes out of jail or we go out of the coal pits"? It is a hard hypothetical.

I do not care what misinterpretations may be made of my position on this question. I say frankly to the American people that I think I understand labor's psychology sufficiently well to be convinced that labor will go to jail before it will accept a pattern of the injunctive process for the settlement of disputes.

My good friend from Missouri and I differ on several features of the injunctive processes of the Taft-Hartley law, including the question as to whether, under existing law, miners can be put in jail. If I correctly recall, the Senator from Missouri does not agree with my conclusion on that point. I still think that under the Taft-Hartley law we could put not only the leaders, but the workers themselves in jail. I would prefer to debate that question with the Senator from Missouri in greater detail, as I am sure it will be debated in great detail when we have the issue before us in an amendment. I am trying to get away in time to attend a high-school commencement. I seek only to explain my own amendment today. I thought the public was entitled to this brief explanation of the theory, at least, of my amendment. I say to the Senator from Missouri today only that I do not think we are going to solve the emergency dispute problem by way of injunction.

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

Mr. MORSE. I yield.

Mr. DONNELL. I certainly shall not interfere with the Senator's getting away. I fully appreciate his desire. He is always conscientious in wanting to perform his full duty, and I honor his desire to perform the duty to which he refers this afternoon.

If I may be pardoned for a moment or so, I should like to ask one or two questions.

In the first place, the Senator from Oregon stated that the matter of the issuance of an injunction in the case of threatened impairment of national health or safety is virtually, in fact, automatic. Does not the Senator think that the courts, impressed with the dignity of the oath of office which they take, are fully aware of the fact that when a statute of the United States says that if the court finds that the threatened or actual strike or lock-out, if permitted to occur or continue, will imperil the national health or safety they shall have jurisdiction, the judge of the court, impressed with the oath of his office, will realize that before he can make such a determination he must have valid evidence in support of it? Before the Senator answers that question, let me ask, in connection with that question, whether or not he denies that the courts are fully competent to decide questions of this kind.

Mr. MORSE. I will take the first question first.

I have no doubt that the courts will think they have adequate evidence on which to render their decisions; but I must judge them by the results. The injunctions requested under the Taft-Hartley law to date have, in practice, been virtually automatic. I think the coal case is a good example to show wherein the court erred in finding that the national health and safety were so jeopardized as to justify the injunction. I think it would have been weeks, and possibly several months, before a conclusion could have been reached that the national health and safety were involved in that case. What the court did, in my judgment—and I say this with the greatest respect for the court—was to project into the future what the court thought might be the facts some weeks or months hence. But on the date the court handed down its injunction in the coal case, I say that on the facts the national health and safety were not in danger. The then existing supply of coal above ground was a complete answer to the court.

Now let me answer the second question. Again, with the greatest of respect for the courts, and as a lawyer, I say that I do not believe that judges of America, by their common-law court training, their experience, and their conditioning, are the officers of the Government who ought to pass judgment upon the facts and merits of labor disputes. I do not believe that they are qualified as a group to render decisions on the social and economic questions of labor disputes. In my judgment, there is extending over decades, a sordid record against the courts in what they did to American labor through temporary injunctions which, in effect, constituted strike breaking by American courts. Labor went through that experience. I am proud that my party was the party which sought to put an end to it through the Norris-LaGuardia Act. I am going to stand on the Norris-LaGuardia Act completely, even to the extent of proposing that in the case of national-emergency disputes it shall be applicable also to the Government.

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

Mr. MORSE. I yield.

Mr. DONNELL. I understood the Senator to say that the courts would think that they had adequate evidence on which to base a judgment of injunction. Did I correctly understand the Senator?

Mr. MORSE. That is correct.

Mr. DONNELL. Does not the Senator think that in all other matters of human dispute, involving property rights, the rights of the individual, the rights of liberty, and so forth, we have found that the courts have functioned, and that they are not mistaken when they think they have gone to the bottom of the issues involved? In that connection, if the Senator will pardon me for interpolating this statement, the case from which I shall read is not the second coal case. This was the one in 1946. I should like to have the Senator tell us whether or not he thinks the Supreme Court was capable of formulating correctly this statement, which it made in the first coal case. It said, immediately following the finding of guilty:

> Defendant Lewis stated openly in court that defendants would adhere to their policy of defiance. This policy, as the evidence showed, was the germ center of an economic paralysis which was rapidly extending itself from the bituminous coal mines into practically every other major industry of the United States.

I ask the Senator from Oregon if the Supreme Court was capable of drawing the conclusion which it drew when it said:

> It was an attempt to repudiate and override the instrument of lawful government in the very situation in which governmental action was indispensable.

Mr. MORSE. My answer to the Senator from Missouri is that in that case, as in other cases, the Court did not sit as a court of equity. In my judgment the Court did not have available to it—and we cannot expect, under the procedure of the Supreme Court, that it will have available to it—the great mass of techni-

cal and economic evidence which would be available under the administrative law processes, for which the Senator from Missouri has heard me plead so frequently, in determining the question whether or not, at a given time, we had yet reached a point where the national health and safety were in fact being jeopardized.

Mr. DONNELL. Did I correctly understand the Senator to say that in the case from which I read the Court was not sitting as a court of equity? Before the Senator answers that question, let me read to him this one sentence:

Alleging that the November 15 notice was in reality a strike notice, the United States, pending the final determination of the cause, requested a temporary restraining order and preliminary injunctive relief.

Is not that conclusive evidence that the Court was sitting as a court of equity?

Mr. MORSE. Procedurally, yes; but the Court did not have available to it the type of evidence which a Board ought to have in determining the question of whether there is a national emergency. It is an economic question, a social question; and it should be determined by a group of men who could go into the question of how much coal was above ground at that time, how many mines needed to be operated in order to protect the national health and safety, and so forth.

But the case the Senator has presented illustrates my point. In its findings in that case, the Court was ruling that the coal industry should be kept in operation. That will be the legal attitude of judges generally. They will not draw the distinctions which should be allowed to be drawn by a board which would determine how many units of an industry would need to be kept in operation in order to protect the national health and safety.

Mr. DONNELL. Mr. President, will the Senator yield for a further inquiry?

Mr. MORSE. I yield.

Mr. DONNELL. In the case from which I have read, which ultimately terminated in a contempt proceeding and very large fines against both the union and Mr. Lewis, the Court said:

The defendants thereupon pleaded not guilty, and waived an advisory jury. Trial on the contempt charge proceeded. The Government presented eight witnesses, the defendants none. At the conclusion of the trial on December 3, the Court found—

And so forth. Does not the Senator agree with me that there was adequate evidence on which the lower court acted, and that the Supreme Court sustained the view of the lower court as to the conclusions reached on the evidence adduced before it?

Mr. MORSE. I completely disagree with the Senator from Missouri. I submit that the type of evidence adduced in that case by the Government did not establish the economic facts which should have been before the Court when it was determining the question of whether the national health and safety were being jeopardized.

Can the Senator from Missouri point to anything in that case to show that the Court was informed as to how many thousand tons of coal were above ground at that time?

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

Mr. MORSE. I yield.

Mr. DONNELL. I do not have before me a transcript of the testimony in that case, but in the decision of the case by the Supreme Court there are a number of pages in which the Court sets forth the facts as it found them from the evidence before it. The Court said:

This policy, as the evidence showed—

In other words, not according to some wild vagary of the Court or some prejudice that the Court might have determined upon; but the Supreme Court of the United States said:

This policy, as the evidence showed, was the germ center of an economic paralysis which was rapidly extending itself from the bituminous coal mines into practically every other major industry of the United States.

Does the Senator from Oregon disagree with the finding of fact thus made by the lower court and sustained by the Supreme Court of the United States?

Mr. MORSE. I disagree with the conclusion the Court reached; and, with all due respect, I say it was not a finding of fact, because although the Court referred to evidence, my question is, What evidence?

In legal decisions we constantly encounter statements by the Court, "On the basis of the evidence which was presented"; but I say we must go into the evidence itself and must determine whether it was shown that the national health and safety were endangered.

I respectfully say to the Senator from Missouri that in the coal case I do not think the conclusion of the Court that the national health and safety were endangered at that time can be sustained by the facts. The Court spoke in prospective terms in futuro. The Court said that if the strike continued, it would be likely to cripple the sinews of the American economy, or words to that effect. That illustrates a point I made earlier this afternoon, namely, how far should we be willing to go, by way of making economic sacrifices, in order to preserve the basic right to strike and lock-out? I say we must be willing to go much further than we shall ever find the courts generally willing to go if we give them the injunctive power, because their whole history has been one of a willingness to crack down—as they are willing to do now—on labor by way of issuing an injunction, and usually saying in the temporary order something to the effect that an ample opportunity will be allowed for a consideration of the case on its merits.

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

Mr. MORSE. I yield.

Mr. DONNELL. I do not wish to detain the Senator unduly.

Mr. MORSE. I am glad to have the Sentor proceed.

Mr. DONNELL. The Senator from Oregon has asked what kind of evidence was before the Court. I take it that all the testimony in the earlier coal case—which was not under the Taft-Hartley Act—as reported in Three Hundred and Thirtieth United States Reports, page 258, will not be found to be set forth in the decision of that case; but on page 267 this is stated by the Court:

A gradual walkout by the miners commenced on November 18—

That statement follows earlier recitals by the Court—

and, by midnight of November 20, consistent with the miners' "no contract, no work" policy, a full-blown strike was in progress.

Then I call to the Senator's attention the next line of the decision, which I think is significant as indicating whether the injunction was issued without valid evidence. The Supreme Court, in speaking through the language of Chief Justice Vinson, then said:

Mines furnishing the major part of the Nation's bituminous coal production were idle.

When the Supreme Court of the United States said that, as the evidence showed, the policy of Mr. Lewis, which he had stated openly in court the defendants would adhere to, was—

The germ center of an economic paralysis which was rapidly extending itself from the bituminous coal mines into practically every other major industry of the United States—

I submit that the Court itself did not say the paralysis would extend in that way, but said that the paralysis was extending itself in that way; and I submit that the Court was setting forth facts as found from the valid evidence before the trial court.

Mr. President, will the Senator yield further?

Mr. MORSE. I yield.

Mr. DONNELL. The Senator from Oregon has spoken of the necessity of showing that a present condition of national emergency exists. Is it not a fact, I ask the Senator, that under the Taft-Hartley law it is not necessary to show that at the minute the injunction is granted the injury has already resulted; but does not the Taft-Hartley Act say that if the court finds that the threatened or actual strike or lock-out, if permitted to occur or to continue, will imperil the national health or safety, the court shall have jurisdiction?

Mr. MORSE. Mr. President, I wish to say to the Senator from Missouri that in my judgment I could not have asked for a better witness in support of the position I have taken this afternoon than the Senator from Missouri, in the statements he has made and the quotations he has read from the decision of the Supreme Court of the United States. I wish to repeat that the Senator from Missouri and the Supreme Court of the United States in my judgment are basing their conclusions upon the point of view that a national dispute which disrupts the economy of the Nation constitutes a dispute which endangers the national health and safety; and the decision of the Court showed—when the Court talked about what would happen if the dispute continued in operation—the hunches of the Court as to what would happen. It showed that the Court was not acting then and there upon the basis of a finding that national health and safety were in danger, but on the basis of an honest belief as to what might

happen at some time in the future if the parties did not reach a settlement.

If we are to take the position which the Court takes and which the Senator from Missouri takes, then I say that the conclusion should be to stand for a law which outlaws completely strikes in major industries. There cannot be a strike in a major industry which does not have some of the effects about which the Court is talking. But it is possible to have a strike in a major industry for a considerable length of time without endangering national health and safety, provided there is a method of procedure available to assure that the minimum services which are necessary in order to protect health and safety will be maintained. In this instance we have the Court doing what the courts generally do—laying down merely a blanket-injunctive ruling which has the effect of killing the strike and putting labor "behind the 8 ball," so to speak, as far as public opinion is concerned. It is a good example of the injunction being used as a strike-breaking weapon. I shall not be a party to it. If I can prevail on the Senate, I am going to be a party to a provision in the law which will make it perfectly clear that our courts cannot exercise the strike-breaking weapon that the United States Supreme Court affirmed in the coal case.

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

The VICE PRESIDENT. Does the Senator from Oregon yield further to the Senator from Missouri?

Mr. MORSE. I yield.

Mr. DONNELL. Does not the Senator think that it is much wiser to give authority such as the Taft-Hartley Act gives to secure an injunction against the occurring or continuance of a strike or lock-out before the national health or safety shall have been imperiled, than to wait until after it shall have been imperiled and the damage done; particularly when by the very language of the statute, the court, in order to have jurisdiction, must find that if permitted to occur or continue, the strike or lock-out will imperil the national health or safety?

Mr. MORSE. My answer to the Senator from Missouri is, the injunctive process is not needed at all in order to accomplish the objective which the Senator has in mind. There are much better procedures for handling national emergency disputes than the injunctive process. The injunctive process will purchase for us industrial conflict, not industrial peace. This strike and that strike may be broken, but we shall not change the determination of American labor to be protected from what I think is the very unfair choice the court has to give them under the Taft-Hartley law, and will inevitably and invariably give them. In most cases counsel for the Government will be found saying that a prima facie case was established in the court below and should be sustained by the Supreme Court, in its final decision justifying an injunction. I ask, what did the union do in the particular coal case under discussion? It stood mute.

Mr. DONNELL. May I call the attention of the Senator to the fact that the decision we are discussing, which is the first coal case, was not under the Taft-Hartley Act? The Senator recalls that, does he not?

Mr. MORSE. It has no bearing upon the objection of the junior Senator from Oregon to the injunctive process. I simply say that wherever the injunctive process is used, we confront the very dangers I am trying to warn the Senator about this afternoon.

Mr. DONNELL. Will the Senator yield for one further question?

Mr. MORSE. I yield.

Mr. DONNELL. The Senator referred to the fact, did he not, as he indicates, that in his opinion labor will not stand for this type of remedy, or words to that effect?

Mr. MORSE. I say, if it is imposed upon labor, there will be industrial conflict.

Mr. DONNELL. Perhaps I am mistaken, but as I understood the Senator, I thought he said in substance that labor will not stand for this, that there is a point at which it will not stand for it.

Mr. MORSE. I shall endeavor to make it perfectly clear, if I can, that labor will not stand for it, in the sense that compliance by labor cannot be expected in many cases in which there is an exercise of the injunctive process.

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

Mr. MORSE. I yield.

Mr. DONNELL. First, does the Senator consider that labor is above the law? Second, does he agree to the proposition laid down by the Supreme Court in the case from which I have read, that "it"—the action of Mr. Lewis—"was an attempt to repudiate and override the instrument of lawful government in the very situation in which governmental action was indispensable"?

Mr. MORSE. I am very glad the Senator from Missouri asked that question, because it is perfectly obvious that the position taken by the junior Senator from Oregon this afternoon, unless thoroughly understood, would be twisted by some—I make no reference to the Senator from Missouri, I assure him—into supporting a premise that labor should be considered above the law. I want to say to the Senator from Missouri that in a great many decisions I have held that, once the courts speak, or once the board renders its decision, once the determination has been handed down, then all the forces of government necessary must be used to compel compliance. Of course, I believe in government by law, and of course I believe that labor must be brought under government by law. If we lay down a national policy that the injunctive process shall be the procedure for handling these cases, and if the Eighty-first Congress adopts that as a matter of policy, no one will be more insistent than the junior Senator from Oregon that the forces of government be used, so long as that policy is on the statute books, to compel labor's compliance. I add, however, that the Senator from Missouri has raised a question of fundamental policy, a question as to whether it is desirable in a democracy to lay down a rule of law or procedure, when we well know that such rule or policy will not have the sympathy of a large segment of our population, and thereby will force upon us a contest over government by law. Rather than meet that issue and force that issue we should see whether we have exhausted all our possibilities for other procedures by which we can accomplish the same results, without drawing that contest. Before this debate is over, I shall have a direct quotation from the great Brandeis, but I call the attention of the Senator from Missouri to a writing of his, which I at least interpret to mean, in effect, that in a democracy we must be very careful that we never get the law out so far ahead of the people or of a large segment of our population that the law cannot be successfully enforced without creating very serious consequences of conflict within our society.

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

Mr. MORSE. In a moment. Thus I say to my good friend from Missouri, I do not think I would be true to my convictions if I did not say here this afternoon that I think trying to lay down a policy for handling these disputes by the way of the injunctive process is undesirable in our democracy, first, because I do not think it is necessary to accomplish our objectives; and, second, because I think it draws a contest with Government by law which we should not draw and which I do not believe it is necessary to draw. I want the American people to know that if they do draw it, through their elected representatives in Congress, by way of the proposals which I understand the Senator from Missouri is going to espouse on the floor of the Senate during the debate, we are headed for serious industrial strife in America.

Mr. DONNELL. Mr. President, will the Senator yield for one final question?

The VICE PRESIDENT. Does the Senator from Oregon yield further to the Senator from Missouri?

Mr. MORSE. I yield.

Mr. DONNELL. If I may trespass for a moment further on the Senator's time, does he, in his amendment, which I have not yet seen, propose a seizure by the Government as the plan under which he would seek to solve difficulties of this kind?

Mr. MORSE. If the Senator will permit me, I shall explain the amendment in a moment, and the Senator will see the type of seizure which is proposed in the amendment.

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

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Kentucky?

Mr. MORSE. I yield.

Mr. WITHERS. I think perhaps the Senator from Missouri is confused about the remedies. I want to ask, when a temporary injunction is obtained, is it not a ministerial procedure?

Mr. MORSE. It is.

Mr. WITHERS. Is it not a ministerial act by which the clerk of court issues a temporary restraining order?

Mr. MORSE. It can be. But I think, in fairness to the Senator from Missouri, we should admit that in disputes such as these there is no question about the fact

that the court itself is going to give consideration to the petitions.

Mr. WITHERS. But that is a temporary restraining order granted as a ministerial act of the court, and not as a judicial act. It was not a final determination of any issue.

Mr. MORSE. It was not a final determination.

Mr. WITHERS. It is only maintaining the status of the parties until a final determination can be had. Is not that correct?

Mr. MORSE. Yes.

Mr. WITHERS. So it was not a court of equity at all, but a court acting in a ministerial capacity, granting an injunction to maintain the status quo until a final determination could be had. Is not that correct?

Mr. MORSE. I think that is in large part correct.

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

Mr. MORSE. I yield.

Mr. DONNELL. Does the Senator contend that in the Lewis case the clerk of the court issued the injunction?

Mr. MORSE. No—if the Senator is asking me the question.

Mr. DONNELL. I am asking either one of the Senators. I am sure the Senator from Kentucky would likewise say "No."

Mr. MORSE. In this case we should be sure that the court itself acted——

Mr. WITHERS. And that it was not simply a ministerial act.

Mr. DONNELL. Does the Senator from Oregon agree that the issuance of a temporary injunction by a court, after hearing is held, is the performance of a ministerial duty, or is it the performance of a judicial duty.

Mr. MORSE. If the court passed upon the evidence, I suppose we would have to say that it was clearly a judicial function. Issuance of the injunction, once a determination has been made to grant it, may be regarded as carrying out a ministerial obligation on the part of the court.

Mr. DONNELL. Does not the Senator agree that under the statute—I am talking about the Taft-Hartley Act—it is provided that if the court finds that the threatened or actual strike or lock-out, if it is permitted to occur or to continue, will imperil the national health or safety, it shall have jurisdiction to issue an injunction, and that the court, in issuing the injunction, is acting in the performance of a judicial duty? The Senator certainly would agree to that.

Mr. MORSE. I would not deny that, but I would hasten to add that I think our whole experience under that act to date bears out my statement that, in practice, it amounts to an automatic operation on the part of the court.

Mr. DONNELL. I think there is some room for disagreement on that point.

Mr. MORSE. Yes, I understand. But I must look at the results. If the Senator could bring in many refusals on the part of courts to issue injunctions, we might be a little nearer to his point of view. But I am willing to suggest this afternoon that I think, under the Taft-Hartley law, almost invariably requests for injunctions will be automatically granted.

Mr. DONNELL. In cases in which a national emergency is involved.

Mr. MORSE. Yes. But all it amounts to, in my judgment, is for counsel for the Government to appear before the court and present what he thinks is a prima facie case in support of his contention, and the court will grant the injunction. That has been the whole history of our temporary-injunction procedure, which labor so greatly fears.

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

Mr. MORSE. I yield.

Mr. DONNELL. Does the Senator disagree with the conclusion at which the Supreme Court of the United States arrived, in the case from which I read, namely, that a paralysis was creeping over the country—I do not have the book at hand at the moment; I think one of the reporters has it——

Mr. MORSE. I think that was an assumption on the part of the court.

Mr. DONNELL. Did not the court say that its conclusion was derived from the evidence?

Mr. MORSE. I still say I think it was the assumption of the court. I do not think the court presented any evidence in its decision which supported the assumption that the national health or safety of the country was endangered in the coal case.

Mr. DONNELL. Mr. President, I should like it to be noted in the RECORD that the excerpt to which I am referring appears at page 303, and states that the policy of Mr. Lewis, as the evidence showed, was the germ-center of an economic paralysis which was rapidly extending itself from the bituminous coal mines into practically every other major industry of the United States.

Mr. MORSE. I think what it shows is that the court did not like, any more than the rest of us like the idea of economic loss and inconvenience being suffered by American industry as the result of a long continuation of the coal strike. That is the point I have tried to raise this afternoon. On the question of emergency disputes, Government participation in them should be limited to whatever the point is at which it is necessary to protect national health or safety, but not to the point of guaranteeing a continuation of the full operation of the economy without loss to various industries and to the American people generally. I repeat, the American people must make up their minds whether they want to pay the price for some of our basic freedoms. When those freedoms are being exercised there is a governmental obligation to protect the national health and safety, but there is no governmental obligation, and there should be none, to guarantee to American industry and the American people generally the continuation of the economic processes without any loss to those concerned. The two things are incompatible. We cannot exercise the right to strike and have a continuation of our economy without loss to someone. Certainly, as American citizens, we are entitled to have the Government protect us in respect to health and safety.

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

Mr. MORSE. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I should like to ask the Senator a question. I realize that I am treading on sacred and hallowed ground when I address myself to such a distinguished attorney as the Senator from Oregon and to those Senators who have gathered in his immediate proximity. But is it not possible that just the sort of debate we are hearing this afternoon as to what the Taft-Hartley law means, what the legal provisions are, and what the interpretation is, constitute one of the things which has caused a considerable amount of the confusion in the whole picture of labor-management relationship? In other words, the constant inability of men of good will, of education, of learning in the law, ever to be able to agree fully as to what some of the provisions mean.

Mr. MORSE. I agree.

Mr. HUMPHREY. In other words, the law has complicated the problem.

Mr. MORSE. I agree. I shall at a later time speak at some length on my criticisms of the Taft-Hartley law. I think they are pretty well known, but I must make the record again. I shall go into detail as to those criticisms. Suffice it to say this afternoon that I think among the many unfortunate results of the operation of the Taft-Hartley law have been the political implications and consequences. I think it has been more responsible than has any other thing Congress has done for a quarter of a century for stirring up within the ranks of American labor a politically class-conscious spirit which will manifest itself at the polls for some elections to come. It is very unfortunate that we have the labor issue now reduced in no small measure to a straight political issue. Two great major organizations as well as the independent unions in this country are participating in political campaigning to a degree never before practiced by them. That is one of the direct results of the Taft-Hartley law. I do not believe we can solve the question in the realm of partisan politics. We must try to solve it on the basis of the facts, separately and distinctly from the political implications of the law.

Mr. President, I desire briefly to describe the emergency-dispute amendment which I am offering for the consideration of the Senate. I am not married to it. My mind is open as to modifications of it. I want to make it perfectly clear that as I listen to the debate, if I become convinced that my proposal would not be helpful in accomplishing the result we all desire, I shall vote against it. I think, however, that there are some suggestions in my proposal which are entitled to the careful consideration of the Senate. Frankly, I am in somewhat of an embarrassing position in regard to the whole question, because, as the Senator from New York [Mr. IVES], could very well point out to the Senate, I conferred with him on a number of occasions in regard to the type of approach which is presented in his amendment. I may finally vote for his

amendment as modified. I think it probably will be somewhat modified on the floor.

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

Mr. MORSE. In a moment. As I said the other day, there is great merit in the provisions of the amendment offered by the Senator from New York, but I try to adjust my thinking constantly to new facts and new arguments as I come in contact with them, and I have decided, as a matter of judgment, that the amendment I am offering this afternoon contains some features which are preferable to some of the features of the amendment of the Senator from New York.

I shall yield to the Senator from New York in a moment, but I desire to make a reference to the Senator from Illinois [Mr. DOUGLAS]. In a group of Republican and Democratic Senators the Senator from Illinois sought to work out a set of bipartisan amendments to the Thomas bill which might make the Thomas bill, as amended, more acceptable to a majority of the Members of the Senate. There was some division of sentiment. I wish to say that I think that bipartisan approach, as I have said before, should have been made in the committee, but now that is water over the dam. I think it is fortunate that at least before we have gotten to a final vote a bipartisan attempt has been made to reach some compromises on the legislation.

During my absence last week a temporary, a very tentative, understanding was reached that the compromise on emergency disputes should be by way of the type of seizure amendment which has been discussed in the press, and which this bipartisan group tentatively agreed upon in conference. I returned to Washington and studied the language of the amendment. It has many good things in it, but here again, Mr. President, I could not go along with it completely. I could not go along with it completely because in my judgment it, too, would result in an automatic injunctive process.

I think it is true that there is not a single Member of this body who has more consistently argued against the injunctive process as an instrumentality of settling labor disputes than has the junior Senator from Oregon.

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

Mr. MORSE. I yield to the Senator from Florida.

Mr. HOLLAND. I was interested in the Senator's statement just made because of my recollection, which may be in error, to the effect that he was one of those who reported and supported the committee bill which came in during the last Congress, in 1947, which did include in title II, having to do with national emergency matters, a provision for the use of the injunction. Am I correct in my recollection in regard to that?

Mr. MORSE. The Senator is quite correct.

Mr. HOLLAND. I thank the Senator.

Mr. MORSE. But the Senator's question necessitates an explanation on the part of the Senator from Oregon. The fact is that in 1947 the junior Senator from Oregon did everything he could to work out a compromise bill which would be acceptable to the Senate, and the committee hearings are perfectly clear that as a matter of policy the Senator from Oregon was just as opposed in 1947 to the injunctive process as he is today. But, after all, when we considered the many conflicting points of view within our committee in 1947, the junior Senator from Oregon was confronted with the task of making some concessions in order to get out of the committee a bill which he thought would be at least less dangerous and less undesirable than the Taft-Hartley proposals.

I wish to say that one of the great problems which confronts a liberal in the Senate is whether he should ever make a compromise on any issue when he finds himself in disagreement, whether in committee he should ever do "horse trading," as we say. There have been those in the Senate who have taken the position that never would they compromise. I do not think they are very constructive and helpful in drawing legislation when they take such an adamant position. So, in 1947 reluctantly I went along with the injunctive process to the extent that it was written in the committee bill.

The Senator from Florida is quite wrong if he seeks to give the impression that in 1947, as a matter of principle, the junior Senator from Oregon approved of or agreed to the injunctive process or found it acceptable. He went along with the bill because seven votes were required to get it out of the committee, and we could not have made the compromises necessary if I had not agreed to that provision of the bill, because most of the sections of the committee bill, certainly most of the controversial sections, were adopted by the committee either 7 to 6 or 8 to 5. The final bill, as the Senator knows, was ordered to be reported from the committee by a vote of 11 to 2. But that was only after the minority had lost on each one of the controversial issues.

Therefore, for the record, I want to make it perfectly clear that the junior Senator from Oregon in 1947 was no more friendly to the principle of the injunctive process than he is today.

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

Mr. MORSE. I yield.

Mr. HOLLAND. Does the answer the Senator has just given, and which I appreciate, apply equally to the provision for injunction contained in title II, in the committee bill of 1947, applicable to emergency disputes, and to the provision to which he has referred, by which the injunction could be used by the National Labor Relations Board to enforce its findings on any question of unfair labor practices?

Mr. MORSE. That was my view in 1947. Let me tell the Senator what my present view is. Once a finding has been made, against the union, for example, that it is guilty of an unfair labor practice, and after having taken all the advantages of the act the union then defies it, I am very much open to conviction, if we are to have the Government participate in labor cases, whether or not at that point, once the decision has been rendered on the merits, the Government should not have available to it the injunctive process. I say that today I am much more open-minded on that question than I would have been in 1947; but in 1947 I went along with the provision by way of the compromise procedure I have just mentioned.

Mr. HOLLAND. Does the Senator mean by his last answer that he now, after 2 years' experience under the act, is in doubt as to whether or not the people of the United States should have the protection of an injunction, or any other effective machinery, to support a finding in the case of a threatened shutdown of a vital national industry, or whether the Government should have available the injunctive process to enforce a finding that an unfair labor practice has been under way by a union?

Mr. MORSE. If the Senator will hear me through my explanation of my amendment, he will have a complete answer to his question.

Mr. HOLLAND. I thank the Senator.

Mr. MORSE. Mr. President, I wish to proceed to outline briefly the major provisions of my amendment. But I yield first to the Senator from New York, and apologize to him for keeping him waiting so long.

Mr. IVES. Mr. President, I wish to ask the Senator from Oregon if he is aware of the fact that the Senator from New York plans to offer an amendment relating to national emergencies which does not contain any seizure provision or any injunctive provision.

Mr. MORSE. I understand that is the position taken by the Senator from New York. He may find me with him on the final vote.

Mr. IVES. The Senator from New York will be very grateful.

Mr. MORSE. I wish to say to the Senator from New York that I think what we need to do is to bring all these proposals onto the floor of the Senate, because this is really where we are going to have to write the bill, instead of in the committee. But after the pros and cons of each proposal have been considered, I then for the first time will reach my final decision as to each provision.

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

Mr. MORSE. I yield.

Mr. IVES. The Senator from New York would like to point out to the Senator from Oregon that he may also offer his other proposal, which has already been printed and is on the desks of the Members of the Senate.

Mr. MORSE. I understand that is also the position of the Senator.

Mr. President, the first part of my amendment follows the common procedure which runs through all these proposals, namely, that whenever, in the opinion of the President of the United States, a threatened or actual strike or lock-out affecting an entire industry will imperil the national health or safety, he shall issue a proclamation to that effect; that he shall appoint an "emergency board," and the board shall have the obligation to make recommendations which, so far as I am concerned, will amount to making a decision, because it

is the decision, I say, that is so important in these cases.

I may add that I think Senators will find that in the overwhelming majority of the cases—and simply for comparative purposes, I will say 9 out of 10 cases—the decision of the board itself will be accepted by the parties in any dispute.

Then I provide the usual procedure as to the powers of the board, as is provided for in the Ives amendment, to exercise the power of subpena, and contempt powers.

Then following the proclamation of the President and the recommendations of the board, I provide in this amendment, that in any case in which a strike or a lock-out occurs or continues after the issuance of the proclamation, the President shall submit immediately to the Congress for consideration and appropriate action a full statement of the case, including the report of the emergency board if such report has been made, and such recommendations as it may see fit to make, including a recommendation that the United States take possession of and operate the business enterprise or enterprises involved in the dispute. If the President recommends that the United States shall take possession of and operate such enterprise or enterprises, the President shall have authority to take such action unless the Congress by concurrent resolution within 10 days after the submission of such recommendation to the Congress determines that such action should not be taken or enacts legislation designed to resolve the dispute and terminate the national emergency if Congress finds such an emergency exists.

In other words, Mr. President, I say that if there is truly a national emergency, the determination should be made by the Congress and not by the courts, and under the amendment the Congress itself has the primary responsibility by way of concurrent resolution to determine the procedure by which the individual and particular case shall be settled.

Then I use this language:

*Provided*, That during the period in which the United States shall have taken possession, the Federal Mediation and Conciliation Service and the emergency board shall continue to encourage the settlement of the dispute by the parties concerned, and the agency or department of the United States designated to operate such enterprise or enterprises shall have no authority to enter into negotiations with the employer or with any labor organization.

That removes the possibility of the example we had not so long ago of the so-called Krug agreement with respect to the Coal case, where the employers were not given an adequate opportunity, it seemed to me, to have a voice in the negotiations.

Then I add the further provision:

If the Congress or either House thereof shall have adjourned sine die or for a period longer than 3 days, the President shall convene the Congress, or such House for the purpose of consideration of and appropriate action pursuant to such statement and recommendations—

Of the board and the President.

Much has been said already in the present debate to the effect that we cannot wait for the Congress to return in order that action be taken. I deny that, because Congress can return to Washington within from 12 to 24 hours. In my judgment, no showing can be made that the economy or the health and safety of the country will be jeopardized by the lapse of that period of time.

Then I add the following important provision:

That the Norris-LaGuardia Act shall be applicable to the United States acting under the provisions of this title unless Congress by concurrent resolution provides otherwise in the particular case.

Mr. President, I cannot stress too strongly that difference with the Douglas proposal, because what that difference means is that the Norris-LaGuardia Act shall be applicable to the Government unless Congress by way of concurrent resolution, on the basis of the facts of a particular case, decides in respect to that case to make an exception to the Norris-LaGuardia Act. I cannot say and I do not see how anyone can say, that there may not be circumstances and facts which in a particular case might demand of the Congress that it make an exception to the Norris-LaGuardia Act. But the difficulty, as I see it, with the Douglas proposal is that the use of the injunction would become automatic in effect in case the Government, after seizing a plant, sought to make use of the injunction.

SEC. 304. (a) In the event that the Government shall take possession of and operate any business enterprise or enterprises involved in a given dispute, the President shall designate the agency or department of Government which shall take possession of any business enterprise or enterprises including the properties thereof involved in the dispute and all other assets of the enterprise or enterprises necessary to the continued normal operation—

I feel that the injunction puts the Government on the employer's side of the table, and I feel also that seizure, unless very carefully qualified, puts the Government on labor's side of the table. Therefore I have worked out in this amendment a procedure whereby the Compensation Board can take into account the fact that labor, for example, stood in violation of the emergency board's recommendation, and if the finding of fact is that labor stood in violation of the emergency board's recommendation, then I do not think it is fair for the Government to penalize the industry by giving to the industry only what it might think to be just compensation for the use of its facilities short of the profits it otherwise would have made.

If the responsibility for the defiance and noncompliance is labor's, then I think industry is entitled to be kept whole as the result of the Government's seizure. If on the other hand, the industry seeks to make use of the procedure in order to force the Government to seize its plant, thinking that by so doing it can break the back of the union, then I believe the compensation board should take that into account in fixing the compensation which should be paid.

In other words, what I am trying to do in the amendment is to keep the Government in a position where it does not join either labor on one side of the table or industry on the other, but keeps itself in the middle by way of judgment, believing, that if these extraordinary powers are written into the law to be used by the Congress, as Congress sees fit to use them in the particular case, we will find in practically all the cases, with a rare exception now and then that, as Will Davis said, not more than once or twice in a generation will both parties to the dispute fail to accept the findings and recommendations of the emergency board.

Mr. President, I send the amendment to the desk and ask that it be printed. I submit it with an open mind, and I am perfectly willing to consider amendments to it which Senators can convince me are needed; and if it can be demonstrated in the argument that the whole amendment is without merit, I shall be glad to vote against it.

The VICE PRESIDENT. Is the Senator offering the amendment, or does the Senator submit the amendment to be printed and lie on the table?

Mr. MORSE. I submit the amendment and ask that it be printed and lie on the table, as well as printed at the conclusion of these remarks.

The VICE PRESIDENT. Without objection, the amendment will be received, printed, and lie on the table.

Amendment submitted by Mr. MORSE to the bill to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, and for other purposes, viz: Strike out all title III of the amendment of Mr. THOMAS of Utah dated May 31, 1949, and insert in lieu thereof the following:

"TITLE III—NATIONAL EMERGENCIES

"DECLARATION OF NATIONAL EMERGENCIES

"SEC. 301. Whenever in the opinion of the President of the United States, a threatened or acutal strike or lock-out affecting an entire industry or a substantial part thereof engaged in trade, commerce, transportation, transmission, or communication among the several States or with foreign nations, or engaged in the production of goods for commerce, if permitted to occur or to continue, will imperil the national health or safety, he shall issue a proclamation to that effect and urge the parties to the dispute to refrain from a stoppage of work, or if such stoppage has occurred, to resume work and operation in the public interest.

"SEC. 302. (a) After issuing such a proclamation, the President shall promptly appoint a board to be known as an 'emergency board.'

"(b) Any emergency board appointed under this section shall promptly investigate the dispute, shall seek to induce the parties to reach a settlement of the dispute, and in any event shall, within a period of time to be determined by the President, but not more than 30 days after the appointment of the board, make a report to the President, unless the time is extended by agreement of the parties, with the approval of the board. Such report shall include the findings and recommendations of the board and shall be transmitted to the parties and be made public. The Director of the Federal Mediation and Conciliation Service shall provide for the board such stenographic, clerical, and other assistance and such facilties and services as may be necessary for the discharge of its functions.

"(c) An emergency board shall be composed of a chairman and such other members as the President shall determine, and shall have power to sit and act in any place within the United States and to conduct

such hearings either in public or in private, as it may deem necessary or proper, to ascertain the facts with respect to the causes and circumstances of the dispute.

"(d) Members of an emergency board shall receive compensation at the rate of $75 for each day actually spent by them in the work of the board, together with necessary travel and subsistence expenses.

"(e) For the purpose of any hearing or inquiry conducted by any board appointed under this title, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (U. S. C. 19, title 15, secs. 49 and 50, as amended), are hereby made applicable to the powers and duties of such board.

"(f) Each emergency board shall continue in existence after making its report for such time as the national emergency continues for the purpose of mediating the dispute, should the parties request its services. When a board appointed under this section has been dissolved, its records shall be transferred to the director of the Federal Mediation and Conciliation Service.

"(g) A separate emergency board shall be appointed for each dispute. No member of an emergency board shall be pecuniarily or otherwise interested in any organization of employees or in any employer involved in the dispute.

"PROCEDURE FOLLOWING PROCLAMATION

"SEC. 303. (a) At any time after issuing a proclamation pursuant to section 301 the President may submit to the Congress for consideration and appropriate action a full statement of the case together with such recommendations as he may see fit to make.

"(b) In any case in which a strike or lockout occurs or continues after the issuance of the proclamation pursuant to section 301 the President shall submit immediately to the Congress for consideration and appropriate action a full statement of the case, including the report of the emergency board if such report has been made, and such recommendations as he may see fit to make, including a recommendation that the United States take possession of and operate the business enterprise or enterprises involved in the dispute. If the President recommends that the United States shall take possession of and operate such enterprise or enterprises, the President shall have authority to take such action unless the Congress by concurrent resolution within 10 days after the submission of such recommendation to the Congress determines that such action should not be taken or enacts legislation designed to resolve the dispute and terminate the national emergency if Congress finds such emergency exists: *Provided*, That during the period in which the United States shall have taken possession, the Federal Mediation and Conciliation Service and the emergency board shall continue to encourage the settlement of the dispute by the parties concerned, and the agency or department of the United States designated to operate such enterprise or enterprises shall have no authority to enter into negotiations with the employer or with any labor organization for a collective-bargaining contract or to alter the wages, hours, or the conditions of employment existing in such industry prior to the dispute, except in conformity with the recommendations of the emergency board or a concurrent resolution of the Congress. If the Congress or either House thereof shall have adjourned sine die or for a period longer than 3 days, he shall convene the Congress, or such House for the purpose of consideration of and appropriate action pursuant to such statement and recommendations; Provided further, That the act entitled, "An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes" (Norris-LaGuardia Act), approved March 24, 1932 (U. S. C., title 29, secs. 101-115) shall be applicable to the United States acting under the provisions of this title unless Congress by concurrent resolution provides otherwise in the particular case.

"SEC. 304. (a) In the event that the Government shall take possession of and operate any business enterprise or enterprises involved in a given dispute, the President shall designate the agency or department of Government which shall take possession of any business enterprise or enterprises including the properties thereof involved in the dispute and all other assets of the enterprise or enterprises necessary to the continued normal operation thereof.

"(b) Any enterprise or properties of which possession has been taken under this title shall be returned to the owners thereof as soon as (1) such owners have reached an agreement with the representatives of the employees in such enterprise settling the issues in dispute between them, or (2) the President finds that the continued possession and operation of such enterprise by the United States is no longer necessary under the terms of the proclamation provided for in section 301: *Provided*, That possession by the United States shall be terminated not later than 60 days after the issuance of the report of the emergency board unless the period of possession is extended by concurrent resolution of the Congress.

"(c) During the period in which possession of any enterprise has been taken under this title, the United States shall hold all income received from the operation thereof in trust for the payment of general operating expenses, just compensation to the owners as hereinafter provided in this subsection, and reimbursement to the United States for expenses incurred by the United States in the operation of the enterprise. Any income remaining shall be covered into the Treasury of the United States as miscellaneous receipts. In determining just compensation to the owners of the enterprise, due consideration shall be given to the fact that the United States took possession of such enterprise when its operation had been interrupted by a work stoppage or that a work stoppage was imminent; to the fact that the owners or the labor organization, as the case may be, have failed or refused to comply with the recommendations of the emergency board or the conditions determined by the Congress to constitute a just settlement of the dispute; to the fact that the United States would have returned such enterprise to its owners at any time when an agreement was reached settling the issues involved in such work stoppage; and to the value the use of such enterprise would have had to its owners in the light of the labor dispute prevailing, had they remained in possession during the period of Government operation.

"(d) Whenever any enterprise is in the possession of the United States under this section, it shall be the duty of any labor organization of which any employees who have been employed in the operation of such enterprise are members, and of the officers of such labor organization, to seek in good faith to induce such employees to refrain from a stoppage of work and not to engage in any strike, slow-down, or other concerted refusal to work, or stoppage of work, and if such stoppage of work has occurred, to seek in good faith to induce such employees to return to work and not to engage in any strike, slow-down, or other concerted refusal to work or stoppage of work while such enterprise is in the possession of the United States.

"(e) During the period in which possession of any enterprise has been taken by the United States under this section, the employer or employees or their duly designated representatives and the representatives of the employees in such enterprise shall be obligated to continue collective bargaining for the purpose of settling the issues in the dispute between them.

"(f) (1) The President may appoint a compensation board to determine the amount to be paid as just compensation under this section to the owner of any enterprise of which possession is taken. For the purpose of any hearing or inquiry conducted by any such board the provisions relating to the conduct of hearings or inquiries by emergency boards as provided in section 302 of this title are hereby made applicable to any such hearing or inquiry. The members of compensation boards shall be appointed and compensated in accordance with the provisions of section 302 of this title.

"(2) Upon appointing such compensation board the President shall make provision as may be necessary for stenographic, clerical, and other assistance and such facilities, services, and supplies as may be necessary to enable the compensation board to perform its functions.

"(3) The award of the compensation board shall be final and binding upon the parties, unless within 30 days after the issuance of said award, either party moves to have the said award set aside or modified in the United States Court of Claims in accordance with the rules of said court.

"SEC. 305. When a dispute arising under this title has been finally settled, the President shall submit to the Congress a full and comprehensive report of all the proceedings, together with such recommendations as he may see fit to make.

"SEC. 306. The provisions of this title shall not be applicable with respect to any matter which is subject to the provisions of the Railway Labor Act, as amended from time to time."

Mr. AIKEN. Mr. President, on behalf of the Senator from Oregon [Mr. MORSE] the Senator from Alabama [Mr. HILL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Maine [Mrs. SMITH], the Senator from Minnesota [Mr. HUMPHREY], the Senator from New Hampshire [Mr. TOBEY], the Senator from Kentucky [Mr. WITHERS], and myself, I offer the amendment which I send to the desk and ask to have stated.

The VICE PRESIDENT. The amendment offered by the Senator from Vermont for himself and other Senators will be stated.

The LEGISLATIVE CLERK. On page 13, following line 5, in the Thomas substitute, it is proposed to insert a new subsection (d), to read as follows:

(d) The Board shall not base any finding of unfair labor practice under any provision of this act upon any statement of views or arguments, either written or oral, if such statement contains under all the circumstances no threat, express or implied, of reprisal or force, or offer, express or implied, of benefit.

Mr. AIKEN. Mr. President, this is the so-called free-speech amendment. There is no reference made to free speech in the bill of the Senator from Utah. Under the Taft-Hartley Act it has been found that the free speech provision goes too far. The amendment which I have offered is an effort to correct the situation and provide in the law that both employers and unions shall have the right of free speech.

This amendment is almost like the one submitted by the Senator from Ohio [Mr. TAFT], but differs in this respect: This amendment refers to unfair labor practices only, whereas the amendment of the

Senator from Ohio would extend the rule to elections as well. It seems to the sponsors of this amendment that the choosing of a bargaining agent is something over which the unions themselves should have full jurisdiction and that that is not the proper place to permit the employer to enter the picture and argue for or against any particular union or bargaining agent.

It is believed that this amendment would give the employer free speech in full degree so long as such speech does not contain any threats, implied threats, or promises or reward. With this amendment it would seem that both unions and employers would be on equal terms, and be treated fairly.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. AIKEN] for himself and other Senators.

Mr. TAFT. Mr. President, I merely wish to say that I have no objection to the amendment. As the Senator from Vermont says, it is similar to the provision in our substitute bill. It involves a slight modification of the original terms of the Taft-Hartley law, which prohibited the use in evidence of statements by the employer. We feel, after a study of the cases, that it is proper to use them in evidence, so that, taken in connection with other evidence, they may throw some light upon the determination as to whether other acts are in fact unfair labor practices. However, we have felt that it differs from our amendment, in that we specifically apply the rule to election cases. When we drew the Taft-Hartley Act we intended to apply it to election cases, but since then the Board has held, in the General Shoe case, that it does not apply in election cases. So the amendment which we have submitted in our substitute would apply in election cases. Otherwise, our amendment is identical with that offered by the Senator from Vermont.

Back in 1939, when the distinguished Senator from Utah [Mr. THOMAS] and I sat on the Labor Committee and heard the testimony of Mr. Madden, he stated that in his opinion it would be an unfair labor practice for an employer to tell his employees, in an election case, that the leaders of the union who were seeking their votes in that election were Communists, even though they were Communists. In his opinion it would still be an unfair labor practice on the part of employers. I think that ruling has been in effect reversed by the Supreme Court action on the subject.

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

Mr. TAFT. I yield.

Mr. DOUGLAS. Is it not true that the early ruling by Chairman Madden was later reversed by the Board? A short time after that the Board, by its own administrative ruling, adopted the provision which is contained in the amendment of the distinguished Senator from Vermont.

Mr. TAFT. The Senator is correct. That ruling was upheld by the Supreme Court. However, the point I am making is that the question of free speech arose in election cases, and not only in unfair labor practice cases. If the employer is to have free speech, it seems to me that he should have the right to present to his employees reasons why they should not join a union or should not organize, or why one union is a better union than another. That is his right of free speech; and if it contains no threat of retribution I do not see why it should be used later in throwing out an election case. That is what happened in the General Shoe case.

So I have no objection to the adoption of the amendment of the Senator from Vermont to the Thomas substitute. I do not desire to oppose it, and am quite willing to vote for it. I think it could go further, and I believe that the provision contained in our substitute amendments is a better amendment dealing with the subject of free speech.

Mr. THOMAS of Utah. Mr. President, I think I should say a word or two about this amendment.

I am very glad that the distinction has been made between the amendment offered by the Senator from Vermont and the provision in the Taft-Hartley Act.

There is another thing that should be said. In the administration of the Board the position of the Board with respect to free speech has developed to the point where the Board has made proper rulings, and has a proper understanding. In the beginning the problem of the Board was quite different from what it is today. I do not criticize Chairman Madden for the stand which the Board took in regard to free speech at that time. The big question confronting the Board at that time was how to combat the company unions, and questions of that kind. The manner in which employers were using the right of free speech had circumvented and stopped the real process of bringing about collective bargaining in an honest way. Since the Board has ruled, and since the Supreme Court has ruled, and since the practice has come to be what it is, this amendment does not carry with it any offense. It does to a great extent contribute to what was said about the former amendment, that it recognizes the spirit of mutuality.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. AIKEN] for himself and other Senators, to the so-called Thomas substitute.

The amendment to the amendment was agreed to.

Mr. HUMPHREY. Mr. President, I wish to call up the amendment with reference to financial statements, and I desire to make a statement in connection with the amendment to the Thomas substitute.

The VICE PRESIDENT. Is the Senator now offering the amendment?

Mr. HUMPHREY. It has been offered.

The VICE PRESIDENT. It has not been offered. It was only ordered to be printed and to lie on the table.

Mr. HUMPHREY. I now offer the amendment, on behalf of the Senator from Vermont [Mr. AIKEN], the Senator from Alabama [Mr. HILL], the Senator from Kentucky [Mr. WITHERS], the Senator from New Hampshire [Mr. TOBEY], the Senator from Maine [Mrs. SMITH], the Senator from North Dakota [Mr. LANGER], the Senator from Oregon [Mr. MORSE], the Senator from Illinois [Mr. DOUGLAS], and myself.

The VICE PRESIDENT. Is that the amendment lettered "D"?

Mr. HUMPHREY. That is correct.

The VICE PRESIDENT. Does the Senator wish to have the amendment read?

Mr. HUMPHREY. I do not believe it is necessary to have it read, unless it is the desire of the Senate to have it read.

The VICE PRESIDENT. Without objection, the amendment will be printed in the RECORD without reading.

The amendment offered by Mr. HUMPHREY (for himself, Mr. AIKEN, Mr. HILL, Mr. WITHERS, Mr. TOBEY, Mrs. SMITH of Maine, Mr. LANGER, Mr. MORSE, and Mr. DOUGLAS) to the Thomas substitute is as follows:

On page 16, following line 2, insert three new subsections (f), (g), and (h), to read as follows:

"(f) The Board shall not issue notice of hearing, conduct an election, or certify any labor organization as bargaining representative under this section nor issue any complaint under section 10 of this act based upon a charge filed by a labor organization under subsection (b) of section 10 of this act unless such labor organization and any national or international labor organization of which such labor organization is an affiliate or constituent unit (A) shall have filed with the Secretary of Labor copies of its constitution and bylaws and a report, in such form as the Secretary may prescribe, showing—

"(1) the name of such labor organization and the address of its principal place of business;

"(2) the names, titles, and compensation and allowances of its three principal officers and of any of its other officers or agents whose aggregate compensation and allowances for the preceding year exceeded $5,000, and the amount of the compensation and allowances paid to each such officer or agent during such year;

"(3) the manner in which the officers and agents referred to in clause (2) were elected, appointed, or otherwise selected;

"(4) the initiation fee or fees which new members are required to pay in order to remain members in good standing of such labor organization;

"(5) the regular dues or fees which members are required to pay in order to remain members in good standing of such labor organization;

and (B) can show that it has—

"(1) filed with the Secretary of Labor, in such form as the Secretary may prescribe, a report showing all of (a) its receipts of any kind and the sources of such receipts, (b) its total assets and liabilities as of the end of its last fiscal year, (c) the disbursements made by it during such fiscal year, including the purposes for which made; and

"(2) furnished or made available to all of the members of such labor organization copies of the financial report required by paragraph (1) hereof to be filed with the Secretary of Labor.

"(g) It shall be the obligation of all labor organizations to file annually with the Secretary of Labor, in such form as the Secretary of Labor may prescribe, reports bringing up to date the information required to be supplied in the initial filing by subsection (f) (A) of this section, and to file with the Secretary of Labor and furnish or make available to its members annually within 120 days after the end of their respective fiscal years or such other reasonable period of time as

may be prescribed by the Secretary of Labor finanacial reports in the form and manner prescribed in subsection (f) (B). No labor organization shall be eligible for certification under this section as the representative of any employees, and no complaint shall issue under section 10 with respect to a charge filed by a labor organization unless it can show that it and any national or international labor organization of which it is an affiliate or constituent unit has complied with its obligation under this subsection.

"(h) The Board shall not issue notice of hearing or conduct an election on petition of an employer under this section or issue any complaint based upon a charge filed by an employer under subsection (b) of section 10 of this act unless such employer and any local, regional, or national employer association of which such employer is an affiliate or member shall have prior thereto filed with the Secretary of Labor information such as is required to be filed by labor organizations by the provisions of paragraph (A) (2), (A) (3), (B) (1), and, in case of employer associations, paragraph (B) (2) of subsection (f) of this section and by the provisions of paragraph (A) (4) and (5), where applicable, of subsection (f) of this section and shall have filed reports bringing up to date the information thus required to be filed in the manner provided in subsection (g) of this section."

Mr. HUMPHREY. Mr. President, I wish to make a statement in connection with the amendment. I point out that this is an amendment to the so-called Thomas substitute. It is one of the amendments which we feel are within the spirit and general framework of the substitute offered by the distinguished Senator from Utah [Mr. THOMAS] and concurred in by the majority of the Senate Committee on Labor and Public Welfare.

The amendment is designed to require labor unions, employers, and employer associations who wish to invoke the processes of the National Labor Relations Board to file financial statements and publish those financial reports, making them available for use of their members.

In its basic requirements, this amendment is similar to the requirements under the existing Taft-Hartley law, with the very important added requirement, however, that the filing of such statements be mutually obligatory on employers, and also with the understanding that it corrects certain unreasonable procedural difficulties which now exist in the Taft-Hartley Act.

Most of the opposition to this provision in the Taft-Hartley Act until now has been that it imposes an obligation on one side of the bargaining table only, and not on the other. As such, it was unequal and unfair. Surely, if the duty to file and furnish financial information is laid upon labor organizations it ought similarly to apply to employers and to employer associations, whose membership choose to make effective use of National Labor Relations Board procedure. Under those conditions of mutuality, I know that much of the opposition to the requirement for filing financial statements would be gone. The majority of American labor unions now file, and have for many years filed, financial statements, fully accredited and audited, and have made such statements public, not only to their members, but to the citizenry as a whole. The majority of American labor unions have nothing to fear in bringing their statements to their members, and they have always done so. They do have something to fear, however, from making those financial statements public in view of the fact that many employers still do not recognize the principles of collective bargaining and might make use of the information as to the financial status of unions in a manner detrimental to the health and welfare of such unions. Nevertheless, Mr. President, I know that my amendment will receive the support and approval of the organized labor movement as well as the support and approval of the American people. Certainly employers who request that financial statements be filed by unions ought to have no objection to filing such financial statements themselves.

A number of procedural difficulties in the Taft-Hartley Act are corrected by this amendment. Let me briefly mention them:

At the present time, annual financial reports are required immediately at the end of the fiscal year. Under the amendment, provision is made that such statements may be filed within 120 days after the end of the fiscal year or within such other reasonable period as the Secretary of Labor may prescribe. This provision is essential because the requirements of the Taft-Hartley law is impossible to fulfill, except in the case of an extremely small enterprise. In other cases, no accountant or auditor can possibly prepare financial statements immediately upon the end of the fiscal year. Under the present requirement, an administrative practice has developed which permits 90 days of grace. The amendment we are offering merely meets the very obvious necessity of providing some kind of discretion.

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

Mr. HUMPHREY. I yield.

Mr. TAFT. Is it not true that General Counsel Denham ruled that they did have 90-days grace under the Tart-Hartley law?

Mr. HUMPHREY. That is true, and I mentioned that there had been an administrative ruling or practice which provided a 90-day period of grace, which was proven to be necessary. In the amendment, we extend that to a period of 120 days, as simply an optional or discretionary period.

Under the present bill, also, the National Labor Relations Board is prohibited, when faced with a representation proceeding or an unfair labor practice, from making any kind of an investigation or issuing any kind of a complaint until the financial filing requirements are met. This appears to be an unreasonable requirement, in view of the frequent immediacy for action in these cases, and also in view of the fact that experience has demonstrated occasional difficulty in fulfilling all the technical requirements for filing.

Our amendment suggests, therefore, that the Board be prohibited from actually issuing a notice of hearing or conducting an election of making a union certification of issuing a complaint until such time as the financial requirements are made, but it does not prevent the Board from making an investigation. Surely the Board ought to be free to investigate a charge or a petition until such time as the final, formal requirements are met.

In connection with this question, I wish to point out that the Taft-Donnell-Smith amendments also recognize that the Board ought to be free to entertain a petition, but they do not allow the Board to investigate a question raised by labor organizations until all filing requirements are met.

There is one other provision to which I wish to refer: Under by amendment, we propose that financial reports may be furnished to members of labor organizations, as is now required; but, in addition, we add that they may, in the alternative, be made available to them. This, of course, also applies to employer members and employer associations. Particularly as regards labor unions with hundreds of thousands of members, to furnish financial statements to each member is impossible, since to some extent membership is a continually changing process. Our amendment, therefore, in effect conforms to administration interpretation of the Taft-Hartley law, which the Secretary of Labor has given since 1947, by allowing financial statements to be made available to members.

Mr. President, I make note of the fact that there has been this administrative interpretation. We felt that it has been effective and in the amendment we are now making it a statutory provision.

One final word about the mutuality provision of this amendment and about our requirement that employers who file petitions or charges shall likewise file financial reports and the requirement that employer associations to which they belong shall file those reports before the Board may issue a notice of hearing, conduct an election, or issue a complaint. This provision places no greater responsibility on the employer or his association than the present law places on labor organizations. It simply requires the employer to file information just as the labor union does. It is true that the employer in some measure has an advantage over the union, in that when a large union provides financial reports to its thousands of members, the report becomes virtually public, and usually is quite available to the employer. On the other hand, financial reports which employer associations send to their members rarely, if ever, become available to unions.

Mr. President, we submit this amendment in the spirit of the Thomas bill. The amendment is designed to stimulate and encourage collective bargaining and to eliminate any punitive elements from the labor law of our land. By making these provisions mutual, the punitive element disappears. Therefore, I urge the adoption of this amendment, in the spirit of providing a constructive, workable framework of labor-management law for the good of the collective-bargaining process.

The VICE PRESIDENT. The question is on agreeing to the amendment lettered D, of June 6, offered by the Sena-

tor from Minnesota on behalf of himself and other Senators.

Mr. TAFT. Mr. President, I merely wish to point out, again, that this amendment provides for the adoption of a section of the Taft-Hartley law, with some procedural amendments, and with an additional provision requiring employers to file such reports, and if an employer files such a report, requiring any national employer association of which such employer is an affiliate or member to file a report. Of course, that provision goes further than the provisions regarding labor unions, because employer associations have not the same relationship to individual corporations that the A. F. of L. or CIO have to individual unions. Employer associations do not have with member employers the relationship which an international union has to a local union, for of course the international union can direct the local union as to what it shall do, or can approve or disapprove its contracts.

So in the case of the employer, this provision goes further, as it applies to employer associations, than the Taft-Hartley Act does in the case of unions, because the Taft-Hartley Act does not require the filing of affidavits with the Board by the CIO or the A. F. of L. So, Mr. President, if such a provision is to be made at all, I think a similar provision should be made as to both groups.

We omitted a requirement that the employers file, simply because there are so many laws which already require employers to file, that certainly no large corporation, no corporation listed on the stock exchange, no corporation which is subject to the SEC regulations, can escape the filing of reports, or does escape. Nearly all those reports are made public. There are, however, a few corporations that do not file reports.

Furthermore, our interest in the labor unions in connection with this matter was, rather, that every member of a union should have the right to see the reports, which are required to be filed with the Secretary of Labor, so that he may know that they are in proper form to give the information to the members of the union, whereas under existing law any stockholder of any corporation can obtain such information regarding the corporation by going into court, if necessary, although I do not know of any corporation that refuses such information to a stockholder. So there did not seem to be any need for such a provision in the case of corporations.

I have no particular objection to having such a provision made in the case of corporations, although as to them it would be a cumulative provision, and one which I think is unnecessary.

The fact has been that any member of a labor union who tried to obtain a financial report about his union was told where he could go; and if he did not choose to go there, he was very likely to lose his place in the union, if he made too much noise about the matter or if he went to court to try to get a statement of the dues which had been paid to the union by its members.

Many unions—particularly, I may say, I think, the more recent CIO unions—furnish a complete report. Many unions said they had no objection to such a requirement. On the other hand, a good many of the older unions furnished no such reports, and their financial expenditure statements were wholly unavailable to their members. That was the reason for the provision.

However, as to the other provisions of the amendment, many of them do not go to the heart of the matter; and certainly I have no objection to the addition of this part of the Taft-Hartley law to the Thomas bill.

Mr. HUMPHREY. Mr. President, I should like to make an observation at this point, rather than have the RECORD contain an undisputed statement that this amendment would simply constitute an addition of a part of the Taft-Hartley law to the Thomas bill. The Senator from Ohio has well pointed out that this is a mutual proposition and that it bears upon the element of fairness, by applying the requirement to the parties on both sides of the bargaining table. This amendment provides a requirement, as has been made plain, that is protective to the union members and to the public and, if need be, to the stockholders and officers and trustees of a corporate enterprise which might be affiliated with a national organization.

Mr. HOLLAND. Mr. President, I am in accord with the amendment which is pending, and expect to vote for it, as well as for each of the four amendments which have been offered as the so-called compromise amendments, each of which comes out of the provisions of the Taft-Hartley Act. At this time, however, I wish to speak briefly on a proposed amendment which I shall offer, only for the purpose of having it printed and lie on the table, so that it may be taken up in proper time. My amendment proposes to include in the so-called Thomas bill now pending, S. 249, the provision which appeared in the Taft-Hartley Act, under which the enactments of the various States—17 in number—that is, either constitutional enactments, in some cases, or statutory enactments, in others—which in their purpose and effect banned in the several States the so-called closed shop—were recognized, validated, and affirmed in interstate commerce by the Taft-Hartley Act, and are so validated at this time under the provisions of that act.

I call the attention of the Senate to the fact that the Railway Labor Act, passed long before the Wagner Act, by its specific terms banned the closed shop, and has been recognized as a sound expression of both law and public policy in that particular field for a great many years, without causing any serious consequence of which I have ever heard. I further call attention to the fact that the Wagner Act when it was adopted, in 1934, was silent on this question, and at least made no move toward banning provisions of the several States within their own jurisdiction and affecting their own citizens, as to this particular subject matter.

I call further attention to the fact that following the enactment of the Wagner Act, 17 States, including Florida, acted to write into their State laws, either by the adoption of constitutional amendments or by the passage of statutes on the subject, the policy which is called anti-closed shop, which bans the requirement, as a condition for employment or continuation of employment, that an individual must belong to any labor organization, and bans the inclusion of such a provision in an agreement between industry and labor.

Mr. President, I call attention to the fact that since the enactment of those several State laws, whether by constitutional amendment or statute, the matter has gone to the highest court of the land, the United States Supreme Court, and has been passed upon in three cases, going up from the States of North Carolina, Nebraska, and Arizona. In two of those States there were constitutional provisions of the State constitutions on this subject. In one of those States, there was a State statute on the subject. In the three cases, decided only a few months ago by the United States Supreme Court, the Senate will recall that the court showed, for these days and times, remarkable unanimity, remarkable unity in its logic and decisions. As I recall the decisions, two of them were unanimous, by action of nine members of the Supreme Court, and the other one was by action of eight members of the Court; only one member, Mr. Justice Murphy, dissenting from the action of the other eight justices. As the result of those decisions the Court affirmatively found, as a matter of sound Federal law, that the States had a perfect right, whether by constitutional amendment or by statute, in the absence of a contrary Federal enactment on the subject, to write this particular requirement into their laws, and that such laws did have sound and salutary effect and were valid and binding, and of course they were upheld by those decisions of the United States Supreme Court.

Mr. President, I ask the Senators to note that in spite of the fact that the Thomas Act by some, though not by its sponsors here, is widely heralded as an effort to go back to the fundamental principles of the Wagner Act, that in this provision it is sought by the Thomas bill to go much further than was gone by the Wagner Act, by specifically banning the effect and force of State statutes or State constitutional amendments in this particular field, and the result of the adoption of the Thomas bill as drawn and presented here would be to undo what has been done by the 17 States in question, and what has now been upheld by decisions of the United States Supreme Court.

It is quite clear that it is sought by this bill either to ask 17 States to give up what they have done, or to coerce 17 States into giving up what they have done, by Federal action which will, if it is enacted here, override and destroy the rightful acts of those States executed in a valid State field, which has been upheld as such since that time by the Supreme Court of the United States.

I remind every Senator that it is sought by the pending act to undo three important things which have been done heretofore to confirm and uphold these provisions of the State laws, which I shall

mention. First, the 17 States, exercising their own State rights, have found this to be a field in which they felt there should be a State law, and whether by constitution or by statute, have specifically enacted, and in the case of the State constitutions, the people of those States have actually voted, that here is sound public policy which they regard as such and which they wish to make, and have made, a part of their fundamental State law. It is sought by the provisions of the Thomas bill to undo those dignified, solemn, and honorable decisions made by the people of 17 sovereign States. Secondly, it is further sought to undo the additional step affirming, and confirming the action taken by the 17 States, when the United States Supreme Court held, with unusual unanimity, that the States were within their rights in so acting, and the arguments in those decisions show that the distinguished members of the Court thought there were excellent reasons for upholding the soundness as well as the legality of those particular enactments.

In the third place, it is sought to undo what was done here when the Taft-Hartley law was passed in 1947, by which the Federal Congress followed, to a degree, what had been sound Federal policy in the field of railway labor relations for many years, in that the Taft-Hartley Act included a provision which respected and confirmed, and to that extent made it a matter of Federal law, that the action taken by these several States should be validated and should not be overturned by the Federal law which was then enacted. And so it is proposed by this one act not to go back to the Wagner Act, but to take action which far transcends the field of the Wagner Act, and to undo these three things which have been done or accomplished for the benefit of the sovereign States which I have just mentioned.

I am therefore, Mr. President, without arguing the matter at greater length, sending forward at this time an amendment which, if it is adopted, will engraft upon the provisions of the so-called Thomas bill, S. 249, the identical provisions now contained in the Taft-Hartley Act, and will strike other words which were placed in the Thomas bill and which must be stricken in order to give validity and effect to that identical provision of the Taft-Hartley Act which is proposed in the amendment. I ask that the amendment be printed and lie on the table.

The VICE PRESIDENT. The amendment offered by the Senator from Florida will be received, printed, and lie on the table.

The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. HUMPHREY].

Mr. THOMAS of Utah. Mr. President, just a word before the vote is taken. Perhaps we all know about the provision in the Taft-Hartley law requiring labor unions to file reports. We have learned that it has not been burdensome, and of course we did not find labor unions were holding back or hiding anything. Therefore, the continuation of the practice will not in any way harm labor unions. The amendment suggests that it be made mutual, that both sides must file reports. Since the Senator from Ohio [Mr. TAFT] has more or less accepted the spirit of that mutuality, I feel that I should not oppose it.

I must say that the Thomas bill, as it has been called, contains no provision like this one, so that the amendment is an amendment not only to the Taft-Hartley Act, but to the Thomas bill, and, furthermore, it is an amendment to an amendment which would have been suggested by the Senator from Ohio; if this amendment were not adopted.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. HUMPHREY] to the so-called Thomas substitute.

The amendment to the amendment was agreed to.

Mr. DOUGLAS. Mr. President, I offer the amendment which has been printed and is sponsored, in addition to myself, by the Senator from Vermont [Mr. AIKEN], the Senator from Oregon [Mr. MORSE], the Senator from New Hampshire [Mr. TOBEY], the Senator from Maine [Mrs. SMITH], the Senator from Alabama [Mr. HILL], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Kentucky [Mr. WITHERS].

The VICE PRESIDENT. In order that it may be identified, is it the amendment of the Senator which is marked "B"?

Mr. DOUGLAS. That is correct.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 16, following line 2, it is proposed to insert a new subsection (i) to read as follows:

(i) (A) No investigation shall be made by the Board of any question affecting commerce concerning the representation of employees, whether raised by a labor organization or employer, and no complaint shall be issued pursuant to a charge made by a labor organization or employer under section 10 unless there is on file with the Board the affidavits required in paragraph (B) hereof, executed contemporaneously with the filing of any petition or charge, or within the preceding 12-month period, by the persons required to file such affidavits, as set forth in paragraph (B) hereof: *Provided*, That no such affidavit shall be required of any lobar organization or employer or employer association whose constitution or governing laws have the effect of prohibiting any officer or officers thereof from being a member of, or affiliated with, any organization specified in paragraph (B) if upon request of the labor organization, employer, or employer association for the waiver of such affidavits, the Board determines that such prohibition is being enforced in good faith.

(B) The affidavits required in connection with paragraph (A) hereof shall, in the case of a petition or charge by an employer, be executed and filed by the employer and each officer thereof (including each owner, partner, receiver, or trustee, or, if a corporation, each officer thereof), and the officers of any local, regional, or national employer association of which the employer is an affiliate or member; and, in the case of a petition or charge by a labor organization, by its officers, and by the officers of any national or international labor organization of which it is an affiliate or constituent unit. For the purposes of this subsection, "officer" means those persons designated as officers by the constitution and bylaws, and members of all executive policy-forming and governing bodies of an employer and any local, regional, or national employer association of which the employer is an affiliate or member, or of a labor organization and any national or international labor organization of which it is an affiliate or constituent unit.

Such affidavits shall state that the person making such affidavit is not a member of the Communist Party or affiliated with such party, or a member of or affiliated with any fascist or totalitarian organization, and is not a member of and does not support any organization that believes in or teaches the overthrow of the United States Government by force or by any illegal or unconstitutional methods. The provisions of section 35A of the Criminal Code shall be applicable to such affidavits.

## EXPANSION AND IMPROVEMENT OF RURAL TELEPHONE SERVICE

Mr. HILL. Mr. President, on last Saturday morning the Hon. Claude R. Wickard, Administrator of the Rural Electrification Administration, appeared before the Senate Committee on Agriculture and Forestry and made an excellent statement in behalf of Senate bill 1254, known as the Rural Telephone bill. The bill was introduced in the Senate by the Senator from Oklahoma [Mr. THOMAS], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Texas [Mr. JOHNSON], the Senator from Oklahoma [Mr. KERR], the Senator from Iowa [Mr. GILLETTE], the Senator from Florida [Mr. PEPPER], the Senator from Vermont [Mr. AIKEN], the Senator from Alabama [Mr. SPARKMAN], the Senators from North Dakota, and myself.

I ask unanimous consent that the statement of Administrator Wickard be printed in the body of the RECORD.

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

Mr. Chairman and members of the committee, I am thankful for your invitation to present my views on Senate bill 1254 which would enable local, private telephone enterprises with the aid of a self-liquidating Federal loan program to meet a most urgent need for the expansion and improvement of rural telephone service. Through experience gained from having spent most of my life on the farm and a lifetime association with farm people, I know how essential reliable telephone service is to rural people. It is far more than a convenience; it is an absolute necessity. With the possible exception of electric power it is hard to conceive of anything that means more to the health, happiness and economic well-being of farm people than good telephone service. In time of sickness, fire or other emergencies a farmer without a telephone is practically helpless, isolated by miles from a doctor or other assistance in his hour of need.

The farm is a place of business as well as a place of residence and the farmer must have fast, dependable communication service if he is to be able to produce efficiently and economically the food and fiber upon which this Nation depends for its existence. For example, during the harvest season a quick call into several towns in the area may be the only means of locating an essential repair part for a piece of machinery and of saving a crop, the product of a year's labor.

Prompt veterinarian service and adequate and detailed local market information can be

quickly and effectively made available only through a reliable telephone.

From a social standpoint the farmer's wife and family, because of their isolation, have much more need of telephone service than any other group of citizens.

Looking at it from every angle, no group of people needs telephone service as much as farmers. Despite this obvious and urgent need for good telephone service the rural telephone situation in this country is deplorable. Much less than half of our farmers, perhaps somewhere between 37 and 42 percent, have any kind of a telephone at all. Many of those who do have telephones are forced to put up with inadequate, unreliable, obsolete equipment and service.

Some of us had been hopeful that with the end of wartime shortages some improvement would take place. As a matter of fact, the performance has been very disappointing and, under present conditions, there seems to be little hope for further improvement so far as typical farm areas are concerned. Today the number of farms having telephones is actually smaller than it was 30 years ago. The 1920 census showed 2,498,000 farms with telephones. In 1945 the number had decreased to 1,866,000. Today, by liberal estimates, the total is 2,473,000, or about 25,000 fewer than in 1920.

This leaves 3,380,000 farms in this country without any telephone service at all. The quality of service on most of the systems in the typical farm areas continues to deteriorate.

May I draw upon a recent personal experience which is not an unusual one for farm people. I have on the walls of my Indiana farm home the same telephone-instrument that was installed there when I was a small boy, almost a half century ago. This service, to be as charitable as possible, is uncertain. On the morning of May 17 of this year my small granddaughter was badly scalded in this farm home. At best, doctors are hard to find in a typical farm area. The telephone had been practically useless for several days. However, by heroic effort and urgent pleading my daughter was able to enlist the aid of the operator who relayed her request for help. Only through this extraordinary effort was a doctor obtained and first-aid administered. When I arrived a few hours later I was not able to get any use out of the telephone at all. A man who repairs the line on a part-time basis told me that it would be a day or two before he could get it back into commission. He told me that the line was in such condition that it was getting very difficult to repair, and referred to the fact that the old wire had become so hard and brittle through age that it was very difficult to splice. I told him that after the experience of that day I was hopeful that the service could be improved quickly as I had visions of other emergencies which might arise. He volunteered the information that at least $10,000 was needed on this small mutual system to put it in usable order. He did not venture an estimate as to how much more would be required to really modernize the system.

We are getting letters from all over the Nation describing situations similar to the one which I have just told about. A great number of these letters tell how people have sought telephone service in vain. Some of them relate how the telephone systems that were in the neighborhood have gone completely out of commission. Their letters bear out the fact that little is being done today to improve farm telephone service and that the prospects for the future are dark.

Ever since the first telephone legislation was introduced in 1944 we have been hearing a lot about the plans that the large companies had for expanding their farm service. We had hoped that the announcement of these plans was not merely a gesture in response to the legislation which had been introduced.

We, in REA, worked out a model agreement for joint-use of telephone and power facilities with the Bell Telephone officials. We hoped that this would be a means of cutting costs and expediting rural telephone service. Two hundred and six REA cooperatives have entered in these agreements. Yet, the 146 cooperatives which have reported the results, indicate that a total of less than 12,000 telephones have been installed through the use of their facilities.

We were hopeful that the telephone companies would take advantage of the increased supplies of materials and labor to bring about an improvement in rural telephone service as has been done in the field of rural electrification. When the war was over, 45.7 percent of farmers had electric service. Today over 73 percent have electric service.

On the other hand, a survey by the Bureau of Agricultural Economics of the Department of Agriculture, which was released on May 4 of this year, indicates no significant change between July 1, 1947, and July 1, 1948, in the total proportion of farms having telephones. I am filing a copy of this survey for the record. The survey points out that during the 3-year period 1945 to 1948 the increase in the proportion of farms with electricity was four times the increase in the farms with telephones. The survey also indicates that the percentage of our farms having telephones today is about 2 percent less than it was in 1920. These are the reasons that farm people are appealing for a program to do the job in the rural telephone field that has been so successfully done in the rural electrification field.

The Farm Bureau, Grange, Farmers Union, National Council of Farmer Cooperatives, Missouri Farmers Association, and other farm organizations have all called attention to the seriousness of the telephone problem and have urged that national legislation be enacted to solve it.

There is unmistakable evidence that the A. T. & T. and the large independents are not going out into typical farm territories where a high financial return is not in prospect. On the other hand, the small independents and mutual companies simply cannot get adequate financing today to enable them to take care of these territories.

If it had not been for these small companies, both independent and mutual, most of the farmers who today have telephone service never would have had it, and I would like to pay a word of tribute to them. These small companies have struggled against great odds over the past half century to bring an essential service to farm people. They were undercapitalized to begin with and they did not have the opportunity to set up adequate reserves such as has been done in the REA program. Today a great number of these small companies are in desperate financial circumstances; they need help and whether they get it or not depends upon enactment of this legislation.

To put it another way, whether farmers get adequate telephone service depends in a great majority of the cases upon this legislation. I know that a number of these small independent companies and mutuals have been told that enactment of this legislation would socialize the industry, that their lines would be duplicated and they would be put out of business. This is a complete distortion of the provisions and purposes of the bill. In the first place, lending Federal money to local independent and mutual companies is not socialism by any definition of the term. I might point out that the cry of socialism is not raised when thousands of banks, the railroad companies, and large commercial and industrial enterprises borrow money from the RFC.

This is a program for getting telephone service to farmers. It will be accomplished by lending Government funds to the privately owned, locally managed enterprises which will do the job. It will be done on a self-liquidating basis. This is specifically required by the bill.

As to duplication, the bill provides for all the safeguards that can be written into legislation. In addition, there are some very practical reasons why the alarm over duplication is unwarranted. To be self-liquidating loans must be economically feasible. I don't see how I can possibly certify as to the economic feasibility of loans for facilities to serve people who are already receiving adequate and reliable service. I don't expect to receive applications for such loans. But even if I do, the provisions of the bill which require recognition of State regulatory laws will take care of such applications. Let me point out that this provision is precisely that recommended by the National Association of Railroad and Utilities Commissioners.

I personally want to state that if I were in charge of a program to make loans for rural telephone service, I would think it wise to give preference to those people who are already in the business and who are willing to do everything practicable to furnish satisfactory telephone service. And I can assure everyone that there is no intention on my part to make loans to rural electric co-ops which would put existing telephone companies out of business. As a matter of fact few if any electric co-ops have a desire, or are in a position to enter the telephone field at all. Furthermore, it should be remembered that any administrative action that is unwise, unfair, or not in the public interest can always be halted by the Congress through its continuous control over appropriations.

I am submitting for your consideration a résumé of the farm telephone situation. This résumé bears out in detail the statements that I have made that farm people are not getting adequate telephone service and are not likely to get adequate telephone service under existing conditions.

To sum up, there is a most urgent need for improvement and expansion of telephone service for farmers. This improvement is not taking place and, in my estimation, it will not take place unless there is enactment of legislation such as proposed in S. 1254.

## RECESS

Mr. LUCAS. Mr. President, it is now 5:55 o'clock, and I am about to move that the Senate take a recess, if there be no further business to be transacted at this time.

I now move that the Senate take a recess until tomorrow at noon.

The motion was agreed to; and (at 5 o'clock and 55 minutes p. m.) the Senate took a recess until tomorrow, Thursday, June 16, 1949, at 12 o'clock meridian.

## NOMINATIONS

Executive nominations received by the Senate June 15 (legislative day of June 2), 1949:

### HOME LOAN BANK BOARD

Oscar Kent La Roque, of North Carolina, to be a member of the Home Loan Bank Board for a term of 4 years expiring June 30, 1953. (Reappointment.)

### IN THE NAVY

The following-named officers of the Navy for permanent appointment to the grade of

lieutenant subject to qualification therefor as provided by law.

The following-named officers for permanent appointment in the line of the Navy:

Donald L. Abbott
Stanley F. Abele
William F. Abernathy
William H. Abney
James D. Ackerman
Gladys J. Adams
Joseph E. Adams, Jr.
James H. Agles
John D. Alden
Alfred C. Alder
Ralph Alford
Ralph M. Alford
Walter W. Alldredge, Jr.
Milton O. Allen
Albert A. Anderson
Wallace I. Anderson
Bernard A. Andrade
Leo V. Andrecht
George G. Andrews
Mary M. Angas
Frank D. Armstrong, Jr.
Joseph F. Arrigoni
Robert E. Arthur
James K. Athow
Randal N. Atkinson
Helen Augustiny
Lee A. Bagby
James R. Bagshaw 3d
Carl W. Baker
Lawrence H. Baker, Jr.
Morton S. Baker
George O. Baldock
James L. Ball
Edward P. Barkley
Floyd M. Barkley
Paul H. Barkley
Frank D. Barlow
James B. Barnette
Leon V. Barr
Bruce C. Barry
Edwin J. Bates
Lawrence F. Baumgaertel
Jerome W. Beaudoin
Maurice E. Beaulieu
Troy C. Beavers
George M. Bell
Darrell C. Bennett
Thorval L. Berg, Jr.
Franklin S. Bergen
Irma E. Bibens
Gladys Bickmore
John R. Bicknell
Jene M. Bixler
Sherman C. Black
Ralph E. Blad
Frank W. Blake, Jr.
William F. Bland
William F. Bley
Stanley H. Blumenthal
Clarence A. Borley
Woodrow J. Borne
Edgar J. Boudinot, Jr.
Vivienne F. Boudreau
Charles H. Bowen, Jr.
James E. Boyle
Charles R. Bradford
Rosa A. Brannon
Trond G. Brekke
William F. Brennan
John W. Brex
Benjamin F. Briant
Richard W. Briggs
William I. Bristol
Samuel J. Brocato
Charles L. Brooks
Frances L. Broughton
Guy C. Brown
Melvy M. Brown
Robert N. Brown
Russell E. Brown
Orville S. Brownlee
George E. Buker
Jack H. Burch
Calvin Burkhart
John Burkholder
Robert M. Burnell
Russell O. Burnham
Robert J. Burns
Willard L. Bushy
George K. Bywater
Sherman C. Cagle, Jr.
Charles W. Callahan
John C. Callahan
Robert J. Callahan
Robert E. Carl
Robert D. Carleton
Billie Carroll
Eleanor M. Casey
James C. Caskey
Lucian M. Cayce
William B. Chamberlin
Terry M. Chambers
Murray L. C. Chandler
Harlan R. Cheuvront
Robert D. Chilton
Louis D. Chirillo
Bryce L. Clack
Walter C. Clapp
Constance E. Clark
Leslie A. Clark
Richard M. Clark
Marvin L. Claude
Henry G. Cleland, Jr.
Jesse S. Cleveland
George M. Clingan
Paul W. Cobb
Fred T. Cockrell
June M. Cogswell
George Cole
R. K. Stewart Cole
Raymond E. Coleman
Robert G. Coleman, Jr.
Francis L. Collins, Jr.
Ralph W. Collins
Walter V. Collins
Luke O. Conerly, Jr.
Parker C. Cooper
Catherine V Cronin
Gerald P. Corrigan
Kenneth J. Cory
Marion L. Courtney
John E. Cousins
Louis L. Cowsert
Maley O. Cramer, Jr.
Merdin C. Criddle
Jack O. Crites
Catherine V. Cronin
Francis Cronin
Robert H. Curtin
Jess L. Curtright
Hector C. Cyr
Beatrice E. Dalier
Frank C. Daniel
Charles E. Davis
John W. Davis
Richard L. Davis
Tharrell W. Davis
Clifford Deets
Doris A. Defenderfer
Richard D. Delauer
Vernon J. Deroco
Robert F. P. Desel
Morris M. Devlin
Lawrence A. Dewing
Raymond H. Dick
Richard G. Dickerson
Charles B. Dickson
Thornwell M. Dillard
Donna S. Doe
Raymond J. Dooley
Richard H. Doolittle
Robert L. Dormer
John F. Dow
Wayne L. Dowlen
Richard S. Downey
Murray E. Draper
Brand W. Drew
Thomas H. Drinkwater
Robert E. DuBois
Allen W. Duck, Jr.
Willis P. Duhon
Olive I. H. Dunham
Charles A. Dunn, Jr.
Richard J. Dunn
Harvey K. Dunning
Jesse C. Durham
David M. Durkee
Edward M. Eakin
Billy O. Earl
Frances E. Earle
William R. Eason
Kenneth H. Eaton
Louise L. Edelmann
Wesley N. Edmunds
William E. Edwards
Milton L. Elchinger
Laurence M. Ellefson
Homer S. Elliott
Carl E. Ellis
Clayton M. Emery
John H. Epps
Florence L. Erickson
William H. Etter
Patricia C. Evans
Simpson Evans, Jr.
Donald D. Everman
John K. Everson
James W. Ewing
John A. Fahey
George W. Fairbanks
Betty M. Fannan
Langdon S. Farrand
Ferris L. Farrell
Joseph R. Faulk
Joseph E. Feaster
Robert E. Felten
Vernon R. Fierce, Jr.
Harry W. Files, Jr.
Dale W. Fisher
Harry E. Fitzwater, Jr.
Donald W. Fledderjohn
Walter A. Foley
Oscar Folsom, Jr.
Edward J. Foote
Forrest B. Forbes
David "L" Forrester, Jr.
Ellis M. Foster
Vera V. Foster
William I. Foster, Jr.
Ira A. Francis
Dean M. French
Paul V. French
Louis J. Frketic
Joseph M. Frosio, Jr.
Gurney E. Frye
Robert D. Fulton
Francis E. Gahagen
Marion R. Gallagher
Ralph W. Gant
James E. Garlitz
Roland M. Garner
Robert R. Garrett, Jr.
William A. Gatlin
George M. Gauen
Robert E. Gayle, Jr.
Harold R. Gentry
Edgar L. George
Clifford L. Giebler, Jr.
Glen W. Gilbert
Olen G. Giles
Donald R. Gillespie
Clyde Gilmore
Joseph T. Glab
Wesley A. Gleason
Edmund Glennon
Hollis Goddard
Arthur R. Goodall
Harold J. Goodnow
Joseph H. Goodpasture
Harold R. Gordinier
Raymond Gorman
Gordon F. Gossman
Ranald F. Graham
Arnold M. Granat
Samuel W. Green
Marvin W. Greenstein
Barbara L. Greenwood
Juel Griffin, Jr.
Ralph I. Grigsby
George V. Gross
Albert R. Groves
Peter T. Gurtler
Harris E. Gustafson
Charles E. Guthrie
George F. Guyer
Robert B. Hager
Edmund C. Haley II
Alfred J. Hall, Jr.
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Harold G. Hanson
Louis I. Hardman
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William C. Hartung
Donald C. Harvey
Derald E. Haugh
John F. Hawkins
Rex E. Hawkins
George M. Hayes
Robert G. Hazlewood
George A. Hecker
Robert S. Heid
Charles W. Henderson
James C. Henderson
Robert R. Henry
William D. Henry
Alton R. Henson
John S. Herman
Saul W. Herman
Ralph R. Herms
Franklin I. Heule
Charles E. Hilgel
Robert D. Hilbish
Hubert J. Hillesheim
Herbert J. A. Hillson
Charles M. Hoblitzell
John W. Holcomb
Raymond E. Hollomon
Evald Holmgaard
Eleanor R. Homan
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Macauley Howard
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Mercer L. Jackson, Jr.
Robert C. Jackson
William H. Jakes
John Jan
Darrel H. Jay
Sutton L. Jaynes
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John W. Jenkins
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Franklin D. Johnson
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Jackson L. Koon
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Duane M. Krueger
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Lloyd A. Kurz
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Kenneth E. Lampkin
Lester B. Lampman
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Virgil V. Lane
Gerald J. Langevin
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Edgar L. Lindsey, Jr.
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Wesley E. Lizotte
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Herbert A. May
William C. May
Herman Mayencourt
Anthony J. Mazur
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Kendall C. McCallum
Arthur J. F. McCarthy
William H. McCarty
Nolan H. McDade
Edwin A. McDonald
William E. McDonald
Richard C. McEwen
Joe M. McFadden
John F. McGinnis
Charles V. McGlothing
Virginia K. McKinley
Harding C. MacKnight
Thomas R. McLenaghan
Robert J. McMahon
Alfred N. McMillian
Gerald McMorrow
Birton E. McMullen
Emmett T. McNair
Robert W. Mead
James T. Meadows, Jr.
Warren T. Meadows
Allen C. H. Merz
Eldon L. Michel
Glen G. Miller
Harry R. Miller
Ned Miller
Robert W. Miller
Allen W. Mills
Howard R. Mitchell
Leroy R. Mix
Alfred E. Monahan
Edwin C. Moore
Robert H. Morris
Marvin A. Mosely
Milo W. Mosser, Jr.
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Robert E. Murray
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Roger D. Nelson
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Charlotte P. Nevers
Muriel E. Neville
Floyd A. Newell
Reed H. Nielson
Robert A. Niles
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Franklin C. Northrup
Clifford J. Oas
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Paul O'Mara, Jr.
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Robert E. Orcutt
Vincent P. O'Rourke
John K. Ostermiller
Charles L. Otti
Clarence E. Otto
Sidney R. Overall
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Chester L. Petersen
Frank P. Petrik
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Donald M. Phillips
Harley J. Pierce
Raymond G. Pierre
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Loran R. Porter
Jerry K. Pounders
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Bruce C. Rasche
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Robert G. Read
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Ronald R. Reiland
Adrian B. Rhodes, Jr.
James L. Rice, Jr.
Robert L. Rice
Robert C. Rich
Floyd D. Richards
Robert L. Richardson
Thomas H. Riggan
Dorothy Riggle
Alden S. Riker
Horace Riley, Jr.
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Gilbert A. Riodan
Peter Rippa
Jack H. Robcke
Kester M. Roberts
Marlin D. Roberts
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Ernest Roycraft
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Viola B. Sanders
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Ray E. Scholl
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Milner N. Shannon
Mary Sharples
William H. Shaw
Frank S. Siddall
James B. Sinquefield
Vernon J. Sistrunk
Thelma W. Sites
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Bruce B. Smith
Carl E. Smith
Delbert M. Smith
John J. Smith
Thurman E. Smithey
Robert P. Smyth
George W. Snediker
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Charles A. Soderlund, Jr.
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Sybil M. Space
Samuel A. Sparks
Frank O. Spencer
Norman W. Spurgeon
William E. Stanton
Francis A. Stark
Mary M. Stark
Frederick A. Staub
Edward J. Steffen
Joseph E. Stenstrom
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Harold E. Stewart
Marlar E. Stewart
James F. Stone
Ruth M. Streeter
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Hugh J. Tate
Neal M. Tate, Jr.
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James E. Taylor
Charles L. Teevan
Betty R. Tennant
Gene C. Tenold
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Ted R. Tharp
John B. Thomas, Jr.
Boyd Thomson
Robert M. Thomson
Christopher S. Thompson
Eleanor A. Thompson
Harold V. Tibbitts
John F. Tierney, Jr.
Albert R. Tiffany
Lewis A. Tomkins
Orville L. Tomlinson
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Margaret E. Tracy
Vern W. Tracy
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James F. Tuttle
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Benjamin J. Van Blake
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Robert W. Vollenweider
Harold K. Von Egger
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William J. Wacker
Elizabeth D. Waddington
George C. Wadleigh
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John R. Wagner, Jr.
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Harvey M. Waldron, Jr.
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George T. Walker, Jr.
Helen H. Walker
Jack A. Walker
John S. Walker
Ralph L. Walker
Thadeus F. Ward
Richard L. Warren
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Robert C. Wattenburger
Daniel C. Wells
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William J. Westmoreland
Robert E. White
Stephen J. Whitemen
Duane L. Whitlock
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Dicky Wieland
Charles E. Wilcox
Howard F. Wiley
Charles R. Wilhide
William L. Wilkinson
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Reginald M. Williams, Jr.
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John C. Wilschke
Ernest E. Wilson
Jerome L. Wolf, Jr.
James Wood
Edward C. Woodward
Lamar L. Woodward
Jackson E. Woolley
Robert C. Woolverton
Ellen Word
John D. Working
John C. Wouters
Albert G. Wright
Clyde A. Wright
William W. Writt
James R. Zeitvogel
Ernest L. Zimmerman

The following-named officers for permanent appointment in the Supply Corps of the Navy:

William M. Adamson
John E. Aicken
Mary J. Aplin
Frank E. Baldwin
Margaret E. Barton
Donald F. Baumgartner
Philip Beilock
Robert L. Bisset
Bascom B. Boaz
James D. Bordwell
Edwin E. Bramhall
Roland W. Breault
Betty J. Brown
Roger W. Brown
Rita P. Brychel
Joseph E. Bulfer
Lewis C. Chamberlin
John J. Connor, Jr.
William H. Conry
Robert W. Cooil
George A. Cookinham
John J. Danko
Richard M. Davis
Warren R. DeYoung
Edwin L. Duke
Virginia G. Finney
Rupert E. Graham
Herbert J. Hackmeyer
Wayne S. Henderson
Vincent H. Higgins
Warren G. Hopkins
Ross P. Hubert
Charles W. Ireland
Frank L. Jenne
William A. Johannesen
Herbert L. Johnson
William B. Kerfoot
Richard R. Koontz
George J. Kost
Rosemary Lafferty
William S. Langley
Jay E. Larson
John C. Leach
Leslie E. Lobaugh
John J. Long
Robert H. Madden
Charles A. Matthews, Jr.
Frank O. Maugans
Merlin L. McCulloh
Thomas J. McDermott
Howard C. Milliren
Jean I. Moon
Eugene I. Murray
Donald A. Needham
Browder G. Nelson
John G. Ooyman 3d
Walter Parry
Robert H. Pilkinton
Raymond E. Purviance, Jr.
John H. Robison
Dealton Russell
Albert V. Scaturro
Frederick D. Schaer
"T" Lane Skelton
Jay A. Slover
Harry O. Smith, Jr.
Wainard H. Sparks
Lyle A. Stearns
Roy P. Strange, Jr.
John P. Szyperski
James O. Tillman
Donald G. VanRiper
John A. Whitver
Robert W. Wilson

The following-named officers for permanent appointment in the Civil Engineer Corps of the Navy:

William C. Anderson, Jr.
Vern E. Atwater
John F. Clarke
Henry S. Grauten
Roland D. Hill
Richard O. Jones
William R. Reese, Jr.
William E. Sinclair

The following-named officer for permanent appointment in the Dental Corps of the Navy:

Ira Goldstein

The following-named officers for permanent appointment in the Medical Service Corps of the Navy:

Maria E. Aquino
Harold G. Donovan
Elizabeth Reeves
Lester K. Thompson

The following-named officers for permanent appointment in the Nurse Corps of the Navy:

Jennie E. M. Brusick
Corinne J. Buckley
Myrtle F. Butt
Catherine I. Cameron
Helen N. Chandler
Lummie G. Coker
Mary C. Coody
Myrtle V. Cricher
Desiderata Disante
Delima M. M. Dumas
Elva R. Faucher
Katherine M. Fleck
Martha E. Hallman
Jane Higginson
Olive C. Hurlock
Eileen Hux
Dortha M. Johnson
Mildred J. Kahl
Annis J. Kaylor
Isabelle C. Kiehl
Elizabeth E. Kinzer
Rutl. M. Lawler
Edith F. MacMillan
Margaret McCall
Evelyn M. McDermott
Ann E. McPhillips
Evelyn Moore
Nora A. Mulkern
Dorothy A. Naviaux
Emerald M. Neece
Mary A. O'Meara
Francis M. Parker
Albertus V. Pekarski
Helen Polohovich
Anna K. Purtell
Rita F. Rein
Josi H. E. A. Richmond
Mary H. Schnez
Dorothy R. Shaffer
Ada E. Shaw
Elmira J. Snowden
Evelyn D. White

The following-named officers of the Naval Reserve on active duty for permanent appointment to the grade of lieutenant subject to qualification therefor as provided by law.

The following-named officers for permanent appointment in the line of the Naval Reserve:

Vernon R. Adrion
Harry Ault, Jr.
William J. Bailey
Lonnie M. Barrow
George W. Berrian
John G. Bonvillian
Ernest J. Coppola
Paul B. Crow
Freddie L. Evans
Donald F. Fernan
Arthur L. Flanagin
John H. Franklin
Adolph J. Furtek
Allen G. Gilmore
John D. Haigler
Hamilton D. Hearn
Lewis P. Holland
Francis L. Kirkland
Richard R. Kite
Noel J. P. Koger
Edmond E. Leber
Robert E. Leckrone
John F. Maroney
John L. Martin
Edward R. Masterson
John F. Mathers
LeRoy McArthur
John E. McNelis
Dean H. Sanders
Stanley M. Sherwen, Jr.
Robert A. Stade
Douglas R. Swenson
Ralph E. Swisher
Robert W. Taylor
Arthur R. Tye
John H. Whitehouse
John H. Wolf

The following-named officer for permanent appointment in the Supply Corps of the Naval Reserve:

Joseph Allecretti

The following-named officer for permanent appointment in the Civil Engineer Corps of the Naval Reserve:

George T. Fedor

The following-named officer for permanent appointment in the Dental Corps of the Naval Reserve:

John A. Johnson, Jr.

The following-named officers for permanent appointment in the Nurse Corps of the Naval Reserve:

Vivian R. Baldwin
Mary B. Bucher
Rosalie L. Kruse
Leona T. Radzai
Marietta Rogers
Nila J. Wallace

The following-named officers of the Navy for temporary appointment to the grade of lieutenant subject to qualification therefor as provided by law.

The following-named officers for temporary appointment in the line of the Navy:

James W. Ables
Theodore M. Abucevicz, Jr.
Thomas E. Acton
William D. Acton
Willard E. Adams
William F. Adams
Frederick S. Addy
Lawrence E. Adwell
Edwin F. Aeschliman
James N. Agee
Joseph L. Agnes
Abner Akemon
Charles D. Albers
Doyle E. Albright
George A. Ales
Benjamin F. Allen
Charles C. Allen
James H. Allen
Joseph F. Allen
William W. Allen
Archie G. Allison
Henry C. Alvord
Eugene Ambroziak
Carlyle E. Amory
Andre R. Andersen
Kenneth A. Andersen
John C. Anderson
John P. Anderson
Harvey E. Anderson
Ralph H. Anderson
Theodore A. Anderson
Thomas K. Anderson
Verner C. Anderson
William T. Anderson
George P. Andrews
Anthony A. Angelino, Jr.
Rupert L. Angier
Robert E. Anglemyer
Ronald Anthony
William O. Armstrong
Ed D. Arnold
Harry E. Arnold, Jr.
James M. Arnold, Jr.
Samuel B. Arnold
Earl Z. Arthur
James G. Arthur
John C. Arthur
Richard J. Arthur
Hayes M. Ashenhurst
Elmer J. Atchison
John R. Atkins
Maury L. Atkins
Ellis R. Atwell
Thurman J. Austin
Dennis H. Ayers
Carl G. W. Axberg
James H. Badgett
Thomas E. Bager
Ronzel L. Bailey
Edward S. Bair
Burdell J. Baker
Earl R. Baker
E. David Baker, Jr.
Harrison H. Baker
Ozrow G. Baker
Robert F. Baker
Merritt W. W. Baldwin, Jr.
Robert J. Baldwin
Frank P. Banks
Leroy Banks
Milton W. Banks
George E. Barber
Santo J. Barca
Paul Barefoot
Louis A. Barich
Donald W. Barker
William E. Barker
Don L. Barnes

Horace L. Barnes
Robert J. Barnes
William H. Barnes
Robert E. Barnier
Donald W. Barnum
William B. Barrier
Clarence J. Barry
Leroy E. Bartels
Lloyd G. Bartels
John C. Barth
Jack D. Bartlett
Arthur L. Barton
Kiah A. Barton
William N. Bass
Lester G. Bast
Elmer J. Bates
John V. Bates
Kenneth O. Bates
Hugh N. Batten
James E. Battles
Ronald D. Batty
Leo R. Bauer, Jr.
Lawrence E. Bauman
James L. Baxter
Thomas J. Baxter, Jr.
Thomas I. Bayliss
Roland C. Beal
Trinigan E. Beal
William E. Beall
Thomas E. Beals, Jr.
Joe H. Beard
Luther G. Bearden
Darrell E. Beason
Chancy B. Beaty
Pierce W. Beauzay
Clarence W. Beavers
Frank J. Bebko
James D. Beck
George R. Becker
Joseph C. Beckham
Robert M. Beckley
Stephen J. Bednarck
Lawrence L. Beese
John Beland
Alonzo E. Belch, Jr.
Carrol F. Bell
Joseph G. Bell
Louis W. Bell
Ralph W. Bell
Roy T. Belotti
Ivan S. Benjamin
Ezra R. Bennett
William O. Bennett
Hugh L. Benton
Robert J. Berens
Frederick E. Berg
Royal D. Berg
Maurice Berger
Frank F. Bernhardt
Raymond A. Berning
Lamar S. Berry
Gabriel G. Bertok
Victor C. Besancon
Steve Besco
Robert F. Bidwell
Reuben V. Bieri
Wladyslaw Biernat
Joseph Bigger
Charles A. Bilbo
Anthony C. Binder
Byrum C. Bingham
Patrick J. Bingham
James B. Birtch
George S. Bisgrove
William D. Bishop
Bruce L. Black
Raymond A. Black
Roy A. Black
Murray L. Blade
Richard D. Blair
Garth M. Blakeslee
Benjamin J. Blanton
Leland Blehm
Delmar E. Blevins
Earl B. Blevins
Claus A. Block
Lyman C. Bloom
Emile G. Blouin, Jr.
Robert D. Blyth
Robert B. Bodenheimer
Henry M. Bodes
Carl E. Boggs
John R. Bohlken
Myron Boice
John K. Boles
Joseph P. Boller
Leon Bonatta
Arden P. Bonner, Jr.
Roy R. Bonser
Willis J. Boo
Malcolm J. Booker
Irvin S. Bookman
Roderick Bookout
James W. Boone
Ross O. Booth
Louis Bootow
Joseph Boriotti
Walter B. Borkowski
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Del William Bossio
James L. Bostwick
William D. Bottenhorn
Howard S. Boughton
James M. Bouldin
John R. Bourchier
Alfred V. Boutin
James W. Bowen
Harlan L. Bowman
Ira N. Bowman
Marvin K. Bowman
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Harold L. Boyd
Arford C. Boyett
Robert G. Boylan
Mack M. Boynton
James L. Braden
John R. Bradley
Charles W. Brandenburg
Warren B. Brann
Melvin H. Brantley
Richard K. Bransom
"J" "F" Branson, Jr.
Frank A. Bratkovic
Clarence F. Brazeal
Lester F. Breaux
Curtis B. Breeding
Paul J. Breidecker
Woodson P. Bremer
Joseph H. Bresnahan
Ryburn Brewer
Sam H. Brewer, Jr.
William I. Brewington
Vernon S. Brewster
Bernard H. Bridges
John W. Briley, Jr.
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Cecil T. Brooks
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Leonard T. Brown
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Ralph J. Brown
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Wallace G. Brownell
John F. Brumfield
Donald E. Brunner
Leighton J. Brunson
Robert E. Brunson
William A. Bruwer
James L. Bryant
Stanley E. Bryant
William J. Bryant
Albert Buccini
William D. Buckbee
Zygmond Budzaj
Henry T. Bugg
Paul Bugg
John T. Bumgardner
Jerry J. Bunch, Jr.
Floyd A. Buntin
Basil C. Bunyard
Edward W. Burdick
Ambrose L. Burek
Bernard L. Burgener
Carlton E. Burgess
Vesper E. Burks
James F. Burns
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John P. Burris
Leland N. Burnside
George R. Burton
Francies B. Busch
Rudolph M. Buselmeier
Charles W. Busey
Harold D. Butcher
Robert E. Butterbaugh
Frederick S. Butz
Leslie J. Buzzelle
James L. Byrum
Ferdinand J. Byzet, Jr.
Howell A. Cade
Gilmour H. Calderwood
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Sherman L. Cale
Melvin E. Call
James L. Callaghan
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Oliver J. Cameron
Robert B. Cameron
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Cleo W. Campbell
George J. Campbell
Hugh L. Campbell
Leo O. Campbell
William H. Campbell
Charles W. Cannon
Edwin J. Cantelope
Anthony Carboni
Robert V. Card
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Allen B. Carlson
Elmer P. Carlson
Nils A. A. Carlson
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James V. Carney
Francis E. Carnicom
Gustave L. Caros
Edward Carozza
Harold K. Carpenter
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Howard W. Carr
John E. Carr
Lloyd W. Carr
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Herbert C. Carroll
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Edward Carter
Harry E. Carter
Homer W. Carter
John F. Carter
Leonard J. Carter, Jr.
Lester D. Carter
Louis T. Carter
Lyle E. Carter
Robert J. Carter
Wilbur W. Carter
Harold S. Cartwright
Ralph R. Caruthers
Michael J. Carvan
Pulvio J. Casagrande
Floyd W. Casebeer
John W. Casey, Jr.
Thomas A. Casey
Eugene Cash
Leonard A. Caslow
John J. Cassidy
Melvin W. Cassidy
John D. Casteen
Bartholomew Castrichine
Charles H. Caswell
Joseph Catanzarito
Frederick W. Cely
Ralph S. Cerney
Carmine J. Cerullo
Malcolm H. Chadwell
Milton W. Chambers
Nicholas M. Chandler
Clarence M. Chaney
Peter Chapola
Charles M. Chappelle
Dale J. Charles
Wilfred G. Chartier
Eugene F. Chase
Howard E. Chase
Gurley P. Chatelain
Vernice T. Cheek
Richard R. Cheney
Raymond M. Chester
Rene B. Chevalier
Herbert E. Childers
Henri P. Chinn
Colin R. Chisholm
Randall F. Chormicle
Keith J. Christensen
Leo D. Christie
Merle P. Christensen
Joseph W. Church
Clinton F. Churchill
Jack G. Churchill
Lewis R. Claar
John L. Clanton
Eugene F. Clark
Floyd W. Clark
Joseph R. Clark
Warren L. Clary
Lyle O. Clausen
Orel Clendening
Hugh A. Cleveland
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Theron A. Conolly
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Arthur W. Cook
Godfrey D. Cook
Homer T. Cook
Kenneth F. Cook
Robert J. F. Cook
Walter J. Cook
George E. Cooke
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Herbert E. Cornely
Martin V. Cornetta
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Howard D. Cox
Ivan L. Cox
Kenneth L. Cox
Perry Q. D. Cox
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Thomas E. Craig
Max A. Crain
Micajah H. Cranmer
Leonard M. Craven
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Walter L. Crawford
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Irvin M. Page, Jr.
Charles S. Paine
Allen E. Painter
Ben F. Palmer
Ivan L. Palmer
Warren F. Paris
James K. Parish
Denison A. Parker
Edward V. Parker, Jr.
Raymond Parker
Robert L. Parker
Stanley W. Parker
David P. Parks
John W. Parks
John L. Parlette
Gaecoma A. "G" Parolini
Douglas G. Parramore
Paul O. Parris
George Patterson
Harold L. Patterson
Irving L. Patterson
John V. Patterson, Jr.
Ward L. Patterson
William B. Patterson
Daniel R. Paul
John Pavlow
Robert E. Peacock
Frank C. Peck
Eli B. Peeples
Benjamin D. Pennington, Jr.
Ross C. Pennington
James L. Penola
Robert L. Peoples
Homer M. Percifield
John F. Perkins
Walter V. Perkins
LeRoy Perkins
Edward A. Pernal
Maurice M. Perrine
Clarence E. Perry
John L. Perry
Michael L. Perry
Walter I. Perry
William B. Perry
Irving J. Person
Alfred D. Perucci
Hans J. Petersen
Frank F. Peterson
Gordon I. Peterson
Howard P. Peterson
Ray A. Peterson
Jerry J. Petranek
Conner M. Petrie
Denzil H. Pfaffly
Arthur R. Phillips
Clarence B. Phillips
Harold Phillips
Marion G. Phillips
Orville H. Phillips
Robert S. Pickens
Carlton E. Pierce
Everett E. Pierce
Robert L. Pierce
Kenneth D. Piercey
Alden M. Pierpoint
William H. Pierson
Arthur T. Pingree
Harry B. Pitcher, Jr.
Guy L. Pitsenberger
James P. Pittman
Ulysses B. Pitts
Patrick C. Pizzuto
Arthur C. Plambeck
James E. Plowden, Jr.
Lewis J. Polansky
Byron A. Polen
Lawrence C. Pollock
Walter F. Pollock
Aquilin L. Ponciroli
James W. Ponsford
John J. Ponzuric
Stuart G. Poole
"R" "A" Pope
Sigmund Popko
Orvis J. Porche
Eugene V. Posey
Horace C. Post
Charles A. Potts
Guy E. Powell
William J. F. Powers
Arthur P. Pratt
Casmer E. Preble
Oral G. Prescott
Alton E. Prevost
John A. Prew
Howard R. Price
"L" "F" Price
Stanley V. Price
Warren L. Price
Glen F. Pritchett
Michael M. Pritzos
Gregory J. Privitelli
John B. Pruden
Verlen E. Pruess
Henry H. Pruett
Plynn J. Pulliam
Samuel C. Purcell
Richard B. Purdy
James H. Pyle, Jr.
Frank N. Quarles, Jr.
Carl O. Quarterman
Walter P. Queck
Lawrence J. Quinn
Rayburn M. Quinn
Charles Raczkowski
Carl E. Radcliffe
John R. Rader
John L. Radford
Raymond V. Raehn
Robert A. Railsback
James C. Raines
Harry E. Ramsey, Jr.
Gilbert W. Rappelt
Thomas Ravesi
Earl F. Rawlings
James M. Ray
Carl G. Ream
Johnnie W. Reams
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James M. Reed
Robert F. Reed
Victor W. Reed
Wilbur E. Reed
Charles W. Reeder
William E. Reeder
Joseph S. Reedy
Robert W. Reeve
Roy E. Reeves
Charles R. Reidel
Conrad H. Reifel
William E. Render
Claude L. Rescola
Calvin D. Reutter
Wilford A. Rexroad
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George A. Rhine
Donald J. Rhoades
William S. Rhymes
Leslie B. Rice
Floyd E. Richards
Carl C. Richardson
Hobart Richardson
Kenneth Richardson
Chesley W. Richey
Roderick H. Rickard
Paul E. Rickey
Warren C. Richison
Walter E. Riddle
Russell D. Rider
Harry J. Riggar
Virgil Riggs
George R. Rinehart
Henry W. Ring
Victor B. Rink
Russell W. Rinker
Maurice O. Rishel
David C. Ritchie
Harry E. C. Ritter
Jesse M. Ritter
Robert Rizzone
Lewie A. Robb
William H. Robb
Berthel L. Roberts
Earle E. Roberts
Graton R. Roberts
Harry D. Roberts
Michael D. Roberts
Owen A. Roberts
Floyd Robertson
Herber L. Robertson
James H. Robertson
Edgar O. Robinson
Fred R. Robinson
George E. Robinson
Golden P. Robinson
Louis D. Robinson, Jr.
Frank Rocker
Orville W. Rockwell
James R. Rodman
James P. Roe
John C. Roe
Charles E. Rodgers
Francis J. Rodstrom
Bayard R. Rogers
Franklin W. Rogers
Michael F. Rogus
Max F. Rolih, Jr.
Edward L. Rollins
James T. Rominger
Arthur D. Ronimus, Jr.
David A. Roop
William T. Roscoe
Ivan O. Rose
Harris J. Rosenfeld
Warren W. Rosier
Albert J. Ross
Dwight E. Rossiter
David S. Rotchstein
Paul Roth
Carroll W. Rothermel
William C. Roughton
Walter H. Routledge
Leonard L. Royer
Joseph N. Rozycki
John W. Rucker
Olin R. Ruff
Roscoe Ruffin
John F. Rule
Michael J. Rura
Lester R. Russ
Robert T. Rustad
Fred W. Ruthven
Edwin L. Ryan
Edward W. Sabol
William H. Sager
Harley G. Salisbury
Aloysius Sally
Dan W. Samek
Crissie C. Sanders
Elmer L. Sanders
Emmett O. Sanders
Merl J. Sanders
Edward Sanderson
Joseph D. Sandling
Joseph Sanfilippo
Joel H. Santrock
Frank J. Sarris
Guilford W. Satterthwaite
George E. Saunders
Kirk Y. Saunders
Homer D. Savage
Vann E. Savage
Frank M. Sawyer
John B. Saylor
Charles N. Scarborough
"O" "D" Scarborough
Frank C. Scesney
Gerald E. Schaff
Everett A. Schappals
William G. Schaufler
Fred J. Schlecht
Harry W. Schlosberg
William J. Schleis
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Louis J. Schoenfeld
Jerome J. Schrick
Edward M. Schroeder
Elwood C. Schuler
Harry N. Schultz
George E. Schwenter
Lawrence H. Schwock
James N. Scofield, Jr.
Benedict J. Scott
Frank T. Scott
George A. Scott
Kenneth W. Scott
Russell M. Scott
Stanley W. Scott
Walter P. Scott
Wesley B. Scott
Frank R. Scruggs
James R. Seamans
Alfred R. J. Sears, Jr.
Raymond B. Sears
Tony Secovitch
Albert Seder
Carl J. Seiberlich
Robert C. Selby
Edward O. Sentar
Andrew Serrell
Eugene I. Settle
Earl H. Severns
Edmond W. Seward
Russell T. Sexton
Earl P. Seymour
Horatio Seymour, Jr.
Chester T. Shablowski
Elroy J. Shafer
John N. Shamburg
Andrew J. Shannon
John R. Shannon
Robert Shannon
Ralph H. Sharp
Dean G. Shattuck
Boyd Shaw
Garlin V. Shaw
Robert A. Shelton
James D. Shepard
Ronald W. Shepard
Lloyd L. Sherard
Laurence W. Sheridan
William J. Sheridan
Robert S. Sherman
George G. Sherry
Louis L. Sherry
William T. Shipes
Angus M. Shirah, Jr.
John P. Shiveley
Vaun G. Short
Lenard M. Showalter
Anderson V. Showen
Harold F. Shripka
Charlie Shuford
Kenneth L. Shurtleff
Roger F. Shurtz
Victor J. Sibert
Carl F. Sigrist
Alfred E. Simmons
Charles B. Simmons
Robert L. Simmons
James M. Simpson
Cletis D. Sims
Larue E. Sims
Ra'ph E. Sims
Tom M. Sleek
Einar E. Sletto
Raymond P. Sluyter
Blaine A. Smallwood
Deward Smallwood
John J. Smies
Andrew M. Smiley
Arthur A. Smith
Andrew R. Smith
Clifford C. Smith
Donald R. Smith
Elvin M. Smith
Grant P. Smith
Henry G. Smith
Hiram E. Smith, Jr.
Homer L. Smith
James W. Smith
Leonard L. Smith
Leroy M. Smith
Maurice R. Smith
Newel W. Smith, Jr.
Ralph T. Smith
Raymond K. Smith
Richard E. Smith
Robert M. Smith
Rodger F. Smith
Walter R. Smith
William H. Smith
Bruce Smithee
Willis G. Snyder
William G. Sohlich
Harold E. Sommers
William M. Somerville, Jr.
Harold O. Sones
Harry M. Sonner
John P. O. Sorenson
Joseph M. Sousa
Roscoe P. Spearman
Gerald O. Spears
Harold R. Speece
Paul Spencer
Paul L. Spiel
Grant R. Squire
Paul C. Stadler
Edgar Stafford
Robert A. Stahl
Wilbur L. Stallings
Will L. Stalnaker
Joseph F. Stanfill, Jr.
Joseph F. Stankiewicz
Thomas J. Starling
Charles W. Starr
Henry J. Statchen
Arthur W. Steel
Clyde H. Steele
Robert F. Steele
Robert L. Stegall
Oscar Steinke, Jr.
Henry J. Stempski
Henry E. Stephenson
Ernest W. Sterling
Lloyd V. Sternberg
Elvin L. Stevens
John A. Stevens
Russell N. Stevens
John R. Stevenson
John S. Stewart
Robert B. Stickles
Elmer J. Still
James M. Stingle
Gerald E. Stitzer
William A. Stivers
Paul Stjerne
Raymond St. John
Howard J. Stockert
Gerald W. Stoddard
Ralph F. Stoll
Courtenay M. Stone
Donald D. Stone
Lester T. Story
Clarence N. Stout
Robert E. Strahl
Jack P. Strickland
William E. Striplin
Joseph R. Stroupe
"Z" "T" Stuart
Clinton F. Stuart
Harold H. Stuart
George Stubblefield, Jr.
Max G. Stucker
John M. Suddreth
Charles R. Sullenger
Archie L. Sullivan
James T. Sullivan
Joseph E. Sullivan
Patrick H. Sullivan
Woodrow Sullivan
Frank Sulewski
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Donald E. Swanson
Richard A. Swarts
John W. Sweeny
William D. Sweet
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James E. Sykes
Noble L. Taber
Edward J. Takitch
Edward P. Tamassia
James E. Tanner
Oliver Tardy
Michael F. M. Tarker
Zemo C. Tarnowski
"L" "C" Tarver
Stanley R. Taskey
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Kenneth D. Taylor
Raymond E. Taylor
Robert W. Taylor
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Conrad C. Theiss
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Harold B. Thomas
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Patrick T. Thomas
Ralph C. Thomas
Robert W. Thomas
Arthur E. Thompson
Gerald R. Thompson
Lee R. Thompson
Leslie Thompson
Marcum C. Thompson
Ogden L. Thompson
Warren A. Thompson
Wendell D. Thompson
George C. Thornton
James N. Thornton
Herschel B. Thorpe
Raymond O. Thuftedal
Joseph B. Tiara
Joseph P. Tidwell
Charles E. Tiernan
Raymond J. Tierney
Adolf H. Tietjen
Joel E. Tilley, Jr.
Richard C. Timm
Dennis P. Tinsley
Richard G. Tobin
Merle E. Tomlin
Clifford S. Tomlinson
Ray L. Tomlinson
"J" "L" Tompkins
James F. Toner
Dwight L. Torlay
Gordon E. Townsend
Don M. Tracey
Francis J. Trefero
Henry R. Tribble
Cecil W. Trice
Laverne C. Triplett
Albert E. Tripp
John R. Troike
John B. Trost
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Raymond H. Tschirgi
Ray H. Tucker
Otto A. Tuenge, Jr.
Charles Tufts
Francis J. Tuggle
Anthony Tuna
Richard H. Turja
John R. Turner, Jr.
Robert C. Turner
Roger M. Turner
Robert F. Turney
Evert V. Tuttle
John S. Tuttle
Fred H. Tweedy
Ernest B. Twiss
Joseph W. Tyler
Mitchell L. Udick
Arthur F. Ullyot
Thomas E. Ulmer
Clarence E. Ulrich
Maurice J. Underwood
Jake Urech
John C. Valek
John Valletta
Robt. W. Vandenburgh
Edward (n) Van Horn
Arthur H. Van Norden
Earl D. Varnado
Merwyn E. Vasey
Elwood Vaughan
Roy L. Vaught
Norbert P. Vegelahn
Angelo G. Ventresco
Paul A. Veres
Lee H. Vernon
Lansing A. Viccellio
Vincent J. Vlach, Jr.
Donald J. Vlasnik
Stanley P. VonAchen
Donald A. Vonah
Taylor Von Aspern
Earl E. Vroman
John W. Vroman
Fred L. Wadleigh
Walter E. Wadsworth
Armin S. Wagner
James H. Wagner
Clarke B. Walbridge
John S. Walden
Reginald C. Walke
William F. Walker
Howard K. Wallace
Johnnie L. Wallace
Clay D. Wallen
Harold T. Walling
Donald E. Walport
Merle W. Walton
Paul C. Walton
Erling Wangsnes
Dale E. Ward
Dalton C. Ward
Lyttleton T. Ward
William J. Ware
Bueston E. Warf
Wilbur W. Warlick
Lawrence E. Warneke
Vernon L. Warner
Alburn A. Warren
Parker V. Warren
Robert E. Warren
Robert H. Warren
Frank W. Warrick
William T. Waters, Jr.
James C. Watkins
David B. Watson
Tom Watson
Wayne E. Watson
Lowell A. Watts
Wallace S. Weaver
Harry E. Weber
Theodore R. Weber
Warren L. Weekley
Richard M. Wehr
Dick Weidemeyer
Robert W. Weinman
Herman L. Weitz
Gerald G. Weland
Leonard D. Welch
William I. Wellons, Jr.
Ebbie D. Wells
James E. Wenger
Warner L. Wenger
Carl R. Wenz, Jr.
Thomas P. Wesson
Amos E. West
Donald L. West
Thomas L. Westcott
Frank C. Westgate
Hector R. Weston
Robert E. Wheeler
Robert I. Wheeler
William A. Wheeler
William G. Whisler
Dale White
Donald T. White
Edward White
Ernest L. White
Ferlin E. White
Floyd L. White
Gordon C. White
Jack E. White
John D. White
Lloyd R. White
Ray C. White
Thomas A. Whitlock
Homer C. Whittaker
John P. Wicks
Everett E. Wigington
Frank A. Wigner
George Wilder, Jr.
Theodore J. Wildman
James L. Wilkerson
Charles F. Wilkie
Howard F. Wilks
Vincent L. Willerton
Finley C. Williams
Gordon W. Williams
Harold W. Williams
Harry G. Williams
Hatch W. Williams, Jr.
Ivan R. Williams
Milo M. Williams
Roger L. Williams
Wesley R. Williams
Wilmot L. Williams
Harold F. Williamson
Perl B. Williamson
Oscar R. Willingham
Henry C. Willis
Louis A. Wilson
Robert E. Wilson
Vernon Wilson
Walter O. Wilson
William R. Wilson
Henry F. Windle
Clayton C. Windsor
Robert E. Winfield
Boyd E. Winfree
James W. Winkler
Wilton Winne
George H. Winslow
Charles H. Wittman, Jr.
Matthew J. Wojcicki
Matthew A. Wojdak
Peter T. F. Wolf
George K. Wolfes
Stanley E. Wolford
Donald E. Wommer
Clifford A. Wood
Olen T. Wood
William W. Wooden
Vernon A. Woods
Robert B. Wooster
Edmund L. Wortley
Francis J. Woznack
Walter J. Wraga
Dudley C. Wray
Walter Wrigglesworth, Jr.
Joseph L. Wright
Neil Wright
Robert R. Wright
George R. Wrigley
Joseph J. Yakich
Paul F. Yates
Norman E. Yenter
Edward M. Yonts, Jr.
Daniel A. York
Joe T. York
Charles E. Young, Jr.
Elza H. Young
Frederick J. Young
James L. Young
Thomas C. Young
William A. Young
Stanley W. Yount

Wallace E. Zabler
Howard C. Zangel
Roland J. Zavodny
Otto B. Zemke
Bernard L. Zentz
Maurice W. Zink
Leo J. Zok
Gerard P. Zornow
Baselio G. Zorzanello
Daniel P. Zylla

The following-named officers for temporary appointment in the Medical Corps of the Navy:

Bruce B. Barnhill
Robert J. Fleischaker
Robert B. Green
John I. F. Knudhansen
Robert C. Lehman
Robert W. Mackie
Walter S. Matthews, Jr.
Harry C. Nordstrom
Edwin Shapard III
Frank M. Thornburg
William C. Turville

The following-named officers for temporary appointment in the Supply Corps of the Navy:

Walter B. Adams
Charles C. Alexander
Leslie R. Allen
Sidney C. Allison
Melvin S. Amundsen
Paul L. Anderson
James F. Armlin
Conway C. Baker
Claude F. Bartlett
Cornelius Baumann
Hugh J. Beadnell
Arthur N. Beausoleil
Paul N. Bentley
Richard Bergen
Thomas W. Bevans
Elwood M. Bevins
John Bielot
Hubert A. Blankinship
William J. Brask
Richard C. Brown
Thomas M. Brown
John Burk
Fredrick J. Cadotte
Frank C. Caplinger
Loren E. Caraveau
Clarence E. Carlson
Whitney A. Chamberlain
Myron W. Charles
Marsden Christiansen
Earl G. Clement
John W. Clift
Ivan A. Coler-Dark
John Cozy
Reginald E. Daniels
Robert W. H. Darrow
Edgar B. Doles
Mark W. Douthit
John M. Dunn
Paul W. Eldridge
Thomas J. Emmett, Jr.
Rae D. Endorf
Robert L. Evans
Ray S. Ewing
William B. Farley
Paul B. Fitch
John L. Foil
Earl G. Fossum
William L. Foster
Homer G. Galliher
Richard F. Gascoigne
Paul Gertiser
Levi T. Gootschall
John H. Gorman
Gerald W. Green
Eugene G. Greene
Gordon L. Groover, Jr.
Albert E. Grover
August J. Harter
Robyn H. Henderson
James E. Hickey
Earl F. Hilderbrant
George A. Johnson
James E. Johnson
Orville A. Johnson
Robert C. Johnson
Willis B. Jones
Bernard Kambeitz
Ernest C. Knight
Michael B. Kozik
Raymond M. Kroger
Richard J. Kronberger
Alfred G. Lachmann
Luther R. Lane
Charles M. Lanford
Edwin B. Lauderdale
Arthur W. Lazcano
Francis Leribeus
James H. Lewis, Jr.
Anthony V. Liburdy
William D. Little
George Lott
Charles E. Lowe
Robert C. Lyons
Alfred V. B. Marrin
Alexander P. Martin
Adolph Mathews
Martti O. Mattila
Wendell McCrory
Roy M. McDaniel
Huston W. McGlothlin
Tadeus T. Merritt
Dewayne C. Miller
Edward J. Miller
Joseph A. Morgan
William J. Mosley
Fred Murphy
Finley A. Nash, Jr.
Merlyn A. Nelson
John H. Nuck
John E. C. Ott
George L. Owen
Frank L. Pearce, Jr.
Albert R. Phillips
Rodney K. Purnell
John E. Rafferty
Charles P. Ramsey
Dean W. Rhoads
Richard G. Rowley
William H. Settle
Leonard A. Schuman
Felix A. Sharek
Bennie J. A. Sidoti
James F. Simpson
Joseph J. Snapp
James W. Stinnett
Cecil Suarez
Martin K. Thomas
Philip A. Tremblay
Eugene L. Tucker
Berry F. Turner
Lennus B. Urquhart
Byron Uskievich
Charles A. Vasey
Arthur F. Wall
Jessie J. Ward
Nephi J. Ward
John S. Weaver
Robert B. Webster
Robert A. Wells
Albert E. West
James W. Wheeler
George K. Wilcox
Marion E. Wilcox
Everett B. Wiley
Harold J. Williams
Bentley L. Wilson
William H. Wright
Warren H. Young
Felix S. Zych

The following-named officers for temporary appointment in the Chaplain Corps of the Navy:

Soren H. F. Andresen
Joseph P. Cusack
Edgar A. Day
Arthur L. Dominy
William F. Doyle
Carl Elwood
James E. Emerson
Robert C. Fenning
Elmo M. T. Hawkins
Richard P. Heyl
Jackson D. Hunter
James W. Lewis
James W. Lipscomb
George L. Martin
Edward R. Martineau
Bernard J. McDonnell
Harold E. Meade
Stanley A. Mroczka
Wendell S. Palmer
William G. Sodt, Jr.
William G. Tennant
Thomas B. Uber 2d
Oscar Weber

The following-named officers for temporary appointment in the Civil Engineer Corps of the Navy:

John M. Bannister, Jr.
Robert C. Coffin, Jr.
Francis F. Conners
John M. Daniels
Earl F. Gibbons
Leo Liberman
Cushing Phillips, Jr.
O'Neill P. Quinlan

The following-named officers for temporary appointment in the Dental Corps of the Navy:

Robert A. Anderson
Elwood R. Bernhausen
Ralph M. Bishop
Joseph G. Chudzinski
John W. Lieuallen, Jr.
Glen H. McGee
Kenneth R. Pfeiffer
Jerome J. Steinaur

The following-named officers for temporary appointment in the Medical Service Corps of the Navy:

Willie R. Barnett
Carter G. Brooks
Carl P. Calhoun
Anthony N. Diaz
Edward Dominguez
Clinton H. Dutcher
Benjamin F. Edington, Jr.
Daniel F. Horne
William B. Hull
Eugene V. Kadow
James W. Kinder
Warren L. Miller
Russell S. Nance
Clair L. Patterson
Charlie A. Rice, Jr.
John J. Sarsfield
Jack M. Shirley
Milfred E. Sims
Lauren J. Smith
Emmett L. Van Landingham
Charles R. Wannemacher

The following-named officers for temporary appointment in the Nurse Corps of the Navy:

Nellie R. Backlin
Louise J. Bartlett
Mary R. Becker
Nellie B. Burock
Elois M. Duffy
Marguerite L. Durnwald
Lillee E. Elledge
Marguerite Good
Helen L. Kuebler
Helen A. Mieras
Lucile P. Miller
Eugenia L. Moseley
Catherine O'Donnell
Mary E. Orlando
Gloria C. Parisi
Elizabeth L. Pollock
Mary A. Prescott
Carolina M. Prunskunas
Ellen E. Fullekinus
Alma R. Ross
Phyllis A. Scungio
Verona B. Sprecher
Veronica A. Stein
Kathryn A. D. Trayers
Martha A. VanWye
Inez Watson
Emma R. Wing
Kate Young

The following-named officers of the Naval Reserve on active duty for temporary appointment to the grade of lieutenant subject to qualification therefor as provided by law.

The following-named officers for temporary appointment in the line of the Naval Reserve:

Wilbur R. Brooks
Philip W. Clemens
Forrest R. Colebank
William L. Connell
Joseph J. Currier
Harvey A. Drake
Howard J. Forsgren
Walter I. Gille
Edward K. Gross
Walter E. Hiner
Frank W. Holub
Robert N. Hurt
Robert P. Jones
Dale F. Mabry
Frank J. Manno
Jack A. Martin
James M. Martin
John J. McGrath, Jr.
Clifford C. McLean
Harold P. Merrill
Anthony M. Mettes
William W. Milleson
Mark N. Newcomb
William S. Norris
Billie E. O'Brien
Arthur J. Perkett, Jr.
Edward J. Scharnikow
Howard A. Schlundt
Edward S. Shahin
Leroy A. Sundberg
Elmer N. Thompson
Rex J. Tucker
Dana A. Turpin
John A. Volk

The following-named officer for temporary appointment in the Medical Corps of the Naval Reserve:

Norvell L. Peterson

The following-named officer for temporary appointment in the Supply Corps of the Naval Reserve:

Demetris J. Peppones

The following-named officers for temporary appointment in the Chaplain Corps of the Naval Reserve:

Warren L. Bost
Thomas A. Clayton
Carlton C. French
Charles F. Karnasiewics
Raymond J. Talty

The following-named officers for temporary appointment in the Nurse Corps of the Naval Reserve:

Bertha M. Davis
Mary E. Dyer
Ursula M. Fox
Rose A. Gallagher
Dorothy M. McAleer
Dorothy J. O'Neill
Ruth M. Scanlon

IN THE NAVY

The following-named officers of the Navy for permanent appointment to the grade of lieutenant (junior grade) subject to qualification therefor as provided by law.

The following-named officers for permanent appointment in the line of the Navy:

James H. Ackiss
Algred E. Adams
Daniel B. Adams
Donald F. Adams
Frank M. Adams
Joseph L. Adelman
Warren E. Aeschbach
Luther A. Ahrendts
William J. Aicklen, Jr.
Edward T. Alberta
John G. Albright
Charles K. Allendorf
George A. Amacker, Jr.
Robert W. Ambrose
Robert L. Amelang
Richard D. Amme
Charles R. Anderson
James L. Anderson
Richard W. Anderson
Roy T. Anderson
David D. Ansel
Edward P. Appert
Richard O. Applebach
Grant P. Apthrop
John R. Arguelles
Francis L. Armstrong
Roy C. Atkinson
Victor K. Aubrey, Jr.
Gerald J. August
William H. Austin, Jr.
Frank S. Averill
Arnold W. Avery
James E. Ayres
Francis M. Bacon
Robert B. Bade
Joseph Baer, Jr.
Worth H. Bagley
Wallace B. Bagwell
Daniel L. Bailey
Emera S. Bailey
Ralston Bailey
Harold J. Baker
James J. Baker
Paul B. Baker
Raymond N. Baker
John M. Balfe
Erwin J. Ballje, Jr.
Bernard J. Bandish
Daniel L. Banks, Jr.
Neil G. Barbour
Robert N. Barker
Cecil E. Barley
Ralph E. Barnard
Alan F. Barnes
George B. Barnett
James H. Barr
Robert M. Barr, Jr.
Franklin M. Barrell, Jr.
Bruce O. Barrington
James H. Barry
William Barry
Paul F. Basilius
James D. Baskin, Jr.
Charles G. Batt, Jr.
James A. Baxter
Edward R. Beane
Robert G. Beck
William Beck, Jr.
Bradford A. Becken
Marvin J. Becker
Terrill F. Becker
John Bell, Jr.
Thomas I. Bell
Walter F. Bennett
Robert D. Bergman
Burton E. Berilund
Raymond R. Bernier
Fred J. Bernstein
David P. L. Berry
Carl O. Best
Byron N. Bettis
Delbert A. Beyer
Henry J. Beyer
Richard A. Bihr
Lawrence Bilder
Comer H. Bird, Jr.
Lloyd I. Biscomb, Jr.
Billy P. Bishop
Homer R. Bivin
Marvin L. Black
Ira W. Blair
William P. Blair
Harvey N. Blakeney
Carl A. Blank
William D. Blevins
Arthur B. Bliesener
David H. Blumberg
William E. Blythe
Ralph A. Bobsin
Clarence E. Boger
Robert L. Bolling
John C. Bond, Jr.
Merson Booth
Fredric G. Bouwman
John L. Bowden, Jr.
Floyd D. Bowdey
James W. Bowen
Thomas J. Bowen
Richard L. Bowers
James C. Bowes
George R. Bowling, Jr.
Robert J. Brabant
Frederick G. Bradshaw
Ray H. Bradshaw
Donald P. Brady
Ralph Brandt

Lloyd L. Brassaw, Jr.
John S. Brayton, Jr.
Thomas B. Brenner
Winston D. Briggs
Thomas B. Brittain, Jr.
Louis M. Brizzolara
Frederick B. Bromley
Rupert Brooke
Bryan B. Brown, Jr.
Kenneth C. Brown
Louis F. Brown
Moody B. Brown, Jr.
Walter A. Brown, Jr.
Thomas J. Bruck
Dale C. Brumbaugh
James W. Brummer
George H. Bryan, Jr.
Robert E. Bublitz
Maurice D. Buck
Samuel J. Bunger
Sumner W. Burgess
Thomas J. Burgoyne
John C. Burkart
Edwin J. Burke
James A. Burke
Lorenzo G. Burton, Jr.
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Charles I. Buxton II
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Richard D. Campbell
Charles S. Carlisle
Frederick Carment, Jr.
Ralph H. Carnahan
Norris W. Carnes
Alfred C. Carpenter
Harold L. Carpenter
Felix R. Carr
Charles J. Carroll, Jr.
John L. Carroll
Kent J. Carroll
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Wallace R. Carter
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Frank A. Cermak, Jr.
Daniel Chadwick
Raymond E. Chamberlain, Jr.
Donald E. Chandler
James H. Chapman
Frank J. Christopher
Albert H. Clark
Carroll D. Clark
Robert T. Clark
Robert E. Classen
John W. Clayton
Marwood R. Clement, Jr.
Robert R. Clement
Reginald D. Clubb
Warren R. Cobean, Jr.
Milo G. Coerper
Joseph P. Cofer, Jr.
Carl R. Coggins
William P. Cohn
John E. Cohoon
Kenneth J. Cole
Robert C. Collier
Peter Colot
Richard G. Colquhoun
Vernon W. Condon
Robert H. Conn
Robert F. Conway
Edward L. Cook, Jr.
William J. Cook
James B. Copenhaver, Jr.
John O. Coppedge
John D. Corse
Carl S. Costanzo
Robert Cowell
Calvin C. Cowley
John H. Cover
John W. Crane, Jr.
Richard T. Crane
Jackson B. Craven, Jr.
Bentley B. Crawford
Bert H. Creighton, Jr.
Robert E. Creque
Robert A. Cressman
Charles B. Crockett, Jr.
William J. Crowe, Jr.
Seymour F. Crumpler
Charles W. Cummings
Donald E. Cummings
Robert E. Cummings, Jr.
Douglas T. Cummins
Peter P. Cummins
David R. Cundy
William C. Curran
Hal L. Curry
Lawrence J. Curtin
Harry L. Curtis, Jr.
Harland B. Cutshall
Richard A. Dadisman
Duilo D'Albora
Paul H. Dallmann
Howard B. Dalton, Jr.
Keith C. Darby
Lynn A. Davenport
Thomas T. Davenport
Alan N. Davidson
James B. Davidson
John D. Davidson
Ray E. Davis
Richard P. Davis
Theodore F. Davis
William J. Davis
Dale B. Deatherage
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Donald J. DeBaets
Ronald M. DeBaets
Albert R. Deckert
Robert M. Deffenbaugh
James A. de Ganahl
Harry M. De Laney
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George M. Dent
Jeremiah A. Denton, Jr.
Carlos Dew, Jr.
Theodore J. DeWerd
Ward A. DeWitt
John L. Dickey
Robert M. Dickey
James G. Dickson, Jr.
Richard D. Dickson
Philip C. Diem
Jarl J. Diffendorfer
Allen F. Dill
William R. Dillen
Alva L. Dixon
Robert E. Dobyns
Willard C. Doe
John F. Doheny
Charles E. Donaldson III
William I. Donaldson
Donald L. Donohugh
William K. Doran
William R. Dougherty
Stephen P. Douglas
Walter M. Douglass
James H. Doyle, Jr.
Eugene A. Drabent
Jack V. Drago
John F. Drake
David I. Draz
Harold M. Dryer
John P. Duckett
Henry R. Duden, Jr.
Peter H. H. Dunn, Jr.
Vernon M. Dupy
Walter D. Durden
Michael F. Durkin
Charles J. Eadie
Joseph E. Earl
Harold L. Edwards
Edward J. Eisenman
Kenneth O. Ekelund, Jr.
Frank L. Elefante
Joseph M. Ellis
Samuel S. Ellis
Joseph S. Elmer
Leslie A. Else
Robert E. Enright
Charles W. Epps
Herman J. Estelman
Robert W. Etcher
Joseph D. Evans
William B. Evans
Donald W. Everett
Philip B. Fairman
Donald W. Fantozzi
James E. Farley
George W. Farris
Frederick A. Farris
Donald D. Farshing, Jr.
Verne J. Feeney
James P. Fellows
Wilbur G. Ferris
Reginald V. Ferry
Gerald C. Field
Norman L. Finch
Gordon R. Finke
John P. Finley, Jr.
John G. Finneran
David W. Fischer
John R. Fisher
Paul E. Fisher
Paul F. FitzGerald
Edward L. Fitzgibbons
William R. Fitzwilson
Joseph P. Flanagan, Jr.
Robert E. Fleischli
Gene C. Fletcher
Robert P. Fletcher III
Guy W. Ford, Jr.
Wendell C. Forehand
William E. Forsthoff
Thomas E. Fortson
William L. Foster
Robert E. Fredricks
Harold H. Freeland
Ernest S. Fritz
Richard Fuller
Gerald A. Gafford
Donald M. Gaines
John D. Gantt
Edwin T. Garbee
Richard S. Gardiner
David L. Gardner
James S. Gardner
Walter T. Gardner, Jr.
Stanley P. Gary
Robert P. Gatewood
William H. Gatts
William W. Gay
John T. Geary
Richard L. Gehring
Robert M. George
William M. Georgen
Mark H. German
James T. Gibbs
Joseph M. Gibson
Muscoe M. Gibson
Frank Gilliand
Joseph D. Gleckler
Charles O. Glisson, Jr.
Noah W. Gokey III
Robert R. Goldsborough, Jr.
Donald V. Gorman
Harry T. Gower, Jr.
Robert F. Gower
Ferdinand A. Graham, Jr.
Horace E. Graham
William T. G. Granat
William J. Grant
Dalbert D. Grantham
Leland T. Gray, Jr.
Oscar Greene, Jr.
Wallace A. Greene
John I. Gresham
"J" "C" Grieb
Boyce H. Grier
James W. Griffin
William E. Grimes
Robert O. Groover, Jr.
James R. Gross
George S. Grove
Louis H. Guertin
Rex Gygax
Robert B. Hadden
Donald W. Haggerty
George C. Hahn
Arnold A. Hahnfeld
John W. Haizlip, Jr.
James R. Hale
Donald M. Hall
Harold D. Hall
James F. Hall
Richard L. Hall
Orval K. Hallam
Oliver S. Hallett
Joe Hamilton
David L. Hancock
John W. Handel, Jr.
Richard J. Hanley
Jerome W. Hannigan
Albert B. Hansen
Edgar G. Hanson
Wayne B. Harbarger, Jr.
Guy C. Hare
William C. Harmon
John R. Harper
William L. Harris, Jr.
James B. Harsha
Harry S. Hart
Richard V. Hartman
Willard R. Hartman
James C. Hatch
Donald L. Hathway
Erwin E. J. Hauber
Glenn N. Hawley
Saymore T. Hays, Jr.
William G. Hearne
Edward J. Hedbawny
George F. Hedrick, Jr.
Howard G. Heininger
Edgar H. Hemmer
Eugene M. Henry
George L. Henry
Carl A. Henzel
Francis C. Hertzog, Jr.
James H. Herzog
John A. Hess
Lawrence E. Hess, Jr.
William S. Hewitt
Wilbur M. Hickman
John R. High
Edward C. Hill
Elmer R. Hill, Jr.
James M. Hill, Jr.
John W. Hill
Robert E. Hill
William L. Hinkle
Bruce R. Hoefer
Jack G. Holbrook
William P. Holden
Ansel C. Holland
Daniel L. Hollis, Jr.
Richard S. Hollyer
John R. Holm
John R. Hoover
Jack A. Horst
George W. Hosking
Donald F. Houck
William L. Hough
Donnell Howard
John M. Howard
"T" "R" Howard
Robert E. Howe
David B. Hubbs
Verne R. Hubka
Norman P. Huddle
Thomas J. Hudner, Jr.
Charles B. Huggins
Thomas Hughes, Jr.
Thomas J. Hughes, Jr.
Harold E. Huling
Guy E. Hunter
Perry F. Hunter III
Ralph R. Huston, Jr.
Robert Irving
Byron M. Jackson, Jr.
Lee S. Jackson, Jr.
Thomas E. Jackson
John W. Jahant
James N. Jameson
Charles R. Jeffs, Jr.
Merlin F. Jenkins
Robert T. Jenkins
Verne H. Jennings, Jr.
Svend I. Jenson
Donald R. Jermann
Malvern H. L. Jester
Frederick F. Jewett II
Donald R. Jex
Arnol Johnson, Jr.
John D. Johnson, Jr.
John T. Johnson
Lester F. Johnson
Peter Johnson, Jr.
Richard C. Johnson
Theodore R. Johnson, Jr.
Walter F. Johnson
Walter M. Johnson, Jr.
William M. Johnson, Jr.
John W. Johnston
Richard C. Johnston
Frank L. Johnstone
Addis T. Jones
Richard S. Jones
Stanley W. Jones
Charles T. Joy, Jr.
Harry A. J. Joyce
Scott M. Julian, Jr.
Martin S. Kaluza
Howard F. Kane
Mitchel J. Karlowicz
Robert H. Karsten
Edward F. Kaska
Allen P. Kauffman
Stuart D. Kearney
Robert B. Keating
Timothy J. Keen
Francis L. Keith
William T. Kelleher
Harry S. Keller, Jr.
William F. Keller, Jr.
Quinten A. Kelso
William R. Kent
William A. Kern
Lawrence B. Kidder
Kaye R. Kiddoo
Elmer H. Kiehl
Joseph F. Kimpflen
Harry W. King
Ogden D. King, Jr.
Stewart A. Kingsbury
Ralph H. Kinser, Jr.
George G. E. Kirk
James Kirkpatrick
Charles A. Kiser
Charles C. Kitchen
Roy F. Kleist
William E. Knaebel
Thomas C. Knight
Cline H. Knowles, Jr.
Don R. Koch
Peter C. Kochis
William H. Koenig
Frank J. Korb
Joseph T. Kosnick
Edwin R. Koster
Donald J. Krejcarek
Walter J. Krstich
Robert J. Kubiszewski
Philip Kwart
Walter J. Kwitkoski
William S. Lagen
James D. LaHaye
Humphrey L. Laitner
Keith G. Lakey
Tomme J. Lambertson
Nathaniel B. Land
James C. Landes, Jr.
John D. Langford
Howard N. Larcombe, Jr.
George M. Larkin, Jr.
Norman E. Larsen
Charles R. Larzalere
William M. Lavelle
Robert E. Lawrence
Richard G. Layser
Roth S. Leddick
Earl B. Lee
Gerald A. Lee
James F. Lee
Robert E. Lee
Neale E. Leete
Alan E. LeFever
Donald D. Lemmon
Jeremiah E. Lenihan
Gerard T. Lennon
John C. Lewis
Richard G. Lilly, Jr.
Harlan W. Lindenmuth
Isham W. Linder
Ivan L. Linder
George B. Lingren
Eugene R. Lippman
Robert E. Lloyd
John A. Logan II
Charles R. Longo
Ollie J. Loper
Donald Loranger
Joseph D. Lorenz
Percival D. Lowell, Jr.
Walter R. Luoma
Robert A. Lusk
Donald C. Lutken
William J. Lutkenhouse
Robert E. Lynch
Robert L. Lyon
John T. Lyons, Jr.
Ivan L. MacDonald
Mark M. Macomber
Benjamin H. Macon
Joseph W. Maguire
John Q. Mahon
Daniel R. H. Mahoney
Max E. Malan
George Maragos
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Louis A. Marckesano
Earl J. Marks, Jr.
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Lawrence A. Marousek
Frank D. Marsall
Frank J. Marsden, Jr.
Barney Martin
Claude F. Martin, Jr.
Frederick V. Martin
Peter Maruschak
Stephen D. Marvin
John M. Mathews
William R. Mathews, Jr.
Evan T. Mathis, Jr.
Howard L. Matthews, Jr.
Pierce Matthews, Jr.
Valentin G. Matula
Herbert W. Maw
William T. Mawhiney
Allen F. Maxfield
Jack A. Maxwell
Donald R. Mayer
Allison L. Maynard
Walter M. Maginniss
Emiel R. Meisel
Robert W. Meissner
Joseph H. Melesky
John B. Melton, Jr.
Harry E. Menconi, Jr.
Ray D. Mering, Jr.
Marcus P. Merner
John A. Merritt III
Edmund D. Mesloh
Jeffrey C. Metzel, Jr.
Isaac W. Metzger
Oliver F. Midgette
Bernard L. Miles
Paul G. Miller
Eugene J. Minger

Ralph H. Minor
Lester L. Mische
Eugene B. Mitchell
Randolph Mitchell, Jr.
Robert W. Mitchell
Arthur W. Moesta, Jr.
Kent B. Moneypeny, Jr.
Charles M. Moore
Harold D. Moore
William G. Moore, Jr.
Lawrence E. Morgan
Newton H. Morgan
Daniel J. Morgiewicz
Norbert L. Moriarty
John R. Morris
Joshua R. Morriss, Jr.
James L. Moss
Walter G. Moyle, Jr.
David G. Muller
Maurice O. Muncie
Henry F. Munnikhuysen
Daniel J. Murphy
Wilburn D. Murphy
William F. Murphy, Jr.
Donald S. Murray
Harrison C. Murray
Kenneth A. Murray
Stuart G. Murray
Robert L. Murrill
Clyde J. Musholt
Murdock M. McLeod
Joseph E. McConnell
Edward J. McCormack, Jr.
Dale W. McCormick
David A. McCoskrie
William H. McCracken
Ellis P. McCurley
Charles B. McDaniel
William O. McDaniel
Heyward E. McDonald
Roble A. McDonald, Jr.
Wesley L. McDonald
Robert H. McDougal
Edward S. McGehee
James F. McGowan
Joseph W. McGrath, Jr.
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Lawrence H. McKenzie
William W. McKenzie, Jr.
Jay G. McKie
Robert T. McKinley
Robert H. McKinney
Norman H. McLaughlin
James P. McMahon
Frank D. McMullen, Jr.
Robert B. McNatt
Richard D. McNeil
Gordon E. McPadden
Kenneth M. McVay
Don C. McVey
Arthur D. Napior
Ernest Natke
Richard H. Nelson
Frank R. Nesbitt
John H. Nicholson
Anthony L. Nicolais
Charles E. C. Nimitz
Alfred B. Nimocks, Jr.
William Nivison
Louis W. Nocklod
Delbert W. Nordberg
Roy F. Norment
Jerry J. Nuss
Paul M. Nutter
Owen H. Oberg
Edmund W. O'Callaghan
Thomas A. O'Connell
Thomas J. O'Connell
Ralph E. Odgers
Edward F. O'Dougherty, Jr.
Samuel B. Ogden, Jr.
John P. O'Grady
Henry F. Ohme
Bruce J. Oliver
Richard A. Olson
Edward Onofrio
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Carl J. Ostertag, Jr.
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Albert T. Owens
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Lewis F. Ozimek
Duncan Packer
Ronald D. Pankratz
Donald R. Patch
John J. Pavelle, Jr.
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Norman E. Penfold
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John P. Peterson
William S. Peterson
Warren E. Pettee
Thomas D. Pfundstein
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Aloysius J. Pickert, Jr.
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Otto G. Pitz, Jr.
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Robert R. Poitras
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Leslie K. Pomeroy, Jr.
John E. Pope
William R. Porter
Earl E. Portz
James A. Powell
Robert A. Powell
William C. Powell, Jr.
John H. Pownall
Thomas G. Pownall
Robert J. Poynter
James C. Purcell
William C. Rae, Jr.
John J. Raftery
William O. Rainnie, Jr.
James C. Rappenecker
Henry B. Rathbone
John H. Ratliff
Charles E. Rawson
Francis J. Readdy
Francis P. Reardon
Lynn D. Reed
William C. Reeder
Clyde V. Reese, Jr.
Walter H. Reese
William F. Regan
Jeremiah D. Reilly, Jr.
Warren S. Reinschmidt
Conrad J. Renner, Jr.
Louis T. Renz
James F. Rex
John L. Reynolds
Ivan F. Rezny
William W. Rhoads
Harold G. Rich
George F. Richards, Jr.
John P. M. Richards II
Jewitt E. Richardson
William G. Ridgway
Julian W. Riehl, Jr.
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Arthur D. Robbins
Edwin B. Robbins
Louis V. Roberts
Joe P. Robertson, Jr.
Robert F. Roche
Clyde R. Rockwood
Henry P. Rodgers, Jr.
Hollis T. Rodgers
Charles R. Roe
David G. Rogers
Edmund D. Rogers, Jr.
William H. Rogers
Henry G. Rollins, Jr.
Louis A. Romatowski, Jr.
Charles J. Rose
Jack D. Rose
Vernon D. Rose, Jr.
Royal R. Ross
Emil S. Roth
Ernest D. Ruff, Jr.
James D. Rumble
Henry D. Ruppel
Albert H. Rusher
Loren H. Russell
William M. Russell
Robert T. Ruxton, Jr.
Donald F. Ryder
Frederick C. Sachse, Jr.
Robert R. Salyard
Herman J. Sanders
William T. Sanders, Jr.
Wilton T. Sanders, Jr.
Andrew R. Sansom
James O. Saul
Mimo L. Scappini
William N. Schaefer
John B. Schafer
Ralph Scheidenhelm
William F. Scheller
Leonard F. Schempp, Jr.
Robert E. Schenk
Stanley J. Schiller
Robert F. Schneidwind
Robert E. Schock
John A. Schomaker
Arnold R. Schuknecht
Foster R. Schuler
Robert E. Schwartz
Edward A. Scoles
Robert L. Scott
Edwin W. Sellman
Joseph Senkow
John A. Serrie, Jr.
Chester H. Shaddeau, Jr.
John J. Shanahan, Jr.
Fletcher H. Shaw
John Shea
George M. Sheldon
John P. Shelton
Martin J. Sheridan
Donald L. Shield
Charles W. Sholes
Donald E. Shorts
Charles M. Shuey
John R. Shunny
Andrew B. Sides, Jr.
Albert W. Sieloff
John A. Simmons, Jr.
Joseph T. Simons
William M. Simpich
Luther B. Sisson
Fernando Sisto, Jr.
Donald K. Skinner
Robert W. Sloan
Charles E. Slonim
Will F. Small
Aubrey H. Smith
Bernard E. Smith, Jr.
Bertram C. Smith
Carlton B. Smith
Charles W. Smith
Frank B. Smith
Griffin P. Smith, Jr.
John C. Smith
Philip C. Smith, Jr.
Robert H. Smith, Jr.
Robert S. Smith
Stanford S. Smith
Stuart S. Smith
Thomas W. Smith
William C. Smith
Winfield S. Smith
Leonard A. Snead
Robert O. Snure
James G. Snyder
John E. Snyder
Frank G. Sorensen, Jr.
Richard B. Southwell
Arthur G. Spahr
Willis L. Spann
William A. Spencer
Donald D. Spoon
Ernest R. Stacey
Leroy G. Stafford, Jr.
James B. Stagg
Robert N. Stair
Hilton L. Stanley
Stewart M. Steen
Robert S. Stegman
Arthur S. Steloff
George C. Stevens
Jack M. Stevens
William R. St. George
James B. Stockdale
Francis K. Stone
John H. Stone, Jr.
Robert S. Stone
Richard E. Storey
Robert W. Strickler
James K. Stuhldreher
John M. Sullivan
Charles K. Summitt
George C. Sup
Kermit R. Sutliff
Milton L. Sutter, Jr.
Stanley L. Sweeder
Henry G. Swicord, Jr.
John L. Switzer
John P. Sydow
Gordon P. Talcott
James F. Tangney
John F. Tarpey
David J. Taylor
Robert H. Taylor
William A. Teasley, Jr.
John Teed
Leonard A. Tepper
Wirt C. Thayer
Frank R. Thienpont
Edward W. Thomas
Paul B. Thomas
John C. Thompson
Robert W. Thompson
William F. Thompson
Neil W. Thomson
John L. Thornton
Gerald F. Thummel
Frank A. Thurtell
Thomas J. Tiernan
Herbert I. Tilles
James T. Timidaiski
Edmund B. Titcomb
George Tkach
David R. Toll
Donald L. Toohill
Wycliffe D. Toole, Jr.
John W. Townes, Jr.
Earl N. Trickey
Roscoe L. Trout
Ralph M. Tucker
Merritt D. Tuel
John C. Turner
Stansfield Turner
John C. Turnier
Frederick W. Ulbright
Richard P. Umbel
Howard S. Unangst
Archie J. Updike
Henry Urban, Jr.
Paul R. VanMater, Jr.
Robert C. Van Osdol
John R. VanSickle
Irwin J. Viney
Kenneth H. Volk
Robert L. VonGerichten
Chandler L. VonSchrader
Frederic H. E. Vose
Stephen J. Vose
William D. Wallace
William Waller, Jr.
Wayne P. Warlick
Harry L. Warren, Jr.
Victor G. Warriner
Leo B. Warring
Robert W. Watkins
Reid B. Watt
Arthur V. Weaver, Jr.
John K. Weaver
Joseph D. Weed, Jr.
Robert E. Weeks
William K. Weidman
Howard A. Weiss
Timothy F. Wellings, Jr.
Donald M. Wells
John T. Wells
John W. Wells
Marvin G. Wells
Luther Welsh
Donald D. Welt
Donald B. Wenger
David A. Wente
Thomas N. Werner
Kent J. Weber
Robert B. Whitegiver II
Vivien C. Whitmire
Donald B. Whitmire
Gordon S. Whittaker
Henry D. Whittle, Jr.
Herbert E. Whyte
William F. Wicks
Bryan D. Wiggins
Charles F. Willett
Buck D. Williams, Jr.
Hexter A. Williams
James S. Williams
John G. Williams, Jr.
Joseph L. Williams, Jr.
Richard C. Williams
Thomas C. Williams
Preston C. Wilmoth
James B. Wilson
Joseph R. Wilson
Virgil M. Wilson
Lionel L. Winans
James W. Winston
Edward G. Wood
William D. Wood
David A. Woodard
William L. Woods, Jr.
Patrick L. Working
Walter Wysocki, Jr.
Wallace N. Yates
Richard P. Yeatman
Austin V. Young.
George E. Young, Jr.
Laurence R. Young
Douglas J. Yuengling
Philip Zenner IV
George M. Zieber, Jr.
Richard E. Ziegler
Marvin W. Zumwalt

The following-named officers for permanent appointment to the rank of lieutenant (junior grade) in the Supply Corps of the Navy:

Bernard Abrams
Richard T. Allan
Richard F. Babler
Roger S. Bagnall
Arthur H. L. Barlow
Roger I. Bateman, Jr.
John A. Bellan, Jr.
Robert W. Bender
Robert G. Bigham, Jr.
Robert S. Blassic
Alfred P. Bollens
Robert G. Bollman
Jack M. Brennan
"J" Randell Bridges, Jr.
Lowell E. Brown
George O. R. Brungot
Robert E. Buntain
Robert L. Butchart
Arthur G. Butler, Jr.
Peter Calcagno
John C. Carlson
William C. Carpenter
George O. Case
Author E. Charette
Arthur L. Child III
Anthony F. Chupalio
Richard Claussenius
John F. Cohen
LeRoy E. Coon
Perry B. Crouch
Hoyle H. Daniels II
Robert D. Day
Ralph E. Deem
Charley P. Dellinger
Robert W. Depew
James V. DeSanto
Grover C. Dixon
Joseph A. Donnelly
Andrew S. Dowd
James G. Downey
Hubert W. Duffie
Stuart J. Evans
George W. Fairfield, Jr.
Robert H. Ferris
Robert D. Fisher
Julius W. Fitzpatrick
John E. Fjelsta
James H. Forbes, Jr.
Robert G. Ford
Vincent Forlenza
George O. Fowler, Jr.
Alan J. Frankel
Samuel E. Frock
Robert E. Fronke
Roy A. Frye, Jr.
Edward F. Gaetz, Jr.
Alton C. Gallup
Gerald H. Goldstein
Carlton E. Hamel
Frank L. Hanson
Melvin W. Harris
Billy W. Hart
Roy E. Hatton
Richard H. Hauck
Herbert S. Hillard, Jr.
John Hiza
Carl M. Hobkirk
Rex V. Hoffman, Jr.
Arthur W. Holfield, Jr.
Robert O. Holt
Earl W. Horngren
Richard P. Howard
James F. Huntress
Karl A. Johnson
Richard D. Johnson
Warren B. Johnson
John F. Jones
William B. Kash
Joseph I. Keenan
Bruce W. Keller
Dean L. Kellogg
Patrick F. Kennedy
Floyd O. Kenyon
Reed H. Knight
John D. Knipple
Jaromir J. Kolinsky
Henry F. Kramp
William K. Lampman
George H. Laning
Bob R. Lindsey
Edward B. Longmuir, Jr.
Herbert M. Lundien, Jr.
John F. Marshall
Donald V. Martin
James H. Marx
Ivan B. Maxon
Robert J. McAdams
Thomas O. McDonald
James F. McGarry, Jr.
John J. McGee
James E. McKenna
Marvin E. McMullen
Ralph E. Moon, Jr.
William A. Murauskas
Paul T. Murray
William T. Nash
Enoch W. Nunn
Harry W. O'Brien, Jr.
William N. Oller
Raymond J. Orr
Donald P. Orrill
Frank T. Owen, Jr.
Martin W. Paquette
Ralph P. Parker
Walter T. Pate, Jr.

Le Vern E. Peck
William G. Peck
LaRue D. Penny
Samuel A. Pillar
Raymond J. Pluto
William J. Podrouzek
Donald E. Polk
Robert B. Polk
George S. Pope, Jr.
John L. Prehn, Jr.
Jules R. Primm
Charles B. Prosuch
Robert H. Pylkas
James F. Reeves, Jr.
George D. Riley, Jr.
Maynard R. Roberts
Kenneth M. Robinson
Paul F. Rocque
William D. Ronayne
Elliot R. Rose
Joel E. Ross
Louis P. Rossi
Richard G. Salter
Charles M. Schoman, Jr.
Milton H. Selekman
Alexander D. Senulis
Eugene A. Shaw
Robert H. Shaw, Jr.
John C. Shepard
David P. Sherrell
Raymond W. Sitz
Waldo D. Sloan, Jr.
William C. Smith
Charles E. Snoddy
Richard J. Sowell
John L. Starbody
Donald R. Stewart
George G. Strott
William L. Taylor
Edwin H. Thompson
"J" Philip Tice
Jesse R. Tippin
Oscar G. Tucker II
Robert E. Turnage
John S. Urban
Richard L. Verdow
Robert E. Vogel
Hinton C. Walker
Thomas C. Waller, Jr.
Robert G. Walsh
Andrew J. Wasko
Howard R. Weiss
Jack H. Whitlock
John D. Whitsell
Lloyd R. Widney
Hawey L. Wilder
Edward H. Wilhelmi
George W. Williams
James C. Williams
Shelley S. Williams, Jr.
Roger M. Wilsie
Robert M. Wilson

The following-named officers for permanent appointment to the rank of lieutenant (junior grade) in the Civil Engineer Corps of the Navy:

Carl D. Alberts
James D. Andrews
William W. Barron
Bobby F. Burch
Earle M. Cassidy
Joseph D. Cochran
James R. Collier
Neff T. Dietrick, Jr.
Darl A. Ellis
Paul O. Gaddis
Dalton Hoskins
James P. Marron
Larry C. McGuire
Bergen S. Merrill, Jr.
Robert W. Mix
William H. Mulder
Leroy F. Nichalson
Edward S. Nuss
Carl W. Otto
Kenneth P. Sears
Peter C. Spoolstra
Lewis G. Timberlake
Billy C. Wallace
Richard D. White
Kenneth Woods

The following-named officers for permanent appointment to the rank of lieutenant (junior grade) in the Nurse Corps of the Navy:

Emily J. Beard
Muriel L. Bzennan
Elizabeth U. Campbell
Lila L. Caretti
Ellen H. Connelly
Betty Kirkman
Virginia A. Langford
Patricia J. Murphy
Brenda Powers
Mary Russo
Rose H. Rychtarik
Aileen A. Salisbury
Leonora Sauciunas
Mary C. Seaton
Margaret J. Sullivan
Caroline Surles
Donna B. Swaney
Ruth E. Ureel
Rita B. Voth
Shirley M. Woodworth

The following-named officers of the Navy for temporary appointment to the grade of lieutenant (junior grade) subject to qualification therefor as provided by law.

The following-named officers for temporary appointment in the line of the Navy:

David T. Avery
Bertram E. Barker
Ralph S. Barnett
Jack L. Bohner
Gordon D. Bothell
Claude Boyd, Jr.
James D. Breedlove
Kenneth B. Brisco
Charles F. Brown
Donald "D" Butler
Barclay F. Calhoun
Eugene C. Chase
Craig M. Coley
Frank A. Dandrea
Marvin R. De Mille
Joseph Dugger
Thomas E. Durham
Lennis H. Dyer
Philip M. Dyer
Carl C. Echols
Calvin R. Engle
Floyd A. Faircloth
Leroy W. Faulkner
Frederick W. Finn
James P. Garner
James E. Goodman
William L. Hackett
Claude E. Hale
Donald C. Hamilton
William P. Haney
Robert C. Harris
Charles F. Herman
Leo C. Hester
Claude M. Hicks
Delois V. Holloway
Clinnie M. Hunt
Donald C. Jackson, Jr.
Richard F. Johnston
George L. LaMere
William H. Larson
Bernard L. Laurance
Linwood L. Leftwich
Mason G. Maddox
Nicholas Mandzak
Charles H. McMakin, Jr.
Richard E. Meyer
Samuel A. Minervino
William R. Mott
Frank E. Moy
Bradford H. Patterson
Claude E. Pearce, Jr.
John F. Pierce
Harold J. Shapard
Ralph N. Shaver
Ira L. Shellhart
Willard M. Shepard
Jack D. Smith
Casimir J. Suchcicki
Carroll Y. Thomas
George E. Twarog
William H. Watson, Jr.
Arthur C. White
Samuel E. White
Frederick Zeier
Walter T. Zebrouski

The following-named officers of the Naval Reserve on active duty for permanent appointment to the grade of lieutenant (junior grade) subject to qualification therefor as provided by law.

The following-named officers for permanent appointment in the line of the Naval Reserve:

Hadwen B. Addington
Roy W. J. Agnew, Jr.
Joseph W. Akins, Jr.
Aubrey R. Anderson, Jr.
Daniel W. Anderson
Roy A. Anderson
Benjamin E. Ashby
Kenneth C. Aspinall
Charles R. Babcock
James F. Bangham
Edwin L. Barkley
Dowdell A. Barnes, Jr.
Thomas G. Barry
George F. Bauer, Jr.
LeGrande G. Beatson
Loyd D. Belk
Roy A. Bjorklund
Sam L. Black
George H. Blackwood, Jr.
Roy R. Blackwood
William H. Blackwood
Carlton A. Bonner, Jr.
Howard A. Bornemeier
Kenneth T. Bratt
James F. Bridges, Jr.
William M. Brooks
Dedriche M. Broome
Berle E. Browne
Henry M. Buerckholtz, Jr.
Arthur J. Bujnowski
Richard C. Butler
Ernest E. Callaway
Ivan R. Campbell
Donald M. Carlgren
John F. Carr
John T. Carter, Jr.
Lowen V. Casey
Robert R. Chapman
Angelo E. Clemente
William J. Cox
Richard F. Culver
Dennis W. Dalan
Charles F. Dale
Ralph E. Darby
Donald L. Darrow
Walter M. Davis, Jr.
Henry J. Denk
John M. Denkler
Charles E. Devonshire
Twyman "B" V. Dial
Paul T. Dietz
Gerald M. Disch
William N. Donnelly
Elmer C. Due
William F. Duemmel
Jerome M. Dunlevy
John R. Eaton
Robert M. Epperly
Donald W. Fausner
Edward A. Feifert
Frank E. Fergeson
Robert L. Fielder
David L. Flohr
John F. Fox
Francis C. Funk
Marion P. Gantt
Erwin L. Garrett
Wayne E. Garrison
Wilbur C. Garvin
Raymond C. Gembala
William L. Good
Horace G. Goodell
Floyd B. Grace
Furman B. Greene
Norton T. Gretzler
Jerald L. Griffin
Max A. Gschwind
Harold C. Gustafson
Halsey L. Hackett
Theodore M. Hanna
Palmer W. Hanson
Delbert Harris, Jr.
Jack H. Harris
William H. Harris
Paul A. Hauer
Robert F. Haven
Walter A. Hayes, Jr.
Nelson E. Heckert
Robert M. Hendricks
James M. Hitch
James F. Holliman
Charles F. Holm
Robert R. Holman
Donald R. Holson
William J. Holtzclaw
Hamilton J. Hulsey
J. Harold Hunt, Jr.
Robert S. Hurley
Thomas H. Hybiske
Milton Hyman
William J. Ilvento
Leonard M. Ivarson
Charles R. Jelleff II
Frederick E. Johnson
Leslie R. Johnson
Robert L. Johnson
Leon Jones
Reuben M. Jones, Jr.
Philip A. Judd, Jr.
James H. Karr
Reynold V. Keim
Lawrence "W" Kendrick, Jr.
Harold G. Kennedy
Thomas A. Key
Gordon P. Kinney
Robert L. Kinsey
Bernard J. Klees
Raymond P. Kluger
Albert E. Knutson
Frederick M. Koch
Richard M. Kramer
John E. Krimmel
Reinert Kvidahl
Gregory M. "J" Lambert
Walter D. Lambert
Hugh L. Landrum
James C. Leak
Floyd Lee
George H. Lee
John B. Lingerfelt
George W. Lockwood
Don E. Logsdon
Laddie F. Long
Donald Loranger
Jesse P. Lott
Bruce M. Lovelace, Jr.
Charles T. Luczak
Gunnar Madsen
Harry V. Madsen
Frederick W. Mahnken, Jr.
James H. Margeson
Robert S. Martin
Floyd E. Masek
Jerome McCabe
Joe J. McCadams
Theodore R. McClure
John H. McConnell, Jr.
Dougald S. McCormick, Jr.
Ray E. McGuffin
Max McHenry
Ronald D. McMasters
Paul J. McVeigh
Charles H. Meyers
Donald L. Miller
Robert E. Miskosky
Rodney T. Mooney
Earl Moore, Jr.
Emerson E. Moore
James D. Moore
Melvin H. Moore
Frank L. Morecock
Delmer L. Morris
Richard J. Morrison
Raymond K. Morrow
George L. Muirhead, Jr.
Claude Navarrette, Jr.
Reed M. Neumann
Wayne A. Nomer
Arthur E. Norton
Raymond E. Novotny
Ralph E. Nupp
Thomas W. O'Brien
Paul S. Olmsted
Robert D. Olson
Richard Ostlie
William E. Palmer
John B. Paradis III
Robert E. Parsons
Donald Perry
Cyril W. Peterson
Billy Phillips
Jesse L. Poole, Jr.
Charles I. Porter
Meredith K. Price
James T. Prucha, Jr.
Mike Putinta
Terrence R. Rager
Gordon R. E. Ranney
Harold E. Ream
William L. Reinhard
Leonard V. Rohrer
Joseph Rolecki
Robert E. Rostine
Richard R. Rothermel
Marvin E. Russell
Everett G. Ryder
George E. Sanctuary
Edwin D. Sayre
Colin F. Shadell
Joseph Shekerow
John C. Sinex
Chester A. Skeen
Daniel S. Smith
David E. Smith
Donald D. Smith
Harry R. Smith
Ronald M. Smith
Thomas D. Smith III
Arthur Snell
Orville H. Snyder, Jr.
Richard F. Soliner
Richard L. Stallings
Francis R. Stanford
John W. Stillwell
John G. Stranlund
John P. Struhsaker
Billie L. Study
Charles B. Sturm
Francis X. Sullivan
Robert B. Sullivan
Robert J. Sullivan
Edward F. Swartz, Jr.
Gerald E. Terry
Lawrence J. Thibault, Jr.
Milton O. Thompson
Fred Thorn
George F. Trudeau
James R. Vanlandingham
Andrew J. Van Tuyle, Jr.
Darrell G. Walls
George D. Watters
Charles J. Weber
Clarence E. Wenzel
Carl Wesenberg
James W. Wettengel
Clarence E. White
Joyce A. Wohlberg
Herbert A. Wohlert
Milton L. Wray
Charles E. Zimmerman, Jr.

The following-named officer for permanent appointment in the Supply Corps of the Naval Reserve:

Henry W. McGuire

IN THE NAVY

Leif O. Torkelson (Naval R. O. T. C.) to be an ensign in the Navy from the 3d day of June 1949.

Midshipman Richard R. Allmann (aviation) to be an ensign in the Navy from the 3d day of June, in lieu of ensign in the Navy as previously nominated and confirmed, to correct name.

The following-named (civilian college graduates) to be ensigns in the Navy, from the 3d day of June 1949:

Bruce W. Arden
Charlie J. Clarkson, Jr.
Wynn F. Foster
Donald B. Hall
Lloyd W. Harmon, Jr.
George Kramer
Bruce B. Lloyd
Charles H. Mohr
Charles E. Myers, Jr.
John J. O'Rourke
William M. Place
Thomas N. Porter
Wayne N. Pressler
Thomas H. Wilson

The following-named (women) (civilian college graduates) to be ensigns in the Navy:

| | |
|---|---|
| Orlean L. Babich | Georgia R. Keller |
| Gloria J. Baker | Roberta M. Kirkpatrick |
| Margaret L. Boyce | Catherine J. Miles |
| Claire M. Clark | Eleanor E. Minkler |
| Nancy A. Dutton | Catharine Morris |
| Virginia A. Dyer | Hope C. Nesbit |
| Margaret M. Fitzgerald | Marion L. Plum |
| Mary L. Fletcher | Mabel L. Royar |
| Leona J. Fox | Elizabeth B. Russell |
| Nancy E. Gleaton | Elizabeth A. Swingler |
| Sally A. Gould | Allyn R. Thompson |
| Mary A. Hawbolt | Margaret H. Thompson |
| Eleanor A. Jenkins | Mary J. Walker |
| Bonnie J. Jenks | Gretchen M. Ward |
| Marjorie H. Kaff | Alice J. Wardenga |

Earl R. Peters (civilian college graduate) to be a lieutenant (junior grade) in the Medical Corps of the Navy.

The following-named (civilian college graduates) to be ensigns in the Supply Corps of the Navy from the 3d day of June 1949:

| | |
|---|---|
| Harry "E" Barker | Leo R. Hamilton |
| Jack F. Biehl | Neil K. Hansen |
| William A. Chadwick | Robert J. Stevens |

The following-named women (civilian college graduates) to be ensigns in the Supply Corps of the Navy:

Debbie P. Belka
Betty J. Ibach
Constance J. Praeger

The following-named (civilian college graduates) to be lieutenants (junior grade) in the Chaplain Corps of the Navy:

| | |
|---|---|
| Robert H. Beckley | Howard H. Groover, Jr. |
| Homer T. Connolly | Bernard L. Hickey |
| Garson Goodman | Eugene W. McCarthy |

Philip S. Birnbaum (civilian college graduate) to be an ensign in the Civil Engineer Corps of the Navy from the 3d day of June 1949.

The following-named (civilian college graduates) to be lieutenants (junior grade) in the Civil Engineer Corps of the Navy:

| | |
|---|---|
| Emmet D. Anderson | Robert W. Puddicombe |
| David M. Feinman | William F. Russell, Jr. |
| Frederick E. Lennox | Robert J. Schneider |
| Cornelius Lindholm, Jr. | |

The following-named (civilian college graduates) to be lieutenants (junior grade) in the Dental Corps of the Navy:

Carlo A. DeLaurentis
Claude D. Duncan.

The following-named to be ensigns in the Nurse Corps of the Navy:

| | |
|---|---|
| Charlotte L. Blythe | Rose M. Mahoney |
| Ruth A. Bovard | Dorothy S. Mathewson |
| Barbara M. Buehler | Mary E. Natter |
| Irene N. Dowe | Rose M. O'Malley |
| Elizabeth L. Evans | Lois A. Prothero |
| Mary E. Farber | Mary V. Redfern |
| Beryl M. Frantz | Agnes Sarna |
| Alberta M. Gabardi | Clarissa M. Shaw |
| Justine L. Gutzler | Claire V. Wilson |
| Eileen Hanes | Mary E. Wyatt |
| Virginia L. Hockens | |
| Eleanor D. Ledwidge | |

The following-named officers to the grade of lieutenant commander in the line of the Navy, limited duty only, in lieu of lieutenant in the line of the Navy, limited duty only, as previously nominated and confirmed:

| | |
|---|---|
| Vane M. Bennett | James W. McBrier |
| Paul E. Dignan | Robert L. McClaren |
| William J. English | Walter Schimmelpfennig |
| William S. Hall | Clarence M. Taylor |
| Robert N. Huey | William Williamson |
| Arthur H. Larson | |
| James S. Lees | |

# HOUSE OF REPRESENTATIVES

## WEDNESDAY, JUNE 15, 1949

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou who hast known the way of sorrow and, through it, the way of immortal triumph, let Thy spirit be upon us. Take from us all fear, fear of the present and fear of the future. Endued with clear thinking, cool judgment, and spiritual heroism, clothe us with a compelling faith as to the outcome of our destiny.

O Christ, we are poor and needy; give us Thy grace and patience that we may do no harm to our convictions and impulses. Restore all things to their noble use, and purify them from the taint of lust and selfishness. The Lord bless and preserve the ideals of our Republic and establish the work of these Thy servants. In the name of our Saviour we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

### EXTENSION OF REMARKS

Mr. O'BRIEN of Illinois asked and was given permission to extend his remarks in the RECORD and include an article on Teacher's Day by Rabbi A. M. Hershberg, president, Federated Rabbinical College of Cachmey Lublin.

Mr. BARTLETT asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. MANSFIELD asked and was given permission to extend his remarks in the RECORD and include a speech on the Crisis in Sino-American Relations by Prof. Russell Fifield, of the University of Michigan, despite the fact that it will exceed two pages of the RECORD and is estimated by the Public Printer to cost $168.75.

Mr. RIVERS asked and was given permission to extend his remarks in the RECORD and include an address by the Secretary of the Navy, with introductory remarks by Admiral J. L. Holloway, Jr., Superintendent, United States Naval Academy.

Mr. HEDRICK asked and was given permission to extend his remarks in the RECORD and include a statement by one of his constituents concerning the House of Representatives.

### CENTENNIAL CELEBRATION OF SOO LOCKS

Mr. POTTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. POTTER. Mr. Speaker, today I am introducing a bill which will authorize the President to appoint a Commission for the Centennial Celebration of the Soo Locks. Our senior Senator from Michigan [Mr. VANDENBERG] is introducing a companion bill in the other body. This Commission is to be composed of nine members who will serve without pay. The Soo locks, as you know, is the lifeline to our economic well-being. There is more tonnage going through the Soo locks in a year than through the Panama Canal and the Suez Canal combined. As a matter of fact, 85 percent of our Nation's ore goes through the Soo locks.

Mr. Speaker, I sincerely hope the House will give serious consideration to this bill and will pass it in the very near future.

The SPEAKER. The time of the gentleman from Michigan has expired.

### EXTENSION OF REMARKS

Mr. HARVEY asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. STEFAN asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. RICH asked and was given permission to extend his remarks in the RECORD and include an editorial from the Altoona Tribune, entitled "Subsidizing the World Against Us."

Mr. GAVIN asked and was given permission to extend his remarks in the RECORD in two instances; in one, to include an address by Mrs. Norman K. Beals, of Franklin, Pa.; and in the other, an article relative to his very good and able friend and colleague the gentleman from Pennsylvania, JAMES VAN ZANDT.

### SPECIAL ORDER VACATED

Mr. JAVITS. Mr. Speaker, I ask unanimous consent that the special order granted me for tomorrow may be vacated.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

### EXTENSION OF REMARKS

Mr. HARRISON asked and was given permission to extend his remarks in the RECORD in three instances and include extraneous matter.

Mr. YATES asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Christian Science Monitor of June 8.

Mr. FORAND asked and was given permission to extend his remarks in the RECORD.

### PERMISSION TO ADDRESS THE HOUSE

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

[Mr. ZABLOCKI addressed the House. His remarks appear in the Appendix.]

### EXTENSION OF REMARKS

Mr. MITCHELL asked and was given permission to extend his remarks in the RECORD in two instances.

Mr. CROOK asked and was given permission to extend his remarks in the RECORD and include a letter from Mr.