PETITIONS, ETC.

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

5164. By Mr. ANGELL: Petition submitted by Lee Knipe, secretary, Oregon Workers Alliance, and signed by John W. Witty and sundry other citizens of Oregon, in support of the Murray bill (S. 2765); to the Committee on Ways and Means.

5165. By Mr. KEOGH: Petition of the United Cannery, Agricultural, Packing, and Allied Workers of America, opposing all pending amendments to the Wage Hour Act; to the Committee on Labor.

5166. Also, petition of the International Association of Machinists, Washington, D. C., opposing House bill 7133, the Barden bill, to amend the Wage and Hour Act; to the Committee on Labor.

5167. By Mr. PFEIFER: Petition of the International Association of Machinists, Washington, D. C., concerning the wage-and-hour provisions of the Fair Standards Act; to the Committee on Labor.

5168. Also, petition of the United Cannery, Agricultural, Packing, and Allied Workers of America, Washington, D. C., concerning the Wage and Hour Act; to the Committee on Labor.

5169. Also, petition of the New York State Farm Bureau Federation, Ithaca, N. Y., concerning House bill 7133; to the Committee on Agriculture.

5170. By the SPEAKER: Petition of the American Legion Post, No. 45, Kansas, Okla., petitioning consideration of their resolution with reference to providing a service pension for all veterans of the World War who fall under certain conditions; to the Committee on World War Veterans' Legislation.

SENATE

TUESDAY, AUGUST 1, 1939

The Reverend Duncan Fraser, assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

Accept, O God, our memories, our understanding, and our wills. All that we are and all that we possess Thou has bestowed upon us. Grant us only the love of Thee, together with Thy grace, to know and do what is right in Thine eyes, and we are rich enough; nor do we ask for aught besides. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, July 31, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Adams	Davis	King	Schwartz
Andrews	Downey	La Follette	Schwellenbach
Austin	Ellender	Lee	Sheppard
Bailey	Frazier	Lucas	Shipstead
Bankhead	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Smith
Bone	Gillette	Maloney	Stewart
Borah	Guffey	Mead	Taft
Bridges	Gurney	Miller	Thomas, Okla.
Brown	Hale	Minton	Thomas, Utah
Bulow	Harrison	Murray	Tobey
Burke	Hatch	Neely	Townsend
Byrd	Hayden	Norris	Truman
Byrnes	Herring	Nye	Tydings
Capper	Hill	O'Mahoney	Vandenberg
Chavez	Holman	Pepper	Van Nuys
Clark, Idaho	Holt	Pittman	Wagner
Clark, Mo.	Hughes	Radcliffe	Walsh
Connally	Johnson Calif.	Reed	Wheeler
Danaher	Johnson, Colo.	Russell	White

Mr. MINTON. I announce that the Senator from North Carolina [Mr. REYNOLDS] is detained from the Senate because of a death in his family.

The Senator from Arkansas [Mrs. CARAWAY] and the Senator from Rhode Island [Mr. GREEN] are absent on important public business.

The Senator from Ohio [Mr. DONAHEY], the Senator from Virginia [Mr. GLASS], the Senator from Kentucky [Mr. LOGAN], and the Senator from Louisiana [Mr. OVERTON] are unavoidably detained.

The Senator from Arizona [Mr. ASHURST] is detained because of illness in his family.

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

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

S. 5. An act to grant certain lands to the Arizona State Elks Association Hospital;

S. 68. An act for the relief of the San Francisco Mountain Scenic Boulevard Co.;

S. 185. An act to amend section 224 of the Criminal Code so as to penalize the making of false claims for the loss of insured mail matter;

S. 190. An act to authorize the temporary appointment of a special judge for the District Court of the Virgin Islands;

S. 432. An act to provide for the public auction of certain town lots within the city of Parker, Ariz.;

S. 555. An act for the relief of Addison B. Hampel;

S. 683. An act for the relief of Fae Banas;

S. 755. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Borg-Warner Corporation;

S. 765. An act for the relief of Hugh McGuire;

S. 1081. An act for the relief of John B. Jones;

S. 1156. An act to authorize the transfer to the jurisdiction of the Secretary of the Treasury of portions of the property within the military reservation known as the Morehead City Target Range, N. C., for the construction of improvements thereon, and for other purposes;

S. 1211. An act for the relief of Jesse Claud Branson;

S. 1229. An act for the relief of Ernest Clinton and Frederick P. Deragisch;

S. 1282. An act to extend the privilege of retirement for disability to judges appointed to hold office during good behavior;

S. 1322. An act for the relief of Dorothy Clair Hester, daughter of E. R. Hester;

S. 1339. An act for the relief of Grace S. Taylor;

S. 1414. An act for the relief of Allie Holsomback and Lonnie Taylor;

S. 1430. An act for the relief of the legal guardian of Dorothy Elizabeth Sisson, a minor;

S. 1467. An act for the relief of the Standard Oil Co., Inc., in Kentucky;

S. 1527. An act for the relief of Joseph Lopez Ramos;

S. 1688. An act for the relief of Joseph W. Parse;

S. 1722. An act for the relief of Hannis Hoven;

S. 1773. An act to provide that no statute of limitations shall apply to offenses punishable by death;

S. 1812. An act for the relief of A. E. Bostrom;

S. 1823. An act for the relief of William E. Cowen;

S. 1874. An act to amend the Criminal Code in regard to obtaining money by false pretenses on the high seas;

S. 1882. An act for the relief of Thomas A. Ross;

S. 1901. An act to extend to Sgt. Maj. Leonard E. Browning, United States Marine Corps, the benefits of the act of May 7, 1932, providing highest World War rank to retired enlisted men;

S. 1996. An act to extend the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oreg.;

S. 2023. An act for the relief of C. L. Herren;

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

S. 2054. An act for the relief of Joseph Alder, E. G. Allen, and E. G. Allen and By Hanchett jointly;

S. 2061. An act for the relief of William Hillock;

S. 2067. An act for the relief of Leslie J. Frane and Charles Frane;

S. 2082. An act for the relief of Hugh A. Smith;

S. 2114. An act for the relief of Virginia Pearson;

S. 2179. An act for the relief of Guy F. Allen, chief disbursing officer, Division of Disbursement, Treasury Department;

S. 2188. An act granting the consent of Congress to the Providence, Warren & Bristol Railroad Co. to construct, maintain, and operate a railroad bridge across the Warren River at or near Barrington, R. I.;

S. 2242. An act creating the Memphis and Arkansas Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Memphis, Tenn.; and for other purposes;

S. 2245. An act to prohibit the use of the mails for the solicitation of the procurement of divorces in foreign countries;

S. 2275. An act for the relief of Floyd M. Dunscomb;

S. 2306. An act relating to the construction of a bridge across the Missouri River between the towns of Decatur, Nebr., and Onawa, Iowa;

S. 2366. An act for the relief of Franklin C. Richardson;

S. 2370. An act for the relief of Corinne W. Bienvenu (nee Corinne Wells);

S. 2392. An act to legalize a bridge across Bayou La Fourche at Cut Off, La.;

S. 2407. An act granting the consent of Congress to the counties of Valley and McCone, Mont., to construct, maintain, and operate a free highway bridge across the Missouri River at or near Frazer, Mont.;

S. 2454. An act to relieve disbursing officers and certifying officers of the Veterans' Administration from liability for payment where recovery of such payment is waived under existing laws administered by the Veterans' Administration;

S. 2484. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Mo.;

S. 2502. An act authorizing the county of Howard, State of Missouri, to construct, maintain, and operate a toll bridge across the Missouri River at or near Petersburg, Mo.;

S. 2513. An act for the relief of certain persons whose property was damaged or destroyed as a result of the crashes of two airplanes of the United States Navy at East Braintree, Mass., on April 4, 1939;

S. 2526. An act to authorize Leonhard Stejneger, of the United States National Museum, to accept certain decoration from the Norwegian Government;

S. 2563. An act to legalize a free highway bridge now being constructed across the Des Moines River at Levy, Iowa;

S. 2564. An act granting the consent of Congress to the Iowa State Highway Commission to construct, maintain, and operate a free highway bridge across the Des Moines River at or near Red Rock, Iowa;

S. 2574. An act authorizing the construction of a highway bridge across the Chesapeake and Delaware Canal at St. Georges, Del.;

S. 2589. An act to authorize the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.;

S. 2634. An act to reserve to the United States for the Bonneville project a right-of-way across certain Indian lands in the State of Washington, subject to the consent of the individual allottees and the payment of compensation, and for other purposes;

S. 2738. An act to ratify and confirm Act 58 of the Session Laws of Hawaii, 1939, extending the time within which revenue bonds may be issued and delivered under Act 174 of the Session Laws of Hawaii, 1935;

S. 2784. An act to amend section 4 of the act entitled "An act to provide a civil government for the Virgin Islands of the United States," approved June 22, 1936; and

S. 2788. An act to amend the act entitled "An act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor," approved February 23, 1931, as amended.

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

S. 6. An act to return a portion of the Grand Canyon National Monument to the public domain;

S. 28. An act to provide for the erection of a public historical museum in the Custer Battlefield National Cemetery, Mont.;

S. 809. An act for the relief of Jessie M. Durst;

S. 821. An act for the relief of Charles L. Kee;

S. 891. An act for the relief of J. C. Grice;

S. 1258. An act for the relief of the Rent-A-Car Co.;

S. 1429. An act for the relief of Earl J. Reed and Giles J. Gentry;

S. 1448. An act for the relief of Anna H. Rosa;

S. 1654. An act for the relief of Mrs. Pacios Pijuan;

S. 1816. An act for the relief of Montie S. Carlisle;

S. 1821. An act for the relief of Harry K. Snyder;

S. 1905. An act for the relief of Elizabeth E. Burke;

S. 1911. An act for the relief of Daumit Tannaus Saleah (Dave Thomas);

S. 2056. An act for the relief of N. F. Clower and Elijah Williams;

S. 2239. An act for the relief of Dorothy Clair, G. F. Allen, and Earl Wooldridge;

S. 2271. An act for the relief of Barnet Warren;

S. 2408. An act for the relief of Russell B. Hendrix;

S. 2410. An act relating to the development of farm units on public lands under Federal reclamation projects with funds furnished by the Farm Security Administration;

S. 2562. An act to facilitate certain construction work for the Army, and for other purposes; and

S. J. Res. 176. Joint resolution providing for participation by the United States in the celebration to be held at Fort McHenry on September 14, 1939, in celebration of the one hundred and twenty-fifth anniversary of the writing of The Star-Spangled Banner.

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

S. 474. An act to amend section 92 of the Judicial Code to provide for a term of court at Kalispell, Mont.;

S. 796. An act for the relief of Mato, Miljenko, Bozo, and Augustin Cibilic, or Zibilich;

S. 808. An act for the relief of Calliope Minaca Pilavakis;

S. 1092. An act for the relief of Sigvard C. Foro;

S. 1269. An act for the relief of Emil Friedrich Dischleit;

S. 1394. An act for the relief of Johannes or John, Julia, Michael, William, and Anna Kostiuk;

S. 1538. An act for the relief of Konstantinos Dionysiou Antiohos (or Gus Pappas); and

S. 1954. An act for the relief of Joannes Josephus Citron.

The message also announced that the House insisted upon its amendment to the bill (S. 2697) to facilitate the execution of arrangements for the exchange of surplus agricultural commodities produced in the United States for reserve stocks of strategic and critical materials produced abroad, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STEAGALL, Mr. WILLIAMS of Missouri, Mr. SPENCE, Mr. WOLCOTT, and Mr. GIFFORD were appointed managers on the part of the House at the conference.

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

H. R. 377. An act to amend the act entitled "An act for the relief of Harry Bryan and Alda Duffield Mullins, and others";

H. R. 808. An act to confer jurisdiction upon the District Court of the United States for the southern district of Florida to hear, determine, and render judgment upon the claim of Zook Palm Nurseries, Inc., a Florida corporation;

H. R. 884. An act to add certain lands to the Siuslaw National Forest in the State of Oregon;

H. R. 1428. An act for the relief of First Lt. Samuel E. Williams;

H. R. 1629. An act conferring jurisdiction upon the Court of Claims of the United States to hear, adjudicate, and enter judgment on the claim of Carl G. Allgrunn against the United States for the use of his invention in rifling guns during the war and thereafter by the Symington-Anderson Co. at Rochester, N. Y., said invention being shown and described in his Letters Patent No. 1,311,107 issued by the Patent Office of the United States on or about July 22, 1919;

H. R. 1843. An act for the relief of the estate of K. J. Foss;

H. R. 2041. An act for the relief of Tom Kelly;

H. R. 2049. An act for the relief of Olin C. Risinger;

H. R. 2096. An act for the relief of Lucile Snider and Cliff Snider, Jr.;

H. R. 2184. An act to authorize the Secretary of the Interior to convey certain property to Washington County, Utah, and for other purposes;

H. R. 2250. An act for the relief of Frank Malles, Jr.;

H. R. 2315. An act to provide for the addition of certain lands to the Vicksburg National Military Park, in the State of Mississippi, and for other purposes;

H. R. 2344. An act for the relief of James McConnachie;

H. R. 2358. An act for the relief of Alfred Joseph Wright;

H. R. 2363. An act for the relief of the estate of Harvey T. Combs;

H. R. 2418. An act to extend the provisions of the Forest Exchange Act, as amended, to certain lands, so that they may become parts of the Whitman, Malheur, or Umatilla National Forests;

H. R. 2440. An act for the relief of Thomas J. Smith;

H. R. 2738. An act providing for the disposition of certain Klamath Indian tribal funds;

H. R. 2860. An act for the relief of Ben Willie Jones, as legal representaive of Thelma Jones, a deceased minor;

H. R. 2883. An act to amend the Federal Firearms Act (Public, No. 785, 75th Cong.) so as to more adequately define the term "ammunition" as said term is defined in said act;

H. R. 2990. An act to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes", approved June 28, 1937, as amended;

H. R. 3051. An act for the relief of certain workers performing emergency work at Cairo, Ill., in the Ohio River flood of 1937;

H. R. 3087. An act for the relief of Gdynia America Line, Inc., of New York City, N. Y.;

H. R. 3122. An act to extend the time for completing the construction of a bridge across the Columbia River near The Dalles, Oreg.;

H. R. 3156. An act for the relief of Anna E. Hurley;

H. R. 3159. An act for the relief of the estate of Costas Demellis;

H. R. 3172. An act to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of Fiske Warren;

H. R. 3363. An act for the relief of the American Insurance Co. of New Jersey;

H. R. 3391. An act providing payment to employees, Bureau of Reclamation, for mileage traveled in privately owned automobiles;

H. R. 3477. An act for the relief of Francisco R. Acosta;

H. R. 3481. An act for the relief of C. Z. Bush and W. D. Kennedy;

H. R. 3569. An act for the relief of J. Aristide Lefevre;

H. R. 3676. An act for the relief of C. E. Hendrickson and the Stephenville Hospital, Stephenville, Tex.;

H. R. 3689. An act for the relief of the Columbus Iron Works Co.;

H. R. 3695. An act to validate settlement claims established on sections 16 and 36 within the area withdrawn for the Matanuska Settlement project in Alaska, and for other purposes;

H. R. 3764. An act to validate and confirm a certain conveyance heretofore made by Central Pacific Railway Co., and its lessee, Southern Pacific Co., to Consolidated Warehouse Co., involving a portion of the right-of-way acquired by the Central Pacific Railroad Co. of California under the act of Congress approved July 1, 1862 (12 Stat. 489);

H. R. 3774. An act for the relief of Albert L. Barnholtz;

H. R. 3853. An act for the relief of Floyd Elton;

H. R. 3912. An act for the relief of the heirs of John Cauley, deceased;

H. R. 3927. An act for the relief of Marijo McMillan Williams;

H. R. 3931. An act for the relief of Charles H. LeGay;

H. R. 3933. An act for the relief of Otho L. Curtner;

H. R. 3962. An act for the relief of Grace Campbell;

H. R. 4033. An act for the relief of Albert R. Rinke;

H. R. 4062. An act for the relief of Clarendon Davis;

H. R. 4072. An act for the relief of Emmitt Courtney;

H. R. 4085. An act for the relief of certain disbursing agents and employees of the Indian Service;

H. R. 4088. An act to amend the Commodity Exchange Act, as amended, to extend its provisions to fats and oils, cottonseed, cottonseed meal, and peanuts;

H. R. 4097. An act to authorize the use of certain facilities of national parks and national monuments for school purposes;

H. R. 4115. An act for the relief of W. C. and James Latane, and Willie Johnson;

H. R. 4126. An act for the relief of Warren Zimmerman;

H. R. 4141. An act for the relief of Celia Press and Bernard Press;

H. R. 4198. An act for the relief of M. L Parish;

H. R. 4252. An act for the relief of J. George Bensel Co.;

H. R. 4261. An act for the relief of the estate of Frank M. Smith;

H. R. 4275. An act for the relief of Harry Vrountas and Theodore Vrountas;

H. R. 4292. An act for the relief of Gustav Schmidt;

H. R. 4300. An act for the relief of Anton Saganey, John J. Beatty, Frederick J. Coppenrath, Joseph R. Driscoll, Edward A. Morash, and Michael L. Siderowicz;

H. R. 4349. An act for the relief of the estate of Lewis Marion Garrard Hale;

H. R. 4482. An act for the relief of Byron MacDonald;

H. R. 4549. An act for the relief of William H. Radcliffe;

H. R. 4554. An act for the relief of Francis A. Leete and Sarah Leete;

H. R. 4601. An act for the relief of Paul W. McCoy;

H. R. 4606. An act for the relief of the Toledo Terminal Railroad Co. of Toledo, Ohio;

H. R. 4608. An act for the relief of Lettie Leverett;

H. R. 4616. An act for the relief of M. F. Gubrud;

H. R. 4726. An act for the relief of James W. Gilson;

H. R. 4813. An act for the relief of the estates of Marie R. Morkovsky and Alphons Morkovsky, both deceased;

H. R. 4831. An act authorizing the Secretary of the Interior to pay salaries and expenses of the chairman, secretary, and interpreter of the Menominee General Council, members of the Menominee Advisory Council, and official delegates of the Menominee Tribe;

H. R. 4872. An act to establish the Benjamin Harrison Commission to formulate plans for the construction of a permanent memorial to the memory of Benjamin Harrison, twenty-third President of the United States;

H. R. 4875. An act for the relief of Mamie Hoffman;

H. R. 4885. An act for the relief of James M. Harwood;

H. R. 4985. An act to provide for a Fishery Educational Service in the Bureau of Fisheries;

H. R. 4988. An act to amend an act entitled "An act relating to the liability of common carriers by railroad to their employees in certain cases," approved April 22, 1908 (U. S. C., title 45, sec. 51);

H. R. 5105. An act granting a pension to John Spaedy;

H. R. 5115. An act for the relief of Harry W. Lyle;

H. R. 5211. An act conferring jurisdiction upon the United States District Court for the Eastern District of Kentucky to hear, determine, and render judgment upon the claims of Mat Hensley, Arnold Blanton, Lillie Price, Clyde Thorpe, and D. L. Mason;

H. R. 5259. An act for the relief of Mrs. Layer Taylor;

H. R. 5266. An act for the relief of Mina Keil;

H. R. 5338. An act for the relief of Mr. and Mrs. John Eckendorff, and Mr. and Mrs. Alexander G. Dorr;

H. R. 5348. An act for the relief of certain postmasters;

H. R. 5350. An act for the relief of Caryl Burbank, Preston A. Stanford, and Fire Association of Philadelphia;

H. R. 5369. An act for the relief of Maj. Noe C. Killian;

H. R. 5383. An act for the relief of H. A. Dixon;

H. R. 5404. An act to extend the provisions of the Forest Exchange Act, as amended, to certain lands so that they may become part of the Ochoco National Forest, Oreg.;

H. R. 5491. An act to pay salary of Ruth Dornsife;

H. R. 5515. An act for the relief of Mrs. Virgie B. Weaver;

H. R. 5557. An act for the relief of V. H. Schuering, Elmer Eggers, and Thomas Fahey;

H. R. 5607. An act for the relief of George A. Meffan, United States marshal, district of Idaho;

H. R. 5634. An act granting 6 months' pay to Sidney M. Bowen;

H. R. 5684. An act amending the act of Congress of June 25, 1938 (C. 710, 52 Stat. 1207), authorizing the Secretary of the Interior to pay salaries and expenses of the chairman, secretary, and interpreter of the Klamath General Council, members of the Klamath Business Committee, and other committees appointed by said Klamath General Council, and official delegates of the Klamath Tribe;

H. R. 5698. An act for the relief of H. H. Rhyne, Jr.;

H. R. 5704. An act to amend Private Law No. 310, Seventy-fifth Congress, first session, an act for the relief of D. E. Sweinhart;

H. R. 5775. An act for the relief of Michael M. Cohen;

H. R. 5803. An act for the relief of Clyde Equipment Co.;

H. R. 5845. An act to provide for the establishment of a Coast Guard station on the shore of North Carolina at or near Wrightsville Beach, New Hanover County;

H. R. 5857. An act to amend Private Act No. 286, approved June 18, 1934, entitled "An act for the relief of Carleton-Mace Engineering Corporation;"

H. R. 5880. An act to incorporate the Navy Club of the United States of America;

H. R. 5894. An act for the relief of John E. Garrett;

H. R. 5895. An act for the relief of James D. Larry, Sr.;

H. R. 5919. An act to provide for the refunding of the bonds of municipal corporations and public-utility districts in the Territory of Alaska, to validate bonds which have heretofore been issued by a municipal corporation or any public-utility district in the Territory of Alaska, and for other purposes;

H. R. 5923. An act for the relief of Simon A. Brieger, as legal representative of the estate of Thomas Gerald Brieger, a deceased minor;

H. R. 5931. An act for the relief of Elizabeth Hessman;

H. R. 5951. An act for the relief of the heirs of Emma J. Hall;

H. R. 5953. An act for the relief of Marie Heinen;

H. R. 5982. An act for the protection against unlawful use of the badge, medal, emblem, or other insignia of veterans' organizations incorporated by act of Congress, and providing penalties for the violation thereof;

H. R. 5998. An act to amend section 32 of the act entitled "An act to authorize the construction of certain bridges and to extend the times for commencing and/or completing the construction of other bridges over the navigable waters of the United States, and for other purposes," approved August 30, 1935;

H. R. 6010. An act for the relief of John August Johnson;

H. R. 6054. An act authorizing the Secretary of the Interior to pay salaries and expenses of tribal officials of the Minnesota Chippewa Tribe;

H. R. 6083. An act for the relief of Morris Burstein, Jennie Burstein, and Adolph Burstein;

H. R. 6084. An act for the relief of Katheryn S. Anderson;

H. R. 6099. An act for the relief of Mrs. S. F. Sewell;

H. R. 6124. An act giving the consent of Congress to the addition of lands to the State of Texas and ceding jurisdiction to the State of Texas over certain parcels or tracts of land heretofore acquired by the United States of America from the United Mexican States;

H. R. 6259. An act for the relief of Jack D. Collins;

H. R. 6271. An act granting the consent of Congress to the Secretary of the Interior, the State of Washington, and the Great Northern Railway Co. to construct, maintain, and operate either a combined highway and railroad bridge or two separate bridges across the Columbia River at or near Kettle Falls, Wash.;

H. R. 6362. An act for the relief of Annie Bearden, Ruth Bearden, Essie Burton, Beatrice Carter, Mary Cobb, Addie Graham, Annie Grant, Sallie Harris, Minerva Holbrooks, Omie Keese, Sallie Marett, Josie McDonald, Jessie Morris, Martha O'Shields, Mae Phillips, Leila H. Roach, Belva Surrett, and Shelley Turner;

H. R. 6441. An act authorizing the county of St. Louis, State of Missouri, to construct, maintain, and operate a toll bridge across the Mississippi River near Jefferson Barracks, Mo.;

H. R. 6490. An act for the relief of W. R. Fuchs, former disbursing clerk, Department of Agriculture; J. L. Summers, former disbursing clerk; and G. F. Allen, chief disbursing officer, Division of Disbursement, Treasury Department;

H. R. 6491. An act for the relief of Roscoe B. Huston and Simeon F. Felarca;

H. R. 6492. An act for the relief of John L. Hicks, rural rehabilitation supervisor, Farm Security Administration, Department of Agriculture, Santa Rosa, N. Mex.;

H. R. 6506. An act to declare that the United States holds certain lands in trust for Indian use;

H. R. 6513. An act for the relief of Floyd H. Roberts;

H. R. 6546. An act for the relief of Benno von Mayrhauser and Oskar von Mayrhauser;

H. R. 6590. An act granting an increase of pension to Nannie McClellan Chase;

H. R. 6641. An act for the relief of the Arkansas State Penitentiary;

H. R. 6662. An act granting the consent of Congress to the Dauphin County, Pa., Authority to construct, maintain, and operate a highway bridge across the Susquehanna River at or near the city of Harrisburg, Pa.;

H. R. 6664. An act to admit the American-owned barges *Prari* and *Palpa* to American registry and to permit their use in coastwise trade;

H. R. 6693. An act to amend the provisions of law relating to the use of private vehicles for official travel in order to effect economy and better administration;

H. R. 6728. An act for the relief of Stacy C. Mosser, receiver for the Great Northern Majestic Building Corporation;

H. R. 6804. An act for the relief of George E. Miller;

H. R. 6805. An act for the relief of Sam E. Woods;

H. R. 6808. An act for the relief of Matilda Larned Bouck;

H. R. 6831. An act to authorize the Secretary of the Interior to lease certain of the public lands to the Metropolitan Water District of Southern California for the extraction of sodium chloride for water-conditioning purposes;

H. R. 6832. An act to provide for the protection of witnesses appearing before any department, independent estab-

lishment, or other agency of the United States, or the Congress of the United States;

H. R. 6881. An act to implement the provisions of the Shipowners' Liability (sick and injured seamen) Convention, 1936;

H. R. 6884. An act to encourage travel in the United States, and for other purposes;

H. R. 6907. An act granting the consent of Congress to the Commonwealth of Pennsylvania, to reconstruct, maintain, and operate a free highway bridge across the Susquehanna River, from the borough of Wyoming, in the county of Luzerne, Commonwealth of Pennsylvania, to Jenkins Township, county of Luzerne, Commonwealth of Pennsylvania;

H. R. 6963. An act for the relief of Buford Lee Pratt;

H. R. 6965. An act for the relief of Stina Anderson;

H. R. 7015. An act to reenact section 259 of the Judicial Code, relating to the traveling and subsistence expenses of circuit and district judges;

H. R. 7038. An act granting pensions to certain widows of veterans of the Civil War;

H. R. 7039. An act granting increase of pension to certain widows of veterans of the Civil War;

H. R. 7049. An act for the relief of John L. Summers, former disbursing clerk, Treasury Department, and for other purposes;

H. R. 7050. An act for the relief of certain former disbursing officers for the Civil Works Administration;

H. R. 7089. An act to provide for the presentation of a medal to Howard Hughes in recognition of his achievements in advancing the science of aviation;

H. R. 7090. An act to amend section 4488 of the Revised Statutes of the United States, as amended (U. S. C., 1934 ed., title 46, sec. 481);

H. R. 7091. An act to amend section 4471 of the Revised Statutes of the United States, as amended (U. S. C., 1934 ed., title 46, sec. 464);

H. R. 7096. An act to amend an act entitled "An act to provide for the complete independence of the Philippine Islands, to provide for the adoption of a constitution and a form of government for the Philippine Islands, and for other purposes";

H. R. 7132. An act to amend an act entitled "An act for the relief of the Playa de Flor Land & Improvement Co.," approved May 21, 1934;

H. R. 7189. An act to authorize research and experiments to find new uses for anthracite coal;

H. R. 7193. An act prohibiting the use of uniforms or arms by certain organizations;

H. R. 7233. An act to amend the act entitled "An act to provide for the disposition, control, and use of surplus real property acquired by Federal agencies, and for other purposes", approved August 27, 1935 (Public, No. 351, 74th Cong.), and for other purposes;

H. R. 7262. An act granting the consent of Congress to Frank O. Lowden, James E. Gorman, and Joseph B. Fleming, trustees of the estate of the Chicago, Rock Island & Pacific Railway Co., to construct, maintain, and operate a railroad bridge across the Missouri River at or near Randolph, Mo.;

H. R. 7270. An act to amend the Bonneville Project Act;

H. R. 7288. An act to perfect the consolidation of the Lighthouse Service with the Coast Guard by authorizing the commissioning, appointment, and enlistment in the Coast Guard of certain officers and employees of the Lighthouse Service, and for other purposes;

H. R. 7327. An act for the relief of the Nevada Silica Sands, Inc.;

H. R. 7389. An act to provide for the presentation of a medal to Rev. Francis X. Quinn in recognition of his valor in saving the lives of two of his fellow citizens;

H. R. 7411. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes;

H. J. Res. 159. Joint resolution authorizing the selection of a site and the erection thereon of the Columbian Fountain in Washington, D. C.; and

H. J. Res. 283. Joint resolution to establish the Major General William Jenkins Worth Memorial Commission to formulate plans for the construction of a permanent memorial to the memory of Maj. Gen. William Jenkins Worth.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 32) establishing a commission to be known as the Virginia (Merrimac)-Monitor Commission, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (S. 281) to amend further the Civil Service Retirement Act, approved May 29, 1930, and it was signed by the President pro tempore.

REPORTS OF COMMITTEES

Mr. HUGHES (for Mr. LOGAN), from the Committee on Claims, to which was referred the bill (S. 2787) for the relief of Maude Smith, reported it with amendments and submitted a report (No. 1042) thereon.

Mr. CONNALLY, from the Committee on Finance, to which was referred the bill (H. R. 7171) to amend section 22 of the Agricultural Adjustment Act, reported it without amendment and submitted a report (No. 1043) thereon.

Mr. ADAMS, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 929) to add certain lands to the Siuslaw National Forest in the State of Oregon, reported it with amendments and submitted a report (No. 1044) thereon.

Mr. McCARRAN, from the Committee on the Judiciary, to which was referred the bill (S. 1935) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto, reported it with amendments and submitted a report (No. 1045) thereon.

He also, from the Committee on Irrigation and Reclamation, to which was referred the bill (S. 2448) to amend section 1 of an act entitled "An act authorizing the Secretary of the Interior to employ engineers and economists for consultation purposes on important reclamation work," approved February 28, 1929 (45 Stat. 1406), reported it without amendment and submitted a report (No. 1046) thereon.

BILLS AND A 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. BAILEY:

S. 2929. A bill to amend laws for preventing collisions of vessels; to the Committee on Commerce.

By Mr. SMITH (for himself and Mr. THOMAS of Oklahoma):

S. 2930. A bill to provide for reimbursement to the holders of cotton pool participation trust certificates, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. PITTMAN:

S. 2931. A bill for the relief of the Nevada Silica Sands, Inc.; to the Committee on Mines and Mining.

By Mr. WALSH:

S. 2932. A bill for the relief of Lt. Thomas Edward Renaker, United States Navy; to the Committee on Naval Affairs.

By Mr. NEELY:

S. J. Res. 179. Joint resolution authorizing the Federal Power Commission to conduct an investigation; to the Committee on Interstate Commerce.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

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

H. R. 377. An act to amend the act entitled "An act for the relief of Harry Bryan and Alda Duffield Mullins, and others";

H. R. 808. An act to confer jurisdiction upon the District Court of the United States for the Southern District of Florida to hear, determine, and render judgment upon the claim of Zook Palm Nurseries, Inc., a Florida corporation;

H. R. 1428. An act for the relief of First Lt. Samuel E. Williams;

H. R. 1629. An act conferring jurisdiction upon the Court of Claims of the United States to hear, adjudicate, and enter judgment on the claim of Carl G. Allgrunn against the United States for the use of his invention in rifling guns during the war and thereafter by the Symington-Anderson Co. at Rochester, N. Y., said invention being shown and described in his Letters Patent No. 1,311,107 issued by the Patent Office of the United States on or about July 22, 1919;

H. R. 1843. An act for the relief of the estate of K. J. Foss;

H. R. 2041. An act for the relief of Tom Kelly;

H. R. 2049. An act for the relief of Olin C. Risinger;

H. R. 2096. An act for the relief of Lucile Snider and Cliff Snider, Jr.;

H. R. 2250. An act for the relief of Frank Nalles, Jr.;

H. R. 2344. An act for the relief of James McConnachie;

H. R. 2358. An act for the relief of Alfred Joseph Wright;

H. R. 2363. An act for the relief of the estate of Harvey T. Combs;

H. R. 2440. An act for the relief of Thomas J. Smith;

H. R. 2860. An act for the relief of Ben Willie Jones, as legal representative of Thelma Jones, a deceased minor;

H. R. 3051. An act for the relief of certain workers performing emergency work at Cairo, Ill., in the Ohio River flood of 1937;

H. R. 3087. An act for the relief of Gdynia America Line, Inc., of New York City, N. Y.;

H. R. 3156. An act for the relief of Anna E. Hurley;

H. R. 3159. An act for the relief of the estate of Costas Demellis;

H. R. 3172. An act to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the Claim of Fiske Warren;

H. R. 3363. An act for the relief of the American Insurance Co. of New Jersey;

H. R. 3477. An act for the relief of Francisco R. Acosta;

H. R. 3481. An act for the relief of C. Z. Bush and W. D. Kennedy;

H. R. 3676. An act for the relief of C. E. Hendrickson and the Stephenville Hospital, Stephenville, Tex.;

H. R. 3689. An act for the relief of the Columbus Iron Works Co.;

H. R. 3774. An act for the relief of Albert L. Barnholtz;

H. R. 3853. An act for the relief of Floyd Elton;

H. R. 3912. An act for the relief of the heirs of John Cauley, deceased;

H. R. 3927. An act for the relief of Marijo McMillan Williams;

H. R. 3933. An act for the relief of Otho L. Curtner;

H. R. 4033 An act for the relief of Albert R. Rinke;

H. R. 4062. An act for the relief of Clarendon Davis;

H. R. 4072. An act for the relief of Emmitt Courtney;

H. R. 4085. An act for the relief of certain disbursing agents and employees of the Indian Service;

H. R. 4126. An act for the relief of Warren Zimmerman;

H. R. 4141. An act for the relief of Celia Press and Bernard Press;

H. R. 4198. An act for the relief of M. L. Parish;

H. R. 4252. An act for the relief of J. George Bensel Co.;

H. R. 4275. An act for the relief of Harry Vrountas and Theodore Vrountas;

H. R. 4292. An act for the relief of Gustav Schmidt;

H. R. 4300. An act for the relief of Anton Saganey, John J. Beatty, Frederick J. Coppenrath, Joseph R. Driscoll, Edward A. Morash, and Michael L. Siderowicz;

H. R. 4349. An act for the relief of the estate of Lewis Marion Garrard Hale;

H. R. 4482. An act for the relief of Byron MacDonald;

H. R. 4549. An act for the relief of William H. Radcliffe;

H. R. 4554. An act for the relief of Francis A. Leete and Sarah Leete;

H. R. 4601. An act for the relief of Paul W. McCoy;

H. R. 4606. An act for the relief of the Toledo Terminal Railroad Co. of Toledo, Ohio;

H. R. 4608. An act for the relief of Lettie Leverett;

H. R. 4616. An act for the relief of M. F. Gubrud;

H. R. 4726. An act for the relief of James W. Gilson;

H. R. 4813. An act for the relief of the estates of Marie R. Morkovsky and Alphons Morkovsky, both deceased;

H. R. 4875. An act for the relief of Mamie Hoffman;

H. R. 4885. An act for the relief of James M. Harwood;

H. R. 5115. An act for the relief of Harry W. Lyle;

H. R. 5211. An act conferring jurisdiction upon the United States District Court for the Eastern District of Kentucky to hear, determine, and render judgment upon the claims of Mat Hensley, Arnold Blanton, Lillie Price, Clyde Thorpe, and D. L. Mason;

H. R. 5259. An act for the relief of Mrs. Layer Taylor;

H. R. 5266. An act for the relief of Mina Keil;

H. R. 5338. An act for the relief of Mr. and Mrs. John Eckendorff, and Mr. and Mrs. Alexander G. Dorr;

H. R. 5348. An act for the relief of certain postmasters;

H. R. 5350. An act for the relief of Caryl Burbank, Preston A. Stanford, and Fire Association of Philadelphia;

H. R. 5369. An act for the relief of Maj. Noe C. Killian;

H. R. 5383. An act for the relief of H. A. Dixon;

H. R. 5491. An act to pay salary of Ruth Dornsife;

H. R. 5515. An act for the relief of Mrs. Virgie B. Weaver;

H. R. 5557. An act for the relief of V. H. Scheuring, Elmer Eggers, and Thomas Fahey;

H. R. 5607. An act for the relief of George A. Meffan, United States marshal, district of Idaho;

H. R. 5698. An act for the relief of H. H. Rhyne, Jr.;

H. R. 5704. An act to amend Private Law No. 310, Seventy-fifth Congress, first session, an act for the relief of D. E. Sweinhart;

H. R. 5803. An act for the relief of Clyde Equipment Co.;

H. R. 5857. An act to amend Private Act No. 286, approved June 18, 1934, entitled "An act for the relief of Carleton-Mace Engineering Corporation";

H. R. 5894. An act for the relief of John E. Garrett;

H. R. 5895. An act for the relief of James D. Larry, Sr.;

H. R. 5923. An act for the relief of Simon A. Brieger, as legal representative of the estate of Thomas Gerald Brieger, a deceased minor;

H. R. 5931. An act for the relief of Elizabeth Hessman;

H. R. 5951. An act for the relief of the heirs of Emma J. Hall;

H. R. 5953. An act for the relief of Marie Heinen;

H. R. 6010. An act for the relief of John August Johnson;

H. R. 6084. An act for the relief of Katheryn S. Anderson;

H. R. 6099. An act for the relief of Mrs. S. F. Sewell;

H. R. 6259. An act for the relief of Jack D. Collins;

H. R. 6362. An act for the relief of Annie Bearden, Ruth Bearden, Essie Burton, Beatrice Carter, Mary Cobb, Addie Graham, Annie Grant, Sallie Harris, Minerva Holbrooks, Omie Keese, Sallie Marett, Josie McDonald, Jessie Morris, Martha O'Shields, Mae Phillips, Leila H. Roach, Belva Surrett, and Shelley Turner;

H. R. 6490. An act for the relief of W. R. Fuchs, former disbursing clerk, Department of Agriculture; J. L. Summers, former disbursing clerk; and G. F. Allen, chief disbursing officer, Division of Disbursement, Treasury Department;

H. R. 6491. An act for the relief of Roscoe B. Huston and Simon F. Felarca;

H. R. 6492. An act for the relief of John L. Hicks, rural rehabilitation supervisor, Farm Security Administration, Department of Agriculture, Santa Rosa, N. Mex.;

H. R. 6513. An act for the relief of Floyd H. Roberts;

H. R. 6728. An act for the relief of Stacy C. Mosser, receiver for the Great Northern Majestic Building Corporation;

H. R. 6804. An act for the relief of George E. Miller;

H. R. 6805. An act for the relief of Sam E. Woods;

H. R. 6808. An act for the relief of Matilda Larned Bouck;

H. R. 6963. An act for the relief of Buford Lee Pratt;

H. R. 7049. An act for the relief of John L. Summers, former disbursing clerk, Treasury Department, and for other purposes;

H. R. 7050. An act for the relief of certain former disbursing officers for the Civil Works Administration; and

H. R. 7132. An act to amend an act entitled "An Act for the relief of the Playa de Flor land and Improvement Co.," approved May 21, 1934; to the Committee on Claims.

H. R. 884. An act to add certain lands to the Siuslaw National Forest in the State of Oregon;

H. R. 2184. An act to authorize the Secretary of the Interior to convey certain property to Washington County, Utah, and for other purposes;

H. R. 2315. An act to provide for the addition of certain lands to the Vicksburg National Military Park, in the State of Mississippi, and for other purposes;

H. R. 2418. An act to extend the provisions of the Forest Exchange Act, as amended, to certain lands, so that they may become parts of the Whitman, Malheur, or Umatilla National Forests;

H. R. 3695. An act to validate settlement claims established on sections 16 and 36 within the area withdrawn for the Matanuska Settlement project in Alaska, and for other purposes;

H. R. 3764. An act to validate and confirm a certain conveyance heretofore made by Central Pacific Railway Co., and its lessee, Southern Pacific Co., to Consolidated Warehouse Co., involving a portion of the right-of-way acquired by the Central Pacific Railroad Co. of California under the act of Congress approved July 1, 1862 (12 Stat. 489);

H. R. 4097. An act to authorize the use of certain facilities of national parks and national monuments for school purposes;

H. R. 5404. An act to extend the provisions of the Forest Exchange Act, as amended, to certain lands so that they may become part of the Ochoco National Forest, Oreg.; and

H. R. 6831. An act to authorize the Secretary of the Interior to lease certain of the public lands to the Metropolitan Water District of Southern California for the extraction of sodium chloride for water-conditioning purposes; to the Committee on Public Lands and Surveys.

H. R. 3122. An act to extend the time for completing the construction of a bridge across the Columbia River near The Dalles, Oreg.;

H. R. 4985. An act to provide for a Fishery Educational Service in the Bureau of Fisheries;

H. R. 5845. An act to provide for the establishment of a Coast Guard station on the shore of North Carolina at or near Wrightsville Beach, New Hanover County;

H. R. 5998. An act to amend section 32 of the act entitled "An act to authorize the construction of certain bridges and to extend the times for commencing and/or completing the construction of other bridges over the navigable waters of the United States, and for other purposes," approved August 30, 1935;

H. R. 6271. An act granting the consent of Congress to the Secretary of the Interior, the State of Washington, and the Great Northern Railway Co. to construct, maintain, and operate either a combined highway and railroad bridge or two separate bridges across the Columbia River, at or near Kettle Falls, Wash.;

H. R. 6441. An act authorizing the county of St. Louis, State of Missouri, to construct, maintain, and operate a toll bridge across the Mississippi River near Jefferson Barracks, Mo.;

H. R. 6662. An act granting the consent of Congress to the Dauphin County, Pa., authority to construct, maintain, and operate a highway bridge across the Susquehanna River, at or near the city of Harrisburg, Pa.;

H. R. 6881. An act to implement the provisions of the Shipowners' Liability (sick and injured seamen) Convention, 1936;

H. R. 6907. An act granting the consent of Congress to the Commonwealth of Pennsylvania to reconstruct, maintain, and operate a free highway bridge across the Susquehanna River, from the Borough of Wyoming, in the county of Luzerne, Commonwealth of Pennsylvania, to Jenkins Township, county of Luzerne, Commonwealth of Pennsylvania;

H. R. 7090. An act to amend section 4488 of the Revised Statutes of the United States, as amended (U. S. C., 1934 ed., title 46, sec. 481);

H. R. 7091. An act to amend section 4471 of the Revised Statutes of the United States, as amended (U. S. C., 1934 ed., title 46, sec. 464); and

H. R. 7262. An act granting the consent of Congress to Frank O. Lowden, James E. Gorman, and Joseph B. Fleming, trustees of the estate of The Chicago, Rock Island & Pacific Railway Co., to construct, maintain, and operate a railroad bridge across the Missouri River at or near Randolph, Mo.; to the Committee on Commerce.

H. R. 3391. An act providing payment to employees, Bureau of Reclamation, for mileage traveled in privately owned automobiles; to the Committee on Irrigation and Reclamation.

H. R. 3931. An act for the relief of Charles H. LeGay; to the Committee on Military Affairs.

H. R. 4088. An act to amend the Commodity Exchange Act, as amended, to extend its provisions to fats and oils, cottonseed, cottonseed meal, and peanuts; to the Committee on Agriculture and Forestry.

H. R. 4831. An act authorizing the Secretary of the Interior to pay salaries and expenses of the chairman, secretary, and interpreter of the Menominee General Council, members of the Menominee Advisory Council, and official delegates of the Menominee Tribe;

H. R. 6054. An act authorizing the Secretary of the Interior to pay salaries and expenses of tribal officials of the Minnesota Chippewa Tribe; and

H. R. 6506. An act to declare that the United States holds certain lands in trust for Indian use; to the Committee on Indian Affairs.

H. R. 5634. An act granting 6 months' pay to Sidney M. Bowen; to the Committee on Naval Affairs.

H. R. 5919. An act to provide for the refunding of the bonds of municipal corporations and public-utility districts in the Territory of Alaska, to validate bonds which have heretofore been issued by a municipal corporation or any public-utility district in the Territory of Alaska, and for other purposes; to the Committee on Territories and Insular Affairs.

H. R. 6124. An act giving the consent of Congress to the addition of lands to the State of Texas and ceding jurisdiction to the State of Texas over certain parcels or tracts of land heretofore acquired by the United States of America from the United Mexican States; to the Committee on Foreign Relations.

H. R. 4988. An act to amend an act entitled "An act relating to the liability of common carriers by railroad to their employees in certain cases," approved April 22, 1908 (U. S. C., title 45, sec. 51);

H. R. 5880. An act to incorporate the Navy Club of the United States of America;

H. R. 6832. An act to provide for the protection of witnesses appearing before any department, independent establishment, or other agency of the United States, or the Congress of the United States;

H. R. 7015. An act to reenact section 259 of the Judicial Code, relating to the traveling and subsistence expenses of circuit and district judges; and

H. R. 7193. An act prohibiting the use of uniforms or arms by certain organizations; to the Committee on the Judiciary.

H. R. 6693. An act to amend the provisions of law relating to the use of private vehicles for official travel in order to effect economy and better administration; to the Committee on Expenditures in the Executive Departments.

H. R. 6884. An act to encourage travel in the United States, and for other purposes; to the Committee on Interstate Commerce.

H. R. 6083. An act for the relief of Morris Burstein, Jennie Burstein, and Adolph Burstein; and

H. R. 6965. An act for the relief of Stina Anderson; to the Committee on Immigration.

H. R. 5105. An act granting a pension to John Spaedy;

H. R. 6590. An act granting an increase of pension to Nannie McClellan Chase;

H. R. 7038. An act granting pensions to certain widows of veterans of the Civil War; and

H. R. 7039. An act granting increase of pension to certain widows of veterans of the Civil War; to the Committee on Pensions.

H. R. 7189. An act to authorize research and experiments to find new uses for anthracite coal; and

H. R. 7327. An act for the relief of the Nevada Silica Sands, Inc.; to the Committee on Mines and Mining.

H. R. 7233. An act to amend the act entitled "An act to provide for the disposition, control, and use of surplus real property acquired by Federal agencies, and for other purposes," approved August 27, 1935 (Public, No. 351, 74th Cong.), and for other purposes; to the Committee on Public Buildings and Grounds.

H. R. 4872. An act to establish the Benjamin Harrison Commission to formulate plans for the construction of a permanent memorial to the memory of Benjamin Harrison, twenty-third President of the United States;

H. R. 7089. An act to provide for the presentation of a medal to Howard Hughes in recognition of his achievements in advancing the science of aviation;

H. R. 7389. An act to provide for the presentation of a medal to Rev. Francis X. Quinn in recognition of his valor in saving the lives of two of his fellow citizens; and

H. J. Res. 283. Joint resolution to establish the Major General William Jenkins Worth Memorial Commission to formulate plans for the construction of a permanent memorial to the memory of Maj. Gen. William Jenkins Worth; to the Committee on the Library.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 32) establishing a commission to be known as the Virginia (Merrimac)-Monitor Commission was referred to the Committee on the Library.

INVESTIGATION OF PERSONNEL CONDITIONS AT JEFFERSONVILLE (IND.) QUARTERMASTER DEPOT

Mr. MINTON submitted the following resolution (S. Res. 178), which was referred to the Committee on Military Affairs:

Resolved, That a subcommittee of the Senate Committee on Military Affairs, to be composed of three members of such committee appointed by the chairman of the committee, is authorized and directed to make a full and complete investigation of personnel conditions at the Jeffersonville Quartermaster Depot, Jeffersonville, Ind. The chairman of the Committee on Military Affairs shall designate one of the members of such subcommittee to act as chairman thereof. The subcommittee shall report to the Committee on Military Affairs the results of its investigation, together with its recommendations, at the earliest practicable date.

For the purposes of this resolution the subcommittee, or any member thereof duly authorized by the chairman of the subcommittee, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventy-sixth Congress, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it or he deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per 100 words. The expenses of the committee, which shall not exceed $2,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the subcommittee.

NEUTRALITY LEGISLATION—ADDRESS BY SENATOR LA FOLLETTE

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD a radio address by himself, broadcast by transcription over station WHA, Madison, Wis., on July 13, 1939, on the subject Neutrality Legislation, which appears in the Appendix.]

ADDRESS BY SENATOR HILL TO ALABAMA FURNITURE DEALERS' ASSOCIATION

[Mr. HILL asked and obtained leave to have printed in the RECORD an address delivered by him to the Alabama Furniture Dealers' Association of Birmingham, Ala., on July 26, 1939; which appears in the Appendix.]

INDUSTRIALLY OWNED CHILD NURSERIES—STATEMENT BY SENATOR ANDREWS

[Mr. ANDREWS asked and obtained leave to have printed in the RECORD a statement by him on the subject of industrially owned child nurseries to aid married working women who have small children, which appears in the Appendix.]

CIVIL AERONAUTICS AUTHORITY—ADDRESS BY ROBERT H. HINCKLEY

[Mr. CLARK of Missouri asked and obtained leave to have printed in the RECORD a radio address on the Civil Aeronautics Authority, delivered by Robert H. Hinckley, Chairman of the Civil Aeronautics Authority, Monday, July 31, 1939, which appears in the Appendix.]

THE PRESERVATION OF AMERICAN DEMOCRACY—ADDRESS BY COL. O. R. M'GUIRE

[Mr. KING asked and obtained leave to have printed in the RECORD an address by Col. O. R. McGuire, chairman, Committee on Administrative Law, American Bar Association, on July 1, 1939, at Saranac Lake, before the New York State Bar Association, entitled "Shall Democracy Be Preserved?" which appears in the Appendix.]

AMENDMENTS TO SOCIAL SECURITY ACT

[Mr. WAGNER asked and obtained leave to have printed in the RECORD a number of editorials on the subject of amendments to the Social Security Act, which appear in the Appendix.]

ADDRESS BY SENATOR HILL AT SILVER ANNIVERSARY OF NATIONAL POPULAR GOVERNMENT LEAGUE

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD an address delivered by Senator HILL at the silver anniversary of the National Popular Government League, Washington, D. C., April 29, 1939, which appears in the Appendix.]

POSTPONEMENT OF CONSIDERATION OF COPYRIGHT CONVENTION

Mr. THOMAS of Utah. Mr. President, the first item on the Executive Calendar is a copyright convention, which has been there since April 11 of this year. This is not the first time the Foreign Relations Committee has reported the convention for favorable action. It has been on the calendar during previous Congresses. In the meantime those who have been opposed to the consideration and ratification of this treaty have taken the stand that there should be domestic legislation reported and ready at the time the treaty is considered.

I deem it advisable for us to allow the committee, which has been working so long and so consistently in attempting to bring about a domestic law which will meet the requirements and be satisfactory to the various interested groups, that I think it would be unwise to consider the treaty at this time. Therefore, I am going to suggest, with the cooperation of the majority leader and the minority leader, that I be permitted to make the announcement that the convention will not be called up until March of next year.

As part of my remarks, to show what progress is being made by the committee, which is working upon proposed legislation along this line, I ask that a letter, signed by Edith E. Ware, and a list of the cooperating groups which constitute the Conference on Copyright Legislation, be made a part of my remarks.

The VICE PRESIDENT. Is there objection?

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

AMERICAN NATIONAL COMMITTEE ON
INTERNATIONAL INTELLECTUAL COOPERATION,
New York, N. Y., June 15, 1939.

Senator ELBERT D. THOMAS,
Senate Office Building, Washington, D. C.

DEAR SENATOR THOMAS: Attached is a revision of the preliminary draft of a copyright bill; it embodies the amendments and the editing of the all-day meetings of June 12 and 13. The letter to the members of the Conference on Copyright Legislation that is clipped to it explains the status. Members of the conference asked me to send this to you as evidence of their endeavor; they are not yet ready to have the draft submitted to Congress.

Professor Shotwell told me yesterday that he intended to speak with you over the telephone at such time as he thought he might find you in your office.

Very sincerely yours,

EDITH E. WARE.

CONFERENCE ON COPYRIGHT LEGISLATION

Authors League of America, Luise Sillcox, Henry Jaffe.

Labor: International Allied Printing Trades Association, M. J. Flynn.

American Society of Composers, Authors and Publishers, John G. Paine, Herman Finkelstein.

Song Writers Protective Association, John Schulman.

Book Publishers Bureau, Frederic G. Melcher, Benjamin Stern.

National Publishers Association, Marvin Pierce.

Librarians, Lawrence Heyl.

Scholarship: The Joint Committee on Materials for Research of the National Council of Learned Societies and the Social Science Research Council, Robert C. Binkley, H. M. Lydenberg, Richard Manning.

Motion Picture Producers and Distributors, Gabriel Hess, Edwin P. Kilroe, Robert W. Perkins, Edward A. Sargoy.

Motion Picture Theater Owners, Edward L. Kuykendall.

Independent Exhibitors League, Nathan Yamins.

National Association of Broadcasters, Sydney M. Kaye, Neville Miller, Robert P. Myers, Stuart Sprague.

Music Publishers Protective Association, Walter Douglas, A. M. Wattenberg.

Recording Interests, Milton Diamond, L. V. Epstein, David Mackay.

SETTLEMENT OF DISPUTES WITH THE UNITED STATES

Mr. BARKLEY. Mr. President, on the last call of the calendar, Senate bill 915, to provide for the more expeditious settlement of disputes with the United States, and for other purposes, which was introduced by my colleague [Mr. LOGAN], and which refers to administrative procedure in the Government departments, was passed. Following its passage, the Senator from Indiana [Mr. MINTON] moved to consider the vote by which the bill was passed. I have discussed this proposed legislation with my colleague, who is not able to be here, and I think it is generally agreed that a bill of such importance should be discussed and should not be passed on a call of the calendar without some discussion. It is entirely satisfactory to my colleague that the vote by which that bill passed should be reconsidered, and the bill be restored to the calendar, with the understanding that the measure be taken up at some date early in the next session.

The VICE PRESIDENT. The question is on the motion of the Senator from Indiana [Mr. MINTON] that the vote by which Senate bill 915 was passed be reconsidered.

The motion was agreed to.

The VICE PRESIDENT. The bill will be restored to the calendar.

CONSIDERATION OF UNOBJECTED-TO BILLS ON THE CALENDAR

The VICE PRESIDENT. Routine morning business is closed. The calendar, under rule VIII, is in order.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the call of the calendar be limited to bills to which there is no objection.

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

The clerk will proceed with the call of the calendar.

RESOLUTIONS AND BILL PASSED OVER

The resolution (S. Res. 58) providing that a calendar day's notice shall suffice in connection with suspension of a rule, was announced as first in order.

Mr. VANDENBERG. I ask that the resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

The resolution (S. Res. 74) providing for a Committee on Civil Aviation was announced as next in order.

Mr. VANDENBERG. Let the resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

The joint resolution (S. J. Res. 45) to amend the act of July 3, 1926, entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in claims which the Crow Tribe of Indians may have against the United States, and for other purposes," was announced as next in order.

Mr. VANDENBERG. I ask that the joint resolution go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 783) to amend the act, as amended, entitled "An act to refer the claims of the Delaware Indians to the Court of Claims, with the right of appeal to the Supreme Court of the United States," approved February 7, 1925, was announced as next in order.

Mr. VANDENBERG. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

INDIANS OF WINNEBAGO AGENCY, NEBR.

The bill (S. 784) for the relief of certain Indians of the Winnebago Agency, Nebr., was announced as next in order.

Mr. THOMAS of Oklahoma. Mr. President, Calendar No. 101 is Senate bill 784; Calendar No. 201 is House bill 2971, which is identical with the Senate bill. I have conferred with the Senator from Utah [Mr. KING], and, as I understand, he has no objection to substituting the House bill for the Senate bill and having it considered at this time.

The VICE PRESIDENT. Is there objection?

There being no objection, the bill (H. R. 2971) for the relief of certain Indians of the Winnebago Agency was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $38,352.84 to the Treasurer of the United States for deposit in the official disbursing account of the Superintendent and Special Disbursing Agent of the Winnebago Indian Agency, Nebr., to replace a deposit of individual Indian money in like amount with the State Bank of Winnebago, Nebr., defunct: *Provided*, That any sums, not exceeding in the aggregate the amount of this appropriation, recovered from said bank or the sureties on the bonds thereof, shall be deposited into the general fund of the Treasury.

The VICE PRESIDENT. Without objection, Senate bill 784 is indefinitely postponed.

INDIAN CLAIMS BILLS PASSED OVER

The bill (S. 790) conferring jurisdiction upon the Court of Claims to hear and determine the claims of the Prairie Band or Tribe of Pottawatomie Indians of Kansas and Wisconsin against the United States was announced as next in order.

Mr. KING. Mr. President, there are a number of bills dealing with Indian claims that should be passed over, because a committee is at work now with the Department of Justice, and I am sure will be ready to make full report very shortly, when the bills may be disposed of. I, therefore, ask that Senate bill 790, and Senate bill 1222, which is Calendar No. 104, Senate bill 767, which is Calendar No. 105, Senate bill 864, which is Calendar No. 106, and Senate bill 498, which is Calendar No. 116, be passed over.

The VICE PRESIDENT. Without objection, the bills referred to by the Senator from Utah will be passed over.

BILLS AND RESOLUTIONS PASSED OVER

The bill (S. 1162) to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal, was announced as next in order.

Mr. KING. Mr. President, let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1303) to amend the Agriculture Adjustment Act of 1938, as amended, with respect to cotton, was announced as next in order.

Mr. WHITE. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 795) to provide for the education of all types of physically handicapped children, to make an appropriation of money therefor, and to regulate its expenditure, was announced as next in order.

Mr. TAFT. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1681) to amend section 107 of the Judicial Code to create a mountain district in the State of Tennessee, and for other purposes, was announced as next in order.

Mr. AUSTIN. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 570) to regulate interstate and foreign commerce in agricultural products; to prevent unfair competition; to provide for the orderly marketing of such products; to promote the general welfare by assuring an abundant and permanent supply of such products by securing to the producers a minimum price of not less than cost of production, and for other purposes, was announced as next in order.

Mr. VANDENBERG. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. 107) opposing sales of American cotton during the present world crisis to foreign purchasers below the cost of production, was announced as next in order.

Mr. KING. I ask that the resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 1305) to promote the general welfare through appropriation of funds to assist the States and Territories in providing more effective programs of public education was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1265) to establish a Department of Public Works, to amend certain sections of the Social Security Act, and for other purposes, was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2202) to establish a Public Works Agency was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2203) to amend certain sections of the Social Security Act was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. J. Res. 34) for the relief of W. K. Richardson was announced as next in order.

Mr. KING. Over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 517) to amend the Communications Act of 1934 to prohibit the advertising of alcoholic beverages by radio was announced as next in order.

Mr. LA FOLLETTE. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1730) to amend the civil-service law to permit certain employees of the legislative branch of the Government to be transferred to positions under the competitive classified civil service was announced as next in order.

Mr. McKELLAR. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 289) for the relief of officers and soldiers of the volunteer service of the United States mustered into service for the War with Spain was announced as next in order.

Mr. KING. Over.

The VICE PRESIDENT. The bill will be passed over.

YAKIMA INDIAN TRIBE CLAIMS

The Senate proceeded to consider the bill (S. 773) conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render final judgment on any and all claims which the Yakima Indian Tribes may have against the United States, and for other purposes, which had been reported from the Committee on Indian Affairs with an amendment, on page 2, after line 3, to insert, "If it shall be determined by the court that any of the lands now owned by the United States, outside of the present recognized exterior boundaries of the Yakima Indian Reservation, comprises a portion of the lands reserved by the Yakima Tribes of Indians pursuant to the provisions of the treaty, concluded June 9, 1855 (12 Stat. 951), the court shall, as to such lands now owned by the United States, render final judgment in favor of the Yakima Tribes of Indians for a sum equal to (1) the value of the timber removed therefrom since June 9, 1855, with interest at 5 percent per annum from the time of such removal and (2) the present value of such lands, which shall be determined by the court, and the United States shall have the right, within 1 year from the date of final judgment, in lieu of paying the present value thereof, to include such lands within the Yakima Indian Reservation and hold the title thereto in trust for the sole benefit and use of the Yakima Tribes of Indians," so as to make the bill read:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States Court of Claims, notwithstanding the lapse of time or statutes of limitation, to hear, determine, adjudicate, and render final judgment in any and all legal and equitable claims of whatsoever nature which the Yakima Tribes of Indians may have against the United States, including, but without limiting the generality of the foregoing, claims arising under or growing out of any treaties, agreements, or acts of Congress, Executive orders, or out of any disposal or handling of lands, timber, or other property belonging to, or held in trust by the United States for, said Yakima Tribes, or otherwise. If it shall be determined by the court that any of the lands now owned by the United States, outside of the present recognized exterior boundaries of the Yakima Indian Reservation, comprises a portion of the lands reserved by the Yakima Tribes of Indians pursuant to the provisions of the treaty concluded June 9, 1855 (12 Stat. 951), the court shall, as to such lands now owned by the United States, render final judgment in favor of the Yakima Tribes of Indians for a sum equal to (1) the value of the timber removed therefrom since June 9, 1855, with interest at 5 percent per annum from the time of such removal and (2) the present value of such lands, which shall be determined by the court, and the United States shall have the right, within 1 year from the date of final judgment, in lieu of paying the present value thereof, to include such lands within the Yakima Indian Reservation and hold the title thereto in trust for the sole benefit and use of the Yakima Tribes of Indians.

SEC. 2. Said suit or suits authorized by this act shall be instituted within 5 years from the date of approval thereof, by the filing of one or more petitions embodying one or more of said claims, and the said Yakima Tribes of Indians shall be party plaintiff and the United States shall be party defendant. Said petition or petitions shall be verified on information and belief by the attorney or attorneys employed to prosecute such claim or claims under contract with said Yakima Tribes of Indians duly executed in accordance with existing law, and said petition cr petitions shall be subject to amendment at any time prior to the final submission of said suit or suits. Such petition or petitions may, in addition to alleging specific claims, demand a general accounting of all funds and property expended or used by the United States for said Yakima Tribes of Indians or on their account, in which event upon receipt of said accounting plaintiff shall have the right to amend its said petition or petitions to set forth any and all legal and equitable claim or claims shown by said accounting report, and the said Court of Claims shall have jurisdiction to hear, adjudicate, determine, and render final judgment on any and all such claims shown by or arising out of said accounting report.

SEC. 3. Any payment which may have been made by the United States upon any claim so submitted shall not be pleaded as an estoppel but may be pleaded as an offset in such suit or suits, and the United States shall be allowed credit for all sums, including gratuities as provided by the Second Deficiency Appropriation Act of August 12, 1935 (49 Stat. 571, 596), heretofore paid or expended for the direct benefit of said Yakima Tribes of Indians.

SEC. 4. Official letters, papers, maps, documents, and other records, or certified copies thereof, may be used in evidence, and the departments and other offices of the Government shall give full and free access to the attorney or attorneys for the said Yakima Tribes to such letters, papers, maps, documents, or other records as may be required by said attorney or attorneys in the preparation for or trial of said suit or suits, and shall afford facilities for the examination of the same and the making of copies thereof.

SEC. 5. That from the decision of the Court of Claims in any suit or suits prosecuted under this act, an appeal may be taken by either party as in other cases to the Supreme Court of the United States.

SEC. 6. The Court of Claims shall have full authority by proper orders and process to bring in and make parties to such suit or suits any and all parties deemed by it necessary or proper to the final determination of the matters in controversy.

SEC. 7. A copy of said petition or petitions filed under the authority of this act shall be served upon the Attorney General of the United States, and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States.

SEC. 8. Upon the final determination of any suit or suits instituted under this act the Court of Claims shall decree such amount

or amounts as it may find reasonable to be paid the said attorney or attorneys so employed by said Yakima Indian Tribes for the services and expenses of said attorney or attorneys incurred prior or subsequent to the date of approval of this act: *Provided*, That in no case shall the aggregate amount or amounts decreed by said court for fees be in excess of a sum equal to 10 percent of the total amount of recovery. In case of a compromise or any other settlement, said fees and expenses of said attorney or attorneys shall be determined in accordance with the attorney's or attorneys' contract duly executed with said Yakima Tribes under existing law. That such sums so decreed, or otherwise determined, to be due said attorney or attorneys for said services and expenses shall be paid said attorney or attorneys out of the amount or amounts recovered for said Yakima Indians, upon the appropriation of same, either before or after deposit of same in the Treasury of the United States to the credit of said Yakima Tribes of Indians.

The amendment was agreed to.

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

PERPETUATION OF THE EASTERN WILD TURKEY

The bill (S. 2270) to authorize the Secretary of Agriculture to purchase refuge lands within the State of South Carolina for the perpetuation of the eastern wild turkey and to provide pureblood brood stock for restocking within its native range, and for other purposes, was announced as next in order.

Mr. KING. Let the bill go over.

Mr. SMITH. Mr. President, I hope the Senator from Utah will withdraw his objection. This is a bill of great importance in connection with the preservation of the wildlife of this country. The Biological Survey have gone over this particular case carefully, and they have discovered that it would lead to the preservation of the original wild turkey in certain sections of my State. They are asking for only $50,000, for a proper survey, looking to the purchase of the lands involved, and the timber that is on them will in a few years amortize any purchase which may be made. They have the cooperation of all those who are devoted to the preservation of wildlife in this country.

I cannot see how an objection can be made, in view of the fact that the wild carrier pigeon is extinct, the bison has been practically exterminated. The land proposed to be surveyed promises to be a place where this particular strain of wildlife can be preserved, and other sections can be restocked with the original variety. I hope the Senator will withdraw his objection.

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

Mr. SMITH. I yield.

Mr. KING. What will be the cost?

Mr. SMITH. I think the cost will be very nominal, because the bill provides that the Department shall survey the land, and then make a recommendation as to what the cost will be.

Mr. KING. How many acres are involved?

Mr. SMITH. About 30,000, but much of the land will be deeded to the Government by the persons who own it. All the particulars will be gone into when the Department has a chance to investigate. I myself am thoroughly familiar with the region. It is now gradually being encroached upon by the timber interests, and once the timber is thoroughly depleted the habitat of these birds will practically be destroyed.

I plead with the Senator to read the report of the committee as well as the report of the Biological Survey. It is a very important matter.

Mr. KING. Mr. President, it seems to me that it is very unwise to commit the Government to the purchase of 30,000 acres of land.

Mr. SMITH. It does not commit the Government to the purchase. It is for the survey to report to us at some time in the future what lands may be purchased.

Mr. KING. It seems to me that the lands are so well known that whatever information is desirable could be obtained very readily, so that there is no necessity for a survey.

Mr. SMITH. It is not to be restricted to this particular area. The purpose is to purchase, or lease, or otherwise obtain certain lands contiguous to the ones in question, the total area being 30,000 acres, which I do not believe would cost the Government anything comparable to the value of the preservation of these birds.

Mr. KING. Mr. President, we can pass the bill over for the moment. I want to offer an amendment to make it very clear that the Government is not to make any commitment to purchase, then we can take the bill up later, when we get through with the other measures on the calendar.

Mr. SMITH. I give notice that when the proper time comes I will call the bill up to be considered on its merits. It is unfortunate for it to go over on one objection. If it has to go over, I give notice that I will call it up, any objection to the contrary notwithstanding.

The PRESIDENT pro tempore. Objection being heard, the bill will be passed over.

Mr. SMITH subsequently said: Mr. President, I should like to have the Senate now consider Order of Business 432, which is Senate bill 2270. The Senator from Utah [Mr. KING] objected, but I think all objection has been removed to the bill.

The PRESIDING OFFICER (Mr. HILL in the chair). Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 2270) to authorize the Secretary of Agriculture to purchase refuge lands in the State of South Carolina for the perpetuation of the eastern wild turkey and to provide pureblood brood stock for restocking within its native range, and for other purposes, which had been reported from the Committee on Agriculture and Forestry with an amendment, in section 1, on page 2, line 9, after the word "therewith", to strike out "to" and insert "in", so as to make the bill read:

Be it enacted, etc., That the Secretary of Agriculture is authorized and directed to acquire by purchase, gift, or lease, or, subject to the provisions of sections 302, 303, and 304 of the act of June 15, 1935 (49 Stat. 381), by exchange, approximately 30,000 acres of privately owned or State- or county-owned land, including improvements thereon, rights-of-way, and easements connected therewith, in the State of South Carolina, or such part thereof as he may determine to be necessary and best suited as a national wildlife refuge primarily for the protection and perpetuation of the eastern wild turkey, and to construct, operate, and maintain thereon such structures and other improvements as he may deem necessary for the appropriate development of the area for such purposes: *Provided*, That public domain and Federal lands within or contiguous to the areas acquired hereunder and not otherwise specifically reserved are also hereby authorized to be administered as part of said refuge if found by the Secretary to be suitable for the purpose.

SEC. 2. That the lands acquired in accordance with the provisions of this act shall constitute the national wild-turkey refuge and shall be maintained as a refuge and breeding place for wild animals and birds under such rules and regulations as the Secretary of Agriculture may prescribe from time to time for the administration of wildlife refuges: *Provided*, That upon such terms and conditions as the Secretary shall determine to be for the best interests of the Government, including sale in the open market, and under such rules and regulations as he shall prescribe, he may permit such selective cutting and lumbering operations as are not inconsistent with the well-being and effective management of wild turkeys on said refuge: *Provided further*, That in cooperation with other Federal, State, or local agencies, or with associations, clubs, organizations, or individuals, he may distribute, sell in open market or otherwise, or exchange surplus wild turkeys from said refuge for stocking, restocking, or propagating purposes, and may accept funds and other aids and enter into agreements with landowners in the development of the program authorized by this act for the perpetuation and restoration of wild turkeys, including such original or cooperative research in the problems of wild-turkey management as may be necessary to efficient expansion and promotion of the program herein authorized: *And provided further*, That out of any money received by the Secretary of Agriculture from the grant, sale, or disposition of any timber, wild animals, wild birds, or other products or privileges in connection with the administration of this refuge, or as a bonus upon the exchange of such animals, birds, products, or privileges, the Secretary of Agriculture is authorized to pay any necessary expenses incurred in connection with and for the purpose of effecting the removal, grant, disposition, sale, or exchange, of such animals, birds, products, or privileges; and after such deductions from gross receipts, the Secretary of the Treasury shall distribute 25 percent of the net receipts of such refuge during each fiscal year to the county or counties in which the refuge is located, proportional to its area in each county, to be expended for such purposes as the county authorities or the State legislature by appropriate legislation may direct, and deposit the remaining 75 percent in the Treasury as miscellaneous receipts.

SEC. 3. That the acquisition of such land by the United States shall in no case be defeated because of rights-of-way, easements, and reservations, which from their nature will in the opinion of the Secretary of Agriculture in no manner interfere with the use of the lands so encumbered for the purposes of this act; but such

rights-of-way, easements, and reservations, retained by the grantor or lessor from whom the United States receives title under this act, shall be subject to rules and regulations prescribed by the Secretary of Agriculture for the occupation, use, operation, protection, and administration of such land as a refuge for wildlife; and it shall be expressed in the deed or lease that the use, occupation, and operation of such rights-of-way, easements, and reservations shall be subordinate to and subject to such rules and regulations as are set out in such deed or lease or, if deemed necessary by the Secretary of Agriculture, to such rules and regulations as may be prescribed by him from time to time.

SEC. 4. That the Secretary of Agriculture may do all things and make all expenditures necessary to secure the safe title in the United States to the land that may be acquired under this act, including purchase of options or leases when deemed necessary, and expenses incident to the location, examination, and survey of such areas, and the acquisition of title thereto, and, except in the case of a lease, no payment for such land shall be made by the United States until title thereto is satisfactory to the Attorney General.

SEC. 5. That the Secretary of Agriculture is authorized to make such expenditures for construction, equipment, maintenance, repairs, and improvements, including necessary investigations, and expenditures for personal services and office expenses at the seat of Government and elsewhere, and to employ such means as may be necessary to execute the functions imposed upon him by this act and as may be provided for by Congress from time to time.

SEC. 6. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $50,000 to provide for the location, selection, and inauguration of this project, including surveying, optioning, and supervision of the lands involved, and there is hereby authorized to be appropriated such further sums as the Secretary of Agriculture may estimate and the Congress shall appropriate from time to time for the acquisition, establishment, operation, and maintenance of said refuge and to effectuate the provisions of this act; and any money appropriated hereunder for land acquisition and expenses incident thereto, including the initial appropriation hereunder, shall remain available until expended.

The amendment was agreed to.

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

The preamble was agreed to.

BILLS PASSED OVER

The bill (S. 1650) to promote peace and the national defense through a more equal distribution of the burdens of war by drafting the use of money according to ability to lend to the Government, was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

DELEGATION OF AUTHORITY IN THE DEPARTMENT OF AGRICULTURE

The joint resolution (H. J. Res. 188) authorizing the delegation of certain authority within the Department of Agriculture was announced as next in order.

Mr. McKELLAR. I should like to have an explanation of the bill. Let it go over.

Mr. THOMAS of Oklahoma. Mr. President, I note that I submitted the report on this joint resolution. It consists of one section, and the one section is only about three or four lines long, so, if I may, I will read the measure. It provides:

That the Secretary of Agriculture may designate in writing the Director of Finance of the Department of Agriculture or, in his absence, the officer acting in his stead—

And this is the purpose of the measure—

to sign requisitions upon the Secretary of the Treasury for disbursing funds, and said requisitions shall be as valid as if they had been signed by the Secretary of Agriculture.

That is the whole purpose of the measure.

Mr. McKELLAR. I have no objection.

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

PAYMENT OF BONUS TO PROVISIONAL AND PROBATIONARY OFFICERS

The bill (S. 457) to amend the World War Adjusted Compensation Act was announced as next in order.

Mr. KING. Let the bill go over.

Mr. SHEPPARD. Mr. President, will not the Senator permit me to make a brief explanation?

Mr. KING. Certainly.

Mr. SHEPPARD. This bill is to amend the World War Compensation Act so as to give the bonus to World War provisional and probationary officers. Technically these former officers have been considered part of the Regular armed forces but they resigned at the end of the war. They enlisted for the purpose of serving during the war, and in effect they were temporary emergency officers. This bill is merely to give them what the other emergency officers received. The cost would amount to less than $2,000,000.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. PEPPER. Mr. President, did the Senator from Utah object to the bill to which the Senator from Texas just referred?

The PRESIDING OFFICER (Mr. MILLER in the chair). Objection was made.

Mr. PEPPER. I desire to join the Senator from Texas in giving notice that I shall make a motion to call the bill up at the first opportunity.

BILL PASSED OVER

The bill (S. 1852) to promote the free flow of domestically produced fishery products in commerce, and for other purposes, was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

PROMOTION OF BUSINESS AND ECONOMIC RESEARCH

The bill (S. 1740) to promote business and economic research in the United States by establishing and maintaining in connection with State university schools of business administration, research stations to cooperate with the Department of Commerce, was announced as next in order.

Mr. GERRY. Let the bill go over.

Mr. SHEPPARD. Mr. President, will the Senator allow me to give a brief outline of the purpose of the bill?

Mr. GERRY. Certainly.

Mr. SHEPPARD. Mr. President, this bill has not been heretofore explained. It is designed to encourage, develop, and conduct general and specific research dealing with the problems of our economic system and for the aid and assistance of small-business enterprises.

The Secretary of Commerce is authorized to establish business research stations at State and Territorial universities. Once established, such stations may be discontinued or transferred to another qualified institution after a hearing by the Secretary.

These stations are to be under the direction of the school of business administration, or, if no such school, the department of the university in which business subjects are taught, which will cooperate with the Department of Commerce in conducting research in business.

Little is being done along these cooperative lines for small business, and there is very great need for a law of this kind. The universities of the country have united in a study of the subject and have recommended action of the kind proposed.

Mr. VANDENBERG. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

MARKETING OF FARM COMMODITIES

The Senate proceeded to consider the bill (S. 2212) to provide for the development of marketing and marketing services for farm commodities, which had been reported from the Committee on Agriculture and Forestry with an amendment to strike out all after the enacting clause and to insert:

That for the purpose of organizing, fostering, promoting, and developing marketing and marketing services for farm commodities, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1940, and for each fiscal year thereafter, the sum of $5,000,000, of which amount not to exceed $150,000 shall be available to the Secretary of Agriculture for the administration of this act, including the employment of persons and means in the District of Columbia and elsewhere. The sums made available under this act shall be apportioned by the Secretary of Agriculture among the several States to the department of agriculture (or, if the State department of agriculture is not engaged in marketing activi-

ties, or there is no State department of agriculture, to such other State agency as is engaged in marketing activities) under such rules and regulations as the Secretary of Agriculture may prescribe, for the purpose of organizing, fostering, promoting, and developing marketing and marketing services for farm commodities in such State, with a particular view to providing a marketing system which will furnish a steady flow of standardized farm commodities to centers of distribution and will provide for farmers adequate and readily available marketing services for commodities produced by them.

SEC. 2. Funds shall be apportioned under this act by the Secretary of Agriculture in accordance with an agreement between the Secretary of Agriculture, or his authorized representative, and the department of agriculture or other State agency in each State engaged in activities of the kind authorized by this act. With respect to the funds allocated under this act, such agreement shall constitute a part of the rules and regulations of the Secretary of Agriculture and shall clearly set forth the procedure to be followed in the employment and dismissal of personnel by the State agency, the character of marketing services to be rendered, and the responsibility of each party to the agreement in order to develop marketing methods and marketing services in each State that will be of maximum benefit to producers and consumers of farm products. If more than one agency in a State is carrying on marketing and marketing services, the Secretary of Agriculture shall require that such agencies enter into a cooperative agreement to prevent duplication of work in connection with such activities.

SEC. 3. In allocating funds to the cooperating States under this act, the Secretary of Agriculture shall take into account the total population, the population on farms, the income from agricultural production, and the character of and need for the services to be rendered under this act: *Provided,* That not less than $20,000 shall be made available for each cooperating State. That in the discretion of the Secretary of Agriculture no additional allotment or expenditures therefrom shall be made under this act until a sum or sums at least equal to such additional allotments or expenditures shall have been appropriated, subscribed, or contributed by the State or agency or individual within the State.

SEC. 4. In the event there is no State department of agriculture, the funds that would be available for allotment to such State shall be available to the Secretary of Agriculture for allotment to another State or States for carrying out approved projects.

SEC. 5. That if any portion of the moneys received by the Department of Agriculture or other agency designated under this act shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by the State to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State.

SEC. 6. That the sums apportioned by the Secretary of Agriculture to the States under this act shall be paid in equal semiannual payments on the 1st day of January and July of each year by the Secretary of the Treasury of the United States to the treasurer or other officer of the State authorized by the laws of the State to receive the same, and such funds shall be made available promptly, upon requisition, to the head of the cooperating agency responsible for their expenditure. The head of the cooperating agency in the State shall be required to report to the Secretary of Agriculture, on or before the 1st day of September of each year, a detailed statement of the amounts so received during the previous fiscal year and of their disbursement on forms prescribed by the Secretary of Agriculture.

SEC. 7. Sums appropriated in pursuance of this act shall be in addition to, and not in substitution for, appropriations for marketing and marketing services in the United States Department of Agriculture.

Mr. KING. Mr. President, will not the Senator from North Carolina make an explanation, because so much authority has been given to the Department of Agriculture, and we have appropriated this year over $1,400,000,000 for agriculture?

Mr. BAILEY. Mr. President, what we have done in the measures to which the Senator refers has been to authorize the expenditure of vast sums of money. This bill does not carry an appropriation, but merely authorizes one with a view to aiding the several departments of agriculture in the respective States to bring about a system of marketing for the farmers in order to provide a regular flow of agricultural commodities. It is my judgment that if we could have such a system started, we would save a very great deal of money in the long run.

The main trouble in the country has been the distribution of goods. This bill has been pending for some time, it is supported by the Department, it is unanimously recommended by the committee. I hope there will be no objection. Anyone who wishes to object may object when the appropriation bill comes up next year. This is a mere authorization measure, not an appropriation bill.

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

Mr. BAILEY. I yield.

Mr. KING. Already there are more than 105,000 employees in the Department of Agriculture. The Department has large staffs in every county, and in most of the precincts. It would seem that with such an enormous army there would be an ample number of employees to make the investigation for which the bill calls.

Mr. BAILEY. I suggest to my very able friend, with whose views on economy I am in very hearty sympathy, as he knows, that those thousands of men are not devoted to the matter of developing the means of bringing local goods forward in the markets. They work on the top end, and it cannot be handled in that way. This measure has in view setting up marketing systems in the several States looking to the standardization of farm products, and providing for a steady flow of such commodities.

I think that if we should appropriate the money next year it would be saved a hundred times over, and it would be reflected in reduced appropriations by way of subsidies to the farmers. This bill is designed to provide markets, not to provide appropriations. I do not know anything in this country that is more needed than a system of marketing of farm products. I hope the Senator will let the bill pass.

The PRESIDING OFFICER. The question is on the amendment reported by the committee.

The amendment was agreed to.

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

RELATIONSHIP BETWEEN AMERICAN REPUBLICS

The bill (H. R. 5835) to authorize the President to render closer and more effective the relationship between the American republics, was announced as next in order.

Mr. PITTMAN. Mr. President, I believe that I should make a statement with regard to this bill. On the last call of the calendar the junior Senator from Georgia [Mr. RUSSELL] objected to the consideration of the measure. Since that time I have been informed by that Senator that he will no longer object.

The bill deals solely with the State Department. The State Department desires to establish a division of cultural relations. The measure does not deal with the Agricultural Department, or any other Department except the State Department. It is largely for the purpose of enabling the Department to superintend the exchange of professors and students from colleges in South America and the United States. It also provides for an advisory commission, but the members of the advisory commission will draw no salaries and no mileage except when actually meeting in the United States.

Mr. AUSTIN. Mr. President, I am requested by the Senator from Massachusetts [Mr. LODGE], who is necessarily absent from the Senate, to object to the consideration of the bill.

The PRESIDING OFFICER. On objection, the bill will be passed over.

PREVENTION OF MISREPRESENTATION OF SEEDS

The bill (H. R. 5625), an act to regulate interstate and foreign commerce in seeds, to require labeling and to prevent mispresentation of seeds in interstate commerce, to require certain standards with respect to certain imported seeds, and for other purposes, was announced as next in order.

Mr. GURNEY. Let the bill go over.

Mr. GILLETTE. Mr. President, will not the Senator from South Dakota withhold his objection so that I may make a statement in regard to the bill?

Mr. GURNEY. I withhold the objection.

Mr. GILLETTE. I hope the Senator will withhold his objection to the consideration of this bill. The bill is of most extreme importance to all the farming sections of the country. It represents 2 years of collaboration in the preparation of this legislation by all the major farm organizations, by the Bureau of Plant Industry, and by the representatives of the seed dealers of the United States. Changes which

have been made in the Soil Conservation Act will cause increased importation of seed for forage crops. The necessity for having seeds that will germinate, the necessity for having seeds that are not mixed with noxious weed seeds make it of paramount importance that the proposed legislation be passed at this session. I hope that the Senator will withhold his objection.

Mr. GURNEY. Mr. President, I have objection to the consideration of the bill at this time because I propose to offer certain amendments, which should be considered before the bill is passed. As I understand, the amendments cannot be offered at this time.

Mr. LA FOLLETTE. Mr. President, amendments to the bill can be offered at this time.

The PRESIDENT pro tempore. The Chair will state to the Senator from South Dakota that amendments to the bill can be offered at this time.

Mr. LA FOLLETTE. Mr. President, if the Senator from Iowa will yield to me, I join with the Senator from Iowa in urging the Senator from South Dakota to permit this bill to be considered and to let his amendments be considered at this time.

Mr. KING. Let the bill be read and let us see what it is about.

Mr. GILLETTE. Mr. President, in view of the fact that objection has been made, I wish to give notice that at the earliest possible moment I shall ask for consideration of the measure.

Mr. BARKLEY. Mr. President, the Senator from South Dakota has been informed that it is in order for him to present his amendments at this time if he wishes.

Mr. GURNEY. I shall be glad to do so in a few moments. I wish to make sure of the page and line at which the amendments should be placed.

Mr. GILLETTE. Mr. President, I understand that the Senator from South Dakota desires to offer amendments to the bill but has temporarily mislaid them.

May I ask that the measure be laid over temporarily until the Senator is ready to offer the amendments.

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

Mr. GILLETTE subsequently said: Mr. President, I ask unanimous consent that the vote by which the amendments to House bill 5625 were ordered to be engrossed and the bill to be read a third time, be reconsidered for the purpose of allowing the Senator from South Dakota to present certain amendments to the bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none and the votes are reconsidered. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 5625) to regulate interstate and foreign commerce in seeds; to require labeling and to prevent misrepresentation of seeds in interstate commerce; to require certain standards with respect to certain imported seeds; and for other purposes.

Mr. GURNEY. Mr. President, I offer an amendment to the bill on page 16, line 8, to strike out the words "or vegetable."

Mr. GILLETTE. Mr. President, I have no objection to that amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. GURNEY].

The amendment was agreed to.

Mr. GURNEY. I also offer an amendment on page 16, line 9, after the word "keep", to strike out "such records as may be prescribed by rules and regulations prescribed under section 402 of this act," and to insert the words "for a period of 3 years a complete record of origins, germination, and purity of each lot of agricultural seed offered."

Mr. GILLETTE. I have no objection to that amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. GURNEY].

The amendment was agreed to.

The PRESIDENT pro tempore. 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 was read the third time, and passed.

OKIE MAY FEGLEY—CONFERENCE REPORT

Mr. ELLENDER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 875) for the relief of Okie May Fegley, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment and agree to the sum of "$6,000" to be inserted in lieu of "$5,000" in line 7, page 1.

H. H. SCHWARTZ,
J. G. TOWNSEND, Jr.,
ALLEN J. ELLENDER,
Managers on the part of the Senate.

AMBROSE J. KENNEDY,
EUGENE J. KEOGH,
J. PARNELL THOMAS,
Managers on the part of the House.

The report was agreed to.

BILLS PASSED OVER

The bill (H. R. 6264) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, was announced as next in order.

Mr. KING. I ask that the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2110) to provide for purchase of fish (including shellfish) and products thereof by the Federal Surplus Commodities Corporation, was announced as next in order.

Mr. KING. I ask that the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

SAFETY OF NAVIGATION

The bill (S. 2259) to amend laws for preventing collisions of vessels to regulate equipment of certain motorboats on the navigable waters of the United States, and for other purposes, was announced as next in order.

Mr. VANDENBERG. I ask that the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. BAILEY subsequently said: Mr. President, did anyone object to Calendar No. 728, being Senate bill 2259?

Mr. VANDENBERG. I objected. There are some amendments to be tacked onto the bill which thus far I have not had opportunity to do.

Mr. BAILEY. I am sorry I did not hear what the Senator said. What was it?

Mr. VANDENBERG. I am opposed to the bill until amended, as requested by the authorities of the Great Lakes.

Mr. BAILEY. Will the Senator offer the amendments?

Mr. VANDENBERG. Not at the present time. I think the bill is safer where it is.

The PRESIDING OFFICER. Objection is heard.

REQUISITIONING OF VESSELS

The Senate proceeded to consider the bill (H. R. 4983) to amend sections 712, 802, and 902 of the Merchant Marine Act, 1936, as amended, relative to the requisitioning of vessels.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill?

Mr. BAILEY. This bill was prepared by the Maritime Commission. It provides a more constructive and more reasonable system for requisitioning vessels under the United States flag in an emergency or in time of war. As the Senate knows, the present statute permits the requisitioning of vessels, but does not provide for proper appraisal or for proper valuation, or for any payments before final adjudication. The bill provides that the authorities acquiring the vessel on behalf of the United States may find the value, whereupon they may pay three-quarters of the value to the

owner of the ship requisitioned, and the remainder of the sum in question may properly be adjudicated. It is to prevent the harshness of a sudden requisitioning of a vessel without compensation to the owner. It provides at any rate for 75-percent compensation to the extent of the valuation to be found by the Commission, and the valuation is not to be on any enhanced value due to the emergency, but on the value prior to the emergency. So there cannot be any loss, and, on the other hand, it is a merciful and just provision to provide for the owners of vessels. The bill is supported by the Commerce Committee, after careful consideration. I think it is a very good bill and a very timely one. I hope there will be no objection.

Mr. McKELLAR. I have no objection.

The PRESIDING OFFICER. The question is on the third reading of the bill.

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

JOINT RESOLUTION AND BILLS PASSED OVER

The joint resolution (S. J. Res. 145) proposing an amendment to the Constitution of the United States relating to old-age assistance was announced as next in order.

Mr. KING. I ask that the joint resolution be passed over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

The bill (S. 1296) to amend paragraphs (b), (c), and (d) of section 6 of the District of Columbia Traffic Act, 1925, as amended by the acts of July 3, 1926, and February 27, 1931, and for other purposes, was announced as next in order.

Mr. THOMAS of Oklahoma. I ask that the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

RANK AND TITLE OF LIEUTENANT GENERAL OF THE ARMY

The Senate proceeded to consider the bill (S. 2354) to provide for the rank and title of lieutenant general of the Regular Army for commanders of corps areas and foreign departments, which had been reported from the Committee on Military Affairs with amendments.

Mr. McKELLAR. I ask that the bill be passed over.

Mr. SHEPPARD. Mr. President, will the Senator withhold his objection for a moment?

Mr. McKELLAR. Yes.

Mr. SHEPPARD. Under the national-defense plan, the Regular Army is divided into four armies. The War Department feels that the commanding officer of each of these four armies, only while serving as such, should have the rank of lieutenant general. The rank is temporary and lasts only so long as the general commands the army. If he retires while lieutenant general, he will retire in his original rank of major general. The total cost involved is only about $2,000, and the War Department feels it is necessary that the bill be passed in keeping with its plan.

The PRESIDENT pro tempore. The Chair calls attention to the fact that House bill 7093, being Calendar No. 849, is an identical bill, and has already passed the House. Is there objection to the substitution of the House bill for the Senate bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 7093) to provide for the rank and title of lieutenant general of the Regular Army for commanders of corps areas and foreign departments, which was ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Without objection, Senate bill 2354 will be indefinitely postponed.

BILL PASSED OVER

The bill (S. 2264) for the relief of Frank P. Hoyt was announced as next in order.

Mr. KING. Mr. President, the bill has been vetoed by the President once. I think it should go over.

The PRESIDENT pro tempore. The bill will be passed over.

BANKS BUSINESS COLLEGE

The Senate proceeded to consider the bill (S. 1881) for the relief of Banks Business College, which had been reported from the Committee on Claims with an amendment.

Mr. GUFFEY. Mr. President, Senate bill 1881 is a bill for the relief of the Banks Business College. House bill 777 is an identical bill. I ask that the House bill be substituted for the Senate bill, and that the House bill be immediately considered.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 777) for the relief of Banks Business College, which had been reported from the Committee on Claims with an amendment to strike out all after the enacting clause and to insert:

That the Banks Business College, a corporation organized in 1885 and existing under the laws of the State of New Jersey, and having its principal place of business at Philadelphia, Pa., is hereby authorized to bring suit against the United States of America in the Court of Claims for the purpose of recovering any alleged damages suffered by the said Banks Business College which the Court of Claims may find to be attributable to the United States Government, by reason of the said Banks Business College being evicted on January 1, 1918, from the premises which it occupied.

SEC. 2. Jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, consider, and determine such action upon its merits, with the view of rendering judgment, if any, in favor of the claimant for any such alleged damages described in section 1.

SEC. 3. This act shall not be interpreted as raising any presumption or conclusion of fact or law but shall be held solely to provide for trial upon facts as may be alleged.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

JAMES E. BARRY

The Senate proceeded to consider the bill (S. 2496) for the relief of James E. Barry, which was read as follows:

Be it enacted, etc., That in the administration of the pension laws or any laws conferring rights, privileges, or benefits upon persons honorably discharged from the United States Army James E. Barry shall be held and considered to have been honorably discharged on October 16, 1919, as a private, Medical Department, United States Army: *Provided*, That no pension, pay, bounty, or other benefit, except the benefits of the World War Adjusted Compensation Act, as amended and supplemented, shall be held to accrue by reason of this act prior to its passage.

Mr. KING. Mr. President, I ask that the bill be passed over.

Mr. MINTON. Mr. President, will the Senator withhold his objection?

Mr. KING. Yes.

Mr. MINTON. This soldier, James E. Barry, went overseas in August 1917, as I recall, as a member of the Coast Artillery, and while over there, in the performance of some work on the construction of a barracks or something of the kind, received an injury to his eye and lost his eye. His superiors wanted to send him home then.

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

Mr. MINTON. I yield.

Mr. KING. There is a very strong opposition to the bill by the War Department, but it seems to be that that is one case where perhaps the Department should have strained a little in favor of the claim. I have no objection to the bill.

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

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

REIMBURSEMENT OF COTTON COOPERATIVE ASSOCIATIONS—BILL PASSED OVER

The bill (S. 2585) to reimburse the cotton cooperative associations for losses occasioned by the Federal Farm Board's stabilization operations, and for other purposes was announced as next in order.

Mr. KING and Mr. McKELLAR. Over.

Mr. THOMAS of Oklahoma. Mr. President, will the Senators withhold their objections so that I may make a brief statement?

Mr. McKELLAR. I have no objection to the Senator doing that, but if the matter is to be argued I wish to argue it also.

Mr. THOMAS of Oklahoma. Mr. President, I understand that the Senator from Mississippi [Mr. BILBO] has an amendment which he desires to submit to this bill. Would it be agreeable to have the amendment considered now and acted upon, and then later, at the convenience of the Senate, the bill could be called up for consideration?

Mr. McKELLAR. I have no objection to the Senator from Mississippi offering his amendment. I do not know what it is. But I do not want it considered until I know what it is.

Mr. BILBO. Does the Senator have objection to amending the bill at this time?

Mr. McKELLAR. I do not know. Will the Senator say what the amendment is?

Mr. BILBO. I send the amendment to the desk and ask that it be stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 5, line 16, after the semicolon, it is proposed to insert:

Staple Cotton Cooperative Association, Mississippi, $93,373.15.

Mr. McKELLAR. I have no objection to the adoption of that amendment.

Mr. BILBO. I understand the Senator from Oklahoma has no objection.

I ask that my other amendment be stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 6, line 10, it is proposed to strike out the figures "$1,512,068.07" and to insert in lieu thereof the figures "$1,605,441.22."

Mr. THOMAS of Oklahoma. Mr. President, just a brief word in explanation of this bill. Some years ago, when the cotton situation became acute, the Government initiated a loan program. The program was intended to help the price of cotton and to stabilize the price of cotton. A great number of State cooperatives went into this loan, and the headquarters were opened up at New Orleans, as I understand. At the time the loan was placed in operation cotton was selling for approximately 17½ cents per pound. The loan was 16 cents per pound. A great number of States, as I understand, went into this program. Later on the price of cotton fell, and when the cotton was finally disposed of it was sold at about 13½ cents a pound, which showed a loss to the cooperatives. A good many of these cooperatives had a reserve built up, so in the adjustment with the national headquarters of the cooperatives the State cooperatives lost all of their reserves and were forced to sign notes to make the record complete, to square up with the national association. This bill is only intended to adjust that business transaction. It is the opinion of those in the cotton-producing States, or very many of them at least, that it is only fair that the Government should adjust all losses between the State cooperatives and the national association.

In order that the record may be more complete I ask unanimous consent that a statement more in detail be placed in the RECORD at this point in connection with my remarks.

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

S. 2585—REIMBURSING THE COTTON COOPERATIVE ASSOCIATIONS FOR LOSSES OCCASIONED BY THE FEDERAL FARM BOARD'S STABILIZATION PROGRAM

The Federal Farm Board during the 1929–30 season made available to all farmers through the Cotton Cooperative Associations a loan of 16 cents per pound on cotton. The cooperatives were required to give their notes to the Board for the amounts advanced.

When the loan program was announced, the market level for spot cotton was about 17½ cents. When the loans were discontinued, prices had declined to around the 13½-cent level, or some $20 per bale. The value of the cotton in the loan at the then existing price was materially less than the loans authorized and made by the Federal Farm Board.

At the conclusion of the loan a settlement was agreed upon between the Farm Board and the cooperatives, providing for a stabilization corporation to take over the cotton at the loan price plus the carrying charges and the estimated overhead expenses. Following the agreement for settlement, the Attorney General ruled that since the Farm Board held the notes of the cooperatives for all advances made, it must require payment in full, otherwise a settlement could be made only upon the basis of insolvency.

The cooperatives had reserves accumulated over a period of years, of approximately $2,500,000, which, in the settlement made, were applied on the deficit. In addition, the cooperatives were required to give their notes to the Board for $1,700,000, making the total losses incurred $4,200,000, which is the amount provided for in this bill. Of the total amount involved, $2,749,700.18 is to offset obligations due to the Farm Credit Administration and $1,512,068.07 is authorized to be appropriated.

The Farm Board's 16-cent loan was just like the Commodity Credit Corporation's 8.30, 9, and 12-cent loans, except that the Farm Board used the cooperatives in making the loans. It was not the intention of the Farm Board to penalize the cooperatives in handling the loan, yet that is what resulted.

The purpose of this bill is to pay the actual losses experienced by the cooperatives, the difference between the carrying charges and operating cost and the amount paid in the settlement with the Federal Farm Board.

The action of your committee was based primarily on the information contained in reports submitted on the bill by the Farm Credit Administration, which are given in full in the committee's report.

In arriving at its decision to recommend the prompt passage of the bill as amended and reported to the Senate, your committee, among other things, considered five factors:

1. Was the 16-cent loan initiated by the Federal Farm Board and was it for stabilization of the price of cotton?

The Farm Credit Administration in its reports submitted on the bill states: "It therefore appears that the Board accepted the responsibility for initiating the 16-cent loan program and that one of the purposes of the program was stabilization of the price of cotton."

2. Did the cooperatives lose money, their own money, in the 16-cent loan operation?

The Farm Credit Administration states: "The settlement therefore rendered each association insolvent and still owing the Federal Farm Board large sums of money. Consequently it appears that the cooperative associations did sustain losses in connection with the operation."

3. Have the losses of the cooperative associations been properly verified?

The Farm Credit Administration states: "The associations have employed certified public accountants to review the record of each association for the purpose of estimating the carrying charges and operating expenses for which they believe they should be reimbursed. * * * Our check of the reports submitted by the accountants shows some errors in the development of averages, additions, and extensions. In the case of four associations these errors resulted in an underclaim of $14,651.76. With respect to six associations the errors caused an overclaim of $19,881.41. The result is a net overclaim against the United States in the amount of $5,229.65. * * * For such assistance as it may be to the committee we are enclosing a summary showing the result of our checks of the claim. The formulas used and the methods of computation seem to us to be fair."

4. Should the cooperative associations be reimbursed for their losses in carrying charges and overhead expenses incurred in the handling of the 16-cent loan?

The Farm Credit Administration states: "The record does not show that there is any legal responsibility on the part of the Government in regard to the claims in question. However, it is clear that the associations did sustain losses in connection with the 16-cent loan program and there is evidence to show that the Federal Farm Board would have considered a settlement which would have provided for some of the carrying charges and operating expenses had it been legally possible for the Board to do so."

5. Was a settlement agreed upon between the Federal Farm Board and the cooperative associations following the termination of the 16-cent loan?

James C. Stone, Chairman of the Federal Farm Board, succeeding Alexander Legge, its first chairman, testified at the McKellar hearing in Memphis, Tenn., in part as follows: "The original thing we did, which we agreed to do, which we thought was the fair thing to do, and which was agreed to by Mr. Legge and myself and Mr. Stanley Reed and the balance of the Board, was the agreement which the Attorney General turned down as not being legal. * * * I figure it was never fair to hold the members of the cooperatives responsible for an act which was done for the purpose of maintaining a price for all cotton."

Mr. McKELLAR. Mr. President, a word in reply.

Mr. C. O. Moulton, head of the A. C. C. A., or the organization preceding the A. C. C. A., at that time recommended to the Farm Board the purchase of cotton, or the fixing of the price of cotton at 16 cents a pound. The Farm Board acted on that recommendation; and if my recollection is correct—if I am mistaken about it the Senator from Oklahoma will correct me—the loss to the Government was only $79,000,000. That was all. Seventy-nine million dollars was lost to the Government by the recommendation from the

American Cotton Cooperative Association or its predecessors. Thereupon there was a compromise between the Government and the associations which are now asking for relief. The compromise was agreed to, and the Government took the loss which had been forced upon it by the various cotton associations. My recollection is—and I will ask the Senator if I am not correct—that all the corporations except one, the one with respect to which the Senator from Mississippi [Mr. BILBO] has just submitted an amendment, have gone into bankruptcy since that time.

Mr. THOMAS of Oklahoma. Mr. President, the policy of the Government forced them into bankruptcy.

Mr. McKELLAR. Their own speculations forced them into bankruptcy. This proposal calls for a renewal of the associations. Ever since they have been in existence, whenever they become hard up and want some more money, they come back with claims. This very claim has been before the Congress for a number of years. It was first introduced by my distinguished friend from South Dakota. Of course, South Dakota raises a lot of cotton, and in that way, I suppose, the claim came before the Congress at that time. The claim has been before the Congress for years. There is nothing in it. It is a species of racketeering on the part of the American Cooperative Association; and this bill should not be passed. I hope the Senate will not pass it. When it is taken up it will certainly be debated before it is passed. I object to it coming up today.

Mr. KING. I object, Mr. President.

Mr. THOMAS of Oklahoma. Mr. President, the bill seeks to adjust the difference between the Government and some 10 or 12 States. The bill has been pending before the Congress for some time. If it goes over at this time I serve notice that at the earliest opportunity I shall try to obtain consideration and final action on the bill.

The PRESIDENT pro tempore. The bill will be passed over.

ISSUANCE OF COMMEMORATIVE COINS

The bill (H. R. 2750) to prohibit the issuance and coinage of certain commemorative coins, and for other purposes, was announced as next in order.

Mr. PEPPER. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. MALONEY subsequently said: Mr. President, I am concerned with Calendar No. 803, House bill 2750, which was called while I was temporarily absent from the Chamber. May I ask what disposition was made of it?

The PRESIDENT pro tempore. The bill went over on objection.

Mr. MALONEY. I ask unanimous consent to recur to House bill 2750.

There being no objection, the Senate proceeded to consider the bill (H. R. 2750) to prohibit the issuance and coinage of certain commemorative coins, and for other purposes.

Mr. PEPPER. Mr. President, a bill introduced by the Senator from Connecticut [Mr. MALONEY] has already passed the Senate and is over in the House. This is not the same bill, is it?

Mr. MALONEY. No; this is an entirely different bill. May I explain it to the Senator?

Mr. PEPPER. Yes. I should like to hear the Senator's explanation.

Mr. MALONEY. The bill originated in the House of Representatives, on the recommendation of the Secretary of the Treasury and as a result of expressions of opinion on the part of the President and the Treasury Department. The bill provides that the long-time practice of putting out new issues of coins be discontinued. At present, as a result of laws passed a long time ago, we are continuing to issue coins, or reissue commemorative coins, from year to year, with new dates, and coined at different mints. Many of them are returned to the Treasury. A tremendous expense is involved. There have been abuses by people engaged in the sale of coins, and I am very hopeful, because of these abuses, that the Senator will withdraw his objection to the bill. I am not the author of it.

Mr. PEPPER. Mr. President, I should like to ask the Senator a question. If the bill should become law, would it hereafter prohibit the issuance of any commemorative coins whatever?

Mr. MALONEY. No; it has nothing whatever to do with that matter. The bill would merely discontinue the minting of new issues of coins heretofore minted and issued under acts of Congress passed sometime ago. The present condition actually acts to deter the aims of the Senator from Florida.

Mr. PEPPER. I withdraw my objection.

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

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

JOINT RESOLUTIONS PASSED OVER

The joint resolution (S. J. Res. 84) proposing an amendment to the Constitution of the United States for a referendum on war, was announced as next in order.

Mr. KING. Let the joint resolution go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

The joint resolution (S. J. Res. 140) proposing an amendment to the Constitution relating to the power of the Congress to declare war, was announced as next in order.

SEVERAL SENATORS. Let the joint resolution go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

AMENDMENT OF PATENT STATUTES

The bill (S. 2688) to amend section 4884 of the Revised Statutes (U. S. C., title 35, sec. 40) was announced as next in order.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill? If not, let it go over.

Mr. BONE. Mr. President, will the Senator withhold his objection for a moment?

Mr. McKELLAR. I will withhold my objection so that the Senator may make an explanation.

Mr. BONE. Senate bill 2688 is one of the bills recommended by the Commissioner of Patents to correct a condition which exists in the patent law of the country by which, unhappily, due to the mechanics of enforcement, patents are sometimes continued indefinitely, as long as a period of 44 years. The bill compels the applicant for a patent to expedite the obtaining of a patent after he announces his invention to the world. He would have 3 years to obtain his patent. The bill provides that the life of the patent may not extend beyond a 20-year period. It is one of the recommendations of the Commissioner of Patents. I believe five bills were introduced in the House, and are now on the calendar. I sincerely hope they will be passed.

Mr. McKELLAR. As I understand, the bill limits the life of a patent to 20 years.

Mr. BONE. From the time an applicant makes his application, the patent may not go beyond 20 years. Some patents have been dragged through the courts for as long as 44 years.

Mr. McKELLAR. I think the proposed legislation is very wise.

Mr. BONE. It seems so to us.

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

Mr. BONE. I yield.

Mr. KING. I will say to my friend from Tennessee [Mr. McKELLAR] that the question came up before the so-called monopoly committee, and we received a great amount of testimony from experts and lawyers who were familiar with patent practice. The Commissioner of Patents, Mr. Coe, a man of very great ability, was the principal witness; and he made a number of recommendations which our committee favored, if I may be permitted to state the action of the committee.

Mr. McKELLAR. Are his recommendations included in the bill?

Mr. KING. His recommendations were incorporated in a number of bills which were introduced by the Senator from Washington [Mr. BONE] and reported by his committee. As to most of the bills, I am in favor of them. With respect to one of them, I shall ask that it go over.

Mr. BONE. I call the attention of the Senator from Utah and the Senator from Tennessee to the fact that on page 13 of the calendar, Calendar Nos. 916 to 920, are five of the bills which went through the committee on which the Senator from Utah [Mr. KING] served, of which committee the Senator from Wyoming [Mr. O'MAHONEY] was chairman. The bills were introduced in the House and passed unanimously by the House. There was not a single murmur of disapproval. I sincerely hope those bills will pass.

Mr. KING. Let us take them up seriatim.

Mr. McKELLAR. I should like to ask the Senator from Washington [Mr. BONE] about the next bill on the calendar, Senate bill 2687, to establish a circuit court of appeals for patents.

Mr. BONE. There have been objections to that bill. It is a rather important bill. The Senator from Rhode Island [Mr. GERRY] objected to it the other day.

Mr. KING. Let the bill go over.

Mr. BONE. Referring to Senate bill 2687, of course I should like to have it passed, but inasmuch as several Senators would like to discuss it, it had probably better go over. However, I should like to see Senate bill 2688, Calendar 809, passed.

Mr. TAFT. Mr. President, I still object to Calendar No. 809, Senate bill 2688.

Mr. O'MAHONEY. Mr. President, may I ask the Senator from Ohio to state the grounds of his objection? I think if the matter were developed a little it would become perfectly clear, and perhaps there might not be any basis for objection.

Mr. TAFT. No; I think I understand the subject; and I object.

Mr. O'MAHONEY. I have no doubt the Senator understands the subject.

Mr. TAFT. The bill may be brought up later.

The PRESIDENT pro tempore. The bill will be passed over.

BILLS PASSED OVER

The bill (S. 2687) to establish a circuit court of appeals for patents was announced as next in order.

SEVERAL SENATORS. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 409) to protect American labor and stimulate the employment of American citizens on American jobs was announced as next in order.

SEVERAL SENATORS. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

AMENDMENT OF COPYRIGHT LAWS

The bill (S. 2689) to amend section 33 of the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909, and for other purposes, was announced as next in order.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill by the Senator from Washington [Mr. BONE]?

Mr. BONE. Mr. President, this bill was reported from the Committee on Patents by the Senator from Idaho [Mr. CLARK]. It was my recollection that this particular bill was passed the other day. I had the impression that it was passed on the call of the calendar. The Senator from Vermont [Mr. AUSTIN] had raised some question about the bill, and I believe its provisions were explained to his satisfaction.

There are now provisions in the law forbidding the importation into the country of pirated American works. The Treasury Department and the Post Office Department have found some difficulty in the enforcement of the law against the importation of pirated works. The bill would merely authorize the two Departments to set up recording systems by which they would be better able to give their employees, the collectors of customs, and the Post Office Department officials, an opportunity to know what the list of American authors is, and to exclude the pirated works.

Mr. McKELLAR. Are both Departments in favor of the bill?

Mr. BONE. Both Departments are in favor of the bill.

Mr. McKELLAR. I have no objection.

Mr. BONE. Their attorneys drew the bill, and I think there is no objection.

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

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 33 of the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909, is amended to read as follows:

"SEC. 33. That the Secretary of the Treasury and the Postmaster General are hereby empowered and required to make and enforce individually or jointly such rules and regulations as shall prevent the importation into the United States of articles prohibited importation by this act, and may require, as conditions precedent to exclusion of any work in which copyright is claimed, the copyright proprietor or any person claiming actual or potential injury by reason of actual or contemplated importations of copies of such work to file with the Post Office Department or the Treasury Department a certificate of the Register of Copyrights that the provisions of section 12 of this act, as amended, have been fully complied with, and to give notice of such compliance to postmasters or to customs officers at the ports of entry in the United States in such form and accompanied by such exhibits as may be deemed necessary for the practical and efficient administration and enforcement of the provisions of sections 30 and 31 of this act."

BILLS PASSED OVER

The bill (H. R. 5643) to invest the circuit courts of appeals of the United States with original and exclusive jurisdiction to review the order of detention of any alien ordered deported from the United States whose deportation or departure from the United States otherwise is not effectuated within 90 days after the date the warrant of deportation shall have become final; to authorize such detention orders in certain cases; to provide places for such detention; and for other purposes, was announced as next in order.

Mr. BURKE. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2573) to amend the Agricultural Adjustment Act of 1938, as amended; for the purpose of regulating interstate and foreign commerce in rice and providing for the orderly marketing of rice at fair prices in interstate and foreign commerce was announced as next in order.

Mr. BURKE. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

FLIGHT OFFICERS, AIR CORPS, REGULAR ARMY

The bill (S. 2225) to create a new group within the Air Corps, Regular Army, with the designations of junior flight officer, flight officer, and senior flight officer was announced as next in order.

Mr. KING. Let the bill go over.

Mr. SHEPPARD. Mr. President, will the Senator withhold his objection?

Mr. KING. Yes.

Mr. SHEPPARD. This bill involves no additional cost. It makes it possible for Reserve flight officers, who are now among the most experienced and capable flight officers we have, to continue in service under this special rank. They take the places of those who would come in to fill the required officer personnel without increasing the total established number. The Federal Government has spent millions of dollars in training these officers; and it is to the interest of the Government that they be retained.

Mr. KING. I withdraw my objection.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Military Affairs, with an amendment, to strike out all after the enacting clause and insert:

That a separate commission be authorized for the Regular Army Air Corps for the purpose of inducting on a commission status those Reserve officer pilots who are serving on extended active duty with the Army Air Corps or who are eligible for such duty with the Army Air Corps, warrant officer pilots and enlisted pilots on duty with the Regular Army Air Corps, who are not eligible for a commission as second lieutenant, Regular Army Air Corps, under existing regulations, who are graduates of the Army Air Corps Training Center, who have a minimum of 1,000 flying hours in military aircraft as pilot, such commission in the Regular Army Air Corps to be designated "flight officer," such commission to consist of three separate grades as follows: Junior flight officer, flight officer, and senior flight officer. The rank pay, and allowances of a junior flight officer shall be equal of a second lieutenant, Air Corps, United States Army; the rank, pay, and allowances of a flight officer shall be equal of a first lieutenant, Air Corps, United States Army; and the rank, pay, and allowances of a senior flight officer shall be equal of a captain, Air Corps, United States Army. Junior flight officers will be promoted automatically to flight officers within and not to exceed 3 years' satisfactory active service performed after graduation from the Air Corps Training Center; flight officers to be promoted automatically to senior flight officers within and not to exceed 10 years' satisfactory active service after graduation from the Air Corps Training Center. Those officers who are commissioned in, or to be commissioned into the Air Corps, United States Army, as flight officers of the three grades indicated, shall be given constructive service for all duties served by them as Reserve officers, warrant officers, flying cadets, and enlisted pilots, serving as such in the Air Corps after graduation from the Air Corps Training Center: *Provided*, That this constructive service will count to the credit of such Reserve officers, warrant officers, flying cadets, or enlisted pilots when so commissioned for pay purposes, longevity, retirement, and rank, except this commission will not affect the promotion list of the permanent establishment as it now exists, but will be a separate promotion list; the uniforms and insignia of the flight officer grades will be the same as that of the second lieutenant, first lieutenant, and captain, United States Army, Air Corps, or as the War Department may prescribe: *Provided further*, That the status of a flight officer shall be the same with respect to command, accountability, responsibility, and privileges in the same manner and to the same extent as that of officers of equal grade in the Regular Establishment: *Provided further*, That at the end of 17 years' service senior flight officers will receive the pay, privileges, allowances, and the emoluments equal to that of a major, Air Corps, United States Army, the grade, however, to be not increased. No further increase in pay scale shall be allowed this commission except longevity or except as Congress may provide. The commissioned personnel of the flight officers grade shall receive retirement and disability equal of the grade in which serving at time of disability or retirement, except when having served over 17 years' time, in which case retirement or disability will be on the basis equal of a major, Air Corps, United States Army. The pay, allowances, travel, disability, retirement, pensions, and so forth, of the flight officer grades so commissioned pursuant to this act, shall be made available from the appropriations made annually for the pay of the Regular Army personnel: *Provided further*, That the number of flight officer personnel shall not exceed 20 percent of the officer personnel of the United States Army, Air Corps, and that vacancies existing subsequent to the effective date of this act shall be filled from Air Corps Reserve officers on extended active duty, who are ineligible for the Regular Army commissions under existing requirements, as prescribed by the War Department.

The amendment was agreed to.

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

CLAIMS OF AMERICAN NATIONALS AGAINST SOVIET GOVERNMENT

The joint resolution (H. J. Res. 315) to provide for the adjudication by a commissioner of claims of American nationals against the Government of the Union of Soviet Socialist Republics was announced as next in order.

Mr. KING. Mr. President, may we have an explanation of the joint resolution?

Mr. HARRISON. Mr. President, this is a House joint resolution which passed the House on July 5. The joint resolution is approved by the President and by the State Department. A large number of claims have been filed in the State Department by American nationals against the Soviet Union. The majority of these claims are the result of action taken by the Soviet Government after the revolution of 1917, at which time that Government nationalized property and repudiated the bonds and other obligations of prior Russian Governments. The United States Government also has a large claim against the Soviet Government as a result of this action, the claim resulting from the failure of predecessor Governments to meet notes given in exchange for cash advances and supplies furnished by this Government on credit. No agreement has been made with the Soviet Government for the settlement of these claims. However, in November 1933 the Soviet Government assigned to this Government certain assets, some of which have been liquidated and deposited in the Treasury, preparatory to the settlement of all such claims and counter claims.

An effort has been made by the Department of State to have claimants submit their claims against the Soviet Government; but so far only a small number have been filed. It is desirable that these claims be filed and passed upon at the earliest possible date. It is anticipated that the amount of funds required for determining the value and validity of these claims would be small in comparison with the total amount of the claims, and that it would require about 2 years to perform the work of adjudicating them. The bill provides for the appointment of a commissioner who would have a very small staff to assist him. The joint resolution was reported from the Committee on Foreign Relations without opposition and without amendment.

Mr. KING. To whom are they to present their claims? Citizens of the United States have claims against the Soviet Government or its predecessors for a very large sum, running into the tens of millions of dollars. I understand that those claims, with proper authentication, have been presented to the State Department.

Mr. HARRISON. Yes.

Mr. KING. In the past the Soviet Government has not indicated a desire or willingness to pay the claims, notwithstanding the fact that there has been no attempt to deny their validity. I was wondering what benefit would be obtained. The bill would create jobs for a number of persons, some with salaries as high as $9,000 per annum. The State Department is now familiar with the claims, because they have been brought to the attention of the Department many times. If the plan were to have a committee selected by the Soviet Government and the United States for the purpose of ascertaining exactly the amount due, with a view to paying them, I think that would be a very proper thing; but it seems to me this is merely a work of supererogation. We know what the claims are. They have been presented to the State Department; and I do not see any advantage to be gained by having a further recapitulation.

Mr. HARRISON. The State Department thinks that the procedure recommended in the President's message should be followed. I do not know of any other way for American nationals to have an opportunity to present their claims against the Soviet Government. I cannot see any harm in the bill. It would afford the claimants a vehicle through which to present their claims.

Mr. KING. I think it is unnecessary. However, I shall not object. It is a waste of money.

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

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

BILL PASSED OVER

The bill (S. 2289) for the relief of the Leesburg Welding & Garage Co. was announced as next in order.

Mr. KING. Mr. President, I ask that the bill go over. I was promised some information in regard to it, which I have not as yet received.

The PRESIDENT pro tempore. The bill will be passed over.

GEORGE SLADE

The Senate proceeded to consider the bill (H. R. 2452) for the relief of George Slade, which had been reported from the Committee on Claims, with an amendment, on page 1, line 6, after the words "sum of", to strike out "$4,500", and insert "$500, and the additional sum of $50 per month in

an amount not to exceed $4,000", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to George Slade, of Norfolk, Va., out of any money in the Treasury not otherwise appropriated, the sum of $500, and the additional sum of $50 per month in an amount not to exceed $4,000, in full settlement of all claims against the United States on account of permanent injuries sustained by him in Norfolk County, Va., on October 31, 1924, as a result of being shot and crippled for life by J. G. Griffin, an officer of the United States engaged in the enforcement of prohibition: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PURCHASE AND DISTRIBUTION OF SURPLUS FISH PRODUCTS

The bill (H. R. 5681) to authorize the Federal Surplus Commodities Corporation to purchase and distribute surplus products of the fishing industry was announced as next in order.

Mr. KING. I ask that the bill go over.

Mr. DANAHER. Mr. President, in connection with the bill, which has already passed the House, I have an amendment which I should like to submit and explain. The purport and intendment of the bill are perfectly sound, but the bill does go too far.

Mr. LA FOLLETTE. Mr. President, the consideration of the bill has been objected to.

Mr. DANAHER. Mr. President, I should like very much to explain the amendment, if I may, and have it pending.

Mr. McKELLAR. I inquire what is the number of the bill?

The PRESIDENT pro tempore. The bill will be stated by title.

The CHIEF CLERK. A bill (H. R. 5681) to authorize the Federal Surplus Commodities Corporation to purchase and distribute surplus products of the fishing industry.

To which Mr. DANAHER offers the following amendment:

On page 1, line 3, to strike out "any part."

On page 1, line 7, after the word "amended", to insert "not to exceed $1,500,000."

On page 1, line 8, after the word "surplus", to insert the words "edible fresh, frozen, salted or dried but not canned."

On page 1, line 9, to strike out the words "shellfish" and insert in lieu thereof the words "mollusks and."

On page 1, line 9, to strike out the words "and similar forms of aquatic life and."

On page 1, line 10, to strike out the words "byproducts thereof";

On page 2, line 8, to insert section 2, subparagraph (a):

"SEC. 2. (a) From the fund authorized to be transferred by section 1 hereof the Secretary of Agriculture is authorized to transfer to the Secretary of Commerce sums as follows, to be maintained in a separate fund, $75,000, which shall be used by the Secretary of Commerce to promote the free flow of domestically produced fishery products in commerce by conducting a fishery educational service; and $100,000, which shall be used by the Secretary of Commerce to develop and increase markets for fishery products of domestic origin."

Mr. KING. From a reading of the bill it seems to me to be objectionable.

Mr. DANAHER. I should like to explain to the Senate the general purpose of the bill and the purpose of the amendment. Of course, I must have the consent of the Senate to proceed. I inquire if the Senator from Utah has the bill before him?

Mr. KING. I have.

Mr. DANAHER. Mr. President, may I point out——

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

Mr. DANAHER. I yield to the Senator from New York.

Mr. WAGNER. I want to inquire who is in charge of the bill? I hardly think it is proper to offer an amendment to the bill unless the Senator in charge of the bill is present.

Mr. DANAHER. I may say in answer to the Senator from New York that both Senators from Florida [Mr. ANDREWS and Mr. PEPPER] are in the Chamber. They are both vitally interested in the bill and have discussed the bill with me, it seems, hours on end.

Mr. WAGNER. I beg the Senator's pardon. I did not understand that.

Mr. DANAHER. Of course I think we all know what we are trying to do.

Mr. President, the reason why this bill is susceptible to amendment at this time is that I objected to it when it was previously called on the Calendar, but upon ascertaining what the intendment of the bill was, and after conference with the Chief of the Bureau of Fisheries of the Department of Commerce, as well as enlightening discussions with both Senators from Florida, I drew this proposed amendment. The idea back of it is that if this bill can be kept on the basis of aiding the consumers, it has immense merit and would have my wholehearted support. The moment this bill is allowed, however, to take another turn, and to reach into the field of assisting manufacturers and canners of fish and fish products, including that type of fish products which is not edible, then I think that this bill is susceptible to objection and should be rejected.

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

Mr. DANAHER. I yield to the Senator from Georgia.

Mr. RUSSELL. I have examined casually the amendment proposed by the Senator from Connecticut. If I understand the purport of the amendment, it will eliminate from the products that could be purchased such commodities as canned shrimp. Does the Senator from Connecticut intend to eliminate canned shrimp?

Mr. DANAHER. Very definitely. I submit to the Senator from Georgia that the amendment would include edible fish, frozen, salted or dried fish, and mollusks, which will include all kinds of oysters and clams; and crustacea, which will include shrimp, crawfish, and lobsters. There is no reason in the world why we should allow manufacturers to produce a manufactured surplus and then unload that surplus on the Surplus Commodities Corporation or anybody else at Government expense.

Mr. RUSSELL. The same argument might hold true against those who are engaged in the refrigeration of fish. Why should they be permitted to refrigerate large quantities of fish, and then have the Senator's amendment specifically empower the Federal Commodities Corporation to purchase such fresh fish but exclude canned fish? It is the practice to preserve fish for food by refrigeration and by canning, and the Senator's amendment would permit the purchase of refrigerated fish but would debar the purchase of the other kind of preserved fish, namely, canned fish.

Mr. DANAHER. Precisely; I realize that, and I know that somewhere we have got to draw the line. It is what we do every day. As Justice Holmes said, we draw the line between day and night, between youth and age. We have to draw the line somewhere, I will say to the Senator from Georgia.

When we undertake to include a manufacturer's surplus, then we might just as well reach out further and include the manufacturer of the tin cans who had expected to sell the tin cans but for whose product there was not a sufficient demand. We might just as well extend it to the miner who mines too much coal and therefore would like to unload his surplus on the Government. Not a bit of it. If we want to make this a consumer bill, I will say to the Senator from Georgia, if we want to help those who buy fish and hence enlarge the market for fresh, frozen, and salted fish, I am willing to go along; I want to see that type of bill succeed, but I am not willing to permit manufactured surpluses to be unloaded at the expense of the Government any more than I would be willing to see surpluses of any other kind of manufactured goods so unloaded.

Mr. KING. Mr. President, I object to the bill.

Mr. RUSSELL. Mr. President, I may say to the Senator from Connecticut that the Federal Surplus Commodities Corporation does buy manufactured products of several kinds. They have bought several thousand cases of canned beans,

beets, tomatoes, peas, and various other vegetables. I do not see why the Senator should seek by this amendment to discriminate.

Mr. KING. Objection has been made.

The PRESIDENT pro tempore. Objection has been made.

Mr. KING. I ask for the regular order.

Mr. HARRISON. Mr. President, will the Senator withhold his objection for a minute? I hope the Senator will not include canned shrimp in his amendment. If there is anything that gives employment to vast numbers of men in my part of the State it is the canned-shrimp industry, and the price of no other commodity has gone down more than that of shrimp. The amendment would affect the men who go out and catch shrimp and take the shrimp into the factories. Certainly I know nothing would be of greater help to that industry than this particular bill without the amendment. I hope the Senator will not include canned shrimp in his amendment.

Mr. DANAHER. Please let me point out to the Senator from Mississippi that this is not a relief bill; it is not a work bill; it is not intended to provide employment. This is a bill to take up surpluses. When the Senator from Georgia says that the Surplus Commodities Corporation purchases canned beans, remember that that is done under section 32 of the Agricultural Adjustment Act. Never mind whether or not what I think is a mistaken agricultural policy has forced the Government to buy canned agricultural products. That is not the point. This bill would put fish in that category. Certainly a person has a right to say whether he will or will not catch too many fish or too many shrimp, and if as a net result he catches a surplus and the manufacturer cans them and then cannot sell them, that is no justification whatever, I will say to the Senator from Mississippi, for unloading that type of surplus on the Government. It seems to me that the amendment as submitted would cure the situation; it would confine it to a consumer bill. I want to make it a consumer bill. If that be done, then we can go ahead and educate the people to buy and eat fish and crustacea, whether canned, frozen, or otherwise, and thus have an opportunity to enlarge the market. I should think the Senator from Mississippi would jump at the chance to support this amendment, and hence enlarge the market for shrimp.

Mr. KING. Mr. President, objection has been made to the consideration of the bill.

The PRESIDENT pro tempore. Objection has been made.

Mr. HARRISON. Mr. President, if the Senator from Connecticut could taste the canned shrimp made down in my State, he would be against the proposal he suggests.

Mr. DANAHER. Mr. President, I ask unanimous consent to have an order for the printing of my amendment. I should like to have the amendment printed, please.

Mr. KING. The amendment may be printed.

Mr. RUSSELL. If the Senator is to have his amendment printed, may I suggest that his amendment say "not exceeding $1,500,000"? In my opinion, there should be added "in any one fiscal year"; otherwise the Senator's amendment would cause the bill to operate only for 1 year.

Mr. DANAHER. It may well be, I will say to the Senator from Georgia, that that is as long as it should operate. I do not know. I was trying to do something to help those who want to sell fish, but in that connection let us have the amendment printed, please.

The PRESIDENT pro tempore. Without objection, the amendment will be printed and lie on the table.

Mr. KING. I ask for the regular order.

The PRESIDING OFFICER. The regular order is demanded. The clerk will state the next bill on the calendar.

ONE HUNDRED AND FIFTIETH ANNIVERSARY OF SETTLEMENT OF GALLIPOLIS, OHIO

The joint resolution (H. J. Res. 272) to provide for the observance and celebration of the one hundred and fiftieth anniversary of the settlement of the city of Gallipolis, Ohio, was announced as next in order.

Mr. KING. Mr. President, I do not find that joint resolution in my calendar. I ask that the clerk read it.

The PRESIDENT pro tempore. The joint resolution will be read.

The Chief Clerk read the joint resolution, as follows:

Whereas the settlement of the Northwest Territory, which commenced at Marietta, Ohio, in 1788, started the greatest movement of pioneer settlers in the history of the world; and

Whereas in 1790 the third settlement in that great program of development was made at Gallipolis, Ohio; and

Whereas the establishment of Gallipolis was made by the famous "French 500," who with their families came direct from their native France; and

Whereas by reason of the inestimable services rendered the American Colonies by the French Nation and thousands of their patriotic citizens led by General Lafayette there has been established an indissoluble bond of friendship between the French Nation and the United States; and

Whereas there is no more fitting time or place to again prove this friendship than at Gallipolis, Ohio, on the occasion of its celebration of its sesquicentennial in 1940; and

Whereas the citizens of Gallipolis, a small city of 7,000 population, have planned and will carry out at great personal sacrifice of time, energy, and wealth a season of pageantry, patriotic demonstrations, and cultural entertainments that will rank with the best that can be produced anywhere, regardless of expense: Therefore be it

Resolved, etc., That there is hereby established a commission to be known as the Gallipolis Sesquicentennial Commission and composed of seven members, as follows: The common pleas judge of Gallia County, the probate judge of Gallia County, the chairman of the board of county commissioners of Gallia County, the municipal judge of the city of Gallipolis, the city manager of the city of Gallipolis, the postmaster of the city of Gallipolis, and the president of the chamber of commerce.

SEC. 2. These commissioners shall serve without compensation and shall select a chairman from among their number. It shall be the duty of the commission to cooperate with all authorized agencies in charge of the sesquicentennial celebration to be held in the city of Gallipolis during the year 1940 and to expend any appropriation made herein for the promotion of said celebration and in commemoration of heroic deeds of the noble Frenchmen and their families who settled Gallipolis under such difficult circumstances, all the better to strengthen the bonds of friendship that have existed between the French Nation and the United States of America.

SEC. 3. There is authorized to be appropriated the sum of $10,000, or so much thereof as may be necessary, to carry out the purpose of this resolution.

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

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

The preamble was agreed to.

PRELIMINARY EXAMINATIONS AND SURVEYS FOR FLOOD CONTROL

The Senate proceeded to consider the bill (H. R. 6634) amending previous flood-control acts and authorizing certain preliminary examinations and surveys for flood control, and for other purposes, which had been reported from the Committee on Commerce with amendments.

Mr. KING. Mr. President, I should like an explanation of the bill.

Mr. CLARK of Missouri. Mr. President, this bill was unanimously passed, I believe, or passed by a practically unanimous vote, in the House of Representatives. It does not contain any new flood-control projects, but simply carries a number of authorizations for preliminary surveys and provides a few corrections in the language of previous flood-control bills; also an adjustment in the matter of the Muskingum Valley in Ohio, on the basis on which contributions of the United States should be figured in order to put the Muskingum Valley project on the same footing as other projects heretofore authorized by law.

The committee further reported an amendment having to do with a project in New Mexico proposed by the Senator from that State [Mr. HATCH]. I have here a committee amendment which I intend to offer, if consideration is allowed the bill, making it clear that there is no intention by this measure to interfere with the present functions of the Federal Power Commission. I believe, with that amendment, every objection which has ever been made to this bill would be met. I hope we will be permitted to have the bill considered.

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

Mr. CLARK of Missouri. I yield.

Mr. KING. I understood that a bill carrying a large appropriation for rivers and harbors would not be acted upon at this session of the Congress.

Mr. CLARK of Missouri. This bill has nothing whatever to do with that bill. It is entirely a separate measure. This bill does not contain an authorization for any new projects. It merely provides for preliminary surveys in connection with a number of projects and also provides for some clarification of the law to correct defects which have developed in practice since the enactment of the preceding law.

Mr. KING. Does the committee that has charge of the river and harbor bill approve of this bill?

Mr. CLARK of Missouri. The Commerce Committee have charge of both of them. That was considered by a different subcommittee.

Mr. BAILEY. Mr. President, this bill is approved but it is not an appropriation bill; it is a survey bill, providing for preliminary surveys.

Mr. KING. I have no objection.

Mr. CLARK of Missouri. Mr. President, may the amendments be stated?

The PRESIDENT pro tempore. The amendments reported by the Committee on Commerce will be stated.

The first amendment of the Committee on Commerce was, on page 3, line 13, after the name "District", to insert a colon and the following additional proviso: *"Provided further,* That the Secretary of War is authorized to pay to said district forthwith on the passage of this act, the sum of $1,500,000, on verification of the fact that reimbursable expenditures in such amount have been made by the district, and on the agreement of the district, duly certified to the Secretary of War, that it will proceed immediately to convey and transfer any assets acquired through such expenditures not already conveyed, but such payment may be made prior to the actual transfer of title to lands, easements, rights-of-way, and other property."

The amendment was agreed to.

The next amendment was, at the top of page 4, to insert a new section, as follows:

SEC. 5. Section 2 of Public Law No. 761, Seventy-fifth Congress, is hereby amended by adding the following: *"Provided further,* That in all cases of the acquisition hereunder by the United States from the Los Angeles County Flood Control District or the Muskingum Watershed Conservancy District of lands, easements, or rights-of-way, wherein the written opinion of the Attorney General in favor of the validity of the title to such lands, easements, or rights-of-way is or may be required or authorized by law, the Attorney General may, in his discretion, base such opinion upon a certificate of title of the district from which said lands, easements, or rights-of-way are to be acquired accompanied by an agreement, duly executed by the district in conformity with the constitutions and laws of the State where the district in question is situated, to indemnify the United States against all claims, liabilities, loss, expenses, and attorneys' fees of whatsoever kind or nature, resulting from or arising out of any defect or defects whatsoever in the title to any such lands, easements, or rights-of-way so conveyed to the United States, including all just compensation, costs, and expenses which may be incurred in any condemnation proceeding deemed necessary and instituted by the United States in order to perfect title to any such lands, easements, or rights-of-way."

The amendment was agreed to.

The next amendment was, on page 6, after line 13, to insert:

Mohawk River, N. Y.

The amendment was agreed to.

The next amendment was, at the top of page 7, to insert:

Purdy Reservoir on Rush Creek, Okla.

The amendment was agreed to.

The next amendment was, on page 7, after line 1, to insert:

Dirty Creek, Muskogee County, Okla.

The amendment was agreed to.

The next amendment was, on page 7, after line 2, to insert:

Mangum-Salt Fork, Greer County, Okla.

The amendment was agreed to.

The next amendment was, on page 7, after line 4, to insert:

Hobolochito River, Miss.

The amendment was agreed to.

The next amendment was, on page 7, after line 8, to insert:

Whiteoak and Straight Creeks, Ohio.

The amendment was agreed to.

The next amendment was, on page 7, after line 11, to insert:

Kentucky River and its tributaries, Kentucky.

The amendment was agreed to.

The next amendment was, on page 7, after line 21, to insert:

South Platte River and its tributaries, Colorado, Wyoming, and Nebraska.

The amendment was agreed to.

The next amendment was, on page 7, after line 23, to insert:

Neskowin Creek, Oreg.

The amendment was agreed to.

The next amendment was, at the top of page 8, to insert:

Skykomish River, Wash.

The amendment was agreed to.

The next amendment was, on page 8, after line 12, to insert:

SEC. 7. That the Alamogordo Dam and Reservoir on the Pecos River, N. Mex., is hereby authorized and declared to be for the purposes of controlling floods, regulating the flow of the Pecos River, providing for storage and for delivery of stored waters, for the reclamation of lands, and other beneficial uses, and said dam and reservoir shall be used, first, for irrigation; second, for flood control and river regulation; and, third, for other purposes. The Chief of Engineers and the Secretary of War are directed to report to the Congress the amount of the total cost of said Alamogordo Dam and Reservoir which is properly allocable to flood control. The appropriation and transfer of such amount from the general fund of the Treasury to the reclamation fund, for credit by reduction of the maximum obligation of the Carlsbad Irrigation District to repay the total cost thereof, is hereby authorized.

The amendment was agreed to.

Mr. CLARK of Missouri. Mr. President, I offer a further amendment on behalf of the Committee on Commerce.

The PRESIDENT pro tempore. The Clerk will state the amendment.

The CHIEF CLERK. It is proposed to amend section 6 of the bill, on page 5, line 18, after the word "Congress", to insert a colon and the following proviso:

Provided, That the power and authority conferred by the Flood Control Act of June 28, 1938, and previously conferred upon the Federal Power Commission shall remain in full force and effect.

The amendment was agreed to.

Mr. SHEPPARD. Mr. President, I offer an amendment.

The PRESIDENT pro tempore. The clerk will state the amendment.

The CHIEF CLERK. On page 2, after line 15, it is proposed to insert:

SEC. 3a. Buffalo Bayou and its tributaries, Texas; the project set forth in House Document No. 456, Seventy-fifth Congress, and authorized by Public Law No. 685, Seventy-fifth Congress, is hereby modified in accordance with the provisions of section 2 of Public Law No. 761, Seventy-fifth Congress, and all requirements of local cooperation inconsistent with said section 2 are hereby eliminated.

Mr. SHEPPARD. Mr. President, this amendment has the effect of bringing the project to which it refers under the Flood Control Act of 1938, where all other flood-control projects now are.

The amendment was agreed to.

Mr. WALSH. Mr. President, I move that, on page 6, after line 7, the words "Green River, Mass." be inserted. I believe this matter has been taken up with the committee.

Mr. CLARK of Missouri. Mr. President, the amendment has been submitted, and the committee has no objection.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. WALSH].

The amendment was agreed to.

Mr. MINTON. Mr. President, I submit an amendment, which I ask to have stated.

The PRESIDENT pro tempore. The clerk will state the amendment.

The CHIEF CLERK. It is proposed to insert at the end of the bill, on page 9, after line 3, after the committee amendment heretofore agreed to, the following:

SEC. 8. In the case of any local flood-protection work in the Ohio River Basin authorized to be prosecuted by the provisions of section 4 of the act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," approved June 28, 1938, the President is authorized to waive the requirements of section 3 of the Flood Control Act, approved June 22, 1936, with respect to local cooperation to the extent of not to exceed 50 percent of the estimated cost of the lands, easements, and rights-of-way required for such work, if he finds, after investigation, that the city or town to be benefited by such work is, by reason of its financial condition, unable to comply with the requirements of such section 3 with respect to local cooperation.

The amendment was agreed to.

Mr. THOMAS of Oklahoma. Mr. President, on page 7, after line 3, I move to amend by inserting the following:

Fairfax-Kaw City, Osage County, Okla.

The amendment was agreed to.

Mr. SCHWARTZ. Mr. President, I object to the consideration of the bill at this time.

Mr. CLARK of Missouri. Mr. President, this is a very important matter, and I give notice that at the earliest possible moment I will move that the Senate proceed to the consideration of the bill. I think it ought not to be disposed of on one objection.

Mr. CLARK of Missouri subsequently said: Mr. President, I ask unanimous consent that we return to the consideration of House bill 6634.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate resumed the consideration of the bill (H. R. 6634) amending previous flood-control acts and authorizing certain preliminary examinations and surveys for flood control, and for other purposes.

Mr. BONE. Mr. President, I should like to ask the Senator from Missouri a question. Does this bill make provision similar to those which have been heretofore made, which would take out of the hands of any department of the Government which might have to do with flood control any authority they have over power-development matters? If so I desire to object.

Mr. CLARK of Missouri. The only suggestion we have heard of that kind in connection with the bill was on the part of some employees of the Federal Power Commission who came to Congress undertaking to allege that there was something in the bill which would separate them from some of their authority. After consultation with the Senator from Kentucky I submitted an amendment, I suppose while the Senator from Washington was temporarily absent from the floor, which would protect the Federal Power Commission from any interference.

Mr. BONE. I remember a measure which came back from a conference containing a provision that would have made it impossible for anyone but the Army engineers to have anything to do with power development.

Mr. CLARK of Missouri. There was no such language in the pending bill originally, and in order to meet the fear of the Federal Power Commission, an amendment was inserted just a few moments ago which specifically protects them against any such thing.

Mr. BONE. I am really seeking information. I am glad to accept the Senator's statement.

The PRESIDENT pro tempore. 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 read a third time.

The bill was read the third time, and passed.

Mr. HARRISON subsequently said: Mr. President, a few minutes ago we reached House bill 6634 on the calendar, a bill which the Senator from Missouri [Mr. CLARK] had in charge, and the bill went over on objection made by the Senator from Wyoming [Mr. SCHWARTZ], but it was afterward passed. I had an amendment which was going to be accepted for a survey, and I merely ask, so that I may offer the amendment, that the vote by which the bill was ordered to a third reading and passed be reconsidered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the vote by which the bill was ordered to a third reading, and passed, is reconsidered.

Mr. HARRISON. Mr. President, I offer an amendment at the end of line 5, page 7, after the committee amendment heretofore agreed to, to read as follows:

Hatchie River and tributaries, Mississippi and Tennessee.

The amendment was agreed to.

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

The bill was read the third time, and passed.

Mr. BARKLEY subsequently said: Mr. President, I had to step over to the other end of the Capitol for a few minutes. May I inquire what happened to calendar No. 881, House bill 6634?

The PRESIDENT pro tempore. The bill was passed.

Mr. BARKLEY. Was an amendment offered by the Senator from Missouri [Mr. CLARK]?

The PRESIDENT pro tempore. An amendment was offered by the Senator.

Mr. BARKLEY. Was it agreed to?

The PRESIDENT pro tempore. Yes.

BILL PASSED OVER

The bill (S. 2626) to amend the act of June 30, 1936 (49 Stat. 2041), providing for the administration and maintenance of the Blue Ridge Parkway in the States of Virginia and North Carolina by the Secretary of the Interior, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Over.

The PRESIDENT pro tempore. The bill will be passed over.

USE OF NATIONAL PARKS FOR ELEMENTARY SCHOOL PURPOSES

The Senate proceeded to consider the bill (S. 29) to authorize the use of certain facilities of national parks and national monuments for elementary school purposes, which had been reported from the Committee on Public Lands and Surveys with amendments, on page 1, line 8, after the word "buildings", to strike out "and to permit the use, without charge, of Government-owned transportation facilities, when available", and to insert "when such space may be available for such purposes;" and on page 2, line 1, after the word "monuments", to strike out "for conveying such children to and from schools when not conveniently accessible by public transportation," so as to make the bill read:

Be it enacted, etc., That in order to facilitate the providing of educational opportunities for children of Government employees and other residents in the national parks and national monuments the Secretary of the Interior is hereby authorized in his discretion to make available for elementary school purposes therein, without charge, space in Government-owned buildings, when such space may be available for such purposes without detriment to the official business of such national parks and national monuments.

The amendments were agreed to.

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

ADMINISTRATION OF OATHS BY INTERIOR DEPARTMENT EMPLOYEES

The Senate proceeded to consider the bill (S. 2627) to empower and authorize special agents and such other employees of the Division of Investigations, Department of the Interior, as are designated by the Secretary of the Interior for that purpose, to administer oaths in the performance of their official duties, which was read as follows:

Be it enacted, etc., That special agents and such other employees of the Division of Investigations, Department of the Interior of the United States, as are designated by the Secretary of the Interior for that purpose, are authorized and empowered to administer to or take from any person an oath, affirmation, affidavit, or deposition whenever necessary in the performance of their official duties. Any such oath, affirmation, affidavit, or deposition administered or taken by or before a special agent or such other employee

of the Division of Investigations, Department of the Interior, designated by the Secretary of the Interior, when certified under his hand, shall have like force and effect as if administered or taken before an officer having a seal.

Mr. McKELLAR. Mr. President, may we have an explanation from the chairman of the committee?

Mr. ADAMS. Mr. President, Senate bill 2627 authorizes special agents and employees of the Division of Investigations of the Department of the Interior to administer oaths. It seems that this power is vested in the investigating authorities of practically all the other departments, and the Interior Department states that they are frequently handicapped by not having the authority in their agents. They are making investigations frequently in remote places, where notaries public and courts are not available. Of course, as Senators know, it does not constitute a foundation for perjury indictments, but it does aid in making a complete record of investigations.

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

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

DISPOSITION OF SURPLUS ANIMALS

The bill (S. 2625) to authorize the Secretary of the Interior to sell or otherwise dispose of surplus animals inhabiting the national parks and national monuments, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized, in his discretion, and under regulations to be prescribed by him, to sell, donate, or otherwise dispose of surplus elk, deer, bison, moose, bear, or the parts of any such animals, inhabiting any of the national parks or national monuments. Any other animals found dead within the aforesaid areas, or the parts of such animals, may be donated to scientific and educational institutions.

SEC. 2. All moneys received from the sale of any such surplus animals, or products thereof, shall be deposited in the Treasury of the United States as miscellaneous receipts.

SEC. 3. All laws or parts of laws inconsistent with this act are hereby repealed to the extent of such inconsistency.

RECREATIONAL FACILITIES IN CHOPAWAMSIC RECREATIONAL DEMONSTRATION PROJECT

The bill (S. 2493) to provide for the operation of the recreational facilities within the Chopawamsic recreational demonstration project, near Dumfries, Va., by the Secretary of the Interior through the National Park Service, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That hereafter the lands comprising the Chopawamsic recreational demonstration project transferred to the Secretary of the Interior by Executive Order No. 7496, dated November 14, 1936, shall be administered by the Secretary of the Interior through the National Park Service as part of the park system of the National Capital and its environs.

SEC. 2. The Director of the National Park Service, under the direction of the Secretary of the Interior, is authorized—

(a) To prescribe and collect fees and charges for such recreational and other facilities, conveniences, and services as may be furnished by the National Park Service for the accommodation of the public within the said area.

(b) To enter into a contract or contracts with any reliable person, organization, or corporation, without advertising and without securing competitive bids for the operation or performance of any such recreational or other facilities, conveniences, and services within the said area.

All revenues collected by the National Park Service, pursuant to the authority of this section, shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts.

SEC. 3. The Director of the National Park Service, under the direction of the Secretary of the Interior, is authorized to exercise and perform with respect to the said area all the powers and duties that are conferred and imposed upon him by law in relation to the construction, maintenance, care, custody, policing, upkeep, and repair of the public buildings and parks in the District of Columbia.

HUBERT RICHARDSON

The bill (S. 2299) for the relief of Hubert Richardson, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to issue patent on Western Navajo Indian Reservation Exchange selection 078942 filed on October 18, 1938, by Hubert Richardson in the district land office at Phoenix, Ariz., under the act of May 23, 1930 (46 Stat. 378), as amended by the act of February 21, 1931 (46 Stat. 1204), for lots 2, 3, and 4 of section 22, township 29 north, range 9 east, Gila and Salt River base and meridian, upon the submission of satisfactory proofs covering both the offered and the selected lands, as required by section 2 of the act of May 23, 1930, cited above, notwithstanding that the selected lands are within the boundaries of the Western Navajo Indian Reservation, and notwithstanding the provisions of the act of June 14, 1934 (48 Stat. 960). The patent hereby authorized to be issued shall be subject to the provisions and conditions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063), as amended.

ANTIETAM BATTLEFIELD

The Senate proceeded to consider the bill (S. 1780) to authorize the Secretary of the Interior to acquire property for the Antietam Battlefield site in the State of Maryland, and for other purposes, which was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized, in his discretion, to acquire in behalf of the United States, through donations or by purchase at prices deemed by him reasonable or by condemnation in accordance with the act of August 1, 1888 (25 Stat. 357), lands, buildings, structures, and other property, or interests therein, which he may determine to be of historical interest in connection with the Antietam Battlefield site, the title to such property or interests to be satisfactory to the Secretary of the Interior: *Provided*, That payment for such property or interests shall be made solely from donated funds. All such property and interests shall be a part of the Antietam Battlefield site and shall be subject to all laws and regulations applicable thereto.

Mr. KING. Mr. President, I should like to ask the Senator from Maryland whether the acquisition of this property is desirable and what it would cost.

Mr. RADCLIFFE. Mr. President, the property referred to would cost the Government nothing. The Federal Government at this time owns nearly all the land where the battle of Antietam was fought, but there are four or five remaining tracts which can be acquired by the Federal Government without cost to it, provided the Government becomes empowered to take title to them. These tracts will either be donated or they will be bought with donated funds. At any rate there will be no cost whatever to the Federal Government. The Secretary of the Interior is in favor of the bill and no objections have been raised to its passage.

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

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

THE BONNEVILLE PROJECT

The Senate proceeded to consider the bill (S. 2375) to amend the Bonneville Project Act, which had been reported from the Committee on Commerce with amendments.

Mr. KING. Mr. President, I shall object to the consideration of this bill unless the amendment, on line 10, page 1, shall be disagreed to.

Mr. SCHWELLENBACH. Mr. President, this bill was introduced by the senior Senator from Oregon [Mr. McNARY]. I have an amendment which I had intended to offer with reference to the engineering staff of the Bonneville project. So far as the question of the amount which might be received is concerned, I have no authority to speak for anyone.

Mr. KING. Unless the amendment to which I have referred shall go out, I shall object to the consideration of the bill at this time.

The PRESIDENT pro tempore. Is there objection to the bill being read for amendment?

Mr. KING. It seems to me that if it is to go over, there is no necessity of taking up time to read the amendments.

Mr. AUSTIN. Mr. President, will the Senator withhold his objection?

Mr. KING. Certainly.

Mr. AUSTIN. I have no particular interest in the bill, but on account of the necessary absence of the Senator from Oregon [Mr. McNARY], the distinguished leader of the minority, I feel like interposing in behalf of the bill. If there is no really valid objection to passing it, I hope the Senator will not insist upon his objection.

Mr. KING. I stated that I would object unless there was assent to the rejection of the amendment on line 10. They have increased the salaries of a large staff from $8,000 a year, which was ample, to $9,000. That amendment is not necessary. If the proponents of the bill will abide by the bill in its present form and agree that that amendment may be stricken out, I shall have no objection to consideration.

Mr. HOLMAN. Mr. President, the senior Senator from Oregon [Mr. McNARY] conferred with me before he left concerning this bill. I had hoped that it would pass as presented. It has the recommendation of the Bureau of the Budget and of Secretary Ickes. But knowing the views of the Senator from Utah in regard to the matter, I am willing to accept the figure $8,000 instead of $9,000, if by so doing the bill may be passed.

The PRESIDENT pro tempore. The bill will be read for amendment.

The first amendment of the Committee on Commerce was, on page 1, line 8, to insert "without regard to the civil-service laws."

The amendment was agreed to.

The next amendment of the committee was, on page 1, line 10, after the word "exceeding", to strike out "$8,000" and to insert "$9,000."

The amendment was rejected.

The next amendment of the committee was, on page 2, after line 4, to insert a new section, as follows:

SEC. 2. Section 2 (a) of said act is hereby further amended by adding at the end of said section the following:

"The office of the administrator of the Bonneville project is hereby constituted an office in the Department of the Interior and shall be under the jurisdiction and control of the Secretary of the Interior. All functions vested in the administrator of the Bonneville project under this act may be exercised by the Secretary of the Interior and, subject to his supervision and direction, by the administrator and other personnel of the project."

The amendment was agreed to.

Mr. SCHWELLENBACH. Mr. President, I desire to present an amendment to the bill, and I ask to have it stated.

The PRESIDENT pro tempore. The clerk will state the amendment.

The CHIEF CLERK. It is proposed to insert at the end of the bill a new section, as follows:

SEC. 3. Section 10 of such act is amended by adding at the end thereof the following:

"No engineering inspector, surveyor, field draftsman, field engineer, or other field engineering employee appointed under the provisions of this section shall, except in the case of an extraordinary emergency, be required or permitted to work more than 40 hours in any workweek."

The amendment was agreed to.

Mr. KING. Mr. President, has the Senator from Oregon considered the amendment which provides that the office of the administrator of the Bonneville project shall be constituted an office in the Department of the Interior? That being a project in Oregon, it seems to me the officer in charge should be there, and should be independent, so to speak, except under general law, of the Interior Department in Washington.

Mr. HOLMAN. Mr. President, the Secretary makes the argument that experience has demonstrated the necessity of a closer cooperation and understanding between the projects and the executive offices in Washington. My colleague the senior Senator from Oregon and I were following the Secretary's wishes in the matter.

Mr. KING. Of course, that is in harmony with the present tendency to concentrate all administrative authority in Washington. I should like to see a little decentralization, to have the engineers in charge function in the field rather than function in Washington.

Mr. HOLMAN. The Secretary makes the appointment. Would the Senator like to have me read his argument?

Mr. KING. No. I can imagine what the argument would be. I shall not object to consideration, but I deplore the tendency referred to.

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

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 2 (a) of chapter 720 of the acts of the Seventy-fifth Congress, first session (50 Stat. 731, 732), is hereby amended by inserting after the second sentence ending "in the vicinity of the Bonneville project," the following sentence: "The Secretary of the Interior shall also appoint, without regard to the civil-service laws, an Assistant Administrator, chief engineer, and general counsel and shall fix the compensation of each at not exceeding $8,000 per annum. The Assistant Administrator shall perform the duties and exercise the powers of the Administrator, in the event of the absence or sickness of the Administrator until such absence or sickness shall cease, and, in the event of a vacancy in the office of Administrator until a successor is appointed."

SEC. 2. Section 2 (a) of said act is hereby further amended by adding at the end of said section the following:

"The office of the Administrator of the Bonneville project is hereby constituted an office in the Department of the Interior and shall be under the jurisdiction and control of the Secretary of the Interior. All functions vested in the Administrator of the Bonneville project under this act may be exercised by the Secretary of the Interior and, subject to his supervision and direction, by the Administrator and other personnel of the project."

SEC. 3. Section 10 of such act is amended by adding at the end thereof the following:

"No engineering inspector, surveyor, field draftsman, field engineer, or other field engineering employee appointed under the provisions of this section shall, except in the case of an extraordinary emergency, be required or permitted to work more than 40 hours in any workweek."

PURCHASE OF COAL AND WOOD IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (H. R. 2751) to repeal sections 3711, 3712, and 3713 of the Revised Statutes which relate to the purchase in the District of Columbia of coal and wood for public use, and for other purposes, which had been reported from the Committee on Expenditures in the executive departments with an amendment, on page 1, line 9, to strike out "Public, No. 453, Seventy-fifth Congress," and insert "52 Stat. 139", so as to make the bill read:

Be it enacted, etc., That sections 3711, 3712, and 3713 of the Revised Statutes (U. S. C., title 40, sec. 109) are hereby repealed.

SEC. 2. Those parts of the acts making appropriations for the Treasury and Post Office Departments approved March 15, 1934 (48 Stat. 425), May 14, 1935 (49 Stat. 218), June 23, 1936 (49 Stat. 1827), May 14, 1937 (50 Stat. 137), and March 28, 1938 (52 Stat. 139), which provide "That the requirements of sections 3711 and 3713 of the Revised Statutes (U. S. C., title 40, sec. 109) relative to the weighing of coal and wood and the separate certificate as to the weight, measurement, or quantity of coal and wood purchased shall not apply to purchases by the Procurement Division at f. o. b. destination outside of the District of Columbia" (U. S. C., title 40, sec. 109a), are hereby repealed.

Mr. KING. I should like to have an explanation of the bill.

Mr. VAN NUYS. Mr. President, this is a House bill to repeal sections 3711, 3712, and 3713 of the Revised Statutes which relate to the purchase of wood, coal, and other supplies for public use in the District of Columbia. The sections of the Revised Statutes referred to require a multitude of inspection of coal being purchased; so the Procurement Division was created under the act of 1918 by Executive order, which has been in effect since June 10, 1933.

They purchase coal on the net basis of 2,000 pounds. These old statutes provide the basis of 2,240 pounds. The bill seeks to amend that procedure. The old statutes have not been followed, as a matter of fact, for several years. They are obsolete and should be repealed.

Mr. WALSH. Mr. President, all the departments of the Government favor the passage of the bill. Many of them, including the Navy Department, have been put to a great deal of trouble by reason of the continuance in effect of the old statute providing that a ton of coal shall consist of 2,240 pounds, when it is bought in every other section of the country on the basis of 2,000 pounds to the ton. There is a provision that there shall be a payment of 20 cents a ton for inspection and measurement of the coal.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

HENRY T. RAINEY DAM, ALTON, ILL.

The bill (S. 2578) to designate the lock and dam at Alton, Ill., as the Henry T. Rainey Dam, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in honor of the late Henry T. Rainey, former Speaker of the House of Representatives, the navigation lock and dam at Alton, Ill., otherwise identified as Mississippi River Lock and Dam No. 26, shall hereafter be known as the Henry T. Rainey Dam.

SAFEGUARDS ON STEAMSHIPS

The bill (S. 2755) to amend section 4488 of the Revised Statutes of the United States, as amended (U. S. C., 1934 ed., title 46, sec. 481), was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the first two sentences appearing in paragraph 1 of section 4488 of the Revised Statutes of the United States, as amended (U. S. C., 1934 ed., title 46, sec. 481), is hereby amended to read as follows:

"SEC. 4488. Every steamer navigating the ocean, or any lake, bay, or sound of the United States, shall be provided with such numbers of lifeboats, floats, rafts, life preservers, line-carrying projectiles, and the means of propelling them, and drags, as will best secure the safety of all persons on board such vessel in case of disaster; and every seagoing vessel carrying passengers, and every such vessel navigating any of the northern or northwestern lakes, shall have the lifeboats required by law, provided with suitable boat-disengaging apparatus, so arranged as to allow such boats to be safely launched. And the board of supervising inspectors shall fix and determine, by their rules and regulations, the character and arrangements of boat-disengaging apparatus and the character of lifeboats, floats, rafts, life preservers, line-carrying projectiles, and the means of propelling them, and drags that shall be used on such vessels, and also the character and capacity of pumps or other appliances for freeing the steamer from water in case of heavy leakage, the capacity of such pumps or appliances being suited to the navigation in which the steamer is employed."

FIRE PROTECTION ON STEAMSHIPS

The bill (S. 2754) to amend section 4471 of the Revised Statutes of the United States, as amended (U. S. C., 1934 ed., title 46, sec. 464), was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 4471 of the Revised Statutes of the United States, as amended (U. S. C., 1934 edition, title 46, sec. 464), is hereby amended to read as follows:

"SEC. 4471. Every steamer permitted by her certificate of inspection to carry as many as 50 passengers or upward, and every steamer carrying passengers, which also carries cotton, hay, or hemp, shall be provided with a good double-acting steam fire pump or other equivalent apparatus for throwing water. Such pump or other apparatus for throwing water shall be kept at all times and at all seasons of the year in good order and ready for immediate use, having at least two pipes of suitable dimensions, one on each side of the vessel, to convey the water to the upper decks, to which pipes there shall be attached, by means of stopcocks or valves, both between decks and on the upper deck, good and suitable hose of sufficient strength to stand a pressure of not less than 100 pounds to the square inch, long enough to reach to all parts of the vessel and properly provided with nozzles, and kept in good order and ready for immediate service. Each fire pump thus prescribed shall be supplied with water by means of a suitable pipe connected therewith, and passing through the side of the vessel so low as to be at all times under water when she is afloat. Every steamer shall also be provided with a pump which shall be of sufficient strength and suitably arranged to test the boilers thereof.

"On and after October 1, 1937, every passenger vessel with berthed or stateroom accommodation for 50 or more passengers shall be equipped with an automatic sprinkler system, which shall be in addition to any other device or devices for fire protection, of a type prescribed by the board of supervising inspectors and approved by the Secretary of Commerce. All enclosed portions of such vessels accessible to passengers or crew (except cargo holds, machinery spaces, and, when of fire-resisting construction, toilets, bathrooms, and spaces of similar construction) shall be protected by an automatic sprinkler system: *Provided*, That if after investigation the Bureau of Marine Inspection and Navigation finds in the case of a particular vessel the application of this paragraph is unnecessary properly to protect life on such vessel, an exception may be made. The Bureau of Marine Inspection and Navigation shall cause to be made suitable tests and inspections as will insure the proper working of such systems. In carrying out the provisions of this paragraph the Bureau of Marine Inspection and Navigation is hereby authorized and directed to prescribe the particular approved type, character, and manner of installation of systems to be fitted. The term 'type' as used in this paragraph shall be considered to mean any system which will give a prescribed or required efficiency and shall not mean some peculiar shape or design and shall not be confined to some certain brand or make."

COMMISSIONED PERSONNEL OF THE COAST GUARD

The bill (H. R. 5611) to amend section 9 of the act of July 2, 1926 (44 Stat. 817), entitled "An act to readjust the commissioned personnel of the Coast Guard, and for other purposes," was considered, ordered to a third reading, read the third time, and passed.

RETIREMENT OF OFFICERS OR EMPLOYEES OF THE LIGHTHOUSE SERVICE

The Senate proceeded to consider the bill (H. R. 6747) relating to the retirement of employees to whom the provisions of section 6 of the act approved June 20, 1918 (40 Stat. 608; U. S. C., 1934 ed., title 33, sec. 763), as amended, apply, which had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and to insert:

That any officer or employee of the Lighthouse Service who, on June 30, 1939, meets the requirements (except those relating to age and period of service) of section 6 of the act approved June 20, 1918 (40 Stat. 608; U. S. C., title 33, sec. 763), as amended or supplemented, and who shall (1) reach the age of 64 years prior to July 1, 1940, or (2) be the occupant of an office or position abolished prior to July 1, 1940, may in the discretion of the head of his executive department be retired with annual compensation as provided in said section 6: *Provided, however*, That no such officer or employee shall be retired hereunder unless he shall have been in the service of the Government not less than 30 years at the time of retirement. Any officer or employee to whom this act applies who is not retired hereunder prior to reaching the age of 65 years shall, upon reaching such age, become eligible for retirement in accordance with the provisions of said section 6 of the act of June 20, 1918, and may not be retired under the provisions of this act. Nothing contained in this act shall be construed to affect the application of said section 6 to any officer or employee of the Lighthouse Service to whom this act does not apply.

The amendment was agreed to.

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

SGT. SAMUEL WOODFILL, UNITED STATES ARMY

The bill (S. 2608) authorizing the President of the United States to appoint Sgt. Samuel Woodfill a captain in the United States Army and then place him on the retired list, was considered, ordered to be engrossed for a third reading, read the third, and passed, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint Sgt. Samuel Woodfill, late of Headquarters Company, Eleventh Regiment United States Infantry, an officer with the rank of captain in the United States Army and then to place him on the retired list in that grade.

BILL AND JOINT RESOLUTION PASSED OVER

The bill (H. R. 6039) to amend laws for preventing collisions of vessels; to regulate equipment of certain motorboats on navigable waters of the United States, and for other purposes, was announced as next in order.

Mr. VANDENBERG. I ask that the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

The joint resolution (S. J. Res. 101) defining and classifying gratuity expenditures allowable as offsets in favor of the United States and against the Five Civilized Nations or Tribes of Indians, was announced as next in order.

Mr. KING. I ask that the joint resolution be passed over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

JOINT RESOLUTION RECOMMITTED

The joint resolution (S. J. Res. 128) to amend section 5 of Public Law No. 360, Sixty-sixth Congress, was announced as next in order.

Mr. THOMAS of Oklahoma. Mr. President, this joint resolution came from the Committee on Indian Affairs and the report was submitted by me. I now ask unanimous

consent that the joint resolution be recommitted to that committee.

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

JUDGMENT FUND OF KLAMATH AND MODOC TRIBES AND YAHOOSKIN BAND OF SNAKE INDIANS

The Senate proceeded to consider the bill (S. 1968) to provide for the distribution of the judgment fund of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, which had been reported from the Committee on Indian Affairs with amendments, on page 3, line 8, after the word "authorized", to insert a colon and the following proviso: "*Provided, however,* That of the aforesaid $2,000 to be prorated to each person, $100 shall be paid to each member of said tribes as per capita payment, free from the aforesaid restrictions, under rules and regulations prescribed by the Secretary of the Interior"; on page 4, line 8, after the word "sum", to insert a comma and "from any unobligated funds, principal or interest, on deposit to the credit of the Klamath Tribe, except the capital reserve fund set forth in subsection (c) hereof"; in line 16, after the period, to strike out "The said capital reserve fund shall not be appropriated by Congress without the approval of the general council of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians of the Klamath Reservation, Oreg., both as to the purpose and amount of the expenditure"; on page 5, line 11, after the word "fund", to insert "or interest thereon"; in line 12, after the word "administration", to strike out "over the Klamath Reservation"; and after line 13, to strike out:

SEC. 4. That the act of June 25, 1938 (52 Stat. 1207), be, and it is hereby, amended as of July 1, 1938, so as to provide that the official delegates of the tribe engaged in the business of the tribe shall receive the usual railroad and sleeping-car transportation to and from the seat of government, or, in lieu thereof, if travel be by automobile, an amount equal to the cost of the usual railroad and sleeping-car transportation.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed, from the judgment fund of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians created as the result of the passage of the act of June 25, 1938, and accrued interest thereon, to credit the sum of $2,000 upon the books of the Office of Indian Affairs, to each person determined by the Secretary of the Interior to be entitled to enrollment upon the annuity roll of said tribes of the Klamath Reservation, Oreg., living upon the date of the enactment of this act. The share of each adult member and not to exceed $1,500 of the share of any minor shall be available for expenditure, under such rules and regulations as the Secretary of the Interior may prescribe for the following purposes:

Purchase of land; improvement of lands acquired or already held by the Indian; erection and improvement of suitable homes; repayment of any loans received from the United States or from the Klamath tribal funds; purchase of building material, farming equipment, livestock, feed, food, seed, grain, tools, machinery, implements, household goods, bedding, clothing, and any other equipment or supplies necessary to enable the Indians to fit themselves for or to engage in farming, livestock, industry, or such other pursuits or vocations, including education, as will enable them to become self-supporting; and health purposes: *Provided, however,* That the funds of the aged, infirm, decrepit, and incapacitated members, and of minors, may be used for their proper maintenance and support. The remainder of the share of each minor Indian shall be held intact until such Indian reaches his majority, when it, together with interest at the rate of 4 percent per annum, shall be available for expenditure for the purposes specified herein. As herein used, the term "minor" shall include all members of the tribe less than 21 years of age, except that minors 18 years of age or over and who are married or have families of their own to support, shall be regarded as adults. On the death of any enrolled member, adult, or minor, the sum on deposit to his credit shall be distributed as personal property, and shall be available for expenditure by the distributees only for the purposes herein authorized: *Provided, however,* That of the aforesaid $2,000 to be prorated to each person, $100 shall be paid to each member of said tribes as a per capita payment, free from the aforesaid restrictions, under rules and regulations prescribed by the Secretary of the Interior.

SEC. 2. That after the segregation provided for in section 1 hereof shall have been made, the remainder of such judgment fund, including interest, shall be available for expenditure subject to the following limitations and conditions:

(a) Three hundred thousand dollars shall be transferred to and added to the loan fund authorized by the act of August 28, 1937 (50 Stat. 872). After the fiscal year 1939 no further sums shall be transferred to and added to the loan fund authorized by said act from the unobligated tribal funds on deposit in the Treasury of the United States, and said act is hereby amended accordingly.

(b) Three hundred and seventy-five thousand dollars for immediate payment in a lump sum of $1,500 to each adult unallotted Indian found to be entitled to payment in lieu of allotment, as authorized in the act of June 1, 1938 (52 Stat. 605): *Provided,* That the amount due any minor under the provisions of said act shall be withheld until he becomes an adult, as herein defined, when it shall be paid to him in a lump sum, from any unobligated funds, principal, or interest, on deposit to the credit of the Klamath Tribe, except the capital reserve fund set forth in subsection (c) hereof, and section 2 of said act of June 1, 1938, is hereby amended accordingly.

(c) Such moneys as shall remain in the principal fund shall be transferred to and become a part of the capital reserve fund created by section 1 of the act of August 28, 1937 (50 Stat. 872). No part of said capital reserve fund shall be expendable by the Secretary of the Interior without specific authorization by Congress. Said capital reserve shall constitute a trust fund, and the whole of said fund shall bear interest at 4 percent per annum. The interest upon such fund shall be available for expenditure only at the request of or with the consent of the tribes and the Secretary of the Interior, for tribal use and benefit including the purchase of land, and said act of August 28, 1937, is hereby amended accordingly.

SEC. 3. That in no event shall any portion of the said judgment fund become liable, payable, or subject to any debt or debts contracted prior to the passage of this act by any Indian of the Klamath Tribe except debts to the United States or to the tribe, and in no event shall any portion of the Klamath judgment fund or interest thereon be expended to defray the cost of Federal administration.

The amendments were agreed to.

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

BILLS PASSED OVER

The bill (S. 1802) authorizing construction of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States, was announced as next in order.

Mr. VANDENBERG. I ask that the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 6037) to amend section 194 of an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stat. L. 1088), was announced as next in order.

Mr. MINTON. I ask that the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

CHARLES H. PARR

The bill (S. 2798) for the relief of Charles H. Parr was considered, ordered to be engrossed for a third reading, read the third time and passed, as follows:

Be it enacted, etc., That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider, when filed, the claim of Charles H. Parr for disability alleged to have been incurred by him on or about September 14, 1933, when engaged in authorized activities while an enrollee of the Civilian Conservation Corps at North Vernon, Ind., and to determine said claim upon its merits under the provisions of said act: *Provided,* That said claim shall be filed with the United States Employees' Compensation Commission not later than 60 days after the approval of this act.

IMOGENE ENLEY

The bill (H. R. 543) for the relief of Imogene Enley was considered, ordered to a third reading, read the third time, and passed.

WILLIAM H. KEESEY

The bill (H. R. 1436) for the relief of William H. Keesey was considered, ordered to a third reading, read the third time, and passed.

WOMEN'S BOARD OF DOMESTIC MISSIONS

The Senate proceeded to consider the bill (H. R. 1875) for the relief of the Women's Board of Domestic Missions, which

had been reported from the Committee on Claims with an amendment on page 1, line 7, to strike out "$2,500" and to insert "$1,500", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Women's Board of Domestic Missions, Reformed Church in America, the sum of $1,500, in full settlement of all claims against the United States on account of destruction by fire of a building belonging to the Women's Board of Domestic Missions while being used without compensation by the United States Government for Indian-school purposes: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

MARJORIE BUCHEK

The Senate proceeded to consider the bill (S. 2560) for the relief of Marjorie Buchek, which had been reported from the Committee on Claims with amendments, on page 1, line 6, after the words "sum of" to strike out "$500" and to insert "$250", and at the end of the bill to insert a proviso, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Marjorie Buchek the sum of $250, in full settlement for injuries suffered by her in an automobile accident on June 16, 1937, the responsibility for which has been placed on the driver of a Government truck: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

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

G. E. WILLIAMS

The bill (H. R. 2514) for the relief of G. E. Williams, was considered, ordered to a third reading, read the third time, and passed.

CORABELL WUENSCH AND OTHERS

The bill (H. R. 4264) for the relief of Corabell Wuensch, Jackie Lee Wuensch, and Mary Rainbolt, was considered, ordered to a third reading, read the third time, and passed.

CHARLES ENSLOW

The bill (H. R. 4609) for the relief of Charles Enslow was considered, ordered to a third reading, read the third time, and passed.

WILLIAM L. RULL

The bill (H. R. 4725) for the relief of William L. Rull was announced as next in order.

Mr. KING. Mr. President, may we have an explanation of that bill? If we cannot have an explanation at this time, let the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

FUNERAL COSTS AND TRANSPORTATION OF BODIES OF DECEASED VETERANS

The Senate proceeded to consider the bill (S. 2756) relating to the funeral costs and transportation of bodies of certain deceased veterans, which had been reported from the Committee on Military Affairs with amendments, on page 2, line 6, after the word "travel", to insert "within the continental limits of the United States"; and in line 9, after the word "travel", to insert "within the continental limits of the United States", so as to make the bill read:

Be it enacted, etc., That paragraph III of Veterans Regulation No. 9 (a), as amended by Veterans Regulation No. 9 (b), preceding subparagraph 2, be amended to read as follows:

"(III) Where death occurs in a Veterans' Administration facility, the Veterans' Administration will (a) assume the actual cost (not to exceed $100) of burial and funeral, and (b) transport the body to the place of burial within the continental limits of the United States."

SEC. 2. That paragraph III of Veterans Regulation No. 6 (a), as amended, be amended to read as follows:

"(III) To persons unable to defray the cost thereof, transportation and other necessary expenses incidental thereto will be supplied to cover travel, within the continental limits of the United States, to a Veterans' Administration facility for domiciliary or hospital care; to cover return travel, within the continental limits of the United States, to the place from which the person proceeded to the facility, when he is regularly discharged upon completion of such care; and to cover travel involved in a transfer, deemed necessary, from one Veterans' Administration facility to another. All such travel will be subject to grant of prior authorization therefor. In the event of death of any such person prior to his discharge from such care, transportation expenses (including preparation of the body) for the return of the body to the place of burial within the continental limits of the United States may be paid."

Mr. WALSH. Mr. President, prior to an explanation of that bill may I say to the Senator from Texas [Mr. SHEPPARD] that attention has been called by some members of the Subcommittee on Veterans' Affairs of the Committee on Finance to the fact that bills such as the pending bill should have been referred to that committee rather than to the Committee on Military Affairs. I cannot state whether this is such a bill.

Mr. SHEPPARD. We have been dealing with bills of this kind for some years, both in the Committee on Naval Affairs and in the Committee on Military Affairs. The point has not been raised, and it would be just as well to continue as we have done during the remainder of the present session and discuss the proposed change in practice later.

Mr. WALSH. Mr. President, I have no objection to that procedure. I am afraid, however, that if two or three committees, such as the Veterans' Committee, the Naval Affairs Committee, and the Military Affairs Committee, as well as the Finance Committee, deal with legislation dealing with veterans the result will be to break down the precedents and to establish a variety of policies that will not only be harmful to the veterans but to the country as well.

Mr. SHEPPARD. That is a question which should be considered and solved, and which must be solved in the near future.

Mr. CLARK of Missouri. Mr. President, bearing on what the Senator from Massachusetts just said, I know of one case in which a bill had been introduced in at least three Congresses and referred to the Committee on Finance, and by the Committee on Finance referred to the Veterans' subcommittee, and adversely acted on by that subcommittee. I happen to know because I was the subcommittee to investigate the matter, and in each case it was reported favorably by me but rejected by the subcommittee on veterans of the Finance Committee. Later on, when the bill came up in the Military Affairs Committee, I raised no objection to it there. I voted for it, because I had previously voted for it. But that seems to be true in other cases, that a bill is introduced and rejected by one committee and then another committee acts on it favorably.

Mr. SHEPPARD. This all goes to show the need for the establishment of a Committee on Veterans' Affairs in the Senate. I have been urging such a step for several years, and during the last session of Congress the Senator from Georgia [Mr. GEORGE] suggested such a committee.

Mr. WALSH. I agree with that.

Mr. CONNALLY. While I agree with my colleague with respect to veterans' affairs, there is a subcommittee of the Committee on Finance which performs all the functions to all intents and purposes which the Senator has in mind. These veterans' bills as to funerals ought to go to the Committee on Military Affairs, because the Committee on Military Affairs deals with them in the service, and we deal with with them out of the service. I am not going to object to this bill, but hereafter all bills which relate to funerals of veterans ought to go to the Committee on Finance, so as to have a uniform policy.

Mr. WALSH. I have reported such bills back and asked that they be sent to the Committee on Finance, the Sub-

committee on Veterans' Affairs. I do not think there will be any need to do that in this case, but I do think in special private bills where it is sought to have a compensation granted, which has been refused or turned down by the Veterans' Administration, if one committee has one policy and another committee has another policy there is bound to be very bad conflict of precedents.

Mr. SHEPPARD. I agree with the Senator that the matter should be straightened out, and I shall be glad to join with him and others interested in straightening it out.

Mr. WALSH. Mr. President, I ask if this bill is approved by the Veterans' Administrator, General Hines.

Mr. SHEPPARD. It is. It carried no increase in cost. It clears up a number of complications. At present the body of a deceased veteran may be shipped to any one of three different places without reaching place of interment. Under this bill it is shipped directly to place of burial.

The PRESIDENT pro tempore. The committee amendment will be stated.

The amendments were, on page 2, line 6, after the word "travel", to insert "within the continental limits of the United States"; in line 9, after the word "travel", to insert "within the continental limits of the United States."

The amendments were agreed to.

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

ERADICATION AND CONTROL OF PINK BOLLWORM

The joint resolution (S. J. Res. 85) authorizing the preparation of plans for the eradication and control of the pink bollworm affecting cotton in the United States and Mexico, was announced as next in order.

Mr. CONNALLY. Mr. President, House bill 4638 is similar to Senate Joint Resolution 85. It varies in only slight particulars. That bill is pending before the Committee on Agriculture and Forestry. I have consulted with the chairman of that committee and it is agreeable to him that the House bill be substituted for the Senate bill. So I ask unanimous consent that the Committee on Agriculture and Forestry be discharged from further consideration of House bill 4638, and that House bill 4638 be substituted for Senate Joint Resolution 85 and be now considered. If that shall be done I will then ask that Senate Joint Resolution 85 be indefinitely postponed.

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

There being no objection, the bill (H. R. 4638) authorizing the Secretary of Agriculture to prepare plans for the eradication and control of the pink bollworm and for other purposes was considered, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Without objection, Senate joint resolution 85 will be indefinitely postponed.

APPOINTMENT OF HARLEY B. FERGUSON AS MAJOR GENERAL, UNITED STATES ARMY

The Senate proceeded to consider the joint resolution (S. J. Res. 159) authorizing the appointment of Harley B. Ferguson as a major general, United States Army.

Mr. KING. Mr. President, I ask that the joint resolution be passed over.

Mr. SHEPPARD. Mr. President, may I state to the Senator the consideration which moved the Senate Military Affairs Committee in recommending this action?

Mr. KING. I have read the report. There is a very strong recommendation against it by the War Department.

Mr. SHEPPARD. That is the usual recommendation.

Mr. KING. I think it is very strong.

Mr. SHEPPARD. Will the Senator permit me to state the reasons which prompted the committee in recommending the proposed action?

Mr. KING. Very well.

Mr. SHEPPARD. During his tenure of office as president of the Mississippi River Commission, General Ferguson rendered distinguished service to the United States in controlling the floods of the Mississippi River. He developed, and over opposition and severe criticism executed, his plans for construction of cut-offs and straightening the long bends in the Mississippi River. The execution of his plans has resulted in shortening the distance between the mouths of the Arkansas River and the Red River by approximately 110 miles and has to a considerable extent solved the problem of flood control on the lower Mississippi River.

Your committee is of the opinion that General Ferguson is deserving of appropriate recognition for distinguished service to the United States as an engineer and believes that his appointment as a major general in the Army is fully warrented by his service.

Mr. MILLER. Mr. President, I wish to add a word with respect to the work performed by General Ferguson. He has saved the United States Government countless millions of dollars because of the work he has performed. He has made it possible for the Congress to abandon the Eudora floodway, thereby saving hundreds of thousands of dollars. He has done work in my section which is second to none so far as the development of our country and the actual saving of money are concerned. I think General Ferguson is richly entitled to the proposed honor.

Mr. CLARK of Missouri. Mr. President, I should like to add to what the Senator from Arkansas [Mr. MILLER] has said, that I think the straightening out of the flood-control situation on the main stem of the Mississippi River, particularly in the lower region, is possibly as great an achievement as has been made by any engineer officer of the United States Army, or any other engineer in the history of the United States. I do not believe General Goethals' work in Panama, or any other engineering work in the history of this country was superior to the work performed by General Ferguson, or possibly even comparable to the work done under his supervision down there. The bill provides little enough recognition of the work he has done.

Mr. KING. Mr. President, because of the splendid work which has been done by this officer, personally I should like to see some measure of compensation accorded him. However, the War Department makes a very strong adverse report. My hesitation in supporting the measure results entirely from the position of the War Department. I shall not object to the consideration of the joint resolution, but I think there is very much to support the position of the War Department.

Mr. SHEPPARD. I thank the Senator.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF PATENT STATUTES

The bill (H. R. 6872) to amend sections 4886, 4887, 4920, and 4929 of the Revised Statutes (U. S. C., title 35, secs. 31, 32, 69, and 73) was considered, ordered to a third reading, read the third time, and passed.

The bill (H. R. 6873) to amend sections 4904, 4909, 4911, and 4915 of the Revised Statutes (U. S. C., title 35, secs. 52, 57, 59a, and 63) was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 6874) to repeal section 4897 of the Revised Statutes (U. S. C., title 35, sec. 38), and amend sections 4885 and 4934 of the Revised Statutes (U. S. C., title 35, secs. 41 and 78) was announced as next in order.

Mr. DANAHER. Mr. President, an amendment will be suggested which will be clarifying in nature. I have not quite finished the preparation of the amendment. I ask that the bill be passed over temporarily.

The PRESIDENT pro tempore. The bill will be passed over temporarily.

AMENDMENT OF PATENT STATUTES

The Senate proceeded to consider the bill (H. R. 6878) to amend section 4894 of the Revised Statutes (U. S. C., title 35, sec. 37), which had been reported from the Committee on Patents with an amendment on page 1, line 6, after the word "days" and the comma, to insert "or any extensions thereof," so as to make the bill read:

Be it enacted, etc., That section 4894 of the Revised Statutes (U. S. C., title 35, sec. 37) be amended by inserting after "six

months", second occurrence, the words "or such shorter time, not less than 30 days, or any extensions thereof, as shall be fixed by the Commissioner of Patents in writing to the applicant."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The bill (H. R. 6875) to amend section 4903 of the Revised Statutes (U. S. C., title 35, sec. 51) was considered, ordered to a third reading, read the third time, and passed.

Mr. O'MAHONEY. Mr. President, was Calendar No. 920, House bill 6875, passed?

The PRESIDENT pro tempore. The bill was passed.

Mr. BONE. Mr. President, was Calendar No. 918, House bill 6874, held up?

Mr. O'MAHONEY. Yes. The Senator from Connecticut [Mr. DANAHER] suggested that he wished to offer an amendment to the bill. The bill was temporarily passed over.

RECOMMENDATIONS OF TEMPORARY NATIONAL ECONOMIC COMMITTEE WITH RESPECT TO PATENT PROCEDURE

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point the recommendations of the Temporary National Economic Committee with respect to the procedural bills which have just been passed. They cover four of the seven procedural recommendations made by the Temporary National Economic Committee. The bill which was temporarily passed over, as well as two bills earlier on the calendar, which also have been passed over for the time being, cover recommendations of the Temporary National Economic Committee.

The PRESIDENT pro tempore. Without objection, the recommendations of the Temporary National Economic Committee will be printed in the RECORD.

The recommendations are as follows:

RECOMMENDATIONS

PATENTS

Except for certain items, the study has not been carried far enough to warrant specific and detailed legislative recommendations. The Committee does feel, however, that modification of the patent laws should be undertaken by Congress forthwith. It endorses the action of the Committees on Patents of the two Houses which have approved the proposals for modification of the mechanics of the patent system as submitted by the Department of Commerce. The proposals of the Department of Commerce were developed at hearings before the Committee, and are herewith formally recommended to the Congress.

In addition, the Department of Justice has submitted certain recommendations for legislation based on its hearings, designed to draw a sound line between the legitimate use of patents and uneconomic extensions of the patent privilege which seriously invade the national policy against monopoly and restraints of trade. The recommendations of the Department of Justice relate primarily to the misuse of patents to effect restrictions upon price and production and upon freedom of opportunity for competitive enterprise. They, too, are approved by the Committee for immediate action by Congress. Summaries of the recommendations of both agencies are hereinafter set forth.

The Department of Commerce suggests:

1. A single court of patent appeals, having jurisdiction coextensive with the United States and its Territories, should be created. Such a court would reduce the time and cost of litigation, and would end the conflict of decisions between the various appellate tribunals, before whom cases often are brought for the purpose of harassing both inventors and others who cannot afford to fight back, and corporations which must contest ridiculous claims.

2. The life of a patent should be limited to 20 years from the date of filing application, to obviate the possibility of a patentee's prolonging a patent monopoly by keeping his application in the Patent Office for a number of years. If a 20-year law is enacted, a patentee who diligently prosecutes his application and obtains his patent in 3 years would enjoy the full 17-year monopoly. If, however, he delays the prosecution, or attempts to keep his case in the Patent Office, he will be positively penalized by the shortening of the monopoly.

3. Not all the delays in the Patent Office are the fault of the applicant, and indeed some cannot be avoided. This is especially true when his application becomes involved in an interference proceeding instituted for the purpose of determining priority between him and another applicant. There is no question that the interference procedure has been greatly abused, and that in some instances it has been invoked for unworthy purposes, as, for example, to delay a competitor's application in the Patent Office. It is evident that concurrently with the enactment of the 20-year proposal there must be a radical change in interference procedure.

It is recommended that the interference procedure be terminated with a single decision of the examiner of interferences and that a patent be promptly granted on the basis of that decision. This would abolish all appeals to the Board of Appeals within the Patent Office in interference cases.

From an adverse decision of the examiner of interferences, appeals would be taken directly to a court which could, in a single proceeding, review the decision of the examiner of interferences.

4. Renewal applications should be abolished. Under the present practice an applicant may prosecute his application to the point of allowance, fail to pay the final fee required by the law, and thereafter renew the application and resume prosecution. This procedure seems to be wholly unnecessary, and its abolition is recommended.

5. Under the present law an inventor may make public use of his invention for 2 years before filing his application. As a further step in accomplishing an earlier filing of the application looking to an earlier issuance of the patent, it is recommended that the public use period be reduced from 2 years to 1.

6. The present law allows an applicant 2 years within which to copy claims from an issued patent for the purpose of asserting the priority of his invention. As a parallel to the other steps which have been recommended to rid the patent procedure of this element of elapsed time, it is proposed that this period of 2 years also be reduced to 1.

7. Finally, it is recommended that the authority of the Commissioner of Patents be enlarged so that under proper circumstances he may require an applicant to respond to an office action within less than the normal statutory period of 6 months. This grant of authority is necessary to the curtailment of the period of pendency of applications.

The Department of Justice suggests:

The record before the Temporary National Economic Committee abundantly demonstrates that patent practices now current, under the assumed protection of existing statutes and judicial decisions, greatly exceed the measure of privilege which might presumably be deemed necessary "to promote science and useful arts," and seriously invade the deep-rooted national policy against monopoly and restraints of trade, of which the antitrust laws are the most popular reflection. It seems clear that:

1. It should be made unlawful for any person to sell or assign a patent, or to grant any right or license under a patent, on any condition which restricts the assignee or grantee in respect of the amount of any article which he may produce under the patent, the price at which he may sell any such article, the purpose for which or manner in which he may use the patent or any article produced thereunder, or the geographical area within which he may produce or sell such article. The foregoing prohibitions should be supplemented by a further prohibition against any other restriction embodied in a condition to any such assignment or license, which would tend substantially to lessen competition or to create a monopoly, unless such restriction is necessary to promote the progress of science and useful arts. These prohibitions, however, should not apply to any assignment of a patent or any grant of a license under a patent for use exclusively outside the United States and its Territories and possessions.

In short, the owner of a patent would enjoy the full patent monopoly if he elected to retain the exclusive privilege of producing or selling under the patent himself. He would be free to assign the patent; to grant an exclusive license; and to grant licenses to anyone he pleased. But, if he grants a license, the license must be general and unrestricted, unless he is prepared to demonstrate that a particular restriction (other than restrictions in respect of price, production, use, or geographical area) is necessary to promote science and useful arts. Restrictions in respect of price, production, use, or geographical areas would be unconditionally outlawed.

2. It should be made unlawful for any person to whom a patent has been issued or who has in any other way acquired any patent or any interest in or right or license under a patent, to sell, lease, or otherwise dispose of any article produced or sold under such patent or any such right or license on any restrictive condition of the kind described in paragraph 1.

3. It should be made mandatory for any sale, assignment, or other disposition of any patent or of any interest in or right or license under a patent to be evidenced by an instrument in writing. Similarly, any condition, agreement, or understanding relating to any sale or other disposition of any article produced or sold under a patent by a person to whom such patent has been issued or who has in any other way acquired such patent or any interest in or right or license thereunder, should be required to be evidenced by an instrument in writing. The seller or assignor in such case would be required to file a copy of such written instrument with the Federal Trade Commission within 30 days after execution. A register of these copies should be kept by the Federal Trade Commission, and both the register and the copies should be held available for inspection by the Attorney General, the Commissioner of Patents, or any officer designated by either.

4. No action based upon a charge of infringement of any patent, whether for damages, for an injunction, or for any other relief, should be permitted against any licensee under a patent or against any purchaser or lessee of any article unless either (a) the plaintiff has previously prosecuted to successful judgment an action against the grantor of the license or the seller or lessor of the article, as the case may be, for infringement arising out of or in connection with the granting of such license or the sale or lease of such article;

or (b) jurisdiction over the grantor, seller, or lessor cannot be obtained in any court of the United States.

A provision to the foregoing effect would help meet one of the most serious abuses in the patent field: The use of litigation as a deliberate weapon of business aggression, rather than as an instrument for adjudicating honest disputes.

5. If any person who owns a patent or an interest in or exclusive right under a patent, violates any of the prohibitions described in paragraphs 1 and 2 above, he should forfeit his patent or his interest in or right under a patent to the United States, and such forfeiture should be recoverable in a civil action against such person by the United States. It should be provided that, upon a proper showing in such an action, a judgment should be entered requiring the defendant to assign his patent, or interest in, or right under a patent, to the United States, such assignment to be received by the Secretary of the Treasury in the name of the United States. Thereafter, the patent or patent right would be offered for sale under the direction of the Secretary of the Treasury in the manner prescribed by law.

A provision to the foregoing effect would adapt to the patent situation a familiar principle of law: That the abuse of a privilege granted by the State—e. g., public-utility franchises, licenses to sell securities, etc.—should result in forfeiture of that privilege. In this case, it seems wise to provide that the patent should be seized and resold, and so kept alive for useful exploitation, rather than to provide for its cancelation.

6. It should be made clear that the provisions described in paragraphs 1 to 5 shall be applicable to any extension, renewal, or modification of any existing license, contract of assignment, or contract of sale or other disposition, with the same force and effect as to any new license, sale, assignment, or other disposition.

Mr. O'MAHONEY. I think it may be important to remark at this time that, although the Temporary National Economic Committee has made recommendations having to do with other phases of the patent law, no bill covering those other recommendations has yet been presented, because it is the purpose of the Temporary National Economic Committee to make certain that full consideration shall be given to its recommendations before action is taken.

Mr. President, no member of the committee has any purpose of obtaining precipitate action on any recommendation. The procedural recommendations approved today have been suggested from time to time, but the importance of their enactment was made clear by the Department of Commerce during the hearings before the Temporary National Economic Committee.

House bill 6872, which reduces from 2 years to 1 the period during which an inventor may make public use of his inventions before filing application, was the fifth of the Temporary National Economic Committee recommendations.

House bill 6873, which provides for a substantial and necessary improvement in the so-called interference practice, was third on the list of our recommendations.

The fourth recommendation, which deals with the abolition of renewal applications, so-called, was embodied in House bill 6874.

The next bill, House bill 6878, is No. 7 on our list of recommendations, and authorizes the Commissioner of Patents, under proper circumstances, to require an applicant to respond to an Office action within less than the normal statutory period, which is 6 months.

House bill 6875 is No. 6 on the list of Temporary National Economic Committee recommendations, and reduces from 2 years to 1 the period within which an inventor may copy claims from an issued patent for the purpose of asserting his own priority.

Senate bill 2688, which has been temporarily passed over, and which I think will be considered again later, embodies the suggestions contained in the second recommendation of the Temporary National Economic Committee. It provides that the life of a patent shall be limited to 20 years from the date of filing the application. Under the present law, the life of a patent is 17 years from the date of issuance, so that by delays in the Patent Office, frequently procured by the applicant, the actual period of monopoly is often unduly extended. By this practice there have been cases of patents being, in effect, extended as long as 40 years.

The bill increases the statutory period of protection by 3 years; but by fixing the date of application as the date upon which protection begins the bill would have the effect of expediting action in the Patent Office.

The other patent recommendations of the Temporary National Economic Committee deal rather with the uses to which the patent privileges are put in the control of industry. As I have already stated, no bills have as yet been introduced by any congressional member of the committee dealing with these recommendations because of the desire of the committee that full consideration be given to the recommendations which have been made.

BESSIE BEAR ROBE

The bill (H. R. 1177) for the relief of Bessie Bear Robe was considered, ordered to a third reading, read the third time, and passed.

WATER FOR WAPATO INDIAN IRRIGATION PROJECT, WASHINGTON

The Senate proceeded to consider the bill (S. 1065) to authorize an appropriation for payment of the cost of providing additional water for the Wapato Indian irrigation project, Washington, which had been reported from the Committee on Indian Affairs with an amendment, to strike out all after the enacting clause and insert:

That there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, not to exceed $1,731,500 to defray the actual cost of furnishing a water supply for the Yakima Indian Reservation provided for in the act of August 1, 1914 (38 Stat. 604), and the agreement pursuant to said act between the Bureau of Reclamation and the Office of Indian Affairs approved by the Secretary of the Interior on September 3, 1936. Of the amount authorized to be appropriated, not to exceed $931,500 shall be available for immediate transfer to the reclamation fund, and not to exceed $800,000 shall be made available in amounts not to exceed $20,000 annually for 40 years.

Mr. KING. Mr. President, I inquire whether or not more than $1,000,000 is to be paid out of the Treasury of the United States; and if so, why are there not tribal funds or appropriations heretofore made to meet this obligation.

Mr. SCHWELLENBACH. Mr. President, this bill is designed really to correct an estimate which was made in 1914. The 1914 act provided for certain reclamation work on the Wapato Indian Reservation portion of the Yakima Indian Reservation. At that time an estimate was made as to the cost, based upon other reclamation work taking water out of the Yakima River. Since 1914, through various acts of Congress, the Yakima River has been used for the purpose of supplying water to other projects. The result is that the provision which was made for the Indian reservation has been entirely insufficient.

The purpose of the bill is simply to give to the Indian reservation the allowance which was supposed to have been given in 1914, but of which the Indians have been deprived because of other diversions from the river. If the Senator from Utah will look at the report he will see that the bill meets with the approval of the Department of the Interior. The Secretary says:

There is urgent need for this legislition and I recommend that the bill, amended as above, receive favorable consideration.

Objection is raised by the Bureau of the Budget; and if the Senator will look at the letter from the Bureau of the Budget he will see that it says:

No satisfactory explanation has been furnished this office concerning the excess cost ($931,500) over the amount authorized to be and actually appropriated. Furthermore, there does not appear to be any good reason for appropriating $800,000 as a gratuity from the Federal Treasury to provide additional water for the lands involved.

The record itself shows that there is a full and complete, and, in my opinion, a satisfactory, explanation. I cannot understand why the Bureau of the Budget should have made the statement that there was no explanation. The reports of the Bureau of Indian Affairs and of the Reclamation Service very definitely show that the explanation of the failure of the 1914 plan to provide the reservation with the amount of water which was contemplated in the plan resulted from taking water from the same river for other purposes to be used for other reclamation projects. As I previously stated, the sole purpose of the bill is to provide for the Indians on the reservation the amount of water which they were supposed to obtain under the act of 1914.

Mr. KING. Mr. President, I do not think the explanation, lucid and important as it is, quite meets the situation. However, if the Senator will bargain with me——

Mr. SCHWELLENBACH. I will say to the Senator that it is the best explanation I can give. I have simply stated the facts.

Mr. KING. If the Senator will bargain with me, I will let the bill pass and enter a motion to reconsider the vote by which it shall have passed, so as to give me an opportunity to confer with the Bureau of the Budget and with the Secretary of the Interior. If, upon receiving full information from them as to the validity of the claim I shall be satisfied, I shall withdraw the motion.

Mr. SCHWELLENBACH. I would appreciate that action by the Senator.

Mr. KING. Otherwise we will dispose of it at a later time.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

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

Mr. KING. Mr. President, with respect to Calendar 922, Senate bill 1065, which has just passed, I desire to enter a motion to reconsider the vote by which the bill was passed.

The PRESIDENT pro tempore. The motion will be entered.

RENT-A-CAR CO.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1258) for the relief of the Rent-A-Car Co., which was on page 1, line 11, to strike out all after *"Provided"*, down to and including "$1,000" in line 11 of page 2, and insert "That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

Mr. McKELLAR. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

N. F. CLOWER AND ELIJAH WILLIAMS

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 2056) for the relief of N. F. Clower and Elijah Williams, which was, on page 2, to strike out all after line 17 down to and including "belonging" in line 6 of page 3, and insert "second civil district, county of Shelby, and State of Tennessee, to wit: Lot 42, block 1, of W. O. Crump's Warford Avenue subdivision, as shown in plat book 8, at page 205, of the register's office for the county of Shelby in the State of Tennessee, said land beginning on the north side of Calvert Avenue at the northwest corner of Branch Street 40 feet; thence north parallel with Branch Street 125 feet; thence east parallel with Calvert Avenue 40 feet to the west side of Branch Street; thence south with said west line 125 feet to the beginning, together with hereditaments and appurtenances thereunto belonging."

Mr. McKELLAR. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

WALTER J. HOGAN AND W. R. LARKIN

The bill (S. 2419) for the relief of Walter J. Hogan and W. R. Larkin, in connection with the construction, operation, and maintenance of the Fort Hall Indian irrigation project, Idaho, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of June 20, 1938 (52 Stat. 1363), entitled "An act for the relief of certain individuals in connection with the construction, operation, and maintenance of the Fort Hall Indian irrigation project, Idaho," is hereby amended by substituting the amounts of $400 and $2,000, respectively, in lieu of the amounts of $100 and $1,300 appearing in the act immediately following the names of Walter J. Hogan and W. R. Larkin.

LEASING OF CERTAIN LANDS OF CHOCTAW AND CHICKASAW NATIONS IN OKLAHOMA

The Senate proceeded to consider the bill (S. 2617) to authorize the leasing of the undeveloped coal and asphalt deposits of the Choctaw and Chickasaw Nations in Oklahoma, which was read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized to lease any of the unsold and undeveloped coal and asphalt deposits of the Choctaw and Chickasaw Nations in Oklahoma, in accordance with the terms of the act of April 21, 1932 (47 Stat. 88), except as otherwise provided herein, and under such rules and regulations as he may prescribe. Leases made under this act may be for any term not to exceed 15 years. All acts or parts of acts authorizing the sale of said coal and asphalt deposits are hereby repealed.

SEC. 2. That the rate of royalty in coal leases made under this act shall not be less than 10 cents per ton on all coal mined, including what is commonly known as slack: *Provided*, That such leases shall require the mining of a minimum of 1,000 tons each year the first and second years after approval of the lease, 3,000 tons the third year, 5,000 tons the fourth year, and 15,000 tons the fifth and each succeeding year thereafter, or the payment of royalty thereon the same as if the coal had actually been mined: *Provided further*, That the lessee shall pay as advance royalty on each lease the sum of $100 each year for the first and second years, $300 for the third year, and $500 for the fourth and each year thereafter. The advance royalty paid for any year may be credited on the royalty becoming due on coal mined during the year for which said advance royalty has been paid, but shall not be credited on royalty on coal mined in any previous or subsequent year.

SEC. 3. That the rate of royalty in asphalt leases made under this act shall not be less than 15 cents per ton on all crude asphalt mined: *Provided*, That such leases shall require the mining of a minimum of 10,000 tons the first year after approval of the lease and 15,000 tons each year thereafter, or the payment of royalty thereon the same as if the asphalt had been mined: *Provided further*, That the lessee shall pay as advance royalty on each lease the sum of $500 in advance for each year. The advance royalty paid for any year may be credited on the royalty becoming due on asphalt mined during the year for which said advance royalty had been paid but shall not be credited on royalty on asphalt mined in any previous or subsequent year.

SEC. 4. That the act of April 21, 1932 (47 Stat. 88), is hereby amended to provide that leases made thereunder may be for any term not to exceed 15 years.

Mr. KING. Mr. President, I ask the Senator from Oklahoma, who has given attention to the bill, whether or not there is sufficient provision to protect the Indians?

Mr. THOMAS of Oklahoma. The Choctaw and Chickasaw Nations still have a large amount of coal lands. The coal lands are under lease, and the leases are about to expire in some instances. It is the desire of the managers of the tribe, as well as of the Indian Office, that this bill be passed so that the lands may be kept under lease. The bill is recommended by the Department.

Mr. KING. I have no objection.

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

RESTORATION OF CERTAIN LANDS TO UMATILLA INDIANS

The Senate proceeded to consider the bill (H. R. 4540) authorizing the restoration to tribal ownership of certain lands upon the Umatilla Indian Reservation, Oreg., and for other purposes, which had been reported from the Committee on Indian Affairs with an amendment, at the end of the bill to add an additional section, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized in his discretion to restore to tribal ownership the undisposed of surplus lands of the Umatilla Indian Reservation, Oreg., heretofore opened to entry or other form of disposal under the public-land laws: *Provided*, That restoration shall be subject to any existing valid rights.

SEC. 2. For the purpose of effecting land consolidations between Indians and non-Indians within the reservation, the Secretary of the Interior is hereby authorized, under such rules and regulations as he may prescribe, to acquire through purchase, exchange, or relinquishment, any interest in lands, water rights, or surface rights to lands within said reservation. Exchanges of lands hereunder shall be made on the basis of equal value and the value of improvements on lands to be relinquished to the Indians or by Indians to non-Indians shall be given due consideration and allowance made therefor in the valuation of lieu lands. This section shall apply to tribal, trust, or otherwise restricted Indian allotments whether the allottee be living or deceased.

SEC. 3. Title to lands or any interest therein acquired pursuant to this act for Indian use shall be taken in the name of the United

States of America in trust for the tribe or individual Indian for which acquired.

SEC. 4. For the purpose of carrying into effect the land-purchase provision of this act, the Secretary of the Interior is hereby authorized to use so much as may be necessary of any funds heretofore or hereafter appropriated pursuant to section 5 of the act of June 18, 1934 (48 Stat. 984).

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AMENDMENT OF GOVERNMENT LOSSES IN SHIPMENT ACT

The Senate proceeded to consider the bill (H. R. 6614) to amend the Government Losses in Shipment Act, which had been reported from the Committee on Expenditures in the Executive Departments with an amendment, in section 7, on page 6, line 21, after the word "Board" and the comma, to strike out "whether upon a bank or upon the Treasurer or other paying officer of the United States, but does not include money, coins, or currency of the United States nor instruments issued by any corporation or other entity owned or controlled by the United States, whether in whole or in part, against such corporation's or entity's own funds; as used in subsection (d) of this section it means such an instrument drawn by a duly authorized officer or employee of the Post Office Department," and insert "including instruments issued by any corporation or other entity owned or controlled by the United States, the funds of which are deposited and covered into the Treasury of the United States or deposited with the Treasurer of the United States, but does not include money, coins, or currency of the United States; as used in subsection (d) of this section it means such an instrument drawn by a duly authorized officer or employee of the Post Office Department", so as to make the section read:

SEC. 7. Section 9 (f) of the Government Losses in Shipment Act (50 Stat. 484; U. S. C., 1934 ed., Supp. IV, title 31, sec. 528 (f)) is hereby amended to read as follows:

"(f) The term 'original check' wherever used in this section means any check, warrant, or other order for the payment of money, payable upon demand and not bearing interest, drawn by a duly authorized officer or agent of the United States, the District of Columbia, or the District Unemployment Compensation Board, on their behalf against an account or funds of the United States, the District of Columbia, or the District Unemployment Compensation Board, including instruments issued by any corporation or other entity owned or controlled by the United States, the funds of which are deposited and covered into the Treasury of the United States or deposited with the Treasurer of the United States, but does not include money, coins, or currency of the United States; as used in subsection (d) of this section it means such an instrument drawn by a duly authorized officer or employee of the Post Office Department."

Mr. McKELLAR. Mr. President, may we have an explanation of the bill?

Mr. VAN NUYS. Mr. President, in 1937 the act known as the Government Losses in Shipment Act was passed, creating a revolving fund of half a million dollars to enable the Government to carry its own insurance in the shipment of valuables, including coin, money, securities, bonds, and so forth.

Formerly we appropriated each year the sum of $250,000 to pay insurance premiums covering such shipments. From August 15, 1937, to April 30, 1938, we have saved more than half a million dollars in premiums by carrying our own insurance. The losses during that period of time have been only $376.10, with a claim of $65.88 pending. Instead of paying $250,000 yearly for insurance premiums we have paid out less than $500 in losses. The purpose of the bill is simply to clarify the act, defining more clearly what valuables are meant, covering the checks and securities of the new corporations owned by the Government, and clarifying the intendment of the act. That is the sole purpose of the bill.

Mr. McKELLAR. Mr. President, I notice that the bill refers to losses of the Post Office Department while acting as agent of the Treasury Department.

Mr. VAN NUYS. That is correct.

Mr. McKELLAR. Has the bill been submitted to the Treasury and Post Office Departments?

Mr. VAN NUYS. It has the approval of all departments.

Mr. McKELLAR. The departments do not seem to have made any recommendations.

Mr. VAN NUYS. No; but as chairman of the Committee on Expenditures in the Executive Departments I called all the departments, and they all verbally approved it. We have written approval from the Comptroller.

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

Mr. VAN NUYS. I yield.

Mr. KING. Are the provisions of the bill retroactive or merely prospective?

Mr. VAN NUYS. Prospective.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

BILL PASSED OVER

The bill (S. 2420) relating to certain inspections and investigations in coal mines for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes, was announced as next in order.

Mr. AUSTIN. Mr. President, on behalf of the Senator from North Dakota [Mr. FRAZIER] and the Senator from Wisconsin [Mr. WILEY] I object.

The PRESIDENT pro tempore. The bill will be passed over.

MUNICIPAL BANKRUPTCY LAW

The bill (H. R. 6505) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto, was announced as next in order.

Mr. AUSTIN. Let the bill go over.

Mr. PEPPER. Mr. President, did some Senator ask that the bill go over?

Mr. AUSTIN. Yes, Mr. President; I asked that it go over.

Mr. PEPPER. Will the Senator withhold his objection while I make a brief explanation?

Mr. AUSTIN. Certainly.

Mr. PEPPER. The subcommittee of the Senate Committee on the Judiciary, the chairman of which at the time of the hearing was the able Senator from Utah, with a number of other Senators participating, conducted hearings and had a lengthy discussion of the merits of the bill before they made a favorable report on it.

The bill does three things. First, it extends for an additional 2 years' emergency period the existing municipal bankruptcy law, which otherwise would expire in the relatively near future.

Secondly, it authorizes counties and parishes to become eligible for the benefit of the legislation as did the original Municipal Bankruptcy Act.

In the third place, it provides that the physical acceptance of refunding bonds by creditors of an eligible political subdivision shall be taken as evidence of the agreement of those creditors to the plan of composition which provided for the issuance of the refunding bonds.

Mr. President, my colleague [Mr. ANDREWS] and I have jointly offered the measure in question. In Florida there are some forty-odd counties which are in a very precarious financial condition which can only be remedied by passage of the bill. It seems to me the bill would not be detrimental to anybody. It has received very careful consideration in the committee. It has the approval of constitutional lawyers of national reputation who deal with bond matters. I do not know what may be the basis of the Senator's objection, but I hope he will not insist upon the objection and will allow the passage of the bill at this time. I shall be glad to answer any questions about it. Has the Senator from Vermont any question to ask about the bill?

Mr. AUSTIN. I have too many questions to be carefully considered in the time allowed on the call of the Senate Calendar. I stand on the objection.

Mr. PEPPER. I wish to give notice that upon the completion of the call of the calendar, a motion will be made to take up and consider this bill.

Mr. ANDREWS. Mr. President, I want to join in the statement that a motion will be made to take up the bill for consideration.

JOINT RESOLUTION PASSED OVER

The joint resolution (S. J. Res. 153) to approve the action of the Secretary of the Interior in deferring the collection of certain irrigation charges against lands under the Blackfeet Indian irrigation project was announced as next in order.

Mr. McKELLAR. Let us have an explanation of the joint resolution. In the absence of explanation let it go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

AMENDMENT OF PATENT STATUTES

Mr. BONE. Mr. President, may we revert to Calendar No. 918, House bill 6874, which was reported from the Committee on Patents by the Senator from Connecticut [Mr. DANAHER], who desired to offer an amendment. I believe he has further inspected the bill and is now satisfied with it.

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

There being no objection, the Senate proceeded to consider the bill (H. R. 6874) to repeal section 4897 of the Revised Statutes (U. S. C., title 35, sec. 38), and amend sections 4885 and 4934 of the Revised Statutes (U. S. C., title 35, secs. 41 and 78), which had been reported from the Committee on Patents, with amendments, on page 1, line 6, after the word "by", to strike out the words "striking out the word 'six' and substituting the word 'three' and by"; in line 9, after the word "That", to strike out "upon proof satisfactory to"; in line 10, after the word "Patents", to strike out "filed at any time after the application is allowed that the delay is or was justifiable the final fee may be" and insert "may in his discretion receive the final fee if"; on page 2, line 2, after the word "the", to strike out "3 months" and insert "6 months"; and on page 2, section 3, at the end of line 8, to insert the figures "$10", so as to make the bill read:

Be it enacted, etc., That section 4897 of the Revised Statutes (U. S. C., title 35, sec. 38) be repealed.

SEC. 2. That section 4885 of the Revised Statutes (U. S. C., title 35, sec. 41) be amended by adding at the end thereof the following: "*Provided, however,* That the Commissioner of Patents may in his discretion receive the final fee if paid within 1 year after the 6 months' period for payment has passed and the patent shall issue."

SEC. 3. That section 4934 of the Revised Statutes (U. S. C., title 35, sec. 78) be amended by changing the last sentence to read: "On filing each petition for the revival of an abandoned application for a patent or for the delayed payment of the fee for issuing each patent, $10."

SEC. 4. This act shall take effect upon approval: *Provided, however,* That in all cases in which the notice of allowance had been sent prior to the time at which this act takes effect the final fee may be paid and other proceedings may be taken under the statutes in force at the time of approval of this act as if such statutes had not been amended or repealed.

The amendments were agreed to.

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

The bill was read the third time and passed.

PROVISION AS TO PATENTS

Mr. BONE. Mr. President, may we now recur to Calendar No. 809, which is Senate bill 2688, to which the Senator from Ohio [Mr. TAFT] objected? I am going to send to the desk an amendment to be inserted after the word "patent" and the semicolon in line 5, on page 2, which I understand makes the bill satisfactory to the Senator from Ohio, and that he is willing to withdraw his objection.

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

There being no objection, the Senate proceeded to consider the bill (S. 2688) to amend section 4884 of the Revised Statutes (U. S. C., title 35, sec. 40).

The PRESIDENT pro tempore. The amendment offered by the Senator from Washington will be stated.

The LEGISLATIVE CLERK. On page 2, line 6, after the word "patent", it is proposed to insert a colon and the following: "*Provided, however,* That the Commissioner of Patents in his discretion may, before the patent issues, extend such 20-year period by adding thereto not to exceed 2 years to compensate for unavoidable delays during the pendency of the application not chargeable to the applicant; and in the case of any application which has become the property of the Government of the United States or any office or agency thereof, and which has been certified as important to the armament or defense of the United States as provided by Revised Statutes 4894 (U. S. C., title 35, sec. 37), such 20-year period shall be extended by adding thereto any period or periods of delay authorized by said Revised Statutes 4894", so as to make the bill read:

Be it enacted, etc., That section 4884 of the Revised Statutes (U. S. C., title 35, sec. 40) be amended to read as follows:

"Every patent shall contain a short title or description of the invention or discovery, correctly indicating its nature and design, and a grant to the patentee, his heirs or assigns, for the term of the patent, of the exclusive right to make, use, and vend the invention or discovery (including in the case of a plant patent the exclusive right to asexually reproduce the plant) throughout the United States and the Territories thereof, referring to the specification for the particulars thereof. The term of the patent shall begin with the issuance thereof and shall terminate at a date not more than 20 years from the date of filing by the applicant in the United States of his earliest application disclosing the invention covered by any of the claims of said patent: *Provided, however,* That the Commissioner of Patents in his discretion may, before the patent issues, extend such 20-year period by adding thereto not to exceed 2 years to compensate for unavoidable delays during the pendency of the application not chargeable to the applicant; and in the case of any application which has become the property of the Government of the United States or any office or agency thereof, and which has been certified as important to the armament or defense of the United States as provided by Revised Statutes 4894 (U. S. C., title 35, sec. 37), such 20-year period shall be extended by adding thereto any period or periods of delay authorized by said Revised Statutes 4894; but in no case shall the term of any patent be more than 17 years. A copy of the specifications and drawings shall be annexed to the patent and be a part thereof."

SEC. 2. This act shall take effect upon approval but shall apply only to all applications thereafter filed and all patents granted on such applications: *Provided, however,* That applications for patent actually filed prior to the time this act takes effect and all patents granted on such applications are to be governed by the statutes in force prior to the approval of this act as if such statutes had not been amended.

Mr. TAFT. Mr. President, the amendment removes the reason for my objection, and I withdraw the objection which I made.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Washington [Mr. BONE].

The amendment was agreed to.

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

LANDS UNDER SAN CARLOS AND FLATHEAD INDIAN IRRIGATION PROJECTS

The joint resolution (H. J. Res. 264) to approve the action of the Secretary of the Interior deferring the collection of certain irrigation construction charges against lands under the San Carlos and Flathead Indian irrigation projects was considered, ordered to a third reading, read the third time, and passed.

LANDS OF CROW TRIBE OF INDIANS, MONTANA

The bill (S. 2609) to reimpose the trust on certain lands allotted to Indians of the Crow Tribe, Montana, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the period of trust on lands allotted to Indians of the Crow Reservation, Montana, upon which the trust period expired July 14, 1931, or at any other time prior to the approval of this act, and for which lands patents in fee have not been issued, is hereby reimposed and extended to May 23, 1940: *Provided,* That further extension of the period of trust may be made by the President, in his discretion, as provided by section 5 of the act of February 8, 1887 (24 Stat. 388), and the act of June 21, 1906 (34 Stat. 326).

BILLS PASSED OVER

The bill (H. R. 4965) for the relief of J. Harry Walker was announced as next in order.

Mr. KING. I ask that that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 5506) to authorize the Secretary of the Interior to contract with the State Water Conservation Board of Montana and the Tongue River Water Users' Association for participation in the costs and benefits of the Tongue River Storage Reservoir project for the benefit of lands on the Tongue River Indian Reservation, Mont., was announced as next in order.

Mr. McKELLAR. Mr. President, may we have an explanation of that bill? If not, let it go over.

The PRESIDENT pro tempore. The bill will be passed over.

WESTERN OR OLD SETTLER CHEROKEES

The bill (S. 2261) for the relief of the Western or Old Settler Cherokees, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $6,416.42; and when appropriated the said sum shall be placed to the credit of the Western or Old Settler Cherokees in the Treasury of the United States in reimbursement of the said sum of $6,416.42 taken by the United States without the consent of said Cherokees by act of Congress approved June 5, 1924 (43 Stat. 406), out of a fund belonging to the Western or Old Settler Cherokees appropriated by act approved August 23, 1894 (28 Stat. 451), to pay a judgment of the Court of Claims in their favor (27 Ct. Cls. 1; affirmed by the Supreme Court of the United States, 148 U. S. 427), and used to pay for a dormitory at Sequoyah Orphan Training School, the exclusive property of the United States, in which the Western or Old Settler Cherokees have no ownership nor proprietary interest, and had none at the time of said taking.

When appropriated and placed to the credit of the Western or Old Settler Cherokees in the Treasury, the Secretary of the Treasury shall pay the said money to the attorney of record of the Western or Old Settler Cherokees selected by them in pursuance of the act of April 25, 1932 (47 Stat. 137), to reimburse and pay said attorney of record expenses heretofore incurred, or hereafter to be incurred, in the preparation and prosecution of the claims of said Cherokees against the United States.

EMPLOYMENT OF CARL L. RISTINE BY DEPARTMENT OF JUSTICE

The Senate proceeded to consider the bill (S. 2709) to limit the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases, which had been reported from the Committee on the Judiciary with an amendment at the end of the bill to insert:

SEC. 2. Compensation for the duties to be performed under section 1 hereof shall be at the rate of $10,000 per annum.

SEC. 3. This act shall expire August 1, 1941.

So as to make the bill read:

Be it enacted, etc., That the employment of Carl L. Ristine as an attorney or counselor specially employed, retained, or appointed by the Attorney General or under authority of the Department of Justice to assist in the conduct of actions against the United States arising out of the cancelation of domestic air-mail contracts in 1934, now pending in the Court of Claims, including all proceedings therein and any other case or proceeding, appellate or otherwise, that may arise out of or pertain to the matters or any of them involved in the said cases, shall not be construed to be employment within the meaning of sections 109 and 113 of the Criminal Code of the United States, as amended (U. S. C., title 18, secs. 198 and 203), or section 190 of the Revised Statutes of the United States (U. S. C., title 5, sec. 99).

SEC. 2. Compensation for the duties to be performed under section 1 hereof shall be at the rate of $10,000 per annum.

SEC. 3. This act shall expire August 1, 1941.

Mr. AUSTIN. Mr. President, I should like to inquire whether the particular bill refers to some special counsel?

Mr. KING. Yes, it does.

The PRESIDING OFFICER (Mr. HILL in the chair). The Chair is advised that it refers to the appointment of Mr. Carl L. Ristine.

The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

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

AMENDMENTS TO AGRICULTURAL ADJUSTMENT ACT AFFECTING TOBACCO

The bill (H. R. 6538) to amend the Agricultural Adjustment Act of 1938, was announced as next in order.

Mr. GEORGE. Mr. President, there are four bills on the calendar proposing to amend the Agricultural Adjustment Act, all of them relating to tobacco. None of them are controversial, in that they are approved by the Department and have been worked out and agreed to by the representatives of the growers of tobacco, who met here early in January of this year. The first bill, House bill 6538, merely provides against the holding of a second referendum on burley and fire-cured tobacco. So far as I know there is no objection to the bill.

Mr. BARKLEY. Mr. President, I agree with the Senator's statement. These four bills provide amendments to the Agricultural Adjustment Act of 1938 which have been worked out by the tobacco growers, in conjunction with the Department of Agriculture. There is no controversy over them, and they should be passed.

Mr. SMITH. Mr. President, may I say that it is essential that the bills be passed as early as possible, because they do affect this year's operations.

Mr. BARKLEY. That is correct.

Mr. ANDREWS. Mr. President, I join in the request that these four bills be passed as soon as possible.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill, the title of which has been stated?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subsection (b) of section 312 of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the period at the end of the last sentence and inserting in lieu thereof a comma and the following: "nor for any marketing year for which a marketing quota was proclaimed pursuant to the provisions of subsection (a) of this section."

The bill (H. R. 6539) to amend the Agricultural Adjustment Act of 1938, was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subsection (a) of section 312 of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the expression "on the 15th day of November of any calendar year" and the commas immediately preceding and following said expression; and by adding at the end thereof the following new sentence: "The amount of the national marketing quota so proclaimed may, not later than December 31, be increased by not more than 10 percent if the Secretary determines that such increase is necessary in order to meet market demands."

The bill (H. R. 6540) to amend the Agricultural Adjustment Act of 1938 was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 313 of the Agricultural Adjustment Act of 1938, as amended, is amended by addition of the following new subsection:

"(g) Notwithstanding any other provision of this section, the Secretary, on the basis of average yield per acre of tobacco for the State during the 5 years last preceding the year in which the national marketing quota is proclaimed, adjusted for abnormal conditions of production, may convert the State marketing quota into a State acreage allotment, and allot the same through the local committees among farms on the basis of the factors set forth in subsection (b), using past acreage (harvested and diverted) in lieu of the past marketing of tobacco; and the Secretary, on the basis of the national average yield during the same period, similarly adjusted, may also convert into an acreage allotment the amount reserved from the national quota pursuant to the provisions of subsection (c), and on the basis of the factors set forth in subsection (c) and the past tobacco experience of the farm operator, allot the same through the local committees among farms on which no tobacco was produced during the last 5 years. Except for farms last mentioned or a farm operated, controlled, or directed by a person who also operates, controls, or directs another farm on which tobacco is produced, the farm-acreage allotment shall be increased by the smaller of (1) 20 percent of such allotment or (2) the percentage by which the normal yield of such allotment (as determined through the local committees in accordance with regulations prescribed by the Secretary) is less than 3,200 pounds, in the case of flue-cured tobacco, and 2,400 pounds in the case of other kinds of tobacco: *Provided*, That the normal yield of the

estimated number of acres so added to farm-acreage allotments in any State shall be considered as a part of the State marketing quota in applying the proviso in subsection (a). The actual production of the acreage allotment established for a farm pursuant to this subsection shall be the amount of the farm marketing quota. If any amount of tobacco shall be marketed as having been produced on the acreage allotment for any farm which in fact was produced on a different farm, the acreage allotments next established for both such farms shall be reduced by that percentage which such amount was of the respective farm marketing quota, except that such reduction for any such farm shall not be made if the Secretary through the local committees finds that no person connected with such farm caused, aided, or acquiesced in such marketing; and if proof of the disposition of any amount of tobacco is not furnished as required by the Secretary, the acreage allotment next established for the farm on which such tobacco is produced shall be reduced by a percentage similarly computed."

The bill (H. R. 6541) to amend the Agricultural Adjustment Act of 1938 was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 314 of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the first sentence of said section and inserting in lieu thereof the following new sentence: "The marketing of any tobacco in excess of the marketing quota for the farm on which the tobacco is produced shall be subject to a penalty of 10 cents per pound in the case of flue-cured, Maryland, or burley tobacco and 5 cents per pound in the case of all other kinds of tobacco."

BILL PASSED OVER

The bill (S. 1970) to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes, was announced as next in order.

Mr. WHITE. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

REGISTRATION OF CERTAIN PERSONS EMPLOYED TO DISSEMINATE PROPAGANDA

The bill (H. R. 5988) to amend an act entitled "An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes," approved June 8, 1938 (Public Law No. 583, 75th Cong., 3d sess.), was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 1 of the act entitled "An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes," approved June 8, 1938 (Public Law No. 583, 75th Cong., 3d sess.), be, and it is hereby, amended to read as follows:

"That as used in this act—

"(a) the term 'person' means an individual, partnership, association, or corporation;

"(b) the term 'United States' includes the United States and any place subject to the jurisdiction thereof;

"(c) the term 'foreign principal' includes the government of a foreign country, a political party of a foreign country, a person domiciled abroad, any foreign business, partnership, association, corporation, or political organization, or a domestic organization subsidized, directly or indirectly, in whole or in part by any of the entities described herein;

"(d) the term 'agent of a foreign principal' means any person who acts or engages or agrees to act as a public-relations counsel, publicity agent, or as agent, servant, representative, or attorney for a foreign principal, and shall include any person who receives compensation from or is under the direction of a foreign principal: *Provided, however*, That such term shall not include—

"(1) a duly credited diplomatic or consular officer of a foreign government who is so recognized by the Department of State of the the United States; nor

"(2) any official of a foreign government recognized by the United States as a government other than a public-relations counsel or publicity agent or a citizen of the United States, whose status and the character of whose duties as such official are of record in the Department of State of the United States; nor

"(3) any member of the staff of or person employed by a duly accredited diplomatic or consular officer of a foreign government who is so recognized by the Department of State of the United States, other than a public-relations counsel or publicity agent, whose status and the character of whose duties as such member or employee are of record in the Department of State of the United States; nor

"(4) any person performing only private, nonpolitical, financial, mercantile, or other activities in furtherance of the bona fide trade or commerce of such foreign principal; nor

"(5) any person engaged only in activities in furtherance of bona fide religious, scholastic, academic, or scientific pursuits or of the fine arts.

"(e) The term 'Secretary' means the Secretary of State of the United States."

SEC. 2. That section 3 of the act entitled "An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes," approved June 8, 1938 (Public Law No. 583, 75th Cong., 3d sess.), is hereby amended to read as follows:

"SEC. 3. Every person who has filed a registration statement required by section 2 shall, within 30 days after the expiration of each period of 6 months succeeding the first filing, file with the Secretary a statement, under oath, on a form prescribed by the Secretary, which shall set forth with respect to such preceding 6 months' period—

"(a) Such facts as may be necessary to make the information required under section 2 hereof accurate and current with respect to such period;

"(b) The amount and form of compensation received by such person for acting as agent for a foreign principal which has been received during such 6 months' period either directly or indirectly from any foreign principal; and

"(c) A statement containing such details required under this act as the Secretary shall fix, of the activities of such person as agent of a foreign principal during such 6 months' period."

SEC. 3. That section 4 of the act entitled "An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes," approved June 8, 1938 (Public Law No. 583, 75th Cong., 3d sess.), is hereby amended to read as follows:

"SEC. 4. The Secretary shall retain in permanent form all statements filed under this act, and such statements shall be public records and open to public examination and inspection at all reasonable hours, under such rules and regulations as the Secretary may prescribe: *Provided*, That the Secretary is hereby authorized to withdraw from the public records the registration statement of any person whose activities have ceased to be of a character which requires registration under the terms of this act."

BILL PASSED OVER

The bill (H. R. 2953) authorizing States owning lands or interests therein acquired from the United States to include the same in certain agreements for the conservation of oil and gas resources was announced as next in order.

Mr. KING. Mr. President, may we have an explanation of this bill? I inquire if the Senator from Colorado [Mr. ADAMS] is familiar with it.

Mr. ADAMS. I am not. I shall be glad to look it up.

Mr. KING. Let the bill be passed over temporarily.

The PRESIDING OFFICER. The bill will be passed over.

MINIMUM-WAGE RATES FOR PUERTO RICO AND VIRGIN ISLANDS

The bill (S. 2682) to amend the Fair Labor Standards Act of 1938 to provide a special procedure for fixing minimum-wage rates for Puerto Rico and the Virgin Islands was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That (a) section 5 of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following:

"(e) No industry committee appointed under subsection (a) of this section shall have any power to recommend the minimum rate or rates of wages to be paid under section 6 to any employees in Puerto Rico or in the Virgin Islands. Notwithstanding any other provision of this act, the Administrator may appoint a special industry committee to recommend the minimum rate or rates of wages to be paid under section 6 to all employees in Puerto Rico or the Virgin Islands, or in Puerto Rico and the Virgin Islands, engaged in commerce or in the production of goods for commerce, or the Administrator may appoint separate industry committees to recommend the minimum rate or rates of wages to be paid under section 6 to employees therein engaged in commerce or in the production of goods for commerce in particular industries. An industry committee appointed under this subsection shall be composed of residents of such island or islands where the employees with respect to whom such committee was appointed are employed and residents of the United States outside of Puerto Rico and the Virgin Islands. In determining the minimum rate or rates of wages to be paid, and in determining classifications, such industry committees and the Administrator shall be subject to the provisions of section 8, and no such committee shall recommend, nor shall the Administrator approve, a minimum wage rate which will give any industry in Puerto Rico or in the Virgin Islands a competitive advantage over any industry in the United States outside of Puerto Rico and the Virgin Islands."

(b) No wage orders issued by the Administrator prior to the enactment of this act pursuant to section 8 of the Fair Labor Standards Act of 1938 shall after such enactment be applicable with respect to any employees engaged in commerce or in the production of goods for commerce in Puerto Rico or the Virgin Islands.

SEC. 2. Section 6 of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following:

"(c) The provisions of paragraphs (1), (2), and (3) of subsection (a) of this section shall be superseded in the case of any employee in Puerto Rico or the Virgin Islands engaged in commerce or in the production of goods for commerce only for so long as and insofar as such employee is covered by a wage order issued by the Administrator pursuant to the recommendations of a special industry committee appointed pursuant to section 5 (e)."

ALABAMA LEWIS POOLE

The bill (S. 2201) for the relief of Alabama Lewis Poole was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That notwithstanding the proceedings and findings of the board of medical officers which investigated the circumstances and facts surrounding the death of First Lt. John K. Poole, and the confirmation thereof by the War Department, the War Department is hereby authorized and directed to pay to Alabama Lewis Poole, widow of First Lt. John K. Poole, a sum equal to 6 months' pay which her husband was receiving as provided by law because the facts reported by the board of medical officers shows on its face that First Lieutenant Poole was in line of duty at the time of his death, and that his death was not the result of his own misconduct.

INSIGNIA OF VETERANS' ORGANIZATIONS

The Senate proceeded to consider the bill (S. 2365) for the protection against unlawful use of the badge, medal, emblem, or other insignia of veterans' organizations incorporated by act of Congress, and providing penalties for the violation thereof, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 3, after the word "the", to strike out "manufacturing, wearing, purchase, or sale, either separately or appended to, or to be appended to, or the reproduction on any articles of merchandise manufactured or sold" and insert "manufacture or sale in interstate commerce"; and in line 8, after the word "thereof", to insert "or the reproduction thereof for commercial purposes", so as to make the bill read:

Be it enacted, etc., That the manufacture or sale in interstate commerce of the badge, medal, emblem, or other insignia, or any colorable imitation thereof, or the reproduction thereof for commercial purposes, of any veterans' organization incorporated by act of Congress, or the printing, lithographing, engraving, or other like reproduction on any poster, circular, periodical, magazine, newspaper, or other publication, or the circulation or distribution of any such printed matter bearing a reproduction of such badge, medal, emblem, or other insignia, or any colorable imitation thereof, of any such veterans' organization, shall be unlawful and is prohibited except when authorized under such rules and regulations as may be prescribed by such organization so incorporated.

Any person who knowingly offends against any provision of this act shall, on conviction, be punished by a fine not exceeding $250 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment.

The amendments were agreed to.

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

ABRAHAM LINCOLN NATIONAL PARK

The Senate proceeded to consider the bill (S. 2046) to change the designations of the Abraham Lincoln National Park, in the State of Kentucky, and the Fort McHenry National Park, in the State of Maryland.

Mr. AUSTIN. Mr. President, I should like to inquire to what name the bill changes the name of the park in the State of Kentucky?

The PRESIDING OFFICER. The bill will be read.

The legislative clerk read the bill, as follows:

Be it enacted, etc., That the Abraham Lincoln National Park, in the State of Kentucky, authorized by the act of July 17, 1916 (39 Stat. 385), and the Fort McHenry National Park, in the State of Maryland, authorized by the act of March 3, 1925 (43 Stat. 1109), shall hereafter be called and known as the "Abraham Lincoln National Historical Park," and the "Fort McHenry National Monument and Historic Shrine," respectively, and all moneys heretofore or hereafter appropriated for these areas under previous designations may be used in these areas as redesignated.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed.

LANDS FOR EDUCATIONAL USE IN ALASKA

The bill (H. R. 3025) to amend an act entitled "An act to reserve lands to the Territory of Alaska for educational uses, and for other purposes," approved March 4, 1915 (38 Stat. 1214–15), was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of Congress approved March 4, 1915 (38 Stat. L. 1214–1215), being an act to reserve lands of the Territory of Alaska for educational uses, and for other purposes, be, and the same is hereby, amended by adding to the first section of the act the following: "Timber on the reserved lands may be sold by the Secretary of the Interior under the provisions of section 11 of the act of Congress approved May 14, 1898 (30 Stat. 409–414), and such lands and the minerals therein shall be subject to disposition under the mining and mineral leasing laws of the United States upon conditions providing for compensation to any Territorial lessee for any resulting damages to crops or improvements on such lands, but the entire proceeds or income derived by the United States from such sale of timber and disposition of the lands or the minerals therein are hereby appropriated and set apart as permanent funds in the Territorial treasury, to be invested and the income expended for the same purposes and in the manner hereinbefore provided for. Any leases issued by the Territory after a valid appropriation of such reserved lands under the mining laws or the mineral leasing laws of the United States shall be with due regard to the rights of the mineral claimant.

"The Secretary of the Interior is hereby authorized to make all necessary rules and regulations in harmony with the provisions and purposes of this act for the purpose of carrying the same into effect."

BILL PASSED OVER

The bill (H. R. 3959) to authorize the Secretary of the Interior to dispose of recreational demonstration projects, and for other purposes, was announced as next in order.

Mr. McKELLAR. Mr. President, may we have an explanation of that bill? If not, let it go over.

The PRESIDING OFFICER. The bill will be passed over.

RIGHT-OF-WAY, CHILKOOT BARRACKS, ALASKA

The bill (H. R. 3795) to provide a right-of-way to the Chilkoot Barracks Military Reservation, Alaska, was considered, ordered to a third reading, read the third time, and passed.

EXCHANGE OF LANDS BETWEEN WAR AND LABOR DEPARTMENTS

The bill (H. R. 4008) to authorize an exchange of lands between the War Department and the Department of Labor was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized to transfer to the control and jurisdiction of the Secretary of Labor that portion of the Fort Armstrong Military Reservation, Honolulu, T. H., now occupied by the Department of Labor under revocable permit from the Secretary of War dated August 24, 1935, and in exchange therefor the Secretary of Labor is hereby authorized to transfer to the control and jurisdiction of the Secretary of War that portion of the adjoining immigration station site now occupied by the War Department under revocable permit from the Secretary of Labor dated September 18, 1935.

RIGHT-OF-WAY, MIDDLETOWN AIR DEPOT, PA.

The bill (H. R. 4783) to provide a right-of-way was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and empowered, under such terms and conditions as are deemed advisable by him, to grant to Keystone Pine Line Co., its successors and/or assigns, an easement for a right-of-way for oil-pipe lines over, across, in, and upon the Middletown Air Depot Military Reservation, in the State of Pennsylvania: *Provided*, That such right-of-way shall be granted only upon a finding by the Secretary of War that the same will be in the public interest and will not substantially injure the interest of the United States in the property affected thereby: *Provided further*, That all or any part of such right-of-way may be annulled and forfeited by the Secretary of War if the property is needed for governmental purposes or for failure to comply with the terms or conditions of any grant hereunder, or for nonuse or for abandonment of rights granted under authority hereof.

RIGHT-OF-WAY, FORT MIFLIN MILITARY RESERVATION, PA.

The bill (H. R. 4784) to provide a right-of-way was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and empowered, under such terms and conditions as are deemed advisable by him, to grant to the Atlantic Refining Co., its successors and/or assigns, an easement for the right-of-way for oil pipe lines over, across, in, and upon the Fort Mifflin Military Reservation, in the State of Pennsylvania: *Provided*, That such right-of-way shall be granted only upon a finding by the Secretary of War that the same will be in the public interest and will not substantially injure the interest of the United States in the property affected thereby: *Provided further*, That all or any part of such right-of-way may be annulled and forfeited by the Secretary of War if the property is needed for governmental purposes or for failure to comply with the terms or conditions of any grant hereunder, or for nonuse or for abandonment of rights granted under authority hereof.

FORT DOUGLAS MILITARY RESERVATION, UTAH

The bill (H. R. 5912) authorizing the Secretary of War to permit Salt Lake City, Utah, to construct and maintain certain roads, streets, and boulevards across the Fort Douglas Military Reservation was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of War is authorized to permit the Board of Commissioners of Salt Lake City, Utah, to construct and maintain such roads, streets, and boulevards across lands of the United States located within the Fort Douglas Military Reservation in the State of Utah as he may determine will not interfere with the use of such lands in such manner as the public interest may require. Any grant of permission to construct and maintain any such road, street, or boulevard shall be made subject to such conditions as the Secretary may prescribe for the purpose of protecting the public interest.

PENSIONS AND BENEFITS, RESERVE OFFICERS

The bill (S. 2575) to provide pensions, compensation, retirement pay, and hospital benefits for certain Reserve officers of the Army of the United States was announced as next in order.

Mr. KING. Mr. President, let us have an explanation of the bill.

Mr. SHEPPARD. Mr. President, this bill proposes to give retired pay and allowances identically with Regular officers to Reserve officers of the Air Corps of the Army of the United States who have been disabled while on active military service in excess of 30 days from July 1, 1928, to April 3, 1939. This is to take care of those who have been similarly disabled in the period from 1928 to the time of the passage of the National Defense Act this year, which act provided such pay and allowances from the date of that act forward.

Mr. McKELLAR. Mr. President, this bill does not have the approval of the Veterans' Administration under General Hines.

Mr. SHEPPARD. Let me see as to that.

Mr. KING. No; they do not approve it. Let the bill go over.

Mr. SHEPPARD. I shall look into that phase of the matter and bring up the bill later.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF NATURALIZATION LAW

The bill (H. R. 3215) to amend the act of March 2, 1929 (45 Stat. 536), was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 1 (a) (1) of the act of March 2, 1929, entitled "An act to supplement the naturalization laws, and for other purposes" (45 Stat., ch. 536, p. 1512), which now reads "(1) Entered the United States prior to June 3, 1921", is hereby amended, effective as of the date this act is enacted, so as to read as follows: "(1) Entered the United States prior to July 1, 1924."

DEPORTATION OF CERTAIN ALIENS

The bill (H. R. 6724) to provide for the prompt deportation of aliens engaging in espionage or sabotage, alien criminals, and other undesirable aliens was announced as next in order.

Mr. DANAHER. I ask that the bill go over.

Mr. RUSSELL. Mr. President, I inquire if objection was made to the consideration of House bill 6724?

The PRESIDING OFFICER. Objection was interposed.

Mr. RUSSELL. Mr. President, if the Senator who interposed objection will withhold it for just a moment, I should like to make a brief explanation of the bill. It merely proposes to add to the class of aliens who are subject to deportation those who admit in writing that they have engaged in or been convicted of espionage or sabotage for a foreign government since their entry into the United States. It also adds to the class of deportable aliens those who have been guilty of violating the antinarcotic laws of any of the States.

I cannot conceive of any possible objection to the bill. It has passed the House unanimously, and the Senate Committee on Immigration has carefully considered it. The bill merely adds the two classes of aliens I have mentioned to those who are now deportable under the immigration laws, namely, those who have admitted in writing that they are guilty of espionage at the behest of a foreign power, and those who have violated the narcotic laws of any State.

Under our present immigration laws an alien who has violated a Federal narcotic statute is subject to deportation. This merely makes the same rule apply to those who have been guilty of violating a State narcotic law.

Mr. McKELLAR. The Department has recommended it, has it not?

Mr. RUSSELL. No objection was interposed by the Department.

Mr. DANAHER. Mr. President, in order that my reason for asking that the bill go over may be made known to the Senator from Georgia, let me observe that the provision, on line 9, page 1, affecting anyone who admits in writing that he was engaged in the specified acts, invites coercion and invites third-degree treatment; it invites a hysterical surrender.

There are so many possibilities under which one ill-advised can and does admit in writing his assumed or alleged guilt of a given offense, and I personally have seen so much of that kind of thing in my own experience in the practice of the law, that I would hesitate, and I would think that this body should hesitate, to submit to the country a law providing that anyone who admits in writing that he has performed a given act shall therefore be subject to deportation. There are many illustrations of people, for instance, having signed deeds, having signed leases, having signed notes. The books are full of instances of people claiming relief on the ground that they did not know what they were signing. I am certain that in time of war, for instance, this bill, if enacted, would lead to very real hardship. I would much rather that there be a trial and conviction and thereafter deportation than that anyone be deported as a matter of penalty merely because he admits in writing his alleged offense.

With reference to page 2, it points out that a person who at any time after entry has been convicted of violation of the particular specified act shall be subject to deportation. If a person were brought here at the age of 1, and at the age of 19 or 20 were convicted of violation of a State law, he might be deported to a foreign country, the penalty therefore being wholly inordinate, because he might not know the language of the people or the customs of the country, having grown up here. If we in this environment cannot do better than to submit him to a penalty of ultimate deportation for a violation of an offense which in and of itself might call for a 30-day jail sentence, it seems to me we are failing in our duty. The bill is fundamentally defective in going much too far. Because of that I object.

Mr. RUSSELL. Mr. President, of course the Senator has a right to object, but the argument he makes would be just as cogent against the present Federal law regarding the deportation of alien criminals.

Mr. DANAHER. Is not most of this matter already covered in the so-called Hobbs bill, which is on the calendar?

Mr. RUSSELL. I am not familiar with the bill to which the Senator from Connecticut refers. It was referred to the Committee on the Judiciary, I have understood.

Mr. DANAHER. That is true.

Mr. RUSSELL. But I do not think these identical provisions are in that bill.

Mr. DANAHER. I think that if the Senator will examine he will find that the matter to which I have referred is already pretty well covered, and there is a right of action by way of habeas corpus to the circuit court of appeals in a given instance, particularly for violations of laws involving moral turpitude and those involving narcotic violations and those involving the statute against anarchy, and similar offenses. I think that if the Senator will check he will find I am right. I think the calendar number of the Hobbs bill is 821, House bill 5643. I would therefore ask the Senator to check his bill against House bill 5643, and meanwhile let the matter be passed over.

The PRESIDING OFFICER. The bill will go over.

NATURALIZATION OF CLERGYMEN

The bill (H. R. 4100) to amend the naturalization laws in relation to an alien previously lawfully admitted into the United States for permanent residence and who is

temporarily absent from the United States solely in his or her capacity as a regularly ordained clergyman or representative of a recognized religious denomination or religious organization existing in the United States, was considered, ordered to a third reading, read the third time, and passed.

REDEMPTION OF INTERNAL-REVENUE STAMPS

The Senate proceeded to consider the bill (S. 2712) to amend section 2803 (c) of the Internal Revenue Code, which had been reported from the Committee on Finance with amendments, on page 1, line 7, after the word "redeem", to insert the words "or make allowance for"; on line 8, after the word "under", to strike out "this act" and insert "section 203 of the Liquor Taxing Act of 1934 or subsection (b) of this section"; and on page 2, after line 9, to insert a new section, so as to make the bill read:

Be it enacted, etc., That section 2803 (c), Internal Revenue Code, be amended to read as follows:

"(c) Unused or spoiled stamps: The Commissioner of Internal Revenue, under regulations approved by the Secretary of the Treasury, may redeem or make allowance for any stamps issued under section 203 of the Liquor Taxing Act of 1934 or subsection (b) of this section by exchanging them for other stamps of the same kind or by refunding moneys received therefor: *Provided*, That stamps may be exchanged or the value thereof refunded only in quantities of the value of $5 or more: *And provided further*, That no claim for the exchange of strip stamps or refund therefor shall be allowed unless presented within 1 year after the date on which such stamps were lawfully purchased, or if lawfully purchased prior to the date of the enactment of this act, within 1 year after such date. There are hereby authorized to be appropriated annually, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out this provision."

SEC. 2. Notwithstanding the limitation contained in section 2803 (c) of the Internal Revenue Code, as amended by this act, as to the time within which claims under such section must be presented, claims under such section for the exchange of or refund for stamps lawfully purchased prior to the date of enactment of this act may be allowed if presented within 1 year from the date of enactment of this act.

The amendments were agreed to.

Mr. BARKLEY. Mr. President, I have an amendment to submit which will strike out certain language made unnecessary.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 2, line 4, it is proposed to strike out the comma in line 4 and the words "or if lawfully purchased prior to the date of the enactment of this act, within 1 year after such date."

The amendment was agreed to.

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

REGULATION OF THE SALE OF LIQUOR

The bill (H. R. 6479) amending section 2857 of the Distilled Spirits Act was considered, ordered to a third reading, read the third time, and passed.

The title was amended so as to read: "An act amending section 2857 of the Internal Revenue Code."

LEAKAGE AND EVAPORATION OF BRANDY

The bill (H. R. 6268) to authorize the Commissioner of Internal Revenue to make certain allowances for losses by leakage and evaporation upon withdrawal of packages of brandy or fruit spirits under certain conditions was considered, ordered to a third reading, read the third time, and passed.

EXTENSION OF TIME FOR APPLYING FOR ADJUSTED COMPENSATION

The bill (H. R. 5450) to extend the time within which applications for benefits under the World War Adjusted Compensation Act, as amended, may be filed was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. WALSH subsequently said: Mr. President, I should like to inquire what disposition was made of Order of Business 962, House bill 5450?

The PRESIDING OFFICER. The bill went over on objection of the Senator from Utah [Mr. KING].

Mr. WALSH. Mr. President, will not the Senator from Utah permit the Senator from Missouri to make an explanation of the bill?

Mr. KING. I have examined the report, and find there is an adverse recommendation from General Hines, and I thought we should have a chance to examine it before the next call of the calendar.

Mr. CLARK of Missouri. Mr. President, will the Senator withhold his objection until an explanation may be made?

Mr. KING. Certainly.

Mr. CLARK of Missouri. All the bill does is to extend for a period of 5 years the time within which a veteran may file an application for adjusted-service compensation. It is true the bill is reported adversely by the Veterans' Administration, as every other bill I can remember for the welfare and benefit of the veterans of the United States has been reported on adversely by the Veterans' Administration.

There are many men who have never filed applications for adjusted-service certificates. Some of them are men who are mental cases, and may never file applications. Others are men who, owing to their economic circumstances, did not need the bonus or adjusted-service compensation. Others are men who, by reason of lack of educational advantages or other causes, did not know of their right to file these applications.

It is entirely probable that a very small proportion of those who have not, over the period of years already passed, filed applications, will ever file them, but it seems to me that in a time of economic stress, to have a very arbitrary rule and cut these men off is not right. All the bill does is extend the time for a period of 5 years.

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

Mr. CLARK of Missouri. I yield.

Mr. WALSH. The present law expires on January 2, 1940?

Mr. CLARK of Missouri. That is correct.

Mr. WALSH. Unless this bill shall be enacted——

Mr. CLARK of Missouri. Unless this bill shall be enacted at this session of the Congress it will be impossible for the Congress to act without reestablishing the whole system, and reenacting the law.

Mr. WALSH. I have in mind at least one and perhaps two cases of very brave soldiers, men who performed very valuable services during the World War, who have felt that, because of their economic condition, they should not ever ask for the adjusted-service compensation. But a condition has arisen now when they are really in need.

Mr. KING. I withdraw the objection.

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

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

BILL PASSED OVER

The bill (H. R. 6556) to provide for the seizure and forfeiture of vessels, vehicles, and aircraft used to transport narcotic drugs, firearms, and counterfeit coins, obligations, securities, and paraphernalia, and for other purposes, was announced as next in order.

Mr. AUSTIN. Mr. President, on behalf of the Senator from Delaware [Mr. TOWNSEND], I object.

The PRESIDING OFFICER. The bill will be passed over.

ENFORCEMENT OF NARCOTIC LAW

The bill (H. R. 6555) to amend the act of March 28, 1928 (45 Stat. 374), as amended, relating to the advance of funds in connection with the enforcement of acts relating to narcotic drugs, so as to permit such advances in connection with the enforcement of the Marihuana Tax Act of 1937, and to permit advances of funds in connection with the enforcement of the customs laws, was considered, ordered to a third reading, read the third time, and passed.

VETERANS' ADMINISTRATION BENEFICIARIES' EXPENSES

The bill (S. 2866) to provide for allowance of expenses incurred by Veterans' Administration beneficiaries and their attendants in authorized travel for examination and

treatment was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is hereby authorized, under regulations to be prescribed by the President, to pay the actual necessary expenses of travel, including lodging and subsistence, or in lieu thereof an allowance based upon the mileage traveled, of any person to or from a Veterans' Administration facility, or other place for the purpose of examination, treatment, or care: *Provided*, That payment of mileage upon termination of examination, treatment, or care may be made prior to completion of such travel: *And provided further*, That when any such person requires an attendant other than an exployee of the Veterans' Administration for the performance of such travel, such attendant may be allowed expenses of travel upon a similar basis.

TRANSFER OF LAND AT VETERANS' ADMINISTRATION FACILITY, COATESVILLE, PA.

The bill (S. 2867) to authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed to the Pennsylvania Railroad Co. for right-of-way purposes, a small strip of land at Veterans' Administration facility, Coatesville, Pa., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to transfer by quitclaim deed to the Pennsylvania Railroad Co., the following-described property located at Veterans' Administration facility, Coatesville, Chester County, Pa.:

Beginning at a point, said point being marked by an iron pin and set in the southwest corner of the Veterans' Administration Reservation as now constituted, said point also being in the northerly right-of-way line of the Pennsylvania Railroad right-of-way and 50 feet distant from the center thereof; said point also being directly opposite center line station 1972 plus 28.5 of the eastern region, eastern Pennsylvania division, Philadelphia division of the Pennsylvania Railroad; thence north, 0°50′0″ west along the westerly boundary line of the Government reservation, a distance of 42.41 feet to a point; thence, along a curve to the left having a radius of 5,640 feet, a distance of 631.97 feet, the chord of which curve bears south 74°34′6″ east, a distance of 631.64 feet; thence south 34°51′0″ west along one of the boundary lines of the Government reservation, a distance of 43.31 feet to a point, said point being in the northerly right-of-way line of the Pennsylvania Railroad right-of-way and 50 feet distant from the center thereof, said point also being directly opposite center line station 1966 plus 17.55; thence, along a curve to the right having a radius of 5,680 feet a distance of 605.65 feet the chord of which curve bears north 74°33′20″ west, a distance of 605.36 feet; said curve being the south boundary line of the Government reservation and the north boundary line of the Pennsylvania Railroad right-of-way to the point of beginning, containing in all an area of 0.568 acre, more or less.

RETURN OF RECORDS TO WILLIAMSBURG LODGE, NO. 6, F. A. A. M.

The joint resolution (H. J. Res. 183) authorizing the Librarian of Congress to return to Williamsburg Lodge, No. 6, Ancient Free and Accepted Masons of Virginia, the original manuscript of the record of the proceedings of said lodge was considered, ordered to a third reading, read the third time, and passed.

EXTENSION OF PERIOD OF AMORTIZATION OF HOME LOANS

The Senate proceeded to consider the bill (S. 628) to allow the Home Owners' Loan Corporation to extend the period of amortization of home loans from 15 to 25 years, which had been reported from the Committee on Banking and Currency with amendments, on page 1, line 7, to strike out "fifth" and insert "sixth", on page 2, line 9, after the word "extension", to strike out "and/or" and to insert "or", and after the word "revision" to strike out "and no payment of any installment of principal shall be required during the period of 3 years from the date this act takes effect if the home owner shall not be in default with respect to any other condition or covenant of his mortgage", so as to make the bill read:

Be it enacted, etc., That (a) the fourth sentence of section 4 (d) of the Home Owners' Loan Act of 1933, as amended, is amended by striking out before the semicolon the words "fifteen years" and substituting therefor the words "twenty-five years".

(b) That the sixth sentence of section 4 (d) of the Home Owners' Loan Act of 1933, as amended, is further amended to read as follows: "The Corporation may at any time grant an extension of time to any home owner for the payment of any installment of principal or interest owed by him to the Corporation or may at any time during the existence of the mortgage grant an extension and revision of its terms to provide for the amortization by means of monthly payment sufficient to retire the interest and principal within a period not to exceed twenty-five years from the date of its execution if in the judgment of the Corporation the circumstances of the home owner and the condition of the security justify such extension or revision.

Mr. KING. Mr. President, I think we ought to have an explanation, or let the bill go over.

Mr. WAGNER. Mr. President, this is a very simple bill, and I am sure the Senator will have no objection to it. The bill is purely permissive. It authorizes the Home Owners' Loan Corporation to extend the amortization period on home owners' loans from 15 to 25 years, if the circumstances of the home owner and the condition of the security justify such extension. There is an identical provision in the Federal Housing Administration Act, in which we give the owner of a home valued at $6,000 or less a period of 25 years in which to amortize the mortgage.

The Home Owners' Loan Corporation favors the proposed legislation. It is purely permissive, but at least provides the opportunity for some who are in danger of having their homes foreclosed, an added period in which to amortize their debts. It does not reduce the debts by 1 cent, however. The monthly payments will be somewhat reduced, and the payments will be made easier. We have heretofore conferred this privilege upon home owners not in the distressed class, who have their mortgages insured under the F. H. A. They have 25 years in which to pay off their mortgages, plus interest.

This bill does not affect the 5-percent interest rate now being paid on these H. O. L. C. loans. I might point out, however, that only yesterday the F. H. A. reduced the interest rate from 5 to 4½ percent for the home owner who is not distressed. Yet the home owner who had to refinance his mortgage because of his distressed condition must continue to pay 5 percent. The newly appointed Administrator of the Federal Lending Agency, Mr. Jesse Jones, has assured me of his deep interest in the problems of these distressed home owners, and of his intention to give sympathetic consideration to a possible reduction in the interest rate, a matter within his discretion under the law.

All we are asking now is that we accord the same privileges and benefits regarding amortization to the distressed home owner as other home owners now enjoy under the F. H. A. I think this is both fair and humane.

I want to take this oportunity to pay deserving tribute to my colleague, Mr. MEAD, for his persistent and sympathetic efforts in behalf of these unfortunate home owners. He has been pressing this legislation from the moment he entered the Senate, and he is to be congratulated for having secured a favorable report from the Banking and Currency Committee, by unanimous vote. I cannot urge too strongly that the Senate adopt the pending bill.

Mr. McKELLAR. Mr. President, I am in entire sympathy with the purposes of the bill, but I understand that a great many of these home owners' mortgages are being foreclosed. The bill does not seem to make any provision for notifying those who are in distress that they might secure the advantages of such an act, if it were passed.

Mr. WAGNER. They are very much interested. As a matter of fact, they have formed an organization.

Mr. McKELLAR. I am told there are a very large number being foreclosed every day.

Mr. WAGNER. They were very reasonable in their request. They came before our committee and made a very favorable impression. They pleaded with us: "We are American citizens. We want to pay our debts. We do not want anything for nothing. We simply want fair treatment, and certainly we are entitled to a period of 25 years within which to amortize our debts, just as the more fortunate home owners are accorded under Federal law."

Mr. McKELLAR. I am in favor of the legislation if its provisions may be communicated to the people who need it.

Mr. MEAD. I am sure they will be notified.

Mr. WAGNER. My colleague the junior Senator from New York [Mr. MEAD] will see that those who are entitled to the benefits are notified.

Mr. McKELLAR. He may be able to notify those in his State; I do not know whether his voice will reach all around the country or not.

Mr. MEAD. I will assume that responsibility. I might say a word in explanation of the bill.

I am interested in liberalization of the Home Owners' Loan Act not because I am in any way desirous of disparaging the excellent efforts which have been put forth by the Home Owners' Loan Corporation, or because I would wish to cast reflection upon that agency's splendid record in saving thousands of homes from foreclosure. However, for the past 2 or 3 years, I have been receiving a great many appeals from H. O. L. C. borrowers who cite their circumstances and who demonstrate the helpful possibilities which might result from a more lenient policy than was originally adopted.

A number of bills have been introduced in the House and in the Senate to provide for increased leniency in dealing with H. O. L. C. borrowers. These bills are aimed to assist the man who has shown his good faith and honorable intention to repay the Government, but who may have run into unexpected difficulties through sickness, unemployment, or other unforeseen situations which have temporarily crippled him financially.

This bill would not release any H. O. L. C. borrower from his rightful obligation to the Government, but would pave an easier road for him to follow in fulfilling that obligation.

I do not propose to recite the infinite good the H. O. L. C. has accomplished for the distressed American home owner. The agency was established when home foreclosures were being made on a wholesale scale. Through a reasonable refinancing means the H. O. L. C. averted those foreclosures in thousands of cases. The American home owner fully appreciated that aid and, with rare exception, he desires to repay his Government for it.

Many of us read the Home Loan Bank Board's statement at the close of 1938, which indicated the honesty and integrity of the average H. O. L. C. borrower. That statement said that H. O. L. C. borrowers are paying $1,000,000 every working day to charge off their debt to Uncle Sam. It stated that the H. O. L. C. borrowers now on the books of the Corporation have paid back 91 cents on every dollar of obligation to date. The statement went on to say:

> It is only a few years since foreclosures in this country were tabulated at the rate of 1,000 a day. More than a million home owners were literally without hope. Today nearly three-fourths of that million are on their way to debt-free home ownership and thousands of others are making a good fight; the majority will win, barring unforeseen economic difficulties.
>
> H. O. L. C. borrowers to date have paid back $540,000,000, or 17 percent of their entire principal indebtedness. About 1,500 a month are paying off their loans in full; 44,000 already have paid in more than $100,000,000 to get their names crossed off our books. We are collecting about $15,000,000 a month in principal and $9,500,000 in interest.

These observations, indeed, appear to bear out the truth of the remarks of General Manager Charles A. Jones that "the American home owner is the world's best risk."

However, as in all situations, there is an unhappier side to this picture, and it is to those more unfortunate borrowers that we are addressing ourselves in urging some liberalization of the existing law.

As I am informed, 1,018,413 H. O. L. C. loans have been made throughout the entire United States. To date, the H. O. L. C. has authorized foreclosure on 168,010 cases—perhaps the number has slightly increased since I obtained that information. Of this number, approximately 16,265 cases are temporarily withdrawn. The total number definitely assured of foreclosure is approximately 151,745. Of this number, actual title has been taken to at least 122,555 properties.

In my own State of New York, 80,154 loans were originally made. Of this number, at least 25,158 foreclosures have been authorized by the H. O. L. C. One thousand one hundred and ten pending foreclosures have been temporarily withdrawn, so that actually 24,048 homes appear certain to be foreclosed on. As a matter of fact, over 17,750 homes have already been acquired. As a result, in New York State, over 30 percent of the total amount of loans seem certain to be foreclosed.

That is a large percentage of foreclosures and there must be some good reason for it. Assuming that, with very rare exception, the borrower wants to retain his home and wants desperately to find a way to repay his loan, it seems that some means should be provided for him to more easily meet his obligation.

As I understand it, something like 15 percent is the average percentage of H. O. L. C. foreclosures throughout the country. In New York State, the percentage is double that, and it is serious enough to merit our very careful attention and consideration.

The foreclosure policy of the H. O. L. C., particularly in the New York area, deserves study. In the first place, considerable legal expense is incurred in effecting foreclosures. Then, considerable additional expense is incurred in repairing the premises. After that, a substantial loss is sustained in the resale when, of course, a brokerage fee must be paid. After this procedure, a new owner steps in and gets a new mortgage for 15 years. In cases where the houses are not sold, which seems to be in the majority of instances, many times a foreclosed home is rented to a tenant at a less amount than the dispossessed owned was willing to pay.

When we consider that the F. H. A. program spreads the amortization payments over a period of 25 years and permits the purchaser to buy a home with a 10-percent down payment, it is readily understandable why the houses acquired by the H. O. L. C. will have to be sold at a substantial loss in order to compete with the newly constructed F. H. A. homes. It is my thought that if we were to spread the amortization period over a greater number of years that a large proportion of those who have already lost their homes and those who are about to lose their homes, might more easily be able to carry on. Most of these owners have a sentimental interest in their homes and, if given the chance, will struggle to meet their obligations.

There are other phases to the problem, such as wiping out deficiency judgments, reducing interest rates, and establishing a moratorium on principal payments for a period of time, all of which should be helpful but are not contained in this bill. However, to spread the amortization period over an additional 10 years would accomplish a real step in the right direction.

This bill, S. 628, will allow the H. O. L. C. to extend the period of amortization of home loans from 15 to 25 years. I have read the Corporation's report and note that, among other things, it is stated:

> In our judgment, an unfortunate consequence of legislation of this character would be to single out that 3 percent of the country's families which already have Corporation loans; to confer on these borrowers, who as a group are able to pay their own way, the unneeded concession of a phenomenally liberal loan at less than actual cost, and to call on the citizens of the country as a whole to foot the heavy bill involved. Under the circumstances, the Board is firmly convinced that the weight of all pertinent considerations is in favor of continuing the Corporation's loans through to maturity on the basic plan originally provided, and that it must counsel against legislative proposals seeking to alter the Corporation's loan contracts.

As I stated before, I am fully and deeply conscious of the remarkable work that the Corporation has accomplished. I realize that its officials hold a justifiable pride in the record that has been made generally throughout the Nation. I compliment them on that record. Nevertheless, it does seem that in New York State, a foreclosure rate of 30 percent is much, much too high. That mars the record which is broadly so good. Cannot something be done to help these people in our State who are surely as dependable and sincere and conscientious as those people in any other State?

A principal objection to this proposal is that those who are now meeting their obligations would be affected, as well as those who cannot meet their obligations. In that event, they will all probably seek the benefit of this leniency. Granting that this might be the case, I do not understand that it would prove to be so offensive nor particularly burdensome. If such a measure would improve the economic

status of all concerned, through a more lenient policy of repayment, it could only have a salutary effect on our whole economy. Some might be benefited more than others, but, in my judgment, the happy results would more than justify this slight generosity on the part of our Government.

H. O. L. C. borrowers in New York State, and especially in Greater New York, have unquestionably suffered in their efforts to satisfy H. O. L. C. requirements. Other agencies of the Government are more liberal and, with particular reference to F. H. A., such liberalization of regulation has proven beneficial.

Let it be understood that H. O. L. C. borrowers are not asking that they be released from any obligation, but they are asking that they be given a fair and reasonable opportunity to keep the home that the H. O. L. C. has once saved for them. I believe we should very carefully and considerately weigh all the factors involved in my State and endeavor to work out some more lenient methods to help them in their efforts to make good. They deserve that much consideration from a Government agency especially designed to assist them.

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

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

SIMPLIFICATION OF ACCOUNTS OF TREASURER OF THE UNITED STATES

The Senate proceeded to consider the bill (S. 844) to simplify the accounts of the Treasurer of the United States, and for other purposes, which was read as follows:

Be it enacted, etc., That after the reimbursement to the Treasury from funds derived from assessments made pursuant to section 8 of the act of July 12, 1882, 22 Stat. 164, as amended (U. S. C., title 12, sec. 177), of all costs lawfully charged thereto for the fiscal year ending June 30, 1940, the balance of such funds shall be covered into the Treasury as miscellaneous receipts; and thereafter the cost of transporting and redeeming such outstanding national bank notes and Federal Reserve bank notes as may be presented to the Treasurer of the United States for redemption shall be paid from the regular annual appropriations for the Treasury Department.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill?

Mr. WAGNER. The bill merely has to do with the bookkeeping in the Treasury Department. A fund was created in the Treasury Department into which were paid by the national banks an assessment of 5 percent of their outstanding bank notes, that is, the bank notes in circulation. Those notes have all been redeemed and the national banks owe nothing to the Federal Government, so that the fund has no longer any need for continued extension. Assessments are made upon the banks for the transportation of these notes when redemption takes place, and it is provided that the money shall go into the general fund of the Treasury, and that whatever expenses are paid by the Government for transportation shall be paid by direct appropriation made by Congress.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

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

GEORGE LOUIS ARTICK

The bill (S. 1510) for the relief of George Louis Artick was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws George Louis Artick, sometimes known as George Attick, of Danbury, Conn., shall be held and considered to have been legally admitted to the United States for permanent residence during July 1925.

SEC. 2. The Secretary of Labor is authorized and directed to cancel any warrants of arrest or orders of deportation which may have been issued in the case of said George Louis Artick, sometimes known as George Attick, upon the ground of unlawful residence in the United States.

JOHN ULLMANN, JR.

The bill (S. 2427) authorizing the naturalization of John Ullmann, Jr., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding any other provision of law, at any time within 1 year after the date of enactment of this act, John Ullmann, Jr., of the United States Navy, retired, may be naturalized as a citizen of the United States by taking the naturalization oath of allegiance before any court having jurisdiction of the naturalization of aliens.

NATHAN KAPLAN

The bill (S. 166) for the relief of Nathan Kaplan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws Nathan Kaplan, of Minneapolis, Minn., shall be held and considered to have been legally admitted to the United States for permanent residence on December 1, 1929.

SEC. 2. The Secretary of Labor is authorized and directed to cancel any warrants of arrest or orders of deportation which may have been issued in the case of said Nathan Kaplan upon the ground of unlawful residence in the United States.

MIRA FRIEDBERG (MIRA DWORECKA)

The Senate proceeded to consider the bill (S. 2030) for the relief of Mira Friedberg (Mira Dworecka), which had been reported from the Committee on Immigration with amendments on page 2, line 3, after the word "offense", to strike out "alleged" and to insert "admitted"; in line 4, after the word "abroad", to strike out "while said Mira Friedberg (Mira Dworecka) was about 20 years of age, and during her legal infancy, and"; and at the end of the bill to insert a new paragraph, so as to make the bill read:

Be it enacted, etc., That in the administration of the immigration laws relating to the issuance of immigration visas for admission to the United States for permanent residence and relating to admissions at ports of entry of aliens as immigrants for permanent residence in the United States, that provision of section 3 of the Immigration Act of 1917 (39 Stat. 875), as amended (U. S. C., title 8, sec. 139 (e)), which excludes from admission into the United States persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude, shall not hereafter be held to apply to Mira Friedberg (Mira Dworecka), who is the wife of Louis Friedberg, a citizen of the United States of America, on account of an offense admitted to have been committed abroad, prior to her marriage to said Louis Friedberg at Danzig, Europe, on or about May 30, 1933. If she is found otherwise admissible under the immigration laws, an immigration visa shall be issued to her and admission granted to said Mira Friedberg (Mira Dworecka) under this act, for permanent residence in the United States of America.

Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the nonpreference category of the quota during the current year.

The amendments were agreed to.

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

BENNO VON MAYRHAUSER AND OSKAR VON MAYRHAUSER

The bill (S. 2355) for the relief of Benno von Mayrhauser and Oskar von Mayrhauser was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Benno von Mayrhauser and Oskar von Mayrhauser, of Kiel, Germany, shall be admitted to the United States of America for permanent residence here, notwithstanding any provision of the immigration laws of the United States now in effect.

Mr. CLARK of Missouri subsequently said: Mr. President, a few moments ago the Senate passed, without objection, Senate bill 2355, Calendar No. 974. Since that time a bill, generally similar, although not identical, but containing an additional proviso, has been received from the House of Representatives.

I ask unanimous consent that the vote by which the Senate bill was passed be reconsidered, and that House bill 6546 be substituted for the Senate bill, considered and passed, and that the proviso on line 7 be stricken out, in order that the bill be expedited to passage.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Chair lays before the Senate a bill coming over from the House.

The bill (H. R. 6546) for the relief of Benno von Mayrhauser and Oskar von Mayrhauser, was read the first time by title, and the second time at length, as follows:

Be it enacted, etc., That Benno von Mayrhauser and Oskar von Mayrhauser, of Kiel, Germany, shall be admitted to the United States of America for permanent residence here, notwithstanding any provision of the immigration laws of the United States now in effect: *Provided*, That the said Benno von Mayrhauser and Oskar von Mayrhauser shall not be eligible to become citizens of the United States.

The PRESIDING OFFICER. Is there objection to the consideration of the House bill?

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

Mr. CLARK of Missouri. I send forward an amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 1, line 7, after the word "effect", it is proposed to strike out the proviso as follows: "*Provided*, That the said Benno von Mayrhauser and Oskar von Mayrhauser shall not be eligible to become citizens of the United States."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2355 will be indefinitely postponed.

KURT WESSELY

The Senate proceeded to consider the bill (S. 2598) for the relief of Kurt Wessely, which had been reported from the Committee on Immigration, with an amendment, at the end of the bill to add a new paragraph, so as to make the bill read:

Be it enacted, etc., That in the administration of the immigration and naturalization laws Kurt Wessely shall be held and considered to have been lawfully admitted to the United States for permanent residence on August 3, 1937, at Ellis Island, N. Y.

Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the nonpreference category of the quota during the current year.

The amendment was agreed to.

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

DANE GOICH

The bill (S. 2492) for the relief of Dane Goich was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws Dane Goich shall be held and considered to have been legally admitted to the United States for permanent residence on June 15, 1925.

SEC. 2. The Secretary of Labor is authorized and directed to cancel any warrants of arrest or orders of deportation which may have been issued in the case of the said Dane Goich upon the ground of unlawful residence in the United States.

KAM N. KATHJU

The Senate proceeded to consider the joint resolution (S. J. Res. 37) for the relief of Kam N. Kathju, which had been reported from the Committee on Immigration with an amendment to strike out all after the resolving clause, and to insert the following:

That the Secretary of Labor is hereby authorized and directed to consider the entry of Kameshwar Nath Kameshwar at the port of New York on December 5, 1933, ex steamship *Majestic*, as a lawful admission for permanent residence, entitling the said Kameshwar Nath Kathju to remain in the United States as an alien immigrant.

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

REGISTRATION OF ALIENS

The bill (S. 2830) to provide for the registration of aliens was announced as next in order.

Mr. SCHWELLENBACH. Over.

Mr. STEWART. Mr. President, will the Senator withhold his objection just for a moment? I should like to make a statement concerning the bill.

Mr. SCHWELLENBACH. Very well.

Mr. STEWART. The bill provides for the registration of aliens. That is all it provides for. A number of bills concerning aliens have been presented to the Committee on Immigration during the present session of Congress. One bill on the calendar which has already been passed was much more drastic in its nature than the bill under consideration. With the idea of undertaking to accomplish something along the line of registration of foreigners or aliens, I introduced Senate bill 2830, which is Calendar No. 978, and which was referred to the Committee on Immigration and reported by that committee favorably to the Senate without amendment.

Mr. President, the reason I am interested in the passage of the bill at this time is because of the fact that as a part of the method of registration of aliens we propose to use the mechanics of the census takers for next year. The census, as Senators know, will be taken in 1940, and if some legislation along this line is not had at this session, action might have to be deferred for another period of 10 years. I think it is very important that we have some information about the number of foreigners or aliens in the country. That is the only purpose of the bill. Of course, objection has been heard. I simply want to serve notice now that at the first opportunity I shall ask that the Senate give consideration to the bill.

Mr. SCHWELLENBACH. Mr. President, I have objected to the present consideration of the bill because of the fact that it involves not only the use of the census but involves registration. It may be, if the Senator is willing to separate the bill into two parts and simply ask for consideration of that part which refers to the census, that it may be passed. As I stated to the committee, while I do object to the bill and will oppose it when it comes up, I do not intend to talk indefinitely against that part of the bill dealing with the census. Against the other part of the bill I should talk until the session is over.

Mr. STEWART. Would the Senator be willing that we consider the part of the bill to which the Senator has no objection at this time?

Mr. SCHWELLENBACH. No. I do not think a bill of this importance should be taken up on the call of the calendar. I do not object to it being taken up in the regular way later.

The PRESIDING OFFICER. Objection is heard.

INVESTIGATION OF PRODUCTION AND IMPORTATION OF WOOD PULP

The Senate proceeded to consider the resolution (S. Res. 160) directing the Tariff Commission to investigate the facts concerning domestic production and importation of wood pulp or pulpwood, which had been reported from the Committee on Finance with an amendment, on page 1, line 11, after the word "than", to strike out "January" and insert "April", so as to make the resolution read:

Resolved, That the United States Tariff Commission, under authority conferred by section 332 of the Tariff Act of 1930, is directed to investigate and report to the Senate all facts relating to wood pulp or pulpwood, showing the volume of importations compared with domestic production and the conditions, causes, and effects relating to foreign competition, and all other facts showing the differences in, or which affect competition between, the production of wood pulp or pulpwood in the United States or that imported in the principal markets of the United States. Such report to be made to the Senate not later than April 15, 1940.

The amendment was agreed to.

The resolution, as amended, was agreed to.

EXTENSION OF BOUNDARIES OF HOT SPRINGS NATIONAL PARK, ARK.

The Senate proceeded to consider the bill (H. R. 3409) to amend the act of June 15, 1936 (49 Stat. 1516), authorizing the extension of the boundaries of the Hot Springs National

Park, in the State of Arkansas, and for other purposes, which had been reported from the Committee on Public Lands and Surveys with amendments, on page 2, line 1, after the words "authorized to be", to strike out the word "used" and to insert "appropriated a sum", and in line 2, after the figures "$8,000", to strike out "of the unexpended balance allotted from the Emergency Relief Appropriation Act of 1935 for the acquisition of certain property for addition to Yosemite National Park", so as to make the bill read:

Be it enacted, etc., That the proviso in the act of June 15, 1936 (49 Stat. 1516), reading as follows: ": *Provided*, That the lands herein above described may be acquired within funds already appropriated and at a cost not to exceed $15,000," is hereby repealed, and the said act of June 15, 1936, is hereby further amended by the addition thereto of the following new sections:

"SEC. 2. That there is hereby authorized to be appropriated a sum not to exceed $8,000 to supplement funds in the amount of $15,000 heretofore made available for the purchase of the lands described in section 1 hereof.

"SEC. 3. The Secretary of the Interior is hereby authorized, in his discretion, to accept on behalf of the United States donations of lands or interests in land within the city limits of Hot Springs, Ark., the title to such lands or interests in land to be satisfactory to said Secretary. Upon the acquisition of such lands or interests in land, they shall become a part of the Hot Springs National Park and shall be subject to all laws and regulations applicable thereto."

The amendments were agreed to.

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

The bill was read the third time, and passed.

UNITED STATES COAST GUARD ACADEMY LIBRARY

The bill (H. R. 4306) to make the United States Coast Guard Academy library a public depository for Government publications was considered, ordered to a third reading, read the third time, and passed.

CONSOLIDATION OF THE LIGHTHOUSE SERVICE WITH THE COAST GUARD

The Senate proceeded to consider the bill (S. 2859) to perfect the consolidation of the Lighthouse Service with the Coast Guard by authorizing the commissioning, appointment, and enlistment in the Coast Guard of certain officers and employees of the Lighthouse Service, and for other purposes, which had been reported from the Committee on Commerce with amendments.

The first committee amendment was, in section 1, page 1, line 9, after the words "serving in", to strike out "professional and scientific grades 1 to 8, inclusive, of the classified civil service" and to insert "grades 1 to 8, inclusive, of the professional and scientific service" as defined in the Classification Act of 1923, as amended (U. S. C., title 5, sec. 673), so as to make the section read:

Be it enacted, etc., That the President is hereby authorized to commission, by and with the advice and consent of the Senate, in the line of the Coast Guard in grades appropriate to their qualifications, experience, and lengths of service, as determined by the Secretary of the Treasury (hereinafter referred to as the "Secretary"), such personnel of the Lighthouse Service as, on June 30, 1939, were serving in grades 1 to 8, inclusive, of the professional and scientific service as defined in the Classification Act of 1923, as amended (U. S. C., title 5, sec. 673), and who, on that date, met the requirements for retirement (except those relating to age and period of service) of section 6 of the act approved June 20, 1918 (40 Stat. 608), as amended and supplemented (U. S. C., title 33, sec. 763): *Provided*, That no person shall be commissioned under the provisions of this section who does not possess such mental, moral, professional, and physical qualifications as may be prescribed by the Secretary.

The amendment was agreed to.

The next amendment was, in section 3, page 3, line 8, after the word "service", to strike out "classified in professional and scientific grades one to eight, inclusive, of the classified civil service" and to insert "formerly held by personnel described in section 1 of this act", so as to make the section read:

SEC. 3. Each vacancy (1) hereafter occurring in the extra numbers of officers commissioned pursuant to section 1 of this act; (2) existing on the date of the enactment of this act in positions in the Lighthouse Service formerly held by personnel described in section 1 of this act; and (3) created by the retirement, resignation, death, or separation from the service for any other cause, of personnel described in section 1 of this act who do not possess the qualifications prescribed by the Secretary, or who, being qualified, do not accept a commission thereunder, shall operate to increase by one the total authorized number of line officers of the Coast Guard.

The amendment was agreed to.

The next amendment was, in section 5, page 4, line 25, after the word "filled", to strike out "by commission, appointment, or enlistment in an appropriate chief warrant or warrant grade or rating, as the case may be" and to insert "from among the chief warrant, warrant, or enlisted personnel of the Coast Guard", so as to make the section read:

SEC. 5. Vacancies created by the retirement, resignation, death, or separation from the service for any other cause, of personnel described in section 4 of this act who do not possess the qualifications prescribed by the Secretary, or who, being qualified, do not accept a commission, appointment, or enlistment thereunder, may or may not be filled, in the discretion of the Secretary, in accordance with the existing needs of the service. If such vacancy be filled it shall be filled from among the chief warrant, warrant, or enlisted personnel of the Coast Guard.

The amendment was agreed to.

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

EXEMPTION OF CERTAIN MOTORBOATS FROM ACT OF JUNE 9, 1910

The bill (H. R. 6273) to exempt certain motorboats from the operation of sections 4 and 6 of the Motor Boat Act of June 9, 1910, and from certain other acts of Congress, and to provide that certain motorboats shall not be required to carry on board copies of the pilot rules was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 134) providing for continuing retirement pay under certain conditions of officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability while in the service of the United States during the World War, and for other purposes was announced as next in order.

Mr. KING. I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. GEORGE. I agree with the Senator from Utah. There is no need to press consideration of that bill now.

LOUISIANA-VICKSBURG BRIDGE COMMISSION

The bill (H. R. 3224) creating the Louisiana-Vicksburg Bridge Commission, defining the authority, power, and duties of said commission, and authorizing said commission and its successors and assigns to purchase, maintain, and operate a bridge across the Mississippi River at or near Delta Point, La. and Vicksburg, Miss., was announced as next in order.

Mr. TRUMAN. I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. KING. Is this a part of the large rivers and harbors bill that passed a few moments ago, or one which was to come over from the House?

Mr. SHEPPARD. This is a bridge bill.

Mr. KING. Let it go over.

The PRESIDING OFFICER. The bill has been passed over.

Mr. HARRISON subsequently said: Mr. President, objection was made a moment ago when Calendar 985 was reached, being House bill 3224. The Senator from Missouri [Mr. TRUMAN] objected. I understand he now withdraws his objection. The bill affects both the State of Louisiana and the State of Mississippi, and relates to the refinancing of a bridge. The bill has been reported favorably by the Committe on Commerce.

Mr. TRUMAN. Mr. President, I withdraw the objection.

Mr. KING. May I inquire of the Senator from Mississippi whether the bill imposes any obligation on the Federal Government?

Mr. HARRISON. None at all. Mr. President, I ask unanimous consent for the immediate consideration of the measure.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 3224) creating the Louisiana-Vicksburg Bridge Commission; defining the authority, power, and duties of

said commission; and authorizing said commission and its successors and assigns to purchase, maintain, and operate a bridge across the Mississippi River at or near Delta Point, La., and Vicksburg, Miss., which had been reported from the Committee on Commerce with amendments, on page 2, line 4, after the word "act", to strike out "For like purposes said Commission and its successors and assigns are hereby authorized to acquire, maintain, and operate all or any ferries across the Mississippi River within 15 miles of said bridge, subject to the conditions and limitations contained in this act" and to insert "Whenever, and for the time only, that said bridge is not in operative condition by reason of accident, damage, repair, or other causes beyond the control of said Commission, said Commission and its successors and assigns are hereby authorized to maintain and operate a ferry, or ferries, across the Mississippi River at or within 15 miles of said bridge, subject to the conditions and limitations contained in this act: *Provided*, That the acquisition and operation of a ferry or ferries shall only be in the event that the condition of said bridge is such that it cannot be used and as soon as repaired or again usable no ferry or ferries shall be operated: *Provided further*, That no permission shall be given for the operation of a ferry or ferries within 15 miles of said bridge without the direct repeal of this section of the act"; on page 10, line 4, after the word "to", to strike out "common carriers, transportation companies, bus lines, or anyone transporting passengers or freight for hire unless the Commission or the owning interest shall otherwise specifically provide" and insert "railroad or railroads using bridge"; on the same page, line 16, after the word "property", to insert "only insofar as is essential and necessary in the operation of the bridge"; on the same page, line 22, after the word "persons" and the comma, to strike out "two of whom shall be appointed by the Governor of Louisiana and the other by the Governor of Mississippi" and insert "one of whom shall be appointed by the Governor of Louisiana from the congressional district in the State of Louisiana wherein is located the west approach to said bridge, one of whom shall be appointed by the Governor of Mississippi from the congressional district in the State of Mississippi wherein is located the east approach to said bridge, and one of whom shall be appointed by the Secretary of Agriculture"; on the same page, line 17, after the word "appointed", to insert a comma and "and/or by the Secretary of Agriculture as herein provided"; on page 12, line 10, after the word "exceed", to strike out "$500" and insert "$1,200"; and on page 14, after line 16, to insert the following new section:

SEC. 13. The cost of acquisition of said bridge by said Commission shall not include goodwill, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of construction, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring interests in the necessary real property; (3) actual financing and promotion costs, not to exceed 2 percent of the cost of construction of such a bridge and its approaches and acquiring such interests in the necessary real property; and (4) actual expenditures for necessary improvements.

The amendments were agreed to.

Mr. HARRISON. Mr. President, I wish to submit certain amendments. On page 11, line 6, I ask that the vote by which the committee amendment was adopted be reconsidered in order that I may offer an amendment thereto.

The PRESIDING OFFICER. Without objection, the vote is reconsidered.

Mr. HARRISON. I move to amend the committee amendment on page 11, line 6, after the words "appointed by the", to strike out "Secretary of Agriculture" and to insert "Commissioner of Public Roads." That is merely because of the reorganization.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. HARRISON. On page 11, line 10, after the words "office of the", I move to strike out "Secretary of Agriculture" and to insert "Commissioner of Public Roads."

The amendment was agreed to.

Mr. HARRISON. I ask that the vote by which the committee amendment in lines 17 and 18 on the same page was agreed to be reconsidered.

The PRESIDING OFFICER. Without objection, the vote by which the committee amendment was agreed to is reconsidered.

Mr. HARRISON. I move to strike out in line 18 in the committee amendment the words "Secretary of Agriculture" and to insert in lieu thereof "Commissioner of Public Roads."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. HARRISON. In line 22, on the same page, after the words "Roads of the", I move to strike out "Department of Agriculture" and to insert "Federal Works Agency."

The amendment was agreed to.

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

The bill was read the third time and passed, as follows:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the Postal Service, and provide for military and other purposes, the Louisiana-Vicksburg Bridge Commission (hereinafter created, and hereinafter referred to as the "Commission") and its successors and assigns be, and is hereby, authorized to acquire by purchase or otherwise, from its owners, and to maintain and operate a bridge and approaches thereto across the Mississippi River at or near the cities of Delta Point, La., and Vicksburg, Miss., subject to the conditions and limitations contained in this act. Whenever, and for the time only, that said bridge is not in operative condition by reason of accident, damage, repair, or other causes beyond the control of said commission, said commission and its successors and assigns are hereby authorized to maintain and operate a ferry, or ferries, across the Mississippi River at or within 15 miles of said bridge, subject to the conditions and limitations contained in this act: *Provided*, That the acquisition and operation of a ferry or ferries shall only be in the event that the condition of said bridge is such that it cannot be used and as soon as repaired or again usable no ferry or ferries shall be operated: *Provided further*, That no permission shall be given for the operation of a ferry or ferries within 15 miles of said bridge without the direct repeal of this section of the act.

SEC. 2. There is hereby conferred upon the commission and its successors and assigns the right and power to acquire, condemn, occupy, possess, and use said bridge and such real estate and other property in the State of Louisiana and the State of Mississippi as may be needed for the acquisition and maintenance of such bridge and its approaches, and, if by condemnation, upon making just compensation therefor, to be ascertained and paid according to the laws of the State in which such real estate or property is located, and the proceedings therefor shall be the same as in the condemnation of private property for public purposes in said States, respectively.

SEC. 3. The Commission and its successors and assigns are hereby authorized to fix and charge tolls for transit over such bridge and such ferry or ferries in accordance with the provisions of this act.

SEC. 4. The Commission and its successors and assigns are hereby authorized to provide for the payment of the cost of the bridge and its approaches (including any approach highways which, in the judgment of the Commission, it is necessary or advisable to construct or cause to be constructed to provide suitable and adequate connection with existing improved highways) and the ferry or ferries and the necessary land, easements, and appurtenances thereto by an issue or issues of negotiable bonds of the Commission, bearing interest at not more than 4½ percent per annum, the principal and interest of which bonds and any premium to be paid for retirement thereof before maturity shall be payable solely from the sinking fund provided in accordance with this act. Such bonds may be registrable as to principal alone or both principal and interest, shall be in such form not inconsistent with this act, shall mature at such time or times not exceeding 20 years from their respective dates, shall be in such denominations, shall be executed in such manner, and shall be payable in such medium and at such place or places as the Commission may determine. The Commission may repurchase and may reserve the right to redeem all or any of said bonds before maturity in such manner and at such price or prices, not exceeding 102 and accrued interest, as may be fixed by the Commission prior to the issuance of the bonds. The Commission, when it deems it to the best interest of the Commission, may issue refunding bonds to repurchase and redeem any outstanding bonds, before the maturity thereof, which it may issue: *Provided*, That the refunding bonds shall mature at such time or times, not exceeding 30 years from date of approval of this act, as the Commission may determine. The Commission may enter into an agreement with any bank or bond or trust company in the United States as trustee having the power to make such agreement, setting forth the duties of the Commission in respect of the maintenance, operation, repair, and insurance of the bridge and/or the ferry or ferries, the conservation and application of all funds, the safeguarding of money on hand or on deposit, and the rights and remedies of said trustee and the holders of the bonds, restricting the individual right of action of the bondholders as is customary in trust agreements respecting bonds of corporations. Such trust agreement may contain such provisions for

protecting and enforcing the rights and remedies of the trustee and the bondholders as may be reasonable and proper and not inconsistent with the law and also provisions for approval by the original purchasers of the bonds of the employment of consulting engineers and of the security for said bonds and by any bank or trust company in which the proceeds of bonds or of bridge or ferry tolls or other moneys of the Commission shall be deposited.

Said bonds shall be sold in such manner and at such time or times and at such price as the Commission may determine, but no such sale shall be made at a price so low as to require the payment of more than 4½ percent interest on the money received therefor, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, and the face amount thereof shall be so calculated as to produce, at the price of their sale, the cost of the bridge and its approaches and the land, easements, and appurtenances used in connection therewith, and, in the event the ferry or ferries are to be acquired, also the cost of such ferry or ferries, and the lands, easements, and appurtenances used in connection therewith. The cost of the bridge and approaches and approach highways and ferry or ferries shall be deemed to include all engineering, legal, architectural, traffic-surveying, and other expenses incident to the acquisition of the bridge or the acquisition of the ferry or ferries, and the acquisition of the necessary property, and incident to the financing thereof subject to the limitation as is provided in section 13. If the proceeds of the bonds issued shall exceed the cost as finally determined, the excess shall be placed in the sinking fund hereinafter provided. Prior to the preparation of definitive bonds the Commission may, under like restrictions, issue temporary bonds or interim certificates with or without coupons of any denomination whatsoever, exchangeable for definitive bonds when such bonds that have been executed are available for delivery.

SEC. 5. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to pay the principal and interest of such bonds as the same shall fall due and the redemption or repurchase price of all or any thereof redeemed or repurchased before maturity as herein provided. All tolls and other revenues from said bridge are hereby pledged to such uses and to the application thereof as hereinafter in this section required. After payment or provision for payment therefrom of all such cost of maintaining, repairing, and operating and the reservation of an amount of money estimated to be sufficient for the same purpose during an ensuing period of not more than 6 months, the remainder of tolls collected shall be placed in the sinking fund, at intervals to be determined by the Commission prior to the issuance of the bonds. An accurate record of the cost of the bridge and its approaches; the expenditures for maintaining, repairing, and operating the same; and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested. The Commission shall classify in a reasonable way all traffic over the bridge, so that the tolls shall be so fixed and adjusted by it as to be uniform in the application thereof to all traffic falling within any such reasonable class, regardless of the status or character of any person, firm, or corporation participating in such traffic, and shall prevent all use of such bridge for traffic except upon payment of the tolls so fixed and adjusted.

SEC. 6. Nothing herein contained shall require the Commission or its successors to maintain or operate any ferry or ferries purchased hereunder, but in the discretion of the Commission or its successors any ferry or ferries so purchased, with the appurtenances and property thereto connected and belonging, may be sold or otherwise disposed of or may be abandoned and/or dismantled whenever in the judgment of the Commission or its successors it may seem expedient so to do. The Commission and its successors may fix such rates of toll for the use of such ferry or ferries as it may deem proper, subject to the same conditions as are hereinabove required as to tolls for traffic over the bridge. All tolls collected for the use of the ferry or ferries and the proceeds of any sale or disposition of any ferry or ferries shall be used, so far as may be necessary, to pay the cost of maintaining, repairing, and operating the same, and any residue thereof shall be paid into the sinking fund hereinabove provided for bonds. An accurate record of the cost of purchasing the ferry or ferries, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 7. After payment of the bonds and interest, or after a sinking fund sufficient for such payment shall have been provided and shall be held for that purpose, the Commission shall deliver deeds or other suitable instruments of conveyance of the interest of the Commission in and to the bridge, that part within Louisiana to the State of Louisiana or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the Louisiana interest) and that part within Mississippi to the State of Mississippi or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the Mississippi interest) under the condition that the bridge shall thereafter be free of tolls (except the railroad portion of said bridge and except as otherwise herein provided) and be properly maintained, operated, and repaired by the Louisiana interest and the Mississippi interest as may be agreed upon; but if either the Louisiana interest or the Mississippi interest shall not be authorized to accept or shall not accept the same under such conditions, then the bridge shall continue to be owned, maintained, operated, and repaired by the Commission as a free bridge until such time as both the Louisiana interest and the Mississippi interest shall be authorized to accept and shall accept such conveyance under such conditions. After the conveyance by the Commission to the Louisiana interest and Mississippi interest, the said interests may collect from the railroad or railroads using the bridge reasonable tolls, either under the then-existing contract between the Commission and the railroad or railroads, or a new contract to be made by the Mississippi interest and Louisiana interest with the said railroad or railroads. If at the time of such conveyance the Commission or its successor shall not have disposed of such ferry or ferries, the same shall be disposed of by sale as soon as practicable, at such price and upon such terms as the Commission or its successors may determine. Free toll provisions of this act shall not apply to railroad or railroads using bridge.

SEC. 8. For the purpose of carrying into effect the objects stated in this act, there is hereby created the Louisiana-Vicksburg Bridge Commission, and by that name, style, and title said body shall have perpetual succession; may contract and be contracted with, sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity; may make and have a common seal; may purchase or otherwise acquire and hold or dispose of real estate and other property only insofar as it is essential and necessary in the operation of the bridge; may accept and receive donations or gifts of money or other property and apply the same to the purpose of this act; and shall have and possess all powers necessary, convenient, or proper for carrying into effect the objects stated in this act.

The Commission shall consist of three persons, one of whom shall be appointed by the Governor of Louisiana from the congessional district in the State of Louisiana wherein is located the west approach to said bridge, one of whom shall be appointed by the Governor of Mississippi from the congressional district in the State of Mississippi wherein is located the east approach to said bridge, and one of whom shall be appointed by the Commissioner of Public Roads. Such Commission shall be a body corporate and politic. Each member of the Commission shall qualify within 30 days after the approval of this act by filing in the office of the Commissioner of Public Roads an oath that he will faithfully perform the duties imposed upon him by this act, and each person appointed to fill a vacancy shall qualify in like manner within 30 days after his appointment. Any vacancy occurring in said Commission by reason of failure to qualify as above provided, or by reason of death or resignation, shall be filled by the Governor of the State from which the said Commissioner was appointed, and/or by the Commissioner of Public Roads as herein provided. Before the issuance of bonds as herein above provided, each member of the Commission shall give such bond as may be fixed by the Chief of the Bureau of Public Roads of the Federal Works Agency, conditioned upon the faithful performance of all duties acquired by this act. The Commission shall elect a chairman and a vice chairman from its members, and may establish rules and regulations for the government of its own business. A majority of the members shall constitute a quorum for the transaction of business.

SEC. 9. The Commission shall have no capital stock or shares of interest or participation, and all revenue and receipts thereof shall be applied to the purposes specified in this act. The members of the Commission shall be entitled to a per diem compensation for their services of $20 per day for each day actually spent in the business of the Commission, but the maximum compensation in any year of each member shall not exceed $1,200. The members of the Commission shall also be entitled to receive traveling expense allowance of 10 cents a mile for each mile actually traveled on the business of the Commission. The Commission may employ a secretary, treasurer, engineers, attorneys, and other such experts, assistants, and employees as they may deem necessary, who shall be entitled to receive such compensation as the Commission may determine: *Provided*, They are absolutely necessary in the carrying out of the purpose of this act in the acquisition and management of said bridge. All salaries and expenses shall be paid solely from the funds provided under the authority of this act. After all bonds and interest thereon shall have been paid and all other obligations of the Commission paid or discharged, or provision for all such payment shall have been made as hereinbefore provided, and after the bridge shall have been conveyed to the Louisiana interest and the Mississippi interest as herein provided, and any ferry or ferries shall have been sold, the Commission shall be dissolved and shall cease to have further existence by an order of the Chief of the Bureau of Public Roads made upon his own initiative or upon application of the Commission or any member or members thereof, but only after public hearings in the cities of Delta, La., and Vicksburg, Miss., notice of the time and place of which hearings and purpose thereof shall have been published once, at least 30 days before the date thereof, in a newspaper published in the city of Vicksburg. At the time of such dissolution all moneys in the hands of or to the credit of the Commission shall be divided into two equal parts, one of which shall be paid to said Louisiana interests and the other to said Mississippi interests.

SEC. 10. Notwithstanding any of the provisions of this act, the Commission shall have full power and authority to negotiate and enter into a contract or contracts with the Louisiana State Highway Department and the State Highway Department of Mississippi whereby said highway departments or either of them may

operate, and maintain or participate with the Commission in the operation and maintenance of said bridge and approaches.

SEC. 11. Nothing herein contained shall be construed to authorize or permit the Commission or any member thereof to create any obligation or incur any liability other than such obligations and liabilities as are dischargeable solely from funds provided by this act. No obligation created or liability incurred pursuant to this act shall be an obligation or liability of any member or members of the Commission, but shall be chargeable solely to the funds herein provided, nor shall any indebtedness created pursuant to this act be an indebtedness of the United States.

SEC. 12. All provisions of this act may be enforced or the violation thereof prevented by mandamus, injunction, or other appropriate remedy brought by the attorney general of the State of Louisiana, the attorney general for the State of Mississippi, or the United States district attorney for any district in which the bridge may be located in part, in any court having competent jurisdiction of the subject matter and of the parties.

SEC. 13. The cost of acquisition of said bridge by said Commission shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of construction, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring interests in the necessary real property; (3) actual financing and promotion costs, not to exceed 2 percent of the cost of construction of such a bridge and its approaches and acquiring such interests in the necessary real property; and (4) actual expenditures for necessary improvements.

SEC. 14. The maintenance and operation of said bridge shall be in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 15. The right to alter, amend, or repeal this act is hereby expressly reserved.

BILL PASSED OVER

The bill (S. 2892) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, was announced as next in order.

Mr. KING. I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

JANET HENDEL, NEE JUDITH SHAPIRO

The bill (S. 1326) for the relief of Janet Hendel, nee Judith Shapiro, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in the administration of the immigration and naturalization laws, the Secretary of Labor is hereby authorized and directed to cancel the warrant of arrest and the order of deportation against Janet Hendel, nee Judith Shapiro, heretofore issued on the grounds that on December 1, 1926, admission to the United States had been fraudulently gained pursuant to the commission of a passport or visa offense which, subsequent to such admission, has heretofore been held by the Attorney General of the United States to be within the purview of "crimes involving moral turpitude," and thereupon Janet Hendel, nee Judith Shapiro, shall hereafter be deemed to have been lawfully admitted to the United States for permanent residence at New York, N. Y., on December 1, 1926. Any declaration of intention to become a citizen or any petition for citizenship heretofore filed by, or any admission to citizenship ordered and certificate of naturalization heretofore issued to, Janet Hendel, nee Judith Shapiro, which were predicated upon the claim of lawful admission to the United States for permanent residence on December 1, 1926, shall hereafter be deemed valid, unless the original 7-year period of validity of such declaration of intention has heretofore expired or Janet Hendel, nee Judith Shapiro, has heretofore been found otherwise not eligible to such benefit under the naturalization laws.

LOUISE WOHL

The Senate proceeded to consider the bill (H. R. 6435) to authorize cancelation of deportation in the case of Louise Wohl, which had been reported from the Committee on Immigration with an amendment at the end of the bill, to add a new paragraph, so as to make the bill read:

Be it enacted, etc., That the Secretary of Labor is hereby authorized and directed to cancel the pending order and warrant of deportation issued in the case of Louise Wohl, any provision of existing law to the contrary notwithstanding. From and after the date of the approval of this act, Louise Wohl shall not again be subject to deportation by reason of the same fact upon which the outstanding proceedings rest and shall be deemed to have been lawfully admitted to the United States for permanent residence as of June 21, 1929.

Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the nonpreference category of the quota during the current year.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

NICHOLAS CONTOPOULOS

The bill (S. 2277) for the relief of Nicholas Contopoulos was announced as next in order.

Mr. SCHWELLENBACH. Mr. President, House bill 5056, Calendar No. 994, is an identical bill. I ask that the House bill 5056 be substituted for the Senate bill, and be now considered. I shall then ask that the Senate bill be indefinitely postponed.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 5056) for the relief of Nicholas Contopoulos, which was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2277 will be indefinitely postponed.

JOHN NICHOLAS CHICOURAS

The bill (S. 1617) for the relief of John Nicholas Chicouras was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws John Nicholas Chicouras, of Aberdeen, Miss., shall be held and considered to have been legally admitted to the United States for permanent residence on November 25, 1925, and the Secretary of Labor is authorized and directed to permit said John Nicholas Chicouras to reenter the United States.

DIONIS MOLDOWAN

The bill (S. 1870) for the relief of Dionis Moldowan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws Dionis Moldowan, of Detroit, Mich., shall be held and considered to have been legally admitted to the United States for permanent residence on January 2, 1923.

MARY NOUHAN

The bill (S. 2527) for the relief of Mary Nouhan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws Mary Nouhan, of Paterson, N. J., shall be held and considered to have been legally admitted to the United States for permanent residence on April 17, 1925.

SEC. 2. The Secretary of Labor is authorized and directed to cancel any warrants of arrest or orders of deportation which may have been issued in the case of the said Mary Nouhan upon the ground of unlawful entry into the United States.

AMENDMENT OF THE CIVILIAN CONSERVATION CORPS ACT

The bill (S. 1110) to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937, as amended, was announced as next in order.

Mr. THOMAS of Utah. Mr. President, I move that a similar House bill, which has just passed that body, be substituted for the Senate bill, and that the House bill be considered and passed, and the Senate bill indefinitely postponed.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House.

The bill (H. R. 2990) to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937, as amended, was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That section 1 of the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937 (50 Stat. 319), as amended, is amended by striking out of the second proviso the words "for the period of 3 years after July 1, 1937, and no longer" and inserting in lieu thereof the words "July 1, 1943."

SEC. 2. Section 13 of said act is amended by substituting a colon for a period after the last word in the section and inserting the following: "*Provided*, That the Director may designate an appropriate official seal for the corps which shall be judicially

noticed and which shall be preserved in the custody of the Director."

SEC. 3. This act shall be immediately effective.

The PRESIDING OFFICER. Is there objection to the present consideration of the House bill?

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

The PRESIDING OFFICER. Without objection, Senate bill 1110 is indefinitely postponed.

CHALMETTE NATIONAL HISTORICAL PARK, LA.

The bill (H. R. 4742) to provide for the establishment of the Chalmette National Historical Park in the State of Louisiana, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

MEMORIAL MILITARY PARK, KENNESAW MOUNTAIN, GA.

The Senate proceeded to consider the bill (H. R. 4938) to amend the act approved June 26, 1935, entitled "An act to create a national memorial military park at and in the vicinity of Kennesaw Mountain in the State of Georgia, and for other purposes," which had been reported from the Committee on Public Lands and Surveys with an amendment on page 2, line 8, after the word "act", to strike out "such sums as the Congress may from time to time determine" and to insert "Not to exceed the sum of $55,000", so as to make the bill read:

Be it enacted, etc., That section 5 of the act approved June 26, 1935, entitled "An act to create a national memorial military park at and in the vicinity of Kennesaw Mountain in the State of Georgia, and for other purposes", be, and the same is hereby, amended by striking out the period at the end thereof and inserting a colon and the following proviso: "*Provided*, That if, after the expenditure of the funds herein authorized, the Secretary of the Interior shall determine that the acquisition of additional lands is necessary in order to perfect the symmetry of the park area or to acquire locations of historic interest adjacent to the park area already acquired upon which fortifications or entrenchments are located which are likely to deteriorate or be destroyed under private ownership, he is authorized to acquire additional lands for such purposes."

SEC. 2. There is hereby authorized to be appropriated to carry out the purposes of this act not to exceed the sum of $55,000.

SEC. 3. That the Secretary of the Interior, in his discretion, is hereby authorized to convey without consideration, but under such terms and conditions as he may deem advisable, to the New Salem School District of Dade County, Ga., not to exceed 10 acres of land located within lot No. 114, eleventh district, fourth section, of Dade County, Ga., now a part of the Chickamauga-Chattanooga National Military Park.

Mr. KING. Mr. President, what cost will the bill incur?

Mr. GEORGE. I may say that the amendment is intended to authorize the rounding out of the Kennesaw Mountain Park in the State of Georgia, and the limitation of the additional cost is fixed by the amendment at $55,000. It is not an appropriation outright, but the $55,000 may be cared for, as I understand, out of a fund already appropriated by merely transferring it.

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

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CONSOLIDATION OF LIGHTHOUSE SERVICE WITH COAST GUARD

Mr. CLARK of Missouri. Mr. President, a few moments ago the Senate passed Calendar No. 982, Senate bill 2859, for the consolidation of the Lighthouse Service with the Coast Guard. An identical House bill has been passed by the House. Senate bill 2859 was passed during the temporary absence from the Chamber of the chairman of the Committee on Commerce, the Senator from North Carolina [Mr. BAILEY]. I ask unanimous consent that the vote by which Senate bill 2859 was passed be reconsidered.

The PRESIDING OFFICER. Without objection, the vote by which Senate bill 2859 was passed is reconsidered.

Mr. CLARK of Missouri. I ask that House bill 7288 be laid before the Senate and substituted for Senate bill 2859.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House of Representatives.

The bill (H. R. 7288) was read the first time by its title, and the second time at length, as follows:

Be it enacted, etc., That the President is hereby authorized to commission, by and with the advice and consent of the Senate, in the line of the Coast Guard in grades appropriate to their qualifications, experience, and lengths of service, as determined by the Secretary of the Treasury (hereinafter referred to as the "Secretary"), such personnel of the Lighthouse Service as, on June 30, 1939, were serving in grades 1 to 8, inclusive, of the professional and scientific service as defined in the Classification Act of 1923, as amended (U. S. C., 1934 ed., Supp. IV, title 5, sec. 673), and who, on that date, met the requirements for retirement (except those relating to age and period of service) of section 6 of the act approved June 20, 1918 (40 Stat. 608), as amended and supplemented (U. S. C., title 33, sec. 763): *Provided*, That no person shall be commissioned under the provisions of this section who does not possess such mental, moral, professional, and physical qualifications as may be prescribed by the Secretary.

SEC. 2. Any officer commissioned pursuant to section 1 of this act shall be an extra number in his grade and in the grades to which he may be promoted. He shall take precedence (1) with other officers commissioned in his grade pursuant to section 1 of this act as the Secretary may determine, and (2) with other line officers in his grade in accordance with the respective dates of their commissions in such grade. He shall be eligible for promotion, if otherwise qualified, at such time as the officer in a regular number in line of promotion next above him on the seniority list becomes eligible for promotion; or if there be no such officer in his grade, he shall be eligible for promotion, if otherwise qualified, when a vacancy occurs in the next higher grade: *Provided*, That an officer commissioned pursuant to section 1 of this act shall be assigned to duty for which he is specially qualified, and professional examinations for promotion given to such officer shall embrace only subjects which pertain to the duty to which he is assigned.

SEC. 3. Each vacancy (1) hereafter occurring in the extra numbers of officers commissioned pursuant to section 1 of this act; (2) existing on the date of the enactment of this act in positions in the Lighthouse Service formerly held by personnel described in section 1 of this act; and (3) created by the retirement, resignation, death, or separation from the service for any other cause, of personnel described in section 1 of this act who do not possess the qualifications prescribed by the Secretary, or who, being qualified, do not accept a commission thereunder, shall operate to increase by one the total authorized number of line officers of the Coast Guard.

SEC. 4. (a) The President is hereby authorized to commission, by and with the advice and consent of the Senate, as chief warrant officers of the Coast Guard as the needs of the service may require, such personnel of the Lighthouse Service as, on June 30, 1939, met the requirements for retirement (except those relating to age and period of service) of section 6 of the act approved June 20, 1918, as amended and supplemented, and who possess such mental, moral, professional, and physical qualifications as may be prescribed by the Secretary.

(b) Under such regulations as he may prescribe the Secretary is hereby authorized to appoint or cause to be enlisted, in the Coast Guard, in warrant grades or enlisted ratings appropriate to their qualifications, experience, and lengths of service, such personnel of the Lighthouse Service as, on June 30, 1939, met the requirements for retirement (except those relating to age and period of service) of section 6 of the act approved June 20, 1918, as amended and supplemented.

(c) Chief warrant officers and warrant officers commissioned or appointed under the provisions of this section shall take precedence among themselves as the Secretary may determine, and with other chief warrant and warrant officers in accordance with the dates of their respective commissions or warrants in such grades.

SEC. 5. Vacancies created by the retirement, resignation, death, or separation from the service for any other cause, of personnel described in section 4 of this act who do not possess the qualifications prescribed by the Secretary, or who, being qualified, do not accept a commission, appointment, or enlistment thereunder, may or may not be filled, in the discretion of the Secretary, in accordance with the existing needs of the service. If such vacancy be filled, it shall be filled from among the chief warrant, warrant, or enlisted personnel of the Coast Guard.

SEC. 6. In computing length of service, for the purpose of retirement in the Coast Guard, of any person commissioned, appointed, or enlisted under the provisions of this act, there shall be included all service computable for retirement under the provisions of section 6 of the act of June 20, 1918, as amended and supplemented.

SEC. 7. No person commissioned, appointed, or enlisted in the Coast Guard pursuant to this act shall suffer any reduction in the total of the annual compensation and allowances which he was receiving on the date of his commission, appointment, or enlistment. Upon his retirement from active duty in the Coast Guard, the retired pay of any person so commissioned, appointed, or enlisted, shall not be less than an annuity computed in accordance with the provisions of section 6 of the act of June 20, 1918, as amended and supplemented, substituting, however, for purposes of such computation, the annual compensation which he was receiving on the date of his commission, appointment, or enlistment in the Coast Guard for the average annual pay received by him for the last 5 years of service.

SEC. 8. All persons commissioned, appointed, or enlisted in the Coast Guard pursuant to this act, shall be subject to all laws and regulations for the government of the Coast Guard, and nothing contained in this act shall be construed to prevent the application to any of such persons of laws and regulations concerning the military discipline of commissioned and warrant officers and enlisted men of the Coast Guard.

SEC. 9. All acts or parts of acts, inconsistent with the provisions of this act, are hereby repealed.

The PRESIDING OFFICER. Is there objection to the consideration of the House bill?

There being no objection, the bill (H. R. 7288) to perfect the consolidation of the Lighthouse Service with the Coast Guard by authorizing the commissioning, appointment, and enlistment in the Coast Guard of certain officers and employees of the Lighthouse Service, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2859 is indefinitely postponed.

POWERBOAT SERVICE IN ALASKA FOR POST OFFICE DEPARTMENT

The bill (S. 882) to authorize the Postmaster General to contract for certain powerboat service in Alaska, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Postmaster General may, in his discretion, contract for a period of not exceeding 4 years, without advertisement therefor, for the carriage of all classes of mail, by steamboat or other powerboat of United States registry, on the route from Seward, by points on Kenai Peninsula, Kodiak Island, Alaska Peninsula, the Aleutian Islands to Umnak Island, and points on Bristol Bay, Alaska, and vicinity, and back, by a schedule and under the conditions prescribed by the Postmester General; the contractor to furnish and use in the service a safe and seaworthy boat of sufficient size to provide adequate space for mail, passengers, and freight, the annual cost not to exceed $125,000, payment therefor to be made from the appropriation for powerboat service.

EQUALIZATION OF LETTER CARRIERS

The Senate proceeded to consider the bill (H. R. 2001) for the equalization of letter carriers, which had been reported from the Committee on Post Offices and Post Roads with an amendment, on page 1, line 12, after the word "from", to strike out "$1,300 to $1,500" and insert in lieu thereof "$1,200 to $1,400", so as to make the bill read:

Be it enacted, etc., That section 10 of the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925 (U. S. C., title 39, sec. 106), is amended to read as follows:

"That the pay of carriers in the village delivery service, under such rules and regulations as the Postmaster General may prescribe, shall be from $1,200 to $1,400 per annum. The pay of substitute letter carriers in the village delivery service shall be at the rate of 60 cents per hour."

SEC. 2. This act shall take effect the first day of the month following its approval.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

FLORENCE SINCLAIR COOPER AND MARGARET LAVALLIE

Mr. RUSSELL. Mr. President, I ask unanimous consent that Senate bill 1789, to authorize the cancelation of deportation proceedings in the case of Florence Sinclair Cooper and daughter, Margaret Lavallie, be recommitted to the Committee on Immigration. I have discussed the matter with the author of the bill and he concurs in the request.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

ARMISTICE DAY HOLIDAY FOR RAILWAY MAIL CLERKS

The Senate proceeded to consider the bill (H. R. 4322) giving clerks in the Railway Mail Service the benefit of holiday known as Armistice Day, which had been reported from the Committee on Post Offices and Post Roads, with an amendment on page 1, after line 8, to insert "That this act shall become effective as of October 1, 1939", so as to make the bill read:

Be it enacted, etc., That the third proviso of the first section of the act, entitled "An act to fix the hours of duty of postal employees, and for other purposes," approved August 14, 1935, as amended, is amended by striking out the words "306 days" and inserting in lieu thereof the words "305 days."

That this act shall become effective as of October 1, 1939.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

AUTHORIZATION OF POSTMASTERS IN ALASKA TO ADMINISTER OATHS

The bill (H. R. 6114) to authorize postmasters within the Territory of Alaska to administer oaths and affirmations, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

PUBLIC WORKS ON RIVERS AND HARBORS

Mr. CLARK of Missouri. Mr. President, I ask unanimous consent to return to Calendar No. 986, Senate bill 2892, to which objection was made a few minutes ago, for the purpose of making a very brief explanation.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri? The Chair hears none, and it is so ordered.

Mr. CLARK of Missouri. I do this, Mr. President, at the request of the Senator from North Carolina [Mr. BAILEY], the chairman of the Committee on Commerce, who is temporarily necessarily absent from the Chamber. All the bill does is to authorize certain preliminary surveys. It is not a project bill in any sense. It has been agreed that the river and harbor bill shall go over until the next session of Congress. The river and harbor bill carried certain survey authorizations in addition to project authorizations. The bill before us contains nothing whatever except authorizations for preliminary surveys. I hope the bill may have consideration. I ask that House bill 7411, an identical bill, be laid before the Senate and substituted for the Senate bill.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House of Representatives, which will be read.

The bill (H. R. 7411) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, was read twice by its title.

The PRESIDING OFFICER. Is there objection to the present consideration of the House bill?

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

Mr. KING. My understanding is that the bill makes provision for surveys and makes no appropriations.

Mr. CLARK of Missouri. The bill contains nothing except an authorization for surveys.

Mr. TAFT. Mr. President, I offer an amendment to the bill.

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

The CHIEF CLERK. On page 11, between lines 14 and 15, it is proposed to insert:

Cleveland Harbor, Ohio, the existing project set forth in House Document Numbered 84, Seventy-fourth Congress, and authorized by Public Law Numbered 392, Seventy-fifth Congress, is hereby modified to provide that cuts or partial cuts may be made before the related railroad bridges are modified or rebuilt when in the opinion of the Chief of Engineers such procedure will be advantageous to navigation.

The amendment was agreed to.

Mr. WHITE. Mr. President, I desire to offer an amendment at the appropriate place in the bill. Following other Maine items, on page 2, after line 10, I wish to insert the words "Wood Island Harbor and the Pool at Biddeford Pool, Maine."

The amendment was agreed to.

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

The bill was read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys to be made at the following-named localities, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That no preliminary examination, survey, project, or estimate for new works other than those designated in

this or some prior act or joint resolution shall be made: *Provided further*, That after the regular or formal reports made as required by law on any examination, survey, project, or work under way or proposed are submitted no supplemental or additional report or estimate shall be made unless authorized by law: *And provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this act until the project for the proposed work shall have been adopted by law:

Beals Harbor, Maine.
Blue Hill Harbor, Maine.
Bunganuc Creek, Maquoite Bay, Maine.
Wood Island Harbor and the Pool at Biddeford Pool, Maine.
Cathance River, Maine.
Winterport Harbor, Maine.
Waterway from Plum Island Sound to the Annisquam River, Essex County, Mass.
Provincetown Harbor, Mass.
Eightmile River, Conn.
Norwalk Harbor, Conn.
Centerport Harbor, Long Island, N. Y.
Shinnecock Inlet, Long Island, N. Y.
Hudson River at the mouth of Endikill Creek, N. Y., with a view to constructing a small-boat anchorage basin.
Salem River, Salem County, N. J.
Cheesequake Creek, New Jersey.
Toms River, N. J., from the bridges at Toms River to a connection with the Intracoastal Waterway.
Broadkill River, Del.
Nanticoke River, Del.
Broad Creek, Del.
Waterway from Indian River Inlet to Rehoboth Bay, Del.
Potomac River and tributaries, at and below Washington, D. C., with a view to elimination of the water chestnut.
St. Patricks Creek, Md.
Ross Cove (Magothy River), Md.
Hellens Creek, Calvert County, Md.
Taylors Landing, Worcester County, Md.
Channel from Ocean City to Chincoteague Bay and Harbor at Public Landing, Worcester County, Md.
Finneys Creek, Accomac County, Va., and the channel connecting said creek with Wachapreague Inlet and the Atlantic Ocean.
Browns Bay, Gloucester County, Va., and the channel connecting said bay with Mobjack Bay.
The Hague (Smith Creek), Va.
Southern Branch of Elizabeth River, Norfolk Harbor, Va.
Chuckatuck Creek, Nansemond and Isle of Wight Counties, Va.
Parrotts Creek, Middlesex County, Va.
Purviance Creek, New Hanover County, N. C.
Edisto River and tributaries, S. C., with a view to its improvement in the interest of navigation and the development of hydroelectric power.
Jeffers Creek, Florence County, S. C.
Savannah Harbor, Ga.
Channel from the Intracoastal Waterway to, and harbor at, Titusville, Fla.
Intracoastal Waterway from Jacksonville, Fla., to Miami, Fla., including all appropriate side channels and spur channels, with a view to increasing the navigable capacity and commercial utility of the existing project.
Channel from the Intracoastal Waterway to, and harbor at, New Smyrna, Fla.
St. Lucie Inlet, Fla.
Intracoastal Waterway from Jacksonville, Fla., to Miami, Fla., with a view to providing an auxiliary side channel from the Intracoastal Waterway near Titusville through, and easterly of, Merritt Island via Banana Creek and River, to, or near, Eau Gallie, Fla.
Channel leading from the Intracoastal Waterway across Indian River to the Lighthouse Service depot at Taylor Creek, adjacent to Fort Pierce Harbor, Fla.
Channel and harbor at Everglades, Collier County, Fla.
Jupiter Inlet, Fla.
Intracoastal Waterway from Jacksonville, Fla., to Miami, Fla., with a view to determining whether the existing project should be modified in any way at the present time, including rectification of alinement, increase in width or depth, either or both, and provision of appropriate side channels and spur channels leading to the various communities on or near the banks of said waterway—all with a view to increasing the navigable capacity and commercial utility of the existing project.
Channel from the Intracoastal Waterway to, and a turning basin at, Fort Pierce, Fla.
Kissimmee River, Fla., with a view to improvement for navigation, flood control, conservation of water, and increase of low-water flows.
Channel to Pahokee on Lake Okeechobee, Fla.
Lake Okeechobee and its tributary streams, Florida, with a view to removing the water-hyacinth.
Channel, turning basin, and improvements at Horseshoe, Dixie County, Fla.
Channel from the deep water in St. Joseph Sound to, and turning basin at, Ozona, Fla.
Chassahowitzka River, Fla.
Intracoastal Waterway from the St. Marks River, Fla., to the Anclote River.
Sarasota Bay, Fla: Channel from Caseys Pass (Venice Inlet), through Dona Bay to the bridge on United States Highway No. 41, including a turning basin at the eastern terminus of the channel.
Oklawaha River, Fla., from Lake Eustis to Lake Griffin, and thence from Lake Griffin to Silver Springs Run.
Oklawaha River, Fla., from Lake Apopka through Lake Dora to Lake Eustis and adjoining waterways.
St. Marks River, Fla.
Entrance to Perdido Bay, Ala. and Fla., from the Gulf of Mexico to deep water in Perdido Bay, via the most practicable route.
Waterway from the Escambia River to the Alabama River, Fla. and Ala.
Big Sand Creek, Miss., with a view to determining the advisability of undertaking measures for the prevention of bank caving in the vicinity of North Carrollton, Miss.
Grand Bayou, connecting Bayou Boeuf and Bayou Chevreuil, La.
Bayou Boeuf, Lafourche Parish, La.
Lake Pontchartrain, La., with a view to the construction of a seaplane or Army Air Corps base in the vicinity of New Orleans.
Barataria Bay and connecting channels to provide a continuous waterway from the Gulf of Mexico to the Intracoastal Waterway, La.
Bayou Schofield, La., from the Gulf of Mexico to Buras and Empire.
Grand Bayou Pass, La., from the Gulf of Mexico to Buras and Empire.
Bayou Lafourche, La., from the Gulf of Mexico to Leeville or to Golden Meadow.
Mermentau River, La., from the Gulf of Mexico to Grand Chenier.
Vermilion Bay and Bayous Petit Anse, Carlin, and Tigre, from the Gulf of Mexico to Erath and to Jefferson Island, La.
Pine Island Bayou, Tex.
Little Bay, Tex.
Cypress Creek, Tex.
Waterway from the Neches River, by way of Pine Island Bayou and extension, to Trinity River, Tex.
Mississippi River: Davenport (Iowa) harbor and refuge.
Mississippi River at Cassville, Wis.
Mississippi River at Prairie du Chien, Wis.
Mississippi River at Alma, Wis.
Mississippi River at Maiden Rock, Wis.
Red River of the North Drainage Basin, Minnesota, South Dakota, and North Dakota, with a view to improvement for navigation, flood control, power development, irrigation, conservation of water, and increase of low-water flows for domestic and sanitary purposes.
Missouri River in South Dakota with a view to improvement to make power available to develop deposits of manganese and other strategic minerals, and for pumping and other uses.
West Fork River and its tributaries, West Virginia, with a view to determining the advisability of constructing a system of several multiple-use reservoirs in the West Fork River Basin instead of the proposed West Fork Reservoir.
Tofte Harbor, Minn.
Algomar Harbor, Wis.
Harbor at mouth of Au Train River, Mich.
Shelldrake Harbor, Mich.
Galien River, Mich.
Pinconning River, Mich.
Pine River, Mich.
Saint Marys River, Ohio and Ind.
Harbor at Ballast Island, Ohio.
Rocky River, Ohio.
Little River (branch of Niagara River), at Cayuga Island, Niagara Falls, N. Y.
Chaumont River, N. Y.
Harbor in Hamburg Township, N. Y.
At and in the vicinity of Henderson, N. Y., with a view to constructing a harbor.
Point Dume, Calif.
Moss Landing, Monterey Bay, Calif.
Pillar Point, Half Moon Bay, San Mateo County, Calif.
Nelscott, Oreg., with a view to protection of the beach.
Channel at Charleston, south slough, Oregon.
Grays Harbor, Wash., with a view to constructing a channel into Bay City.
Gastineau Channel, Alaska, with a view to its improvement for navigation, both water and air, and flood control, both tidal and run-off.
Neva Strait and Olga Strait, Alaska.
Kodiak Harbor, Alaska.
Kalaupapa Landing, Island of Molokai, Hawaii.
Kalepolepo Boat Harbor, Island of Maui, Hawaii.
Humacao Playa, Punta Santiago, P. R.

SEC. 2. That the following works of improvement of rivers, harbors, and other waterways are hereby adopted and authorized, to be prosecuted under the direction of the Secretary of War and supervision of the Chief of Engineers, in accordance with the plans recommended in the respective reports hereinafter designated and subject to the conditions set forth in such documents; and that hereafter all duties performed by the Chief of Engineers under the direction of the Secretary of War shall be functions of the Engineer Corps, United States Army, and its head to be administered under the direction of the Secretary of War and the

supervision of the Chief of Engineers, except as otherwise specifically provided by act of Congress:

Passaic River, N. J.; House Document No. 430, Seventy-sixth Congress;

Onancock River, Va.; House Document No. 358, Seventy-sixth Congress;

Buffalo Bayou and its tributaries, Tex.; the project set forth in House Document No 456, Seventy-fifth Congress and authorized by Public Law No. 685, Seventy-fifth Congress, is hereby modified in accordance with the provisions of section 2 of Public Law No. 761, Seventy-fifth Congress, and all requirements of local cooperation inconsistent with said section 2 are hereby eliminated;

Ouachita and Black Rivers, Ark. and La.; House Document No. 104, Seventy-sixth Congress;

Mississippi River between Missouri River and Minneapolis: The construction of lock and dam No. 26 at Alton, Ill., is hereby declared to be in accord with the project authorized by the River and Harbor Act of August 30, 1935;

Mississippi River between Missouri River and Minneapolis: The existing project is hereby modified to provide for remedial works in accordance with the recommendation of the district engineer in the report submitted in House Document No. 137, Seventy-sixth Congress; and for remedial works in levee and drainage districts in lieu of the annual payments of increased cost of operating and maintaining such districts authorized by the River and Harbor Act of August 26, 1937, when deemed advisable by the Chief of Engineers;

Cleveland Harbor, Ohio; the existing project set forth in House Document No. 84, Seventy-fourth Congress, and authorized by Public Law No. 392, Seventy-fifth Congress, is hereby modified to provide that cuts or partial cuts may be made before the related railroad bridges are modified or rebuilt when in the opinion of the Chief of Engineers such procedure will be advantageous to navigation;

Oswego Harbor, N. Y.; in accordance with the plans recommended in House Document No. 96, Seventy-sixth Congress, and subject to the conditions set forth in such document.

SEC. 3. The second proviso in section 2 of the act of August 26, 1937 (50 Stat. 844, 850), authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, is hereby amended to read as follows: "*Provided further*, That the entire Central Valley project, California, heretofore authorized and established under the provisions of the Emergency Relief Appropriation Act of 1935 (49 Stat. 115) and the First Deficiency Appropriation Act, fiscal year 1936 (49 Stat. 1622), is hereby reauthorized and declared to be for the purposes of improving navigation, regulating the flow of the San Joaquin River and the Sacramento River, controlling floods, providing for storage and for the delivery of the stored waters thereof, for construction under the provisions of the Federal reclamation laws of such distribution systems as the Secretary of the Interior deems necessary in connection with lands for which said stored waters are to be delivered, for the reclamation of arid and semiarid lands and lands of Indian reservations, and other beneficial uses, and for the generation and sale of electric energy as a means of financially aiding and assisting such undertakings, and in order to permit the full utilization of the works constructed to accomplish the aforesaid purposes:".

SEC. 4. That the paragraph in section 1 of the River and Harbor Act, approved July 25, 1912, authorizing the removal of temporary obstructions from tributaries of waterways under Federal improvement (37 Stat. L. 722), as amended in section 3 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 3, 1930, is hereby amended to read as follows:

"The Chief of Engineers, in his discretion, and after approval by the Secretary of War, is hereby authorized to make preliminary examinations and minor surveys preliminary thereto and to remove snags and other temporary or readily removable obstructions from tributaries of waterways already under Federal improvement or in general use by navigation, to be paid from funds appropriated for the maintenance and improvement of rivers and harbors: *Provided*, That the cost of such work in any single year shall not exceed $3,000 per tributary."

SEC. 5. That (a) the consent, permission, and authority granted to the Commissioners of Lincoln Park, now superseded by the Chicago Park District, a municipal corporation organized and existing under the laws of the State of Illinois to exercise jurisdiction over the navigable waters of Lake Michigan which lie within the following-described boundaries:

Beginning at a point at the intersection of the existing bulkhead along Lake Shore Drive in Chicago, Ill., with the existing pier which is parallel to and north of Ohio Street extended and south of Ontario Street extended; thence easterly along said pier to a point in a line parallel to and 350 feet easterly of said bulkhead along the Lake Shore Drive; thence northwesterly along said last-described line to a point in a curve of 200 feet radius and tangent both to said last-described line and to a line 350 feet southerly from the southerly side of and parallel to the shore arm extension breakwater extending into Lake Michigan from a point near the intersection of Oak Street and Lake Shore Drive; thence along said curve to a point in said line last described; thence easterly along said line to a point in a line at right angles with said shore arm extension breakwater at the eastern extremity thereof; thence northward along said last-described line to said shore arm extension breakwater; thence westward along said shore arm extension breakwater to the shore line; and (b) the right granted to said the Commissioners of Lincoln Park, now superseded by the Chicago Park District, to destroy the navigability of the above-described waters altogether; and (c) the right granted to said the Commissioners of Lincoln Park, now superseded by the Chicago Park District, to erect an additional breakwater to connect the said shore arm extension breakwater near the intersection of Oak Street and Lake Shore Drive with the shore line; and (d) the transfer of possession of said shore-arm extension breakwater to said the Commissioners of Lincoln Park, now superseded by the Chicago Park District, and the obligation for the permanent care, custody, and maintenance of said shore arm extension breakwater by the Commissioners of Lincoln Park, now superseded by the Chicago Park District, all as provided for by the act entitled "An act granting to the Commissioners of Lincoln Park the right to erect a breakwater in the navigable waters of Lake Michigan, and transferring jurisdiction over certain navigable waters of Lake Michigan to the Commissioners of Lincoln Park," approved March 3, 1931, be rescinded.

The United States of America hereby resumes jurisdiction over the above-described waters and the above-described shore-arm extension breakwater, and hereby discharges the Chicago Park District, successor to the superseded the Commissioners of Lincoln Park, from its liability for the permanent care, custody, and maintenance of said shore-arm extension breakwater.

Said Chicago Park District shall signify its acceptance of this act by written notice to the Secretary of War within 60 days after the passage of this act, and this section shall become effective immediately upon its acceptance by said Chicago Park District. In the event of nonacceptance within 60 days this section shall become null and void.

SEC. 6. Amounts hereafter collected from private parties or other agencies for any services rendered; for the use of any facility or property; for the sale of any property or for the exchange value of any property traded in on new property, when the cost of such services, facilities, and property is borne by funds appropriated for the maintenance or improvement of rivers and harbors, or flood-control work, excluding any amounts received for the sale or rental of land with or without buildings thereon, shall be deposited in the Treasury to the credit of the appropriation to which the cost of such services, facilities, or property has been charged.

SEC. 7. The Chief of Engineers is authorized, with the approval of the Secretary of War, in the prosecution of river and harbor, flood control, or other civil works under his supervision, to provide such facilities as are determined by him to be necessary for the health or welfare of the employees engaged in the prosecution of the work, on projects located at isolated points where such facilities are not otherwise available, and to pay for the same from funds allotted or appropriated for the projects. Payments heretofore made for such facilities on projects of the character specified in this section are approved.

SEC. 8. That the Secretary of War is authorized and directed to require the Chief of Engineers to make surveys of such portions of the North Atlantic coast line as were damaged by the flood and hurricane of September 21, 1938: *Provided*, That such surveys shall be made for the purpose of determining the nature and cost of the work which will be necessary in order to (1) restore such coast line to its condition prior to such hurricane and flood, (2) stabilize the beach along such coast line: *Provided further*, That notwithstanding the provisions of the act entitled "An act for the improvement and protection of the beaches along the shores of the United States," approved June 26, 1936, all costs of the surveys authorized by this section and by the second section of that act as well as by a River and Harbor Authorization Act, shall be borne by the United States and paid from appropriations heretofore or hereafter made for the maintenance and improvement of rivers and harbors, and such surveys shall be functions of the Engineer Corps, United States Army, and its head to be administered under the direction of the Secretary of War and the supervision of the Chief of Engineers: *And provided further*, That reports of surveys on beach erosion and shore protection shall include an estimate of the public interests involved, and such plan of improvement as is found justified, together with the equitable distribution of costs in each case.

SEC. 9. That the times for commencing and completing the construction of a dam and dike for preventing the flow of tidal waters into North Slough in Coos County, Oreg., in township 24 south, range 13 west, Willamette meridian, authorized to be constructed by the State of Oregon, acting through its highway department, the North Slough Drainage District, and the North Slough Diking District by an act of Congress approved August 26, 1937, is extended 1 and 3 years, respectively, from August 26, 1939. The right to alter, amend, or repeal this section is hereby expressly reserved.

INCLUSION OF CERTAIN LANDS WITHIN KANIKSU NATIONAL FOREST

The Senate proceeded to consider the bill (H. R. 2752) to include within the Kaniksu National Forest certain lands owned or in course of acquisition by the United States, which had been reported from the Committee on Public Lands and Surveys with an amendment, at the end of the bill, to insert:

Lands received in exchange or purchased under the provisions of this act shall be open to mineral locations, mineral development,

and patent, in accordance with the mining laws of the United States.

The amendment was agreed to.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill? I shall not object to it. Let it pass, and I may move to reconsider it hereafter.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

ADDITION OF CERTAIN LANDS TO WENATCHEE NATIONAL FOREST

The Senate proceeded to consider the bill (H. R. 5747) to authorize the addition of certain lands to the Wenatchee National Forest, which had been reported from the Committee on Public Lands and Surveys, with an amendment on page 2, line 10, after the word "act", to insert "Lands received in exchange or purchased under the provisions of this act shall be open to mineral locations, mineral development, and patent, in accordance with the mining laws of the United States," so as to make the bill read:

Be it enacted, etc., That any of the following-described lands which are found by the Secretary of Agriculture to be chiefly valuable for national-forest purposes may be exchanged under the provisions of the act entitled "An act to consolidate national forest lands," approved March 20, 1922, as amended, and upon acceptance of title therefor shall become parts of the Wenatchee National Forest: Township 25 north, range 21 east, Willamette meridian, section 5; section 6, north half. Township 26 north, range 21 east, Willamette meridian, sections 1 to 8, inclusive; section 17, west half; sections 18 and 19; section 20, west half; section 29, west half; sections 30 and 31. Township 27 north, range 21 east, Willamette meridian, sections 19 to 36, inclusive.

SEC. 2. All public lands within the areas described in section 1 are hereby added to the Wenatchee National Forest and shall hereafter become subject to all laws and regulations applicable to national forests. The addition of such lands shall not affect any entry or vested right under the public-land laws initiated prior to the passage of this act. Lands received in exchange or purchased under the provisions of this act shall be open to mineral locations, mineral development, and patent, in accordance with the mining laws of the United States.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

HIGHWAYS IN SHENANDOAH NATIONAL PARK

The joint resolution (S. J. Res. 160) to provide for the maintenance for public use of certain highways in the Shenandoah National Park was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That the Secretary of the Interior is authorized and directed to keep open and available to the public in a safe condition for travel, the following-named highways, from their intersection with the Skyline Drive to the boundary line of the Shenandoah National Park: State Highways No. 629 and 663, known as the Browns Gap Road, and State Highways No. 611 and 649, known as the Gordonsville-New Market Turnpike.

The preamble was agreed to.

ANNE BOICE

The bill (H. R. 1881) for the relief of Anne Boice was announced as next in order.

Mr. KING. Mr. President, I notice that the Veterans' Administration does not approve the bill. Let it go over.

Mr. SCHWELLENBACH. Mr. President, I have been absent from the Chamber for about 15 minutes. I understand objection is made to Calendar 1004, House bill 1881.

Mr. KING. The Veterans' Administration does not recommend the bill. The amount involved seems to be small. In view of the adverse recommendation, I ask for an explanation.

Mr. SCHWELLENBACH. The amount involved is $361. This lady is the widow of a veteran who resigned and thereby lost his rights. Later he died, and his widow lost her rights to the adjusted-compensation certificate. Last year a bill was passed by the Senate and the House, after being approved by the Committee on Military Affairs, of which the Senator from Texas [Mr. SHEPPARD] is chairman. That bill restored the rights of the man as a veteran. After the bill was passed the War Department objected to it, and the President vetoed it.

The present bill is limited solely to the payment of a small amount to the widow. The theory of both the bills was that the man was prevailed upon by his superior officer to resign when he should not have resigned. He served during a sufficient period of time to have earned the portion of his adjusted-compensation certificate represented in the bill.

Mr. KING. Mr. President, General Hines is usually so merciful and just that any adverse report by him is almost a command to me. However, I shall disobey his command this time.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

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

CONSTRUCTION WORK FOR THE ARMY

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2562) to facilitate certain construction work for the Army, and for other purposes, which was, on page 1, line 6, to strike out "outside the continental limits of the United States" and insert "in Alaska and the Panama Canal Zone."

Mr. SHEPPARD. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

BARNET WARREN

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2271) for the relief of Barnet Warren.

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

The motion was agreed to, and the Presiding Officer appointed Mr. SCHWARTZ, Mr. BROWN, and Mr. TOWNSEND conferees on the part of the Senate.

DISTRIBUTION OF JUDGMENT FUND OF KLAMATH AND MODOC TRIBES AND YAHOOSKIN BAND OF SNAKE INDIANS

Mr. HOLMAN. Mr. President, I ask unanimous consent to return to Calendar No. 901, Senate bill 1968. Yesterday, a similar bill, House bill 2738, passed the House with certain amendments to meet the objections of the Bureau of the Budget. The House bill has now reached the Senate, and I ask unanimous consent that it be taken from the table and be considered at this time. I am willing to accept the amendments of the House in order to obtain passage of the bill at this session. I ask that the House bill be passed.

Mr. KING. Mr. President, I move that the vote by which Senate bill 1968 was passed be reconsidered.

The motion was agreed to.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House of Representatives.

The bill, H. R. 2738, providing for the disposition of certain Klamath Indian tribal funds, was read the first time by its title, and the second time at length, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed, from the judgment fund of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians created as the result of the passage of the act of June 25, 1938, and accrued interest thereon, to credit the sum of $2,000 upon the books of the Office of Indian Affairs, to each person determined by the Secretary of the Interior to be entitled to enrollment upon the annuity roll of said tribes of the Klamath Reservation, Oreg., living upon the date of the enactment of this act. The share of each adult member and not to exceed $1,500 of the share of any minor shall be available for expenditure, under such rules and regulations as the Secretary of the Interior may prescribe, for the following purposes:

Purchase of land; improvement of lands acquired or already held by the Indian; erection and improvement of suitable homes; repayment of any loans received from the United States or from the Klamath tribal funds; purchase of building material, farming equipment, livestock, feed, food, seed, grain, tools, machinery, implements, household goods, bedding, clothing, and any other equipment or supplies necessary to enable the Indians to fit themselves

for or to engage in farming, livestock, industry, or such other pursuits or vocations, including education, as will enable them to become self-supporting; and health purposes: *Provided, however,* That the funds of the aged, infirm, decrepit, and incapacitated members, and of minors, may be used for their proper maintenance and support. The remainder of the share of each minor Indian shall be held intact until such Indian reaches his majority, when it, together with interest at the rate of 4 percent per annum, shall be available for expenditure for the purposes specified herein. As herein used, the term "minor" shall include all members of the tribe less than 21 years of age, except that minors 18 years of age or over and who are married or have families of their own to support, shall be regarded as adults. On the death of any enrolled member, adult, or minor, the sum on deposit to his credit shall be distributed as personal property, and shall be available for expenditure by the distributees only for the purposes herein authorized: *Provided, however,* That of the aforesaid $2,000 to be prorated to each person, $100 shall be paid to each member of said tribes as a per capita payment, free from the aforesaid restrictions, under rules and regulations prescribed by the Secretary of the Interior.

SEC. 2. That after the segregation provided for in section 1 hereof shall have been made, the remainder of such judgment fund, including interest, shall be available for expenditure subject to the following limitations and conditions:

(a) Three hundred thousand dollars shall be transferred to and added to the loan fund authorized by the act of August 28, 1937 (50 Stat. 872). After the fiscal year 1939 no further sums shall be transferred to and added to the loan fund authorized by said act from the unobligated tribal funds on deposit in the Treasury of the United States, and said act is hereby amended accordingly.

(b) Three hundred and seventy-five thousand dollars for immediate payment in a lump sum of $1,500 to each adult unallotted Indian found to be entitled to payment in lieu of allotment, as authorized in the act of June 1, 1938 (52 Stat. 605): *Provided,* That the amount due any minor under the provisions of said act shall be withheld until he becomes an adult, as herein defined, when it shall be paid to him in a lump sum from any funds, principal, or interest, on deposit to the credit of the Klamath Tribe, and section 2 of said act of June 1, 1938, is hereby amended accordingly.

(c) Such moneys as shall remain in the principal fund shall be transferred to and become a part of the capital reserve fund created by section 1 of the act of August 28, 1937 (50 Stat. 872).

SEC. 3. That in no event shall any portion of the said judgment fund become liable, payable, or subject to any debt or debts contracted prior to the passage of this act by any Indian of the Klamath Tribe except debts to the United States or to the tribe.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

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

The PRESIDING OFFICER. Without objection, Senate bill 1968 will be indefinitely postponed.

ADA FULLER

The bill (H. R. 2102) for the relief of Ada Fuller was considered, ordered to a third reading, read the third time, and passed.

NINETY SIX OIL MILL, OF NINETY SIX, S. C.

The Senate proceeded to consider the bill (H. R. 3345) for the relief of the Ninety Six Oil Mill, of Ninety Six, S. C.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill?

Mr. BYRNES. Mr. President, the bill represents the payment of the claim of the Ninety Six Oil Mill, of Ninety Six, S. C., which was one of a large number of mills making contracts for the sale of linters to the Government.

Mr. McKELLAR. The only question involved is the statute of limitations, is it not?

Mr. BYRNES. The Court of Claims said that had the petition been filed within the time it would have found judgment for the claimant, but that it had not been filed in time. The court therefore certified the facts to Congress. There is a statement in the RECORD, furnished by the Senator from Nebraska [Mr. BURKE], as to the reason why the claim of this small corporation was not filed within the time provided by the statute. The claim had been placed in the hands of a lawyer in the city of Washington, who advised the claimant that its claim would be filed along with other claims. There was a test case. The case went to the Supreme Court of the United States, and when the Supreme Court had decided the case it was found that in the case of this claim and one other the petitions had not been filed in time, and therefore the claims were barred by the statute.

Mr. McKELLAR. I notice that Judge Green, in delivering the opinion of the Court of Claims, states:

If the plaintiff's action had been begun in time this court would have rendered a judgment in his favor, but the remedy has been lost by reason of failure to file the petition within the period of limitations.

Under the circumstances it seems to me the claim is just.

Mr. BYRNES. I think it is a just claim.

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

AMENDMENT OF BONNEVILLE PROJECT ACT

Mr. HOLMAN. Mr. President, I ask unanimous consent to return to Calendar 890, Senate bill 2375.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none.

Mr. HOLMAN. Mr. President, yesterday a similar but not identical bill, House bill 7270, passed the House and has now reached the Senate. I move that the vote by which Senate bill 2375 was passed be reconsidered.

The motion was agreed to.

Mr. HOLMAN. Mr. President, I ask the Chair to lay before the Senate House bill 7270.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House of Representatives.

The bill (H. R. 7270) to amend the Bonneville Project Act was read the first time by its title, and the second time at length.

The PRESIDING OFFICER. Is there objection to the present consideration of the House bill?

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

Mr. HOLMAN. I offer an amendment to strike out all after the enacting clause and insert the text of Senate bill 2375, as approved by the Senate today. I suggest this procedure in order that the bill may go to conference to adjust the difference between the Houses.

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

The LEGISLATIVE CLERK. It is proposed to strike out all after the enacting clause and insert the following:

That section 2 (a) of chapter 720 of the acts of the Seventy-fifth Congress, first session (50 Stat. 731, 732), is hereby amended by inserting after the second sentence ending "in the vicinity of the Bonneville project.", the following sentence: "The Secretary of the Interior shall also appoint, without regard to the civil-service laws, an Assistant Administrator, chief engineer, and general counsel and shall fix the compensation of each at not exceeding $9,000 per annum. The Assistant Administrator shall perform the duties and exercise the powers of the Administrator, in the event of the absence or sickness of the Administrator until such absence or sickness shall cease, and, in the event of a vacancy in the office of Administrator until a successor is appointed."

SEC. 2. Section 2 (a) of said act is hereby further amended by adding at the end of said section the following:

"The office of the Administrator of the Bonneville project is hereby constituted an office in the Department of the Interior and shall be under the jurisdiction and control of the Secretary of the Interior. All functions vested in the Administrator of the Bonneville project under this act may be exercised by the Secretary of the Interior and, subject to his supervision and direction, by the Administrator and other personnel of the project."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

LELAND J. BELDING

The bill (H. R. 4847) for the relief of Leland J. Belding was considered, ordered to a third reading, read the third time, and passed.

J. MILTON SWENEY

The Senate proceeded to consider the bill (H. R. 4260) for the relief of J. Milton Sweney, which had been reported from the Committee on Claims, with an amendment, on page 1, line 6, after the words "the sum of", to strike out "$2,000" and insert "$800.90", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not

otherwise appropriated, to J. Milton Sweney, Shenandoah, Iowa, the sum of $800.90. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said J. Milton Sweney as the result of personal injuries received on January 6, 1937, near Shenandoah, Iowa, when he was struck by a truck in the service of the Department of Agriculture: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

FRANKLIN LOPEZ

The bill (H. R. 3157) for the relief of Franklin Lopez, administrator of the goods, chattels, and credits which were of Alice C. Lopez, deceased, was considered, ordered to a third reading, read the third time, and passed.

ESTATE OF ARTHUR WELTNER

The bill (H. R. 3337) for the relief of the estate of Arthur Weltner was considered, ordered to a third reading, read the third time, and passed.

WALTER C. HOLMES

The bill (H. R. 5743) for the relief of Walter C. Holmes was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 5333) to amend the act granting increased compensation to civilian employees for the period July 1, 1917, to June 30, 1924, was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

ARKANSAS STATE PENITENTIARY

The bill (S. 2804) for the relief of the Arkansas State Penitentiary, was announced as next in order.

Mr. McKELLAR. I notice that the bill is for the relief of the Arkansas State Penitentiary.

Mr. MILLER. Yes.

Mr. McKELLAR. Is it for the relief of the prisoners? What relief does it propose? Will the Senator explain?

Mr. MILLER. Mr. President, the Arkansas State Penitentiary is a self-sustaining institution. It provides its own funds from the operation of its own property. The obligation of $11,000 accrued in 1937. At the request of the Federal Government the penitentiary furnished 955 convicts to the Government to work on the levee, and thereby saved great expense to the Federal Government. The claim has been duly audited, and the amount represents merely the expenses paid out of the penitentiary fund.

Mr. McKELLAR. The convicts were used on a temporary flood emergency matter?

Mr. MILLER. They were used for weeks at the request of the Army engineers and the Secretary of War.

Mr. President, I ask that House bill 6641 be substituted for Senate bill 2804, and that it be now considered.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House of Representatives.

The bill (H. R. 6641) for the relief of the Arkansas State Penitentiary was read the first time by its title, and the second time at length, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Arkansas State Penitentiary the sum of $11,414.17, in full settlement of all claims against the United States for expenses incurred by the Arkansas State Penitentiary as a result of furnishing, at the request of the United States district engineer, 955 convicts for emergency work in maintaining the levees in the lower St. Francis levee district of Arkansas during the flood emergency in January and February 1937, on the Mississippi River: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provision of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The PRESIDING OFFICER. Is there objection to the present consideration of the House bill?

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

LUKE A. WESTENBERGER

The bill (S. 419) for the relief of Luke A. Westenberger was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as extended and limited by the acts of February 15, 1934 (48 Stat. 351), and June 22, 1936 (49 Stat. 1608), the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider the claim of Luke A. Westenberger, of Gettysburg, Pa., for loss of his left eye as the result of an injury on May 27, 1936, allegedly sustained in the performance of his duties at Gettysburg College, Pennsylvania, while a recipient of student aid under the National Youth Administration: *Provided*, That claim hereunder shall be filed within 6 months after the approval of this act.

W. C. AND JAMES LATANE AND WILLIE JOHNSON

The bill (S. 2699) for the relief of W. C. and James Latane and Willie Johnson was announced as next in order.

Mr. WHITE. Mr. President, yesterday the House passed House bill 4115, which is identical with the Senate bill. I ask unanimous consent that the House bill be substituted for the Senate bill and be considered in lieu of the Senate bill. If that shall be done, I shall then ask that the Senate bill be indefinitely postponed.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House of Representatives.

The bill (H. R. 4115) for the relief of W. C. and James Latane and Willie Johnson was read twice by its title.

The PRESIDING OFFICER. Is there objection to the present consideration of the House bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. C. Latane and James Latane, of Westmoreland County Va., the sum of $2,267.50, and to Willie Johnson, of Westmoreland County, Va., the sum of $387.50, in full settlement of all claims against the United States because of the loss of cattle and horses by death in November 1937 from arsenic poisoning as a result of Japanese beetle-control operations at George Washington Birthplace National Monument in the State of Virginia in September 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The PRESIDING OFFICER. Without objection, Senate bill 2699 is indefinitely postponed.

G. W. NETTERVILLE

The bill (H. R. 2610) for the relief of G. W. Netterville was considered, ordered to a third reading, read the third time, and passed.

VIOLET DEWEY

The bill (H. R. 3084) for the relief of Violet Dewey was considered, ordered to a third reading, read the third time, and passed.

J. ARISTIDE LEFEVRE

The bill (S. 146) for the relief of J. Aristide Lefevre was announced as next in order.

Mr. WALSH. Mr. President, the House has passed a similar bill, House bill 3569, which I ask be substituted for the Senate bill and be considered at this time.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House of Representatives.

The bill (H. R. 3569) for the relief of J. Aristide Lefevre was read twice by its title.

The PRESIDING OFFICER. Is there objection to the consideration of the House bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to J. Aristide Lefevre, of Holyoke, Mass., out of any money in the Treasury not otherwise appropriated, the sum of $108, in full settlement of all claims against the United States for reimbursement of the amount paid by the said J. Aristide Lefevre in settlement of a judgment rendered against him in favor of Corrine E. Dupuis, of Willimansett, Mass., who was injured on August 13, 1936, as a result of being struck by a United States mail truck operated by him in the regular performance of his duties as an employee of the Post Office Department: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The PRESIDING OFFICER. Without objection, Senate bill 146 is indefinitely postponed.

WATER CONSERVATION AND UTILIZATION PROJECTS IN GREAT PLAINS AREA

Mr. GURNEY. Mr. President, I ask unanimous consent to revert to order of business 902, Senate bill 1802, authorizing construction of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States.

This bill went over a while ago. I should like to have it taken up for consideration now.

The PRESIDING OFFICER. Is there objection?

Mr. KING. Mr. President, the bill went over under objection, and I think we had better adhere to that action for the present.

The PRESIDING OFFICER. The bill has been passed over.

KYLE BLAIR

The Senate proceeded to consider the bill (H. R. 3104) for the relief of Kyle Blair, which had been reported from the Committee on Claims with an amendment on page 1, line 6, after the word "sum of" to strike out "$3,500" and insert "$2,500", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Kyle Blair, of Whirlwind, Logan County, W. Va., the sum of $2,500, in full satisfaction of all claims against the United States for injuries sustained by him on February 27, 1934, through negligence on the part of employees of the Civil Works Administration, while engaged in the building of a road on Harts Creek in Logan County, W. Va.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

FARM UNITS UNDER FEDERAL RECLAMATION PROJECTS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2410) relating to the development of farm units on public lands under Federal reclamation projects with funds furnished by the Farm Security Administration, which was, on page 1, line 3, after the word "That," to insert a comma and "during the fiscal year 1940,".

Mr. WHEELER. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

HISTORICAL MUSEUM IN CUSTER BATTLEFIELD NATIONAL CEMETERY, MONT.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 28) to provide for the erection of a public historical museum in the Custer Battlefield National Cemetery, Mont., which was, on page 2, line 17, to strike out "$75,000" and insert "$25,000."

Mr. WHEELER. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

AMENDMENT OF SECTION 77 OF BANKRUPTCY ACT AS TO PREFERRED CLAIMS

The bill (S. 2654) to amend subsection (n), section 77, of the Bankruptcy Act, as amended, concerning payment of preferred claims was announced as next in order.

Mr. KING. May we have an explanation of the bill?

Mr. TRUMAN. Mr. President, the bill proposes merely to amend the Bankruptcy Act in the case of equity receiverships so that employees who may be injured shall have a preference of their claims allowed in equity receivership proceedings as well as in reorganizations under section 77.

The Senate passed a bill in relation to that situation, but it probably will not get through on account of the situation in the House. This is an amendment of the Bankruptcy Act so as to put equity receiverships in exactly the same situation as reorganizations under section 77.

Mr. KING. Will this bill, if it should be passed, meet the sanction of the other House?

Mr. TRUMAN. I think so.

Mr. GERRY. I understand the Senate to say that this bill refers to section 77 of the Bankruptcy Act?

Mr. TRUMAN. It is an amendment of section 77 of the Bankruptcy Act, putting equity receiverships under the same provision.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments on page 1, line 3, after the word "that", to strike out "the Bankruptcy Act" and insert "the first sentence of"; in line 4, after "(n)", to insert "of the Bankruptcy Act"; in line 8, after the word "any", to strike out "Federal"; in the same line, after the word "court", to insert "of the United States"; on page 2, line 2, after the word "action", to strike out the word "brought"; and in line 4, after the word "section", to insert "brought during the period of receivership or trust", so as to make the bill read:

Be it enacted, etc., That the first sentence of section 77, subsection (n), of the Bankruptcy Act, as amended, be further amended to read as follows:

"(n) In proceedings under this section, and in equity receiverships of railroad corporations now or hereafter pending in any court of the United States, claims for personal injuries to employees of a railroad corporation, claims of personal representatives of deceased employees of a railroad corporation, arising under State or Federal laws, and claims now or hereafter payable by sureties upon supersedeas, appeal, attachment, or garnishment bonds, executed by sureties without security, for and in any action against such railroad corporation or trustees appointed pursuant to this section, brought during the period of receivership or trust, shall be preferred and paid out of the assets of such railroad corporation as operating expenses of such railroad."

The amendments were agreed to.

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

PROCUREMENT OF AIRCRAFT FOR NATIONAL DEFENSE

The Senate proceeded to consider the bill (S. 2868) to facilitate the procurement of aircraft for the national defense which was announced as next in order.

Mr. LA FOLLETTE. Mr. President, will the Senator from Texas please explain the bill briefly?

Mr. SHEPPARD. Mr. President, the bill authorizes the Secretary of War and also the Secretary of the Navy to make awards in cases where competitive bids have been received to not more than three bidders found by the Secretary to be the lowest responsible bidders that can satisfactorily perform the work or the service required to the best advantage of the Government.

The authority given in the bill is to run only until June 30, 1941.

The approved Army Air Corps expansion program contemplates the acquisition of approximately 2,600 military airplanes in addition to those already contracted for, and the completion of delivery thereof not later than June 30, 1941. It is materially in the interest of national defense that such program be completed within the time contemplated. If awards for aircraft, parts, and accessories must be made within the strict terms of existing law, danger exists that the greater part of the contemplated procurement for the Army Air Corps may fall into the hands of a limited number of companies unable to make timely delivery. The bill, if enacted, will act as an assurance of the completion of the program. It is not the desire of the War Department to abandon the competitive bidding system nor even to resort to the authority contained in the bill except under circumstances where the public interest clearly requires such action.

Mr. LA FOLLETTE. Mr. President, will the Senator from Texas briefly explain in what respect this bill proposes to amend existing law?

Mr. SHEPPARD. Under the existing law, if one company makes the lowest bid, it gets the contract for all the airplanes that are offered for construction in connection with that particular proposal. This bill would permit the Department to divide the planes among the three lowest responsible bidders in order to complete the program if it deems such action advisable in the public interest.

Mr. McKELLAR. I inquire, is it not likely in time of war to cost an immense amount of money and will it not virtually allow three companies to monopolize the business?

Mr. SHEPPARD. No awards are to be made at prices in excess of those offered by the bidders in any competition, and all prices must be found to be reasonable.

Mr. McKELLAR. Let me see if I understand it. The company making the lowest bid for aircraft or aircraft parts will have to share that bid with two others if the Department thinks it is wise to do it. Is that the idea?

Mr. SHEPPARD. That is true. It is a spread of the work.

Mr. McKELLAR. Is that all the bill proposes to do?

Mr. SHEPPARD. That is all.

Mr. AUSTIN. Let me interject that this is a sort of antidote for monopoly.

Mr. SHEPPARD. That is correct.

Mr. WALSH. Mr. President, have amendments been inserted in the bill so as to make it applicable to the Navy and so that the Navy may have the same advantage in the construction of naval aircraft?

Mr. SHEPPARD. There is such a provision in the amended bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Military Affairs with amendments on page 1, line 5, after the word "Department", to insert "or the Navy Department"; in line 7, after the word "War", to insert "or the Secretary of the Navy"; in line 10, before the word "Secretary", to insert "said"; on page 2, at the beginning of line 2, before the word "Secretary", to insert "said"; in line 12, before the word "Secretary", to insert "said"; in line 15, after the word "Secretary", to insert "of the Department concerned"; in line 23, after the word "Secretary", to insert "of the department concerned"; on page 3, line 15, after the word "Secretary", to insert "of the Department concerned", so as to make the bill read:

Be it enacted, etc., That, until June 30, 1941, whenever contracts are to be awarded as a result of competitive bids for furnishing the War Department or the Navy Department with aircraft, aircraft parts, and accessories therefor, the Secretary of War or the Secretary of the Navy is authorized to award a contract for the aircraft, aircraft parts, and accessories to be purchased as a result of any such competition to the bidder that the said Secretary shall find to be the lowest responsible bidder that can satisfactorily perform the work or service required to the best advantage of the Government, or, in his discretion and when such action is considered necessary by the said Secretary in the interest of the national defense, to award contracts for such aircraft, aircraft parts, and accessories to such bidders, not exceeding three in number, as said Secretary shall find to be the lowest responsible bidders that can satisfactorily perform the work or the service required to the best advantage of the Government. The determinations as to such multiple awards and the necessity for making the same shall be based upon quality, times and rate of delivery, price, and the prevention of the overloading of a plant or plants, and such division of awards shall be made only when found by the said Secretary to be in the interest of the national defense: *Provided*, That no awards shall be made at prices in excess of those offered by the bidders in any such competition and that the decision of the Secretary of the Department concerned as to the award of any such contract, or contracts, the interpretation of the provisions thereof, and the application and administration of the same shall not be reviewable, otherwise than as may be therein provided for, by any officer or tribunal of the United States except the President and the Federal courts: *Provided further*, That a report shall be made to the Congress by the Secretary of the Department concerned in the case of any competition as a result of which quantity contracts are entered into under authority of this act with more than one bidder, immediately upon the execution of such contracts, setting forth the articles purchased, the prices paid therefor, the name or names of each bidder, and of each contractor receiving a contract, and the particular reasons for awarding each of such contracts: *Provided further*, That any contract entered into under the authority hereby granted, for the construction of any complete aircraft or any portion thereof, shall be subject to the applicable profit-limitation provisions of the Act of March 27, 1934 (48 Stat. 505), as amended by the act of June 25, 1936 (49 Stat. 1926), and as further amended by the act of April 3, 1939 (Public, No. 18, 76th Cong.): *Provided further*, That procurement of aircraft, aircraft parts, and accessories therefor shall be made under authority of this act only when in the opinion of the Secretary of the Department concerned such action is necessary in the public interest: *Provided further*, That the authority herein granted shall not be construed to abrogate, repeal, or suspend any of the provisions of Revised Statutes (3709, U. S. C. 41:5), the act of March 2, 1901 (31 Stat. 905), the act of July 2, 1926 (44 Stat. 787), section 14 of the act of April 3, 1939 (Public, No. 18, 76th Cong.), or of the act of July 13, 1939 (Public, No. 168, 76th Cong.), or to prohibit the award of any contracts in any manner now authorized by law, but shall be construed as additional legislation to be utilized under the conditions herein set forth, during the effective period of this act: *And provided further*, That this act shall be applicable under the conditions herein set forth to awards of contracts upon which competitive bids have been heretofore requested or received but as a result of which contracts have not been awarded.

The amendments were agreed to.

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

AMENDMENT TO FAIR LABOR STANDARDS ACT

The Senate proceeded to consider the bill (S. 1234) to amend section 13 (a) of the act approved June 25, 1938 (52 Stat. 1069) entitled "Fair Labor Standards Act of 1938," which had been reported from the Committee on Education and Labor, with an amendment on page 1, line 6, after the word "follows", to strike out "or (11) operators employed in telephone exchanges having 1,000 subscribers or less" and insert "or (11) any switchboard operator employed in a public telephone exchange which has less than 500 stations", so as to make the bill read:

That section 13 (a) of the act approved June 25, 1938 (52 Stat. 1069), entitled "Fair Labor Standards Act of 1938," be, and the same is hereby, amended by adding a new subsection 11, as follows: "or (11) any switchboard operator employed in a public telephone exchange which has less than 500 stations."

The amendment was agreed to.

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

INVESTIGATION OF FEASIBILITY OF ZONE RAILROAD RATES

The Senate proceeded to consider the joint resolution (S. J. Res. 58) providing for an investigation of the feasibility and desirability of fixing railroad rates on the basis of zones, which had been reported from the Committee on Interstate Commerce with amendments, on page 1, at the beginning of line 4, to strike out "and directed"; in the same line, after the "a", to strike out "thorough study and" and insert "preliminary"; in line 7, after the word "passengers", to strike out "and goods"; in line 10, after the word "passengers", to strike out "and goods"; on page 2, line 1, after the word "the", to strike out "carrying"; in line 3, after the word "of", to strike out "its study and" and insert "such"; in the same line, after the word "with", to strike out "such" and insert "many"; and

at the end of the joint resolution to strike out "section 2", so as to make the joint resolution read:

Resolved, etc., That the Interstate Commerce Commission is authorized to make a preliminary investigation with respect to the feasibility and desirability of fixing the charges made by railroads, subject to its jurisdiction, for the transportation of passengers, on the basis of zones, with a particular view toward the establishment of a simplified rate structure for the transportation of passengers within or between such zones and the establishment of rates low enough to encourage full utilization of the facilities of such railroads. The Commission shall report to the Congress of the United States the results of such investigation, together with any recommendations relating thereto as it deems appropriate, at the earliest practicable date, but not later than January 3, 1940. In carrying out the purposes of this joint resolution the Commission shall have the same powers as are conferred upon it for carrying out studies and investigation in the performance of other duties imposed upon it by law.

Mr. MILLER. Mr. President, I should like to ask the chairman of the committee who reported the bill what the purpose of the amendment is in line 7 and line 10, where the words "and goods" are stricken therefrom?

Mr. WHEELER. Those amendments simply limit the proposed study to passenger fares.

Mr. MILLER. I notice that, and the point I wanted to make was that one of the major railroad questions in this country is the equalization of freight rates. I did not want the Commission to get the idea that the Congress would be content with letting them equalize passenger rates and pass over the question of freight rates.

Mr. WHEELER. I entirely agree with the Senator from Arkansas, but I felt that at this time this was all we could do. I intend at the next session of Congress, let me say to the Senator, to take that question up, a question in which he and others are vitally interested, and endeavor to have something done about it.

Mr. MILLER. I have no objection to the joint resolution in the form it now appears, but I did not want it to appear in anywise that, in the opinion of Senators or the Senate, a railroad problem of paramount importance could be settled by an adjustment of passenger rates.

Mr. WHEELER. I entirely agree with the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

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

HEARINGS BEFORE COMMITTEE ON PRINTING

The resolution (S. Res. 171) submitted by Mr. HAYDEN, July 26, 1939, was considered and agreed to as follows:

Resolved, That the Committee on Printing, or any subcommittee thereof, is authorized, during the Seventy-sixth Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee; the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

LITERATURE FOR GOLDEN GATE INTERNATIONAL EXPOSITION

The bill (H. R. 7263) to permit the importation free of duty of certain literature for distribution at the Golden Gate International Exposition of 1939 was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 4 of the act entited "An act relating to the importation of distilled spirits for consumption at the New York World's Fair, 1939, and the Golden Gate International Exposition of 1939, and to duties on certain articles to be exhibited at the New York World's Fair, 1939," approved April 29, 1939, is amended by inserting before the period at the end thereof a comma and the following: "or at the Golden Gate International Exposition of 1939."

REFUND OF INTERNAL-REVENUE TAX ON SPIRITS

The bill (H. R. 1648) to provide for the refund or credit of the internal-revenue tax paid on spirits lost or rendered unmarketable by reason of the floods of 1936 and 1937 where such spirits were in possession of the original taxpayer or rectifier for bottling or use in rectification, under Government supervision, as provided by law and regulations, was announced as next in order.

Mr. LA FOLLETTE. I ask that the bill go over.

Mr. BARKLEY. Mr. President, I hope the Senator from Wisconsin will not object to the bill. It merely permits a refund of taxes paid on spirits which were destroyed or rendered useless by the flood on the Ohio River in 1936 and 1937.

Mr. LA FOLLETTE. I am familiar with the bill, but, as the Senator knows, the Treasury Department has interposed a vigorous objection. It is a House bill, and, therefore, only remains to have action taken by the Senate to become a law. I will ask that it go over for today, in order that I may have an opportunity to study the matter further.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF NATIONAL FIREARMS ACT

The bill (S. 2785) to amend the Federal Firearms Act (Public, No. 785, 75th Cong.) so as to more adequately define the term "ammunition" as said term is defined in said act, was announced as next in order.

Mr. WHITE. Mr. President, reserving the right to object, I do not find in my book here any report on that bill.

Mr. STEWART. I have a report on it.

Mr. WHITE. Is the report from the Commerce Committee?

Mr. TAFT. The report of the House committee was before the Commerce Committee of the Senate.

Mr. WHITE. Will the Senator explain just what the effect of the bill would be?

Mr. STEWART. Yes. The purpose of the bill, Mr. President, is to amend the act of February 1938, which was an act defining ammunition for the purpose of keeping a check, as I understand, on gangsters, by excluding from the definition of the word "ammunition" as used in that act shotgun shells and .22-caliber rifle cartridges. It has the approval of the Attorney General and of the Treasury Department. Is that satisfactory?

I understand that the House bill on the same subject has come over the Senate. I ask that the House bill be substituted for the Senate bill and considered at this time.

The PRESIDING OFFICER. Is there objection?

The Chair lays before the Senate a bill coming over from the House of Representatives.

The bill (H. R. 2883) to amend the Federal Firearms Act (Public, No. 785, 75th Cong.) so as to more adequately define the term "ammunition" as said term is defined in said act was read twice by its title.

The PRESIDING OFFICER. Is there objection to the present consideration of the House bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 1, subsection 8, of the Federal Firearms Act (Public, No. 785, 75th Cong.) be amended so as to read as follows, to wit:

"(8) The term 'ammunition' shall include only pistol or revolver ammunition. It shall not include shotgun shells, metallic ammunition suitable for use only in rifles, or any .22 caliber rimfire ammunition."

The PRESIDING OFFICER. Without objection, Senate bill 2785 is indefinitely postponed.

RELIEF OF PURCHASERS OF LOTS IN FLORIDA

The bill (S. 538) for the relief of certain purchasers of lots in Harding town site, Florida, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent to any person who, as a result of an auction sale of lots in Harding town site, Florida, conducted during February 1924 by a representative of the Department of the Interior, agreed to purchase a lot in such town site and who (1) prior to the date of approval of this act, has paid to the United States 75 percent or more of the agreed purchase price of such lot, or (2) within twelve months after the date of approval of this act makes payment to the United States which, together with payment previously made, amounts to 75 percent of the agreed purchase price of such lot.

SEC. 2. As used in this act, the term "person" includes an individual, partnership, corporation, or association.

MICHAEL M. COHEN

The bill (S. 2143) for the relief of Michael M. Cohen was announced as next in order.

Mr. WALSH. Mr. President, I ask that House bill 5775 be substituted for the Senate bill, and considered at this time.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House of Representatives.

The bill (H. R. 5775) for the relief of Michael M. Cohen was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Michael M. Cohen, of Boston, Mass., the sum of $1,000, representing the amount of a United States bond posted by him as security for an immigration bond executed by him in April 1937, and conditioned upon the appearance before immigration authorities of Salvatore Marino, such immigration bond having been forfeited as a result of the nonappearance of said Salvatore Marino, who was subsequently apprehended and deported: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The PRESIDING OFFICER. Is there objection to the consideration of House bill 5775?

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

The PRESIDING OFFICER. The question is on the third reading of the bill.

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

The PRESIDING OFFICER. Without objection, Senate bill 2143 will be indefinitely postponed.

CONSERVATION PROJECTS IN THE GREAT PLAINS AREA

Mr. WHEELER. Mr. President, I ask unanimous consent to recur to Calendar No. 902, Senate bill 1802, authorizing construction of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States.

This bill was called up a short time ago and objected to by the Senator from Utah [Mr. KING]. He has asked me to give an explanation of the bill. I understand he has no objection to my explaining the bill at the present time.

This bill does not call for any appropriation from the Treasury. It would authorize the President and the Secretary of the Interior to use W. P. A. workers on reclamation projects. Instead of using them, for instance, in building some project which would not be of any moment to the country at all, where there is a reclamation project in some of the arid sections and it cannot be paid for in 40 years, the cost can be cut down by using W. P. A. workers or C. C. C. workers on the project. The bill provides for something really constructive, and it is a procedure which has been tried out and used effectively in Montana in connection with other projects. The bill merely authorizes that this practice be followed in connection with the projects referred to.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Irrigation and Reclamation with an amendment, to strike out all after the enacting clause and to insert:

That the Secretary of the Interior is hereby authorized to undertake the construction, including acquisition of water rights, rights-of-way, and other interests in land, of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States.

SEC. 2. Any moneys expended on such construction from appropriations made under the authority of this act shall be repaid to the United States by the water users in not to exceed 40 annual installments. Any labor or materials supplied for such construction by the Work Projects Administration, the Civilian Conservation Corps, or any other Federal agency shall be utilized in such manner as the President may determine, and for such labor and materials the water users shall reimburse the United States in such amounts and on such terms as the President may fix for each project.

SEC. 3. No moneys may be expended on a project pursuant to the authority of this act unless and until (1) the Secretary of the Interior has found, and has certified to the President, that the project has engineering feasibility and that the moneys to be expended on the project from appropriations made under the authority of this act probably can be repaid by the water users within 40 years; and (2) the President has approved said findings and has determined that labor and materials for the construction of the project should be made available to the Department of the Interior by the Work Projects Administration or a similar Federal agency, in the amount found by the Secretary of the Interior to make up the difference, if any, between the estimated cost of construction and the amount which can be expended from appropriations made under this act and probably can be repaid by the water users: *Provided*, That the Secretary of the Interior may accept for the construction of the project such labor or materials as may be offered by any State or political subdivision thereof, State agency, or municipal corporation, and may reduce by the amount thereof the estimated cost of construction to be met by the expenditure of Federal moneys.

SEC. 4. In undertaking any project pursuant to the authority of this act the Secretary of the Interior, by cooperative agreements with the Department of Agriculture or other Federal agencies or State agencies, may arrange for such cooperation of governmental agencies in the construction or operation and maintenance of the project as he deems desirable.

SEC. 5. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums of money as may be necessary to carry out the provisions of this act, including investigations and surveys of projects proposed under the authority of this act, any sums appropriated to be subject to transfer by the Secretary of the Interior, in such amounts as he deems necessary to executive departments or other Federal agencies pursuant to cooperative agreements entered into under section 4 of this act; and, from such sums appropriated or transferred, expenditures may be made for personal services in the District of Columbia and may be made for the same purposes and under the same conditions as included in the appropriation acts for the departments, establishments, and other agencies to which sums may be made available by appropriation or transfer.

The amendment was agreed to.

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

INA JONES

The Senate proceeded to consider the bill (S. 2561) for the relief of Ina Jones, which had been reported from the Committee on Claims with amendments, on page 1, line 5, to strike out "$2,500" and to insert in lieu thereof "$1,000," and to add a proviso at the end of the bill, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,000 to Ina Jones, in full settlement for injuries suffered by her in an automobile accident, responsibility for which was placed on the driver of a Government truck, which accident occurred on June 16, 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

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

BELL GROCERY CO.

The Senate proceeded to consider the bill (S. 2529) for the relief of Bell Grocery Co., which had been reported from the Committee on Claims with amendments, on page 1, line 1, to strike out "That there is hereby appropriated", and to insert "That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay", and at the end of the bill to add a proviso, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $427.50 to the Bell Grocery Co., of Pineville, Ky., to pay 28 months' rent on a warehouse which was used by the Works Progress Administration, and which sum shall be in full settlement of all claims against the United States by the Bell Grocery Co. growing out of such transaction: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a mis-

demeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

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

STANLEY FALK AND OTHERS

The Senate proceeded to consider the bill (S. 2531) for the relief of Stanley Falk, Howard Franklin, Mrs. Nathan Falk, and Rose Winter, which had been reported from the Committee on Claims with amendments, on page 1, line 10, to strike out "$500" and to insert "$250", and to add a proviso at the end of the bill, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Stanley Falk, of Little Rock, Ark., the sum of $120.09; to Howard Franklin, of Little Rock, Ark., the sum of $150; to Mrs. Nathan Falk, of Little Rock, Ark., the sum of $200; and to Rose Winter, of Little Rock, Ark., the sum of $250, in full satisfaction of all their claims against the United States for property damage and personal injuries sustained when the automobile in which they were riding was struck by a car driven by Charles L. Willis, an employee of the Public Works Administration, at Wooster, Ark., on July 2, 1938: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

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

CARRIE HOWARD STEEDMAN AND EUGENIA HOWARD EDMUNDS

The bill (S. 1962) granting jurisdiction to the Court of Claims to reopen and readjudicate the case of Carrie Howard Steedman and Eugenia Howard Edmunds was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Court of Claims be, and it is hereby, vested with jurisdiction and directed to reopen and readjudicate the case of Carrie Howard Steedman and Eugenia Howard Edmunds against the United States, No. E-563, decided February 28, 1927, and reported in volume 63, Court of Claims Reports, at page 226, upon the evidence heretofore submitted to the said court in the said cause, giving due weight in such readjudication to any decision of the Supreme Court of the United States rendered since February 28, 1927, construing the relevant provisions of the applicable statutes, particularly the identical terms of section 402 of the Revenue Acts of 1918 and 1921, and if such Court of Claims in such readjudication shall find upon said evidence that, under the provisions of the Revenue Act of 1921, the plaintiffs are entitled to a judgment under the relevant statutes, as now construed by the Supreme Court of the United States, particularly the terms of section 402 of the Revenue Acts of 1918 and 1921, then the court shall enter its judgment in favor of the said Carrie Howard Steedman and Eugenia Howard Edmunds in said cause for such sums as said evidence will justify, not to exceed the amount claimed in the original petition in the Court of Claims, with interest as provided by law.

THERMAL SYNDICATE, LTD.

The Senate proceeded to consider the bill (S. 1638) for the relief of Thermal Syndicate, Ltd., which had been reported from the Committee on Claims with an amendment, to add a proviso at the end of the bill, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,093.29 to Thermal Syndicate, Ltd., as equitable reimbursement and in full and final settlement and satisfaction of the damages and losses incurred and suffered by it, and for which it has not yet been reimbursed, in moving its equipment from the space in the Bush Terminal Buildings to its new location, and in otherwise complying with United States Navy commandeer order No. N-3255, dated June 18, 1918: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. KING. Mr. President, I desire to ask the Senator from Michigan a question with regard to this bill, but I do not see him in the Chamber. Is the Senator from New York familiar with it?

Mr. MEAD. Mr. President, this is one of a series of bills, the object of the bill being to reimburse a tenant in the Bush Terminal who was ordered out by the Navy Department because of the desire for space during the war.

Mr. BROWN. Mr. President, the bill calls for the reimbursement of the expense of removal.

Mr. MEAD. It is to compensate the claimant for the expense of removal.

Mr. KING. It did not present its claim within the time the Government fixed for the presentation of claims to a board set up during the war?

Mr. MEAD. It is my understanding that the claimant went to the Court of Claims, and that court held that the company actually expended the amount of money asked for, but it has never been reimbursed, and there is need of legislation in order for them to collect this amount of money.

Mr. BROWN. Mr. President, we have taken similar action by way of private bills for several other corporations who were tenants in the same building, the Bush Terminal Warehouse, in Brooklyn. I assure the Senator that it is a perfectly legitimate claim.

Mr. KING. The only point I had in mind about it was that a large number of persons made claims against the Government for damages arising during the war, some of which claims were valid and some not, and the Government set up boards for the adjudication of all those claims. A great many persons, as well as corporations, did apply, and awards were made and were paid. Some failed to apply to the Board, and now, many years afterward, are trying to get special legislation to relieve them.

Mr. BROWN. The claimant here has been diligent in the prosecution of its claim.

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

The amendment was agreed to.

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

EBERHART STEEL PRODUCTS CO., INC.

The Senate proceeded to consider the bill (S. 1790) for the relief of Eberhart Steel Products Co., Inc., which had been reported from the Committee on Claims with amendments, on page 1, line 4, after the word "Claims", it is proposed to insert "notwithstanding the lapse of time, or any statute of limitations"; on line 6 to strike out "upon the basis of just compensation"; on line 16, page 2, after the word "judgment", to strike out "upon the basis of just compensation" and insert "notwithstanding the lapse of time, or any statute of limitations"; and on page 3, line 1, after the words "*Provided*, That", to strike out the word "suit" and insert the word "suits", so as to make the bill read:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States Court of Claims, notwithstanding the lapse of time, or any statute of limitations, with instructions to hear and determine to judgment the claims of the Eberhart Steel Products Co., Inc., of Buffalo, N. Y., against the United States growing out of 43 certain contracts dated on and between January 28, 1920, and September 24, 1920, for the manufacture and delivery by said company to the War Department of certain material and parts for class B military trucks, notwithstanding any failure or error of any Government official to give proper written orders for changes made in any of said contracts, or fix the value thereof, or any previous decisions or decrees rendered with reference thereto, or any alleged settlement or adjustment heretofore made, or termination agreement, except only for proper credits to be given for any and all payments heretofore made: *Provided*, That no judgment rendered on this claim shall exceed the amount heretofore found by the Court of Claims as the fair cost of manufacture of supplies left on claimant's hands, manufactured in accordance with the terms of the foregoing original contracts and changes thereunder.

SEC. 2. Jurisdiction is further hereby conferred upon the United States Court of Claims with instructions to hear and determine to judgment notwithstanding the lapse of time, or any statute of limitations, the claims of said company against the United States for losses and damages suffered on dies, tools, plant, material, and equipment procured for making class B military-truck parts pursuant to agreement of officers of the War Department to give additional orders to said company for these parts, notwithstanding any lack of authority of said officers or that said agreement was not properly executed or in the form required by

law: *Provided*, That suits shall be commenced within 4 months after this act becomes effective.

The amendments were agreed to.

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

ORVILLE WRIGHT

The bill (S. 2735) authorizing the issuance to Orville Wright of honorary aircraft pilot's certificate No. 1 was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Civil Aeronautics Authority is authorized to issue to Orville Wright honorary aircraft pilot's certificate No. 1, in recognition of the outstanding service rendered by him in advancing the science of aeronautics.

APPOINTMENT OF SECOND LIEUTENANTS IN THE AIR CORPS

The bill (H. R. 6925) to waive the age limit for appointment as second lieutenants, Regular Army, of certain persons now on active duty with the Air Corps, was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF FLOOD SUFFERERS IN MISSOURI

The Senate proceeded to consider the bill (H. R. 1693) to confer jurisdiction on the District Court of the United States for the western district of Missouri to hear, determine, and render judgment upon the claims of certain claimants who suffered loss by flood at or near Bean Lake in Platte County, and Sugar Lake in Buchanan County in the State of Missouri, during the month of March 1934, which had been reported from the Committee on Claims with an amendment, on page 1, line 3, after the word "that", to insert "notwithstanding the lapse of time or any provisions of law to the contrary", so as to make the bill read:

Be it enacted, etc., That notwithstanding the lapse of time or any provisions of law to the contrary, jurisdiction is hereby conferred upon the District Court of the United States for the Western District of Missouri to hear, determine, and render judgment upon the claims of the following-named people or their heirs, representatives, administrators, executors, successors, or assigns: G. M. McCrary, Paul N. Shouse, Emma Shults, Mrs. C. E. Johnson, Mrs. A. H. Wilber, G. E. Hutson, Elmer Willis, Ethel McDuff, W. J. Huter, W. C. Hood, J. P. Kuhnert, Florence O. Saunders, E. Cobb, James D. Kelly, W. H. Myers, Dora Weldin, Frank Dougherty, M. H. Whitnah, Charles C. Myers, H. A. Whitnah, W. F. Reese, George Willis, N. D. Gasaway, Paul Johnson, Harry Turpin, John H. Chapin, J. D. Fraizer, C. W. Pierson, L. K. Poos, Lula A. Jegglin, Mrs. E. T. Graham, A. F. Russell, E. O. Keene, H. F. Chapin, Goldie Noland, Mrs. Goldie Noland, B. F. Kabel, Oscar Swearinger, Argyle Reese, S. O. Daniels, Belle Wagner, and W. D. Shreve. Said claims arise out of a flood allegedly resulting from the defective or improper placing and construction of dikes or revetments in the Missouri River by the War Department of the United States at or near Bean Lake, in Platte County, and Sugar Lake, in Buchanan County, in the State of Missouri, in the month of March 1934. Suit hereunder may be instituted at any time within 1 year from the date of the enactment of this act, and proceedings therein, appeals therefrom, and payment of judgment thereon, if any, shall be had in the same manner as in the case of claims over which such court has jurisdiction under the provisions of the Judicial Code.

Mr. TRUMAN. Mr. President, I have several amendments I desire to offer on behalf of the committee, which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendments.

The first amendment of the Committee on Claims was, on page 1, line 6, after the word "judgment", to insert "without interest, but with costs, under and in accordance with the same provisions of law as if the United States were a private party".

The amendment was agreed to.

On page 2, after line 23, to insert the following:

SEC. 2. The United States district attorney for the western district of Missouri is hereby charged with the duty of defending the United States in any suit instituted under the authority of this act.

The amendment was agreed to.

The next amendment was, on page 2, after line 23, after the amendment heretofore agreed to, to insert the following:

SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to pay judgments under this act. Such amounts shall be paid by the Secretary of the Treasury when the judgment of the district court has become final and on presentation to the Secretary of a duly authenticated copy of the judgment. Such payment shall be in full settlement of all claims against the United States on account of claims arising out of such flood damage.

The amendment was agreed to.

Mr. KING. Mr. President, I should like to have an explanation of this claim. Is there any liability upon the part of the Government?

Mr. TRUMAN. Mr. President, that is what we are trying to find out. We are giving these people permission to sue in the Court of Claims to find out what the liability is. In this case the engineers put an obstruction in the Missouri River, which caused the ice to form a jam in the center of the river, and adjacent territory was flooded which had never been flooded before. Then the engineers took the obstruction out of the river, and there has not been a flood since, but the people who were damaged have never had a chance to file a claim for recovery, and all the bill does is to give them a chance to do so.

Mr. KING. This does not establish any liability on the part of the Government?

Mr. TRUMAN. No.

Mr. KING. Or fix the amount to be paid?

Mr. TRUMAN. No.

Mr. KING. It is just for the right to file a claim?

Mr. TRUMAN. It gives them a chance to go into the district court.

Mr. KING. Upon further investigation I may possibly desire to file a motion to reconsider.

The PRESIDING OFFICER. The question is on the engrossment of the amendments.

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

The bill was read the third time, and passed, as follows:

Be it enacted, etc., That notwithstanding the lapse of time or any provisions of law to the contrary jurisdiction is hereby conferred upon the District Court of the United States for the Western District of Missouri to hear, determine, and render judgment without interest, but with costs, under and in accordance with the same provisions of law as if the United States were a private party upon the claims of the following-named people or their heirs, representatives, administrators, executors, successors, or assigns: G. M. McCrary, Paul N. Shouse, Emma Shults, Mrs. C. E. Johnson, Mrs. A. H. Wilber, G. E. Hutson, Elmer Willis, Ethel McDuff, W. J. Huter, W. C. Hood, J. P. Kuhnert, Florence O. Saunders, E. Cobb, James D. Kelly, W. H. Myers, Dora Weldin, Frank Dougherty, M. H. Whitnah, Charles C. Myers, H. A. Whitnah, W. F. Reese, George Willis, N. D. Gasaway, Paul Johnson, Harry Turpin, John H. Chapin, J. D. Fraizer, C. W. Pierson, L. K. Poos, Lula A. Jegglin, Mrs. E. T. Graham, A. F. Russell, E. O. Keene, H. F. Chapin, Goldie Noland, Mrs. Goldie Noland, B. F. Kabel, Oscar Swearinger, Argyle Reese, S. O. Daniels, Belle Wagner, and W. D. Shreve. Said claims arise out of a flood allegedly resulting from the defective or improper placing and construction of dikes or revetments in the Missouri River by the War Department of the United States, at or near Bean Lake in Platte County and Sugar Lake in Buchanan County, in the State of Missouri, in the month of March 1934. Suit hereunder may be instituted at any time within one year from the date of the enactment of this Act, and proceedings therein, appeals therefrom, and payment of judgment thereon, if any, shall be had in the same manner as in the case of claims over which such court has jurisdiction under the provisions of the Judicial Code.

SEC. 2. The United States district attorney for the western district of Missouri is hereby charged with the duty of defending the United States in any suit instituted under the authority of this act.

SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to pay judgments under this act. Such amounts shall be paid by the Secretary of the Treasury when the judgment of the district court has become final and on presentation to the Secretary of a duly authenticated copy of the judgment. Such payment shall be in full settlement of all claims against the United States on account of claims arising out of such flood damage.

JOANNES JOSEPHUS CITRON

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1954) for the relief of Joannes Josephus Citron, which were, in line 5, to strike out the word "lawfully" and in line

7, after the name "Idaho", to insert a colon and the following proviso: *"Provided,* That the said Joannes Josephus Citron shall not be eligible to become a citizen of the United States."

Mr. RUSSELL. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

CALLIOPE MINACA PILAVAKIS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 808) for the relief of Calliope Minaca Pilavakis, which were, in line 7, to strike out the word "legally", and in line 8, after the numerals "1936", to insert a colon and the following proviso: *"Provided,* That the said Calliope Minaca Pilavakis shall never be eligible to become a citizen of the United States."

Mr. RUSSELL. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

MRS. PACIOS PIJUAN

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1654) for the relief of Mrs. Pacios Pijuan.

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

The motion was agreed to; and the Presiding Officer appointed Mr. RUSSELL, Mr. KING, Mr. MALONEY, and Mr. JOHNSON of California conferees on the part of the Senate.

MATO, MILJENKO, BOZO, AND AUGUSTIN CIBILIC (OR ZIBILICH)

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 796) for the relief of Mato, Miljenko, Bozo, and Augustin Cibilic, or Zibilich.

Mr. RUSSELL. I move that the Senate disagree to the amendments of the House, ask a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees.

The motion was agreed to; and the Presiding Officer appointed Mr. RUSSELL, Mr. KING, Mr. MALONEY, and Mr. JOHNSON of California conferees on the part of the Senate.

EMIL FRIEDRICH DISCHLEIT

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1269) for the relief of Emil Friedrich Dischleit.

Mr. RUSSELL. I move that the Senate disagree to the amendments of the House, ask a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. RUSSELL, Mr. KING, Mr. MALONEY, and Mr. JOHNSON of California conferees on the part of the Senate.

DAUMIT TANNAUS SALEAH

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1911) for the relief of Daumit Tannaus Saleah (Dave Thomas).

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

The motion was agreed to; and the Presiding Officer appointed Mr. RUSSELL, Mr. KING, Mr. MALONEY, and Mr. JOHNSON of California conferees on the part of the Senate.

KONSTANTINOS DIONYSIOU ANTIOHOS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1538) for the relief of Konstantinos Dionysiou Antiohos (or Gus Pappas).

Mr. RUSSELL. I move that the Senate disagree to the amendments of the House, ask a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees.

The motion was agreed to; and the Presiding Officer appointed Mr. RUSSELL, Mr. KING, Mr. MALONEY, and Mr. JOHNSON of California conferees on the part of the Senate.

BILLS PASSED OVER

The bill (H. R. 6898) granting pensions and increase of pensions to certain helpless and dependent children of veterans of the Civil War was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

ALFRED DAUGHERTY AND WILLIAM H. JONES

The bill (H. R. 6899) granting pensions to certain veterans of the Civil War was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. MINTON. Mr. President, will not the Senator from Utah withhold his objection? This bill merely provides pensions for two very old men in Kentucky who are about 94 years of age.

Mr. McKELLAR. I think the bill ought to pass.

Mr. KING. I do not object.

The PRESIDING OFFICER. Is there objection?

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

BILL PASSED OVER

The bill (H. R. 6901) granting increase of pensions to certain widows of veterans in the Civil War was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

GRIZELDA HULL HOBSON

The Senate proceeded to consider the bill (S. 161) granting a pension to Grizelda Hull Hobson, which had been reported from the Committee on Pensions with an amendment, on page 1, line 8, after the word "month", to insert "in lieu of that she is now receiving," so as to make the bill read:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisons and limitations of the pension laws, the name of Grizelda Hull Hobson, widow of Admiral Richmond Pearson Hobson, late of the United States Navy, and pay her a pension at the rate of $100 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

The title was amended so as to read: "A bill granting an increase of pension to Grizelda Hull Hobson."

SPANISH-AMERICAN WAR AND OTHER PENSIONS

The bill (H. R. 2875) to provide that pensions payable to the widows and orphans of deceased veterans of the Spanish-American War, Boxer Rebellion, or Philippine Insurrection shall be effective as of date of death of the veteran if claim is filed within 1 year thereafter was considered, ordered to a third reading, read the third time, and passed.

TRANSFER OF UNITED STATES EMPLOYMENT SERVICE RECORDS

The Senate proceeded to consider the bill (H. R. 4108) to provide for the transfer of United States Employment Service records, files, and property in local offices to the States, which had been reported from the Committee on Education and Labor with an amendment, on page 1, line 9, to strike out "Secretary of Labor" and insert "Federal Security Administrator", so as to make the bill read:

Be it enacted, etc., That for the purpose of assisting the State employment services established and maintained in accordance with the terms of the act of June 6, 1933, entitled "An act to provide for the establishment of a National Employment System and for cooperation with the States in the promotion of such system, and for other purposes," as amended (48 Stat. 113; 49 Stat. 216), the

Federal Security Administrator is hereby authorized without payment of compensation to transfer and assign to the States in which it is located all property, including records, files, and office equipment, used by the United States Employment Service in its administrative and local employment offices in the respective States, except the records, files, and property used in the Veterans' Service and in the Farm Placement Service maintained under the said act, as soon as such States establish and maintain systems of public employment offices, in accordance with the terms of sections 4, 5, and 8 of the said act and the regulations promulgated thereunder.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

FIRST-CLASS MAIL MATTER DELIVERY RATE

The bill (S. 2893) to provide for the local delivery rate on certain first-class mail matter was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the proviso in section 1001 of the Revenue Act of 1932 (relating to postal rates) is amended to read as follows: "*Provided*, That such additional rate shall not apply to first-class matter mailed for local delivery or for delivery wholly within a county the population of which exceeds 1,000,000, provided said county is entirely within a corporate city."

CONVEYANCE OF LOCKWOODS BASIN, MASS., TO THE COMMONWEALTH OF MASSACHUSETTS

The bill (S. 2144) providing for the conveyance by the Secretary of the Navy of Lockwoods Basin, East Boston, Mass., to the Commonwealth of Massachusetts, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized and instructed to convey, for and in behalf of the United States, to the Commonwealth of Massachusetts, when said Commonwealth shall decide to accept the same, to be used for public purposes, the property known as Lockwoods Basin, East Boston, Mass., with all buildings and improvements thereon, the said property being bounded and described as follows: Northeasterly on Sumner Street, 185 feet; northwesterly on a common driveway and the North Ferry of the city of Boston, 674 feet; southwesterly on the harbor line or the line limiting the ownership of the grantor in that direction, 219.6 feet; and southeasterly on land now or formerly of Henry Pigeon and others, 792.31 feet, to the point of beginning.

SEC. 2. Whenever, in the judgment of the President of the United States, the property herein ceded to the Commonwealth of Massachusetts is needed by the Navy Department, the United States may resume possession of the same.

SEC. 3. Should the United States resume possession of the said property as provided in section 2 of this act the value of any improvements made by the Commonwealth of Massachusetts shall be refunded to the Commonwealth of Massachusetts. The Secretary of the Navy shall ascertain and fix the value of such improvements, if any there be.

SEC. 4. If the Commonwealth of Massachusetts shall at any time cease or fail to use the aforesaid property for public purposes, the property shall immediately revert to the United States. In such case no compensation shall be made by the United States for any improvements or betterments made by the Commonwealth of Massachusetts.

TEMPORARY ACTING ASSISTANT SURGEONS

The Senate proceeded to consider the bill (S. 2284) to amend the act of May 4, 1898 (30 Stat. 369), so as to authorize the President to appoint 100 acting assistant surgeons for temporary service, which was read as follows:

Be it enacted, etc., That the act of May 4, 1898, entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1899, and for other purposes" (30 Stat. 369), is hereby amended so that the last paragraph of the appropriation for the Bureau of Medicine and Surgery (30 Stat. 380), which provides as follows: "The President is hereby authorized to appoint for temporary service 25 acting assistant surgeons, who shall have the relative rank and compensation of assistant surgeons," shall read as follows: "The President is hereby authorized to appoint for temporary service 100 acting assistant surgeons, who shall have the rank and compensation of assistant surgeons."

Mr. KING. Mr. President, let us have an explanation of this.

Mr. WALSH. Mr. President, the number of surgeons who are yearly required to take care of the health of the officers and enlisted men of the Navy is 75. Under the present law, before being appointed they must be graduates of a medical school and have had 1 year's interneship in a hospital. They are given permanent appointments under the present law.

It has been found that mistakes have been made from time to time in giving permanent appointments before these men are tried out in the naval service. The purpose of the pending bill is to do away with permanent appointments until after they are tried for 18 months. The number is fixed at a hundred so that there may be an elimination of 25, and still the usual number be named. There is no increase in the number, and the probationary period will cover the interneship and a preliminary trial to demonstrate whether they are fitted and capable of performing the medical work the Navy requires of surgeons.

Mr. KING. Mr. President, I think it is a good measure.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

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

UNITED STATES NAVAL ACADEMY LAUNDRY

The bill (H. R. 6320) to establish the status of funds and employees of the United States Naval Academy laundry was considered, ordered to a third reading, read the third time, and passed.

CONTROL OF STOCK PURCHASES BY RAILROADS

The Senate proceeded to consider the bill (S. 2903) to amend the Interstate Commerce Act, and for other purposes, which is as follows:

Be it enacted, etc., That paragraph (3) of section 1 of the Interstate Commerce Act, as amended, is hereby amended by inserting "(a)" before the first word, and by adding at the end the following:

"(b) The term 'person' as used in this part means an individual or a company.

"(c) The term 'company' as used in this part means a corporation, partnership, association, joint-stock company, business trust, organized group of persons, whether incorporated or not; or any receiver, trustee, or liquidating agent of any of the foregoing in his capacity as such.

"(d) The term 'subsidiary' as used in this part means—

"(A) a company 10 percent or more of the outstanding voting securities of which are directly or indirectly held with power to vote, owned, or controlled, by one or more carriers, by one or more persons which are subsidiaries by virtue of this subparagraph (d), or by one or more such persons and one or more carriers, unless the Commission, as provided in subparagraph (g) by order determines such company not to be a subsidiary; or

"(B) a company which the Commission, after notice and opportunity for hearing, by order finds to be controlled (directly or indirectly, by stock ownership, lease, agreement, or voting trust, by common officers, directors, or stockholders, by reason of circumstances surrounding organization or operation, or by any method whatsoever), by one or more carriers, by one or more companies which are subsidiaries by virtue of this subparagraph (d), by one or more such companies and one or more carriers, or by any other person or persons having such control under any indenture, trust, or other agreement or arrangement with, or by means of the assets of, one or more such companies or carriers. The Commission shall, upon application, revoke an order finding a company to be a subsidiary under clause (B) if, after notice and opportunity for hearing, it finds that such company has ceased to be a subsidiary. The Commission may require any company whose status as a subsidiary or nonsubsidiary is being determined to furnish such information as the Commission deems necessary in order to make such determination.

"(e) The term 'controlling person' as used in this part means—

"(A) a person which directly or indirectly holds with power to vote, owns, or controls, 10 percent or more of the outstanding voting securities of a carrier or of a person which is a controlling person by virtue of this subparagraph (e); or

"(B) a person which controls, directly or indirectly, alone or pursuant to an arrangement or understanding with one or more other persons, by stock ownership, lease, agreement, or voting trust, by common officers, directors, or stockholders, by reason of circumstances surrounding organization or operation, or by any method whatsoever, a carrier or a person which is a controlling person within the meaning of this subparagraph (e).

"(f) The term 'affiliate' as used in section 20 of this part means—

"(A) a company 10 percent or more of the outstanding voting securities of which are directly or indirectly held with power to vote, owned, or controlled, by one or more controlling persons, by one or more persons which are affiliates by virtue of this subparagraph (f), or by one or more such persons and one or more controlling persons; or

"(B) a person which is controlled (directly or indirectly, by stock ownership, lease, agreement, or voting trust, by common officers, directors, or stockholders, by reason of circumstances

surrounding organization or operation, or by any method whatsoever) by one or more controlling persons, by one or more persons which are affiliates by virtue of this subparagraph (f), by one or more such persons and one or more controlling persons, or by any other person or persons having such control under any indenture, trust, or other agreement or arrangement with, or by means of the assets of, one or more such persons or controlling persons.

"(g) The Commission, upon application, shall by order declare that a company is not a subsidiary under subparagraph (d) if the Commission finds that the applicant is not controlled (directly or indirectly, by stock ownership, lease, agreement, or voting trust, by common officers, directors, or stockholders, by reason or circumstances surrounding organization or operation, or by any method whatsoever) by one or more carriers, by one or more subsidiaries, by one or more carriers and one or more subsidiaries, or by any other person or persons having such control under any indenture, trust, or other agreement or arrangement with, or by means of the assets of, one or more such carriers or subsidiaries. The filing of an application hereunder in good faith shall exempt the applicant from any obligation, duty, or liability imposed in this part upon the applicant as a subsidiary until the Commission has acted upon such application. The Commission may require the applicant to furnish such information as the Commission deems necessary for acting upon the application. Within a reasonable time after the receipt of an application hereunder, the Commission shall enter an order granting, or, after notice and opportunity for hearing, denying, or otherwise disposing of, such application. The Commission shall issue an order to show cause why any order declaring a company not to be a subsidiary should not be revoked, whenever it has reason to believe that such company has become a subsidiary, and, within a reasonable time thereafter, and after notice and opportunity for hearing, shall revoke the order declaring such company not to be a subsidiary if it finds that such company has become a subsidiary.

"(h) The term 'control' as used in this paragraph (3) shall be construed to include the power to exercise control."

SEC. 2. Section 5 of the Interstate Commerce Act, as amended, is hereby amended by omitting paragraph (18), and renumbering paragraphs (19), (20), and (21) as paragraphs (18), (19), and (20), respectively, and by changing paragraph (17) to read as follows:

"(17) As used in paragraphs (4) to (16), inclusive, the term 'carrier' includes a carrier by railroad subject to this part, and any corporation which, although not engaged in transportation, owns a railroad or other facilities used in transportation subject to this part, or is organized for the purpose of constructing or acquiring a railroad or other facilities to be used in transportation subject to this part."

SEC. 3. Section 12 of the Interstate Commerce Act, as amended, is hereby amended by striking out everything in paragraph (1) to and including the first semicolon, and by striking out the next two words and inserting in lieu thereof "The."

SEC. 4. Paragraph (1) of section 20 of the Interstate Commerce Act, as amended, is hereby amended to read as follows:

"(1) That the Commission is hereby authorized to require annual reports from all common carriers subject to the provisions of this part, and from the owners of all railroads engaged in interstate commerce as defined in this part, to prescribe the manner in which such reports shall be made, and to require from such carriers and owners, and from subsidiaries, specific and full, true, and correct answers to all questions upon which the Commission may need information. Such annual reports shall show in detail the amount of capital stock issued, the amounts paid therefor, and the manner of payment for the same; the dividends paid; the surplus fund, if any, and the number of stockholders; the funded and floating debts and the interest paid thereon; the cost and value of the property, franchises, and equipments of the carrier or owner; the number of employees and the salaries paid each class; the accidents to passengers, employees, and other persons, and the causes thereof; the amounts expended for improvements each year, how expended, and the character of such improvements; the earnings and receipts from each branch of business and from all sources; the operating and other expenses; the balances of profit and loss; and a complete exhibit of the financial operations of the carrier or owner, each year, including an annual balance sheet. Such reports shall also contain such information in relation to rates or regulations concerning fares or freights, or agreements, arrangements, or contracts affecting the same as the Commission may require; and the Commission may in its discretion, for the purpose of enabling it the better to carry out the purposes of this part, prescribe a period of time within which all common carriers subject to the provisions of this part and owners of railroads engaged in interstate commerce shall have, as near as may be, a uniform system of accounts, and the manner in which such accounts shall be kept. The Commission is hereby authorized to require that every subsidiary which is not a carrier or an owner or a motor carrier file with the Commission an annual report, which shall consist of its balance sheet as of the end of the 12-month period determined under paragraph (2), its income account for such period, and its profit and loss account as of the beginning and the end of such period, and such report shall classify separately the accounts shown therein representing (a) transactions between the reporting subsidiary or subsidiaries and the controlling carrier, (b) transactions between the reporting subsidiary or subsidiaries and all other subsidiaries of the controlling carrier, and (c) all other transactions. The Commission in its discretion may permit two or more subsidiaries of the same carrier to report jointly, or to file consolidated reports, and shall have power to prescribe the form in which reports of subsidiaries shall be made pursuant hereto."

SEC. 5. Paragraph (2) of section 20 of the Interstate Commerce Act, as amended, is hereby amended to read as follows:

"(2) Said detailed reports shall contain all the required statistics for the period of 12 months ending on the 30th day of June in each year, or on the 31st day of December in each year if the Commission by order substitute that period for the year ending June 30, and shall be made out under oath and filed with the Commission at its office in Washington within 3 months after the close of the year for which the report is made, unless additional time be granted in any case by the Commission; and if any carrier, subsidiary, person, or corporation subject to the provisions of this part shall fail to make and file said annual reports within the time above specified, or within the time extended by the Commission, for making and filing the same, or shall fail to make specific and full, true, and correct answer to any questions authorized by the provisions of this section within 30 days from the time it is lawfully required so to do, such party shall forfeit to the United States the sum of $100 for each and every day it shall continue to be in default with respect thereto. The Commission shall also have authority by general or special orders to require said carriers or owners, or any of them, to file monthly reports of earnings and expenses, and to require such carriers and owners and subsidiaries to file periodical or special, or both periodical and special, reports concerning any matters about which the Commission is authorized or required by this or any other law to inquire or to keep itself informed or which it is required to enforce; and such reports shall be under oath whenever the Commission so requires; and if any such carrier, subsidiary, or owner shall fail to make and file any such report within the time fixed by the Commission, it shall be subject to the forfeitures last above provided."

SEC. 6. Paragraph (5) of section 20 of the Interstate Commerce Act, as amended, is hereby amended to read as follows:

"(5) (a) The Commission may, in its discretion, prescribe the forms of any and all accounts and records to be kept by carriers subject to the provisions of this part, including the accounts and records of the movement of traffic, as well as of the receipts and expenditures of moneys. The Commission shall, as soon as practicable, prescribe, for carriers subject to this part, the classes of property for which depreciation charges shall be included under operating expenses, and the percentages of depreciation which shall be charged with respect to each of such classes of property, classifying the carriers as it may deem proper for this purpose. The Commission may, when it deems necessary, modify the classes and percentages so prescribed. The carriers subject to this part shall not charge to operating expenses any depreciation charges on classes of property other than those prescribed by the Commission, or charge with respect to any class of property a percentage of depreciation other than that prescribed therefor by the Commission. No such carrier shall in any case include in any form under its operating or other expenses any depreciation or other charge or expenditure included elsewhere as a depreciation charge or otherwise under its operating or other expenses.

"(b) The Commission shall have authority to inquire into the management of the business of all carriers and subsidiaries, and of all controlling persons and affiliates to the extent that the business of such controlling persons and affiliates is related to the control or management of the business of one or more carriers or subsidiaries, and the Commission shall keep itself informed as to the manner and method in which the same is conducted, and shall have the right to obtain from such carriers, subsidiaries, controlling persons, and affiliates such information as the Commission deems necessary to carry out the provisions of this part.

"(c) The Commission, or any authorized agent thereof, shall at all times have authority to inspect and copy all accounts, books, records, memoranda, correspondence, and other documents, now or hereafter existing, of a carrier or subsidiary, and such accounts, books, records, memoranda, correspondence, and other documents, now or hereafter existing, of a controlling person or affiliate, as the Commission deems relevant to such controlling person's or affiliate's relation to or transactions with one or more carriers or subsidiaries.

"(d) The Commission, or any authorized agent thereof, shall at all times have authority to inspect and copy such accounts, books, records, memoranda, correspondence, and other documents, now or hereafter existing, of any bank, trust company, trustee under any indenture, brokerage firm, investment banking firm, accounting firm, railway association, or person which sells or has sold equipment or supplies to carriers, as the Commission deems relevant to transactions or relations between such bank, firm, association, or person, and one or more carriers or subsidiaries.

"(e) It shall be unlawful for carriers subject to this part to keep any accounts, books, records, memoranda, and other documents, inconsistent with those prescribed or approved by the Commission. This provision shall apply to receivers and trustees of carriers."

SEC. 7. Paragraph (6) of section 20 of the Interstate Commerce Act, as amended, is hereby amended to read as follows:

"(6) In case of failure or refusal on the part of any such carrier, receiver, or trustee to keep such accounts and records, on the books and in the manner prescribed by the Commission, or in case of failure or refusal on the part of any carrier, receiver, trustee,

subsidiary, controlling person, affiliate, or other person to submit any accounts, books, records, memoranda, correspondence, or other documents to the Commission or any of its authorized agents or examiners for inspection or copying, as required by this section, such carrier, receiver, trustee, subsidiary, controlling person, affiliate, or other person shall forfeit to the United States the sum of $500 for each such offense and for each and every day of the continuance of such offense, such forfeitures to be recoverable in the same manner as other forfeitures provided for in this part."

SEC. 8. Paragraph (7) of section 20 of the Interstate Commerce Act, as amended, is hereby amended to read as follows:

"(7) Any person who shall willfully make, cause to be made, or participate in the making of, any false entry in any annual or other report required to be filed, or in the accounts of any book of accounts or in any record or memoranda kept by a carrier or a subsidiary thereof, or who shall willfully destroy, mutilate, or alter such accounts, books, or records, or by any means or device falsify the record of any such account, record, or memoranda, or any books, correspondence, or other documents, or who shall willfully neglect or fail to make full, true, and correct entries in any such accounts or records, of all facts and transactions appertaining to the business of the carrier or subsidiary, or shall keep any accounts, records, or memoranda inconsistent with those prescribed or approved by the Commission, or shall knowingly or willfully file with the Commission any false report or other document required to be filed by it, shall be deemed guilty of a misdemeanor, and shall be subject, upon conviction in any court of the United States of competent jurisdiction, to a fine of not less than $1,000 nor more than $5,000 or imprisonment for a term not less than 1 year nor more than 3 years, or both such fine and imprisonment: *Provided*, That the Commission may, in its discretion, issue orders specifying such operating, accounting, or financial papers, records, books, blanks, tickets, stubs, correspondence, or documents of carriers and subsidiaries as may, after a reasonable time, be destroyed, and prescribing the length of time such books, papers, correspondence, or documents shall be preserved. As used in this part, the word 'keep' shall be construed to mean make, prepare, or compile, as well as retain."

SEC. 9. Section 20a of the Interstate Commerce Act, as amended, is hereby amended by adding at the end two new paragraphs, which shall take effect 60 days after the approval of this act, reading as follows:

"(13) Subsidiaries of carriers (other than subsidiaries which are carriers subject to this part, and other than common or contract carriers by motor vehicle, corporations organized for the purpose of engaging in transportation as such carriers, and corporations authorized by order entered under section 213 (a) (1) of part II to acquire control of any such carrier, or of two or more such carriers) shall be subject to the provisions of paragraph (2) to (6) and (8) to (11), inclusive, of this section, including penalties applicable in cases of violations thereof: *Provided*, That such paragraphs shall not apply to the issuance of securities by a wholly owned subsidiary to the carrier which owns such subsidiary or to one or more other wholly owned subsidiaries of such carrier, but in such event it shall be unlawful for the carrier or subsidiary to which such securities are issued to sell or otherwise dispose of the same to any other person without the authorization of the Commission under paragraph (2) of this section: *Provided further*, That the Commission shall by order authorize an issue or assumption by any such subsidiary under paragraph (2) of this section only if it finds that such issue or assumption is compatible with the public interest in transportation, will not adversely affect the carrier or carriers in control of such subsidiary, and will not impair the ability of such carrier or carriers to perform their service to the public. As used in this paragraph, the term 'wholly owned subsidiary' means a subsidiary all of whose outstanding voting securities (exclusive of directors' qualifying shares) are owned by a carrier or by a company which is a wholly owned subsidiary by virtue of this sentence, or by both.

"(14) After December 31, 1939, it shall be unlawful for any officer or director of a carrier to hold the position of officer or director of a subsidiary which is subject to paragraph (13) of this section and less than 100 percent of whose stock (exclusive of directors' qualifying shares) is held by such carrier or by another such subsidiary, unless such holding shall have been authorized by order of the Commission, upon due showing in form and manner as prescribed by the Commission, that neither public nor private interests will be adversely affected thereby. After this paragraph takes effect, the second and third sentences of paragraph (12) of this section shall apply to subsidiaries subject to paragraph (13) of this section."

SEC. 10. The Interstate Commerce Act, as amended, is hereby amended by adding, after section 20a, a new section, which shall take effect 60 days after the approval of this act, reading as follows:

"SEC. 20b. (1) It shall be unlawful, except with the prior approval of the Commission under paragraph (2) of this section, for any carrier or subsidiary (or for any carrier and one or more subsidiaries which are controlled, directly or indirectly, by such carrier), directly or indirectly, by any method or device whatsoever—

"(i) to expend or effect the expenditure of any funds, transfer or effect the transfer of anything of value, or make, cause to be made, or guarantee any loan (whether or not in connection with any obligation, contract, or agreement), to an aggregate amount in excess of $50,000 of money or value in any one calendar year; or

"(ii) to incur any obligation or enter into any contract or agreement (other than an obligation which is, or a contract or agreement which is, and all terms and conditions of which are, conditional as to performance and validity upon the approval of such obligation, contract, or agreement by the Commission under paragraph (2) of this section), providing for the expenditure of funds, the transfer of anything of value, or the making or guaranteeing of any loan, by or effected by such carrier or subsidiary, to an amount in excess of $50,000 of money or value, for or in connection with the acquisition, direct or indirect, or by any means whatsoever, by or in behalf of such carrier or subsidiary, of any interest whatsoever in securities (including any note, stock, bond, debenture, any collateral-trust certificate, voting-trust certificate, certificate of deposit for a security, receiver's or trustee's certificate, or, in general, any instrument commonly known as a security; or any certificate of interest or participation in, temporary or interim certificate for, receipt for, guaranty of, assumption of liability on, or warrant or right to subscribe to or purchase, any of the foregoing).

"(2) (a) Any carrier or subsidiary which proposes to enter into or effect a transaction which is prohibited by paragraph (1) of this section unless the Commission approve such transaction, shall file an application for approval of such transaction with the Commission. Within a reasonable time after the filing of such application, and after investigation of the purposes and uses of the proposed transaction, the Commission shall issue an order approving, or, after notice and opportunity for hearing, denying or otherwise disposing of, such application. The Commission shall approve such a transaction by a carrier, or such a transaction by a noncarrier subsidiary in securities issued, assumed, or guaranteed by a carrier, if, but only if, it finds that such transaction constitutes a proper use of the funds, assets, or credit of the carrier or subsidiary, and will be compatible with the public interest, and that the terms and conditions of the proposed transaction are fair and reasonable, and shall approve such a transaction by a noncarrier subsidiary (other than a transaction in securities issued, assumed, or guaranteed by a carrier) if, but only if, it finds that such transaction is compatible with the public interest in transportation, will not adversely affect the carrier or carriers in control of such subsidiary, and will not impair the ability of such carrier or carriers to perform their service to the public.

"(b) The provisions of paragraphs (3) and (4) of section 20a shall apply to applications under this paragraph (2).

"(3) (a) The provisions of paragraphs (1) and (2) of this section shall not apply to any acquisition which has been authorized by the Commission under any other provisions of this act, and shall not prohibit a carrier or subsidiary from investing its funds in obligations of, or guaranteed by, the United States of America, or such other obligations as are permissible for investment by savings banks and trustees under the laws of any State in which the carrier is incorporated, or in which the principal operating or executive office of the carrier is located.

"(b) The provisions of paragraphs (1) and (2) of this section shall not prohibit any carrier or wholly owned subsidiary of such carrier from using its funds or assets for the payment, retirement, or purchase of (i) the lawful obligations issued, assumed, or guaranteed by, or which are a lien upon properties of, such carrier existing on the effective date of this section or thereafter lawfully incurred, or (ii) securities issued or guaranteed, or obligations assumed by, or which are a lien upon properties of, another carrier operated by such carrier, or in respect of which securities such carrier is lawfully obligated or liable as lessor, lessee, guarantor, endorser, surety, or otherwise, or (iii) securities issued by or which are a lien upon properties of a company operated or owned or used by such carrier and one or more other cariers as a joint facility, or (iv) securities issued or guaranteed, or obligations assumed, by another subsidiary of such carrier if, at the time of such acquisition, 95 percent or more of its outstanding voting securities are owned by such carrier or by a wholly owned subsidary of such carrier, or by both. As used in this paragraph, the term 'wholly owned subsidiary' means a subsidiary all of whose outstanding voting securities (exclusive of directors' qualifying shares) are owned by a carrier or by a company which is a wholly owned subsidiary by virtue of this sentence, or by both. Nor shall such provisions prohibit any subsidary (whether or not a carrier) from using its own funds or assets (but not funds, assets, or credit furnished or supplied to such subsidiary, directly or indirectly, by any means or device whatsoever, by a carrier which controls such subsidiary) for the payment, requirement, or purchase of its lawful obligations existing on the effective date of this section or thereafter lawfully incurred.

"(c) The provisions of paragraphs (1) and (2) of this section shall not prohibit any carrier or subsidiary from exercising conversion privileges or subscription rights with respect to securities lawfully acquired, nor from acquiring securities in exchange for lawfully acquired securities in merger, consolidation, or reorganization proceedings, nor from receiving obligations issued for the purpose of extending, renewing, or refunding obligations held at the effective date of this section or lawfully acquired thereafter, nor from acquiring obligations secured by purchase money liens upon the sale of real property, nor from receiving securities in whole or partial satisfaction of lawful claims in bankruptcy or insolvency proceedings, nor shall such provisions prohibit any carrier, or subsidiary which is engaged (wholly or partially) in a commercial or industrial or other nontransportation enterprise, from accepting notes

(other than notes issued by a carrier or secured by securities issued, assumed, or guaranteed by a carrier) in the ordinary course of business of such enterprise for property sold or services (other than transportation services) rendered on credit.

"(4) Within ten days after the incurring or entering into of any obligation, contract, or agreement which is conditional upon approval by the Commission under paragraph (2) of this section, and within such period as the Commission may prescribe after the expenditure of any funds, the transfer of anything of value, the making or guaranteeing of any loan, the acquisition of any securities, or the incurring or entering into of any obligation, agreement, or contract to acquire any securities, by any carrier or subsidiary, as authorized by an order of the Commission under paragraph (2) of this section, such carrier or subsidiary shall file with the Commission a certificate of notification to that effect setting forth therein all such facts as may be required by the Commission.

"(5) Any director, officer, attorney, employee, or agent of a carrier or subsidiary who knowingly assents to or participates in any expenditure of funds, transfer of any thing of value, making or guaranteeing of any loan, acquisition of securities, or the incurring or entering into of any obligation, contract, or agreement to acquire securities, contrary to the provisions of this section, shall be subject to the penalties provided in paragraph (11) of section 20a."

Mr. WHEELER. Mr. President, this is a bill which was recommended by the Interstate Commerce Commission. It was drafted by the Commission in cooperation with a member of the legal staff of the Interstate Commerce Committee of the Senate. Hearings were held on the bill. The Senator from Missouri [Mr. TRUMAN] was chairman of the subcommittee, and the Senator from Vermont [Mr. AUSTIN], the Senator from New Hampshire [Mr. TOBEY], the Senator from Alabama [Mr. HILL], and the Senator from Colorado [Mr. JOHNSON] were members of the subcommittee. During an extended adjournment of the hearings, every feature of the bill to which the attorneys for the railroads objected was discussed in detail in conference with them, and it was finally agreed by everyone concerned, including the Interstate Commerce Commission, that the bill in its present form will not unduly burden or hamper the regular conduct of the railroads' business and that they had no further suggestions with respect to its form. They all stated that they did not wish to be heard further on the bill.

Mr. McKELLAR. What is the purpose of the bill?

Mr. WHEELER. The purpose of the bill is to prevent certain wasteful expenditures of money by the railroads such as those which took place between the years 1922 and 1929, when they speculated in the stocks and securities of other railroads, and suffered tremendous losses.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

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

CONTROL OF DISEASE IN THE DISTRICT OF COLUMBIA

The bill (S. 2745) to authorize the Commissioners of the District of Columbia to make regulations to prevent and control the spread of communicable and preventable diseases was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia are hereby authorized and empowered to promulgate and enforce all such reasonable rules and regulations as they may deem necessary to prevent and control the spread of communicable and preventable diseases in the District of Columbia.

SEC. 2. The said Commissioners are authorized to prescribe a reasonable penalty of fine, not to exceed $100, or of imprisonment, not to exceed 30 days, or both, for the violation of any rule or regulation promulgated under the authority of this act, and all prosecutions for violations of such rules and regulations shall be in the police court of the District of Columbia in the name of the District of Columbia upon information filed by the corporation counsel of the District of Columbia or any of his assistants.

SEC. 3. This act shall take effect from and after 90 days after its passage and approval, and from and after the expiration of said period the following acts are hereby repealed:

An act entitled "An act to prevent the spread of contagious diseases in the District of Columbia," approved March 3, 1897 (29 Stat. 635);

An act entitled "An act for the prevention of scarlet fever, diphtheria, measles, whooping cough, chicken pox, epidemic cerebrospinal meningitis, and typhoid fever in the District of Columbia," approved February 1, 1907 (34 Stat. 839);

An act entitled "An act to provide for registration of all cases of tuberculosis in the District of Columbia, for free examination of sputum in suspected cases, and for preventing the spread of tuberculosis in said District," approved May 13, 1908 (35 Stat. 126); and

An act entitled "An act for the prevention of venereal diseases in the District of Columbia, and for other purposes," approved February 26, 1925 (43 Stat. 1001).

FARMERS' MARKET, DISTRICT OF COLUMBIA

The joint resolution (H. J. Res. 340) providing that the farmers' market in blocks 354 and 355 in the District of Columbia shall not be used for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That the remaining parts of these lots shall from now on be inviolate as a farmers' market and shall not be taken from them as long as needed by said farmers as a market place.

The preamble was agreed to.

AMENDMENT OF MOTOR-VEHICLE FUELS TAX

The bill (S. 2778) to amend an act entitled "An act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes," approved April 23, 1924, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of Congress entitled "An act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes," approved April 23, 1924, be amended by striking from the last sentence of section 10 thereof the word "thirty" and inserting in lieu thereof the word "sixty."

CHARLOTTE E. HUNTER

The bill (H. R. 5516) for the relief of Charlotte E. Hunter was considered, ordered to a third reading, read the third time, and passed.

Mr. LA FOLLETTE. I ask unanimous consent that the report covering House bill 5516, Calendar No. 1053, may be printed in the RECORD in connection with the passage of the bill.

There being no objection, the report (No. 1009) was ordered to be printed in the RECORD, as follows:

The Committee on the District of Columbia, to whom was referred the bill (H. R. 5516) for the relief of Charlotte E. Hunter, having considered the same, report thereon favorably with the recommendation that the bill do pass.

The bill was submitted by the Commissioners of the District of Columbia with the approval of the Budget Bureau, as shown by the following letter from the president, Board of Commissioners:

MAY 13, 1939.

Hon. JENNINGS RANDOLPH,
Chairman, Committee on the District of Columbia,
United States House of Representatives, Washington, D. C.

MY DEAR MR. RANDOLPH: The Commissioners have received for the purpose of reporting thereon a copy of H. R. 5516, Seventy-sixth Congress, first session, entitled "A bill for the relief of Charlotte E. Hunter."

This bill provides that, notwithstanding provisions of an act entitled "An act for the retirement of public-school teachers in the District of Columbia," approved January 15, 1920, as amended, the Commissioners of the District of Columbia are authorized and directed to place on the retirement list of teachers retired under the provisions of such act the name of Charlotte E. Hunter, formerly a teacher in the public schools of the District of Columbia, and to pay, out of the fund established by such act, an annuity computed as provided in such act; and that the said Charlotte E. Hunter shall be accredited with and entitled to count for such purposes, in addition to all other periods of service to which she may be legally entitled, the period of her employment as such school teacher from February 5, 1895, to April 12, 1919, both dates inclusive.

The teachers' retirement fund is maintained by contributions made by acting teachers and augmented by District-appropriated funds. If this bill is enacted into law, it would mean that Charlotte E. Hunter would receive an annuity of approximately $65 per month payable from the teachers' retirement fund, to which Miss Hunter did not contribute. There are a number of former teachers now living in the District of Columbia in the same position as Miss Hunter, in that they retired from the service prior to the passage of the above-mentioned act entitled "An act for the retirement of public-school teachers in the District of Columbia" and have not contributed to the teachers' retirement fund and do not, therefore, come within the provisions of the act.

The Commissioners feel that certain facts are present in Miss Hunter's case which entitle it to consideration on its own merits separate and apart from any other request that might be subsequently submitted. For example, it appears that Miss Hunter went to Germany to study the kindergarten system at the request of the late Superintendent G. F. T. Cook, in charge of colored schools, and upon her return undertook the supervision of the kindergarten for a number of years without additional compensation, there being no funds available for a salary to reward such services. She also directed a home for the blind at the Harriet Tubman Aid to the

Blind, Inc., an institution supported entirely by voluntary contributions, without compensation.

You are advised that the Board of Education has formally acted on this bill and has no objection to its passage.

The Commissioners believe the legislation is desirable and wish to report favorably on the bill and urge its early enactment.

Respectfully,

M. C. HAZEN,
President, Board of Commissioners, D. C.

This bill is solely a private bill for the relief of Charlotte E. Hunter and in no way exchanges existing law.

LICENSE TO PRACTICE CHIROPRACTIC TO GEORGE M. CORRIVEAU

The bill (H. R. 4732) to provide for the issuance of a license to practice chiropractic in the District of Columbia to George M. Corriveau, was considered, ordered to a third reading, read the third time, and passed.

LICENSE TO PRACTICE CHIROPRACTIC TO LAURA T. CORRIVEAU

The bill (H. R. 4733) to provide for the issuance of a license to practice chiropractic in the District of Columbia to Laura T. Corriveau, was considered, ordered to a third reading, read the third time, and passed.

INCORPORATION OF GROUP HOSPITALIZATION, INC.

The bill (H. R. 6266) providing for the incorporation of certain persons as Group Hospitalization, Inc., was considered, ordered to a third reading, read the third time, and passed.

SALE OF PERSONAL REAL ESTATE IN THE DISTRICT OF COLUMBIA

The bill (H. R. 6405) authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, was considered, ordered to a third reading, read the third time, and passed.

INSANITY PROCEEDINGS IN THE DISTRICT OF COLUMBIA

The bill (H. R. 7086) to provide for insanity proceedings in the District of Columbia was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF THE DISTRICT OF COLUMBIA REVENUE ACT OF 1939

The bill (H. R. 7320) to amend the District of Columbia Revenue Act of 1939, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF THE ACT TO REGULATE MEDICAL PRACTICE IN THE DISTRICT

The bill (S. 2779) to amend an act entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia," known as the Healing Arts Practice Act, District of Columbia, 1928, approved February 27, 1929, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of Congress entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia," known as the "Healing Arts Practice Act, District of Columbia, 1928," approved February 27, 1929, be amended by striking from the first sentence of section 18 thereof the words "beginning on the second Monday in January and July of each year and at such other" and inserting in lieu thereof the words "at such."

ABATEMENT OF PERSONAL TAXES FROM INSOLVENT BUILDING ASSOCIATIONS, DISTRICT OF COLUMBIA

The bill (H. R. 4434) to provide for the abatement of personal taxes from insolvent building associations in the District of Columbia was considered, ordered to a third reading, read the third time, and passed.

PERMANENT TENURE FOR CARRIERS OF MAIL ON STAR ROUTES

The Senate proceeded to consider the bill (S. 1214) to provide for a more permanent tenure for persons carrying the mail on star routes, which had been reported from the Committee on Post Offices and Post Roads, with an amendment, to strike out all after the enacting clause and insert:

That (a) section 3951 of the Revised Statutes, as amended by the act of August 11, 1876 (amending secs. 246 and 251 of the act of June 8, 1872) (U. S. C., 1934 ed., title 39, sec. 434), is hereby amended by striking out the last sentence of such section and inserting in lieu thereof the following: "In cases of regular contracts for carrying the mail upon star routes, the contract may, in the discretion of the Postmaster General, and in the interests of the Postal Service, be renewed for single periods of 4 years from date of expiration, at the rate prevailing at the end of the contract term, and like renewals of such contracts may thereafter be made as often as the interests of the service may require. Any regular contract may be continued in force beyond its express terms for a period not exceeding 6 months, until a new contract with the same or another contractor shall be made by the Postmaster General by regular advertisement as required by existing law."

(b) That section 3951 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 39, sec. 434), is hereby amended by the addition of the following:

"The Postmaster General may, in his discretion and under such regulations as he may prescribe, allow additional compensation to a star-route contractor for necessary increased travel caused by obstruction of roads, destruction of bridges, discontinuance of ferries, or any other cause occurring during the contract term, but such additional compensation allowed shall not be proportionately greater than the rate established by the contract involved: *Provided*, That the provisions of section 3960 of the Revised Statutes (U. S. C., title 39, sec. 440), that no compensation shall be paid for additional service in carrying the mail until such additional service is ordered, the sum to be allowed therefor to be expressed in the order and entered upon the books of the department, and that no compensation shall be paid for any additional regular service rendered before the issuing of such order, shall not apply to any service authorized under this paragraph.

"The Postmaster General may, in his discretion and in the interest of the Postal Service, readvertise and award new contracts for the purpose of releasing contractors and their sureties under the following conditions: (a) Where a change is ordered in the service involving a material increase or decrease in the amount of service required to such extent as to impose undue hardship on the contractor; (b) where an abnormal or sustained increase in the quantity of mail develops during a contract period or after a bid has been submitted, necessitating larger capacity equipment to maintain the service; (c) where a change in schedule is ordered that will necessitate the contractor being away from the initial terminal an excessively longer or an excessively shorter period than was required in the advertised schedule."

SEC. 2. As used in sections 3945 and 3946 of the Revised Statutes (U. S. C., 1934 ed., title 39, secs. 426 and 427) and in section 8 of the act entitled "An act to amend the act approved June 25, 1910, authorizing the Postal Savings System, and for other purposes," approved May 18, 1916, as amended (U. S. C., 1934 ed., title 39, sec. 344), the term "bidder" shall include a contractor who is an applicant for renewal of his contract under section 3951 of the Revised Statutes as amended.

No proposal for a contract for star-route service shall be considered unless the bidder is a legal resident of the county or counties traversed by the roads over which the mails are to be carried, or a legal resident within the counties adjoining such county or counties; except that proposals for carrying the mail tendered by firms, companies, or corporations shall be considered: *Provided*, That such firms, companies, or corporations are actually engaged in business within the counties in which individuals are herein restricted as to residence: *And provided further*, That the term "county," as used herein, shall include parish or other similar primary subdivision of a State.

The amendment was agreed to.

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

Mr. KING subsequently said:

Mr. President, I was diverted for a moment in conversation with the Senator from Kansas when Calendar No. 1062, Senate bill 1214, was called. I remember that we had considerable controversy over a measure, I think similar to this in the last session of Congress. I think we should have had an explanation of the bill. It is to provide for more permanent tenure for persons carrying the mail on star routes?

Mr. McCARRAN. Mr. President, the subcommittee, after a long study, in connection with which it took the matter up with the Department, recommended the amendment which the bill proposes to make in the law. I wish to be frank with the Senator, and say that as to one part of the bill the Post Office Department does not express itself. The reason for that is that the Bureau of the Budget did not favor it. That is the part of the bill which would authorize the Postmaster General, when and if it was in the best interest of the service, to permit an extension of a contract already let, after that contract had been in force and effect for 4 years and the services were satisfactory. I hope the Senator will not object to the measure because, in my judgment and in the judgment of those who studied the matter, it will result in great benefit to the Service.

Mr. KING. The Senator may recall that at the last session when this measure was under consideration——

Mr. McCARRAN. I remember it very well.

Mr. KING. There were very serious conflicts between those who had the contracts and those who desired them, and there was considerable evidence tending to show that the improvements were necessary, and would be made if there was open bidding and others might bid for the contracts.

Mr. McCARRAN. Mr. President, I may say in reply that, while I cannot state definitely that all the discrepancies and differences between the several groups in these regions have been ironed out, no objection has been filed against the bill, nor against its amended form, and everything has been done by the committee and by the subcommittee to attempt to iron out those differences. I had a group representing the star routes meet together with Mr. Cole and Mr. O'Connell, representing the Post Office Department, in my office for hours pursuant to the investigation of the committee, and this bill is the result. If the Senator does not object to the passage of the bill, I think he will find that great benefit will flow from it. I have in mind, in answering the Senator, the history of the legislation which we considered 2 years ago and then last year, and so on. The bill is the result of the study which was made of the subject over a considerable period of time.

Mr. KING. I should like to ask the Senator two questions. First, would the bill promote the best interests of the Government, and, secondly, is it intended to perpetuate in control those who already have contracts, and to prevent any further competition?

Mr. McCARRAN. My answer is, first of all, to say that, in my judgment, it promotes the best interest of the Government. Second, it does not perpetuate the tenure of office of contractors for themselves. So that my answer may be fully understood, I will say that at all times at the expiration of a contract the Postmaster General may or may not grant continuance of the contract. He has it in his power to do it at any time.

PENSIONS RESULTING FROM DISABILITY OR DEATH IN CONFLICT IN FAR EAST

The Senate proceeded to consider the bill (S. 1643) to provide pensions at wartime rates for disability or death incurred in line of duty as a direct result of the conflict in the Far East, which had been reported from the Committee on Finance with an amendment on page 2, line 1, before the word "regulation", to strike out "the" and to insert "this", so as to make the bill read:

Be it enacted, etc., That paragraph I of part II, Veterans Regulation No. 1 (a), as amended (U. S. C., title 38, ch. 12, appendix; Executive Order No. 6156, dated June 6, 1933, is hereby amended by adding a new subparagraph (d) to read as follows:

"(d) Any veteran or the dependents of any deceased veteran otherwise entitled to pension under the provisions of part II of this regulation shall be entitled to receive the rate of pension provided in part I of this regulation, if it is determined by the Administrator of Veterans' Affairs that the injury or disease resulting in disability or death was incurred in line of duty as a direct result of the conflict in the Far East: *Provided*, That if an injury or death for which pension is payable under this subparagraph is caused under circumstances creating a legal liability upon some foreign government to pay damages therefor, the Administrator of Veterans' Affairs shall require the beneficiary to assign to the United States all his right, title, or interest in the indemnity payments made by such foreign government before any payments shall be made under this subparagraph."

The amendment was agreed to.

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

LIMITATIONS OF PROFITS OF CERTAIN CONTRACTORS

The Senate proceeded to consider the bill (S. 2464) to amend the act of March 27, 1934 (48 Stat. 505), as amended (49 Stat. 1926; 34 U. S. C., Supp. IV, 496; sec. 14 of Public, No. 18, 76th Cong.), to adjust the limitations on the profits of certain contractors with the United States, which had been reported from the Committee on Naval Affairs with an amendment to add a new section 2 at the end of the bill, so as to make the bill read:

Be it enacted, etc., That the first proviso of section 3 (b) of the act of March 27, 1934 (48 Stat. 505), as amended by the act of June 25, 1936 (49 Stat. 1926; 34 U. S. C., Supp. IV, 496), and by section 14 of the act of April 3, 1939 (Public, No. 18, 76th Cong.), is hereby further amended to read as follows: "*Provided*, That if there is a net loss, or a net profit less than 10 percent, on all such contracts or subcontracts for the construction and/or manufacture of any complete naval vessel or portion thereof completed by the particular contractor or subcontractor within any income taxable year, such net loss or deficiency in profit shall be allowed as a credit in determining the excess profit, if any, during the next succeeding 4 income taxable years; that if there is a net loss, or a net profit less than 12 percent, as aforesaid on all such contracts or subcontracts for the construction and/or manufacture of any complete aircraft or portion thereof completed by the particular contractor or subcontractor within any income taxable year, such net loss or deficiency in profit shall be allowed as a credit in determining the excess profit, if any, during the next succeeding 4 income taxable years; and that the method of ascertaining the amount of excess profit initially fixed upon shall be determined on or before June 30, 1939, in the case of contracts or subcontracts for the construction and/or manufacture of any complete aircraft or portion thereof, and shall be determined within 90 days from the date of enactment of this amendment in the case of contracts or subcontracts for the construction and/or manufacture of any complete naval vessel or portion thereof."

SEC. 2. The amendments made by this act shall be applicable to all contracts and subcontracts completed within an income taxable year ending after April 3, 1939.

The amendment was agreed to.

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

BILL PASSED OVER

The bill (S. 2904) a bill to provide for the sale under certain conditions of agricultural commodities held by the Commodity Credit Corporation was announced as next in order.

Mr. BYRNES. I ask that that bill be passed over temporarily.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF THE CANAL ZONE CODE

The Senate proceeded to consider the bill (S. 310) to amend the Canal Zone Code, which was read as follows:

Be it enacted, etc., That section 92, title 2, of the Canal Zone Code, approved June 19, 1934, be amended to read as follows:

"All employees to whom this article applies shall, after reaching the age of 62 years and having rendered at least 15 years of service on the Isthmus of Panama, be automatically separated from the service and retired on the annuity provided for herein and all salary, pay, or compensation shall cease from that date: *Provided*, That if the Governor of the Panama Canal certifies to the Civil Service Commission that by reason of his efficiency and willingness to remain in the service the continuance of such employee therein would be advantageous to the public service, such employee may be retained for a period of 1 year upon the approval and certification of the Civil Service Commission, and by similar certification and approval he may be continued for another year, and so on: *Provided, however*, That after June 30, 1939, no employee shall be continued in the service beyond the age of retirement for more than 3 years, unless so continued by Executive order when in the judgment of the President the public interest so requires: *And provided further*, That no such person heretofore or hereafter separated from the service under any provision of law or regulation providing for such retirement on account of age shall be eligible again to appointment to any appointive office, position, or employment to which this article applies.

"All employees to whom this article applies who would be eligible for retirement from the service upon attaining the age of 62 years shall be eligible for retirement on an annuity as provided in section 96 of this title (1) after attaining the age of 58 years and having rendered at least 30 years' service computed as provided in section 97 of this title, not less than 15 years of which shall have been rendered on the Isthmus of Panama, or (2) after attaining the age of 55 years and having rendered at least 30 years' service on the Isthmus of Panama, computed as provided in section 97 of this title. Retirement under the provisions of this paragraph shall be at the option of the employee, but, if such option is not exercised prior to the date upon which the employee would otherwise be eligible for retirement from the service, the provisions of this article with respect to automatic separation from the service shall apply."

SEC. 2. Section 96, title 2, of the Canal Zone Code is amended by adding, after the fourth paragraph of said section, the following additional paragraph:

"Any employee retiring under the provisions of sections 92 or 93 of this title may at the time of his retirement elect to receive in lieu of the life annuity described herein a reduced annuity payable to him during his life, and an annuity after his death payable to his beneficiary designated by him at the time of his retirement, which designation shall be in writing and filed with the Civil Service Commission. The amount of the annuity of the surviving beneficiary shall be either equal to or 50 percent of the employee's

reduced annually as the employee shall elect in the writing hereinbefore provided for, and the said annuity shall be payable during the life of the beneficiary, and upon the death of the beneficiary all payments shall cease and no further annuity shall be due and payable. The amounts of the two annuities shall be such that their combined actuarial value on the date of retirement as determined by the Civil Service Commission shall be the same as the actuarial value of the single life increased annuity with forfeiture provided by this section: *Provided,* That no election in lieu of the life annuity provided herein shall become effective in case an employee dies within 30 days after the effective date of retirement, and death within such period shall be considered as a death in active service. Any surviving beneficiary designated as provided in this paragraph may within a period of 6 months after the death of the retired employee, and under such regulations as may be prescribed by the Civil Service Commission, deposit a sum not exceeding $10,000 for the purchase of an annuity to be added to the annuity payable to such surviving beneficiary as provided in this paragraph, and such added annuity shall likewise carry with it the proviso that no unexpended part of the principal upon the annuitant's death shall be returned."

SEC. 3. Section 94, title 2, of the Canal Zone Code, as amended, is further amended by striking out, wherever they appear, the words "90 days" and "90-day" and inserting in lieu thereof "1 year."

SEC. 4. Section 99, title 2, of the Canal Zone Code, is amended by adding, after the first paragraph of said section, the following additional paragraph:

"At the option of any employee, to be exercised at any time prior to his retirement, and under such regulations as may be prescribed by the Civil Service Commission, additional sums in multiples of 1 percent, but not to exceed 20 percent, of his annual basic salary, pay, or compensation, for any period subsequent to June 30, 1931, may be deducted and withheld, or paid by the employee, and deposited as provided in the first paragraph of this section, which amount, together with interest thereon at 3 percent per annum compounded as of June 30 of each year, shall, at the date of his retirement, be available to purchase, in accordance with such rules and regulations as may be prescribed by the Civil Service Commission, with the approval of the board of actuaries, in addition to the annuity provided by this article, an annuity according to the experience of the Canal Zone retirement and disability fund as may from time to time be set forth in the tables of annuity values by the board of actuaries based on an interest rate at 4 percent."

SEC. 5. Paragraph (b) of section 101, title 2, of the Canal Zone Code is amended to read as follows:

"In the case of any employee to whom this article applies who shall be transferred to a position not within the purview of this article, or who shall become absolutely separated from the service before becoming eligible for retirement on an annuity, the amount credited to his individual account shall be returned to such employee together with interest at 4 percent per annum compounded on June 30 of each year to June 30, 1939, and 3 percent per annum compounded on June 30 of each year thereafter: *Provided,* That when an employee becomes involuntarily separated from the service, not by removal for cause on charges of misconduct or delinquency, the total amount of his deductions with interest thereon at 4 percent per annum compounded on June 30 of each year shall be returned to such employee: *And provided further,* That all moneys so returned to an employee must, upon reinstatement, retransfer, or reappointment to a position coming within the purview of this article, be redeposited with interest at 4 percent per annum compounded on June 30 of each year before such employee may derive any benefits under this article, except as provided in this section, but interest shall not be required covering any period of separation from the service."

SEC. 6. Section 101, title 2, of the Canal Zone Code, as amended, is further amended by adding at the end of the said section an additional paragraph designated "(g)" and reading as follows:

"(g) The provisions of this section shall be construed to apply to the additional deductions and deposits referred to in the second paragraph of section 99 of this title as added by section 4 of this act: *Provided, however,* That under paragraph (a) of this section there shall be no additional deduction of $1 per month or major fraction thereof, on account of said deductions and deposits: *Provided further,* That under paragraphs (b) and (d) of section 101, as amended, the interest payable upon return of the deductions and deposits referred to in this paragraph shall be computed at 3 percent per annum, compounded on June 30 of each year: *And provided further,* That under paragraph (b) of this section no part of such deductions and deposits or interest thereon returned to an employee upon his transfer or separation from the service as provided in this section shall be required to be redeposited by him as a condition precedent to the receipt by him of benefits under this article."

SEC. 7. This act shall take effect on .

Mr. LA FOLLETTE. Mr. President, will the Senator from Missouri explain the bill, please?

Mr. CLARK of Missouri. The bill can be explained by reference to page 2 of the report of the committee, which contains in parallel columns a statement of the difference between the present law and the proposed amendment.

Mr. LA FOLLETTE. With the celerity with which we are considering the bills on the calendar, I have no time to sit down and read the two parallel columns. Will the Sentor explain briefly what the bill proposes?

Mr. CLARK of Missouri. The items of difference in the bill are set out in those two columns more briefly than I could possibly explain them.

Mr. LA FOLLETTE. I ask that the bill go over until I can read the two columns.

Mr. CLARK of Missouri. I have no objection. I will say in explanation without going into the details, that the bill simply provides to equalize certain conditions affecting employees on the Canal Zone as far as may be. The fact is that service in tropical countries shortens the lives of men who work there. Experience has proved that men who have been employed by the Panama Canal authority, on leaving the Panama Canal Zone live only on an average of 2 years and 6 months.

This bill is sponsored by the American Federation of Labor. The representatives of the American Federation of Labor appeared before the committee to advocate certain slight changes, reducing the age of voluntary retirement after 30 years service from 62 to 58 years, and to make certain provisions for the buying of additional annuities. There are certain technical matters which will require more than the time allowed by the rules of the Senate when legislation is considered on the call of the calendar. If the Senator from Wisconsin desires to object, I am perfectly willing that the bill go over.

Mr. LA FOLLETTE. Mr. President, the statement which the Senator from Missouri has made completely satisfied my interest in the matter. All I asked for was a general statement as to what the bill sought to accomplish. The Senator having made the statement here, I am satisfied.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 2178) to amend sections 6 and 7 of the act entitled "An act for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States," approved June 29, 1936, was announced as next in order.

Mr. KING. I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 2642) to amend the act entitled "An act for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States," approved June 29, 1936, and for other purposes was announced as next in order.

Mr. KING. I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2510) to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public kindergarten or kindergarten and nursery-school education was announced as next in order.

SEVERAL SENATORS. Over.

The PRESIDING OFFICER. The bill will be passed over.

CONSTRUCTION OF WATER AND SEWER SYSTEMS, FARGO, N. DAK.

The Senate proceeded to consider the bill (S. 2059) authorizing a grant to the city of Fargo, N. Dak., of an easement in connection with the construction of water and sewer systems, which had been reported from the Committee on Commerce with amendments on page 1, line 3, after the words "that the", to strike out "Secretary of Commerce" and to insert "Administrator of the Civil Aeronautics Authority", and at the end of the bill to insert a new section 2, so as to make the bill read:

Be it enacted, etc., That the Administrator of the Civil Aeronautics Authority is authorized and directed to grant to the city of Fargo, N. Dak., a permanent easement authorizing such city to construct and maintain a system of intercepter or trunk sewer lines and water mains under the west 60 feet of a tract of land owned by the United States and located north of such city of Fargo, in Cass County, N. Dak., such tract of land being now used

as the site of an airways radio and range station and is more specifically described as follows: Beginning at the northwest corner southwest quarter of section 30, township 140 north, range 48 west, fifth principal meridian; thence east 880 feet to a point; thence south 645 feet to a point; thence west 880 feet to a point; thence north 645 feet to the place of beginning, containing in all 13 1/33 acres. The easement authorized to be granted by this act shall be in lieu of the license revocable at the will of the Secretary of Commerce, granted to such city by a certain instrument dated December 20, 1934, and executed by Ewing Y. Mitchell, Assistant Secretary of Commerce, as amended by a certain instrument dated March 12, 1935, and executed by the said Ewing Y. Mitchell. Such easement shall be granted subject to such reasonable conditions as the Secretary of Commerce may deem desirable to include in the grant for the purpose of preventing interference with the operation and maintenance of the air-navigation facilities now or hereafter located upon such tract of land.

SEC. 2. Such easement shall be granted subject to the following condition:

(1) The grantee shall not use any machines or erect any temporary structures on said land that will extend more than 10 feet above the surface of the immediately surrounding area without permission of the operator in charge of the station or erect any permanent structures above the ground;

(2) None of the operations of the city in the exercise of any of the privileges granted by this easement shall interfere in any way with any wires, cables, conduits, pipes, sewers or other structures of any kind or character now installed in or across such tract or hereafter installed in such tract by the Government or by any subsequent owner of any part of the tract;

(3) The grantee shall not make any excavations that will prevent or at any time unduly impede ingress and egress to the rest of the tract and, upon making any excavations, shall promptly restore the soil and surface of the land to its former condition;

(4) Such other reasonable conditions as the Administrator in the Civil Aeronautics Authority may deem desirable for the purpose of preventing interference with the operation and maintenance of the air navigation facilities now or hereafter located upon such tract of land.

The amendments were agreed to.

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

BILL PASSED OVER

The bill (H. R. 6687) to authorize the levy of State, Territory, and District of Columbia taxes upon, with respect to, or measured by sales, purchases, or use of tangible personal property or upon sellers, purchasers, or users of such property measured by sales, purchases, or use thereof occurring in United States national parks, military and other reservations or sites over which the United States Government may have jurisdiction, was announced as next in order.

The PRESIDING OFFICER. The bill will be passed over.

MERCHANTS DISTILLING CORPORATION

The Senate proceeded to consider the bill (S. 2210) for the relief of the Merchants Distilling Corporation, which had been reported from the Committee on Claims with amendments on page 1, line 10, after "March 25", to strike out "1937, together with interest at the rate of 6 percent per annum from the date of payment of such tax to the date of the approval of this act" and to insert "1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Marchants Distilling Corporation, of Terre Haute, Ind., the sum of $4,154.62, in full satisfaction of its claims against the United States for a refund of the tax assessed and paid on 2,077.31 proof gallons of distilled spirits lost in the process of manufacture on March 25, 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

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

EARLE EMBREY

The Senate proceeded to consider the bill (S. 2209) for the relief of Earle Embrey which had been reported from the Committee on Claims with an amendment at the end of the bill, to add a proviso so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Earle Embrey, of New Albany, Ind., the sum of $679.86, in full satisfaction of his claim against the United States for a refund of social-security taxes paid by him during the year 1938, under a misinterpretation of the provisions of title IX of the Social Security Act with respect to credit for the amount of contributions paid into an unemployment fund under a State law: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

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

ANNA M. SHEA

The Senate proceeded to consider the bill (S. 2572) for the relief of Anna M. Shea, which had been reported from the Committee on Claims, with an amendment, on page 1, line 6, after the words "sum of", to strike out "$270.85" and to insert "$161.50", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Anna M. Shea, of Portland, Oreg., the sum of $161.50, in full satisfaction of her claim against the United States for compensation and reimbursement for medical and hospital expenses incurred on account of personal injuries sustained by her as the result of being struck by an automobile operated by a Works Progress Administration employee on June 12, 1936, in Portland, Oreg.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

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

HARRIETT BOSWELL AND OTHERS

The Senate proceeded to consider the bill (S. 1024) for the relief of Harriett Boswell, personally, and Harriett Boswell, guardian to Betty Fisher, which had been reported from the Committee on Claims, with an amendment to strike out all after the enacting clause and to insert:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harriett Boswell, of Paducah, Ky., guardian of Betty Fisher, the sum of $3,000, in full settlement of any claim of Harriett Boswell, guardian of Betty Fisher, against the United States for personal injuries caused Betty Fisher on January 21, 1937, by the negligent operation of a truck owned by the United States Government and driven by one of the employees in the Soil Conservation Service, which was at the time using said truck: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

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

The title was amended so as to read: "A bill for the relief of Harriett Boswell, guardian of Betty Fisher."

KLAMATH GENERAL COUNCIL

The bill (S. 2153) to amend the act entitled "An act authorizing the Secretary of the Interior to pay salaries and

expenses of the chairman, secretary, and interpreter of the Klamath General Council, members of the Klamath Business Committee and other committees appointed by said Klamath General Council, and official delegates of the Klamath Tribe." approved June 25, 1938, was announced as next in order.

Mr. HOLMAN. Mr. President, on yesterday the House passed the bill H. R. 5684, which is identical to Senate bill 2153. I ask unanimous consent that the House bill be substituted for the Senate bill and considered immediately.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House of Representatives.

The bill (H. R. 5684) amending the act of Congress of June 25, 1938 (ch. 710, 52 Stat. 1207), authorizing the Secretary of the Interior to pay salaries and expenses of the chairman, secretary, and interpreter of the Klamath General Council, members of the Klamath Business Committee and other committees appointed by said Klamath General Council, and official delegates of the Klamath Tribe, was read the first time by its title, and the second time at length, as follows:

Be it enacted, etc., That the act approved June 25, 1938 (52 Stat. 1207), be, and the same hereby is, amended by striking out the second proviso thereof and inserting in lieu thereof the following: "*Provided further,* That the official delegates of the tribe carrying on said business at the seat of government shall receive, if travel is by rail, the usual railroad and sleeping-car transportation to and from the seat of government or, if travel is by automobile, delegates furnishing such transportation shall receive an amount equivalent to the cost of their railroad and sleeping-car transportation to and from the seat of government, but salary and per diem shall not be paid to delegates traveling by automobile for any period in excess of the time required to perform the travel by railroad: *Provided further,* That the aforesaid official delegates shall also receive reimbursement for telegraphic expenses incurred on tribal business:".

The PRESIDING OFFICER. Is there objection to the present consideration of House bill 5684?

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

The PRESIDING OFFICER. Without objection, Senate bill 2153 will be indefinitely postponed.

BILL PASSED OVER

The bill (S. 1789) to authorize the cancelation of deportation proceedings in the case of Florence Sinclair Cooper and daughter, Margaret Lavallie, was announced as next in order.

Mr. RUSSELL. Mr. President, that appears to be a bill affecting the cancelation of deportation proceedings. It has never been considered by the Committee on Immigration. I object to the present consideration of the bill.

Mr. WHEELER. Mr. President, let me say to the Senator that the case is one involving an Indian woman and her daughter who came over to the United States from Canada. The wife and daughter did not have a visa. This woman is married to a Crow Indian in the United States. If she and her daughter were deported now she would have to go to Canada, be separated from her husband for a while, then come back to the United States.

Mr. RUSSELL. Mr. President, I do not doubt that the bill is very meritorious, but heretofore all bills which authorized cancelation of deportation proceedings have been referred to the Committee on Immigration.

Mr. WHEELER. I agree with the Senator that the bill should have gone to that committee, but because it related to an Indian it was sent to the Committee on Indian Affairs automatically.

Mr. RUSSELL. It would be just as logical to say that a bill dealing with the transportation of aliens to a foreign country should go to the Foreign Relations Committee rather than to the Committee on Immigration.

Mr. WHEELER. I entirely agree with the Senator from Georgia. The bill was, by error on the part of someone, sent to the Committee on Indian Affairs, and having gone there it was considered by that committee. The case is meritorious, and it should be passed in order to save this woman and her daughter from being deported. The Department has recommended the enactment of this measure.

Mr. RUSSELL. Mr. President, I have no doubt the measure is meritorious, but I ask that it go over.

The PRESIDING OFFICER. The bill will be passed over.

PUYALLUP INDIAN TRIBAL SCHOOL, TACOMA, WASH.

The Senate proceeded to consider the bill (S. 2141) to authorize acquisition of complete title to the Puyallup Indian Tribal School property at Tacoma, Wash., for Indian sanatorium purposes, which had been reported from the Committee on Indian Affairs, with amendments, on page 1, line 9, after "March 3", to strike out "1889" and to insert "1893"; in line 11, after the word "such", to strike out "form of relinquishment or deed to be executed by authorized members of the tribe elected by the tribe for that purpose" and to insert "tribal officials as the Puyallup Tribal Council shall authorize by resolution and by such form of relinquishment or deed as the Secretary of the Interior may designate."; on page 2, line 10, after the word "shares", to strike out "to the three hundred and forty members of the Puyallup Indian Tribe, whose names appear on the tribal roll approved May 12, 1930,"; and to insert "to the members of the Puyallup Indian Tribe, determined in accordance with the constitution and bylaws of the tribe approved May 13, 1936, as of the date of the passage of this act", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to acquire, from the Puyallup Tribe of Indians of Washington, for Indian sanatorium purposes, tracts Nos. 6 and 7, containing 38 50/100 acres, including all tribal-owned improvements thereon, of the Indian addition to the city of Tacoma, Wash., established under the act of March 3, 1893 (27 Stat. 633); title to be conveyed to the United States by such tribal officials as the Puyallup Tribal Council shall authorize by resolution and by such form of relinquishment or deed as the Secretary of the Interior may designate.

SEC. 2. In order to carry out the provisions of section 1 hereof there is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $228,525, which sum shall be distributed by the Secretary of the Interior in equal shares to the members of the Puyallup Indian Tribe, determined in accordance with the constitution and bylaws of the tribe approved May 13, 1936, as of the date of the passage of this act under such rules and regulations as he may prescribe: *Provided,* That acceptance by each individual or by his or her natural or legal guardian or heirs of the pro rata share of the amount hereby authorized to be appropriated shall be recognized as completely extinguishing any and all right or interest such member of the tribe might have had in said property.

SEC. 3. The fulfillment of the provisions of section 2 hereof shall not bar the hospitalization of or medical attention to members of the Puyallup Tribe at the Indian sanatorium referred to in section 1.

The amendments were agreed to.

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

DAM AND RESERVOIR, RIVERTON RECLAMATION PROJECT, WYOMING

The bill (S. 2843) granting easements on Indian lands of the Wind River or Shoshone Indian Reservation, Wyo., for dam site and reservoir purposes in connection with the Riverton reclamation project was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That there is hereby granted to the United States and its assigns, including its successors in control of the operation and maintenance of the Riverton reclamation project, Wyoming, a flowage easement and an easement for a dam site, together with all rights and privileges incident to the use and enjoyment of said easements, over tribal and allotted lands of the Wind River or Shoshone Indian Reservation within that part of said reservation required for the construction of the Bull Lake Dam and Reservoir on Bull Lake Creek, a tributary of the Wind River, in connection with the Riverton reclamation project, Wyoming, and for the impounding of approximately 155,000 acre-feet of water, including a 10-foot free-board: *Provided,* That in consideration of the said rights insofar as they affect tribal lands there shall be deposited into the Treasury of the United States pursuant to the provisions of the act of May 17, 1926 (44 Stat. 560), for credit to the Shoshone and Arapaho Indians of the Wind River Reservation the sum of $6,500, from moneys appropriated for the construction of the said Bull Lake Dam and Reservoir, and the said sum when so credited shall draw interest at the rate of 4 percent per annum.

SEC. 2. That compensation to the individual Indian owners of the allotted lands within the area described in section 1 shall be made from moneys appropriated for the construction of the Bull Lake Dam and Reservoir at the appraised value of the easements: *Provided,* That should any individual Indian not agree to accept the

appraised value of the easement as it affects his land, the Secretary of the Interior be, and he is hereby, authorized to acquire such easement by condemnation proceedings.

SEC. 3. The easements herein granted shall not interfere with the use by the Indians of the Wind River or Shoshone Indian Reservation of the lands herein dealt with and the waters of Bull Lake Creek and the reservoir insofar as the use by the Indians shall not be inconsistent with the use of said lands for reservoir purposes.

SEC. 4. The Secretary of the Interior is authorized to perform any and all acts and to prescribe such regulations as may be necessary to carry out the provisions of this act.

DAVID J. SAWYER

The bill (S. 2295) authorizing the President to reappoint and honorably discharge David J. Sawyer, second lieutenant, National Army, as of May 11, 1919, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President be, and he is hereby authorized to reappoint David J. Sawyer, a second lieutenant of infantry, National Army, as of May 11, 1919, the date on which his dismissal by sentence of court martial took effect; and that the President be, and he is hereby, further authorized to grant said officer an honorable discharge to become effective as of that date: *Provided*, That no pay or emoluments, either heretofore or hereafter, shall become due or payable by virtue of the enactment of this act.

FRANK CASEY

The bill (S. 2433) for the relief of Frank Casey was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of the pension laws or any laws conferring rights, privileges, or benefits upon persons honorably discharged from the United States Army Frank Casey (claim No. 904781) shall be held and considered to have been honorably discharged on November 18, 1889, as a sergeant, Company B, Fifth Regiment United States Infantry: *Provided*, That no pension, pay, bounty, or other benefit shall be held to have accrued by reason of this act prior to its passage.

CANCELATION OF CERTAIN NOTES ACQUIRED BY FARM CREDIT ADMINISTRATION

The Senate proceeded to consider the bill (S. 1710) to provide for the cancelation of certain notes acquired by the Farm Credit Administration as a result of the activities of the Federal Farm Board, which had been reported from the Committee on Agriculture and Forestry with an amendment, on page 1, line 4, after the word "notes", to strike out "executed" and insert "given for the purpose of acquiring capital stock in the Northwest Grain Association, Minneapolis, Minn."; and in line 7, after the word "the", to strike out "State of Montana" and insert "States of Montana, Minnesota, North Dakota, and South Dakota", so as to make the bill read:

Be it enacted, etc., That the Governor of the Farm Credit Administration is authorized and directed to cancel any notes given for the purpose of acquiring capital stock in the Northwest Grain Association, Minneapolis, Minn., by any person, association, or corporation in the States of Montana, Minnesota, North Dakota, and South Dakota which have been assigned to or otherwise acquired by the United States, or the Farm Credit Administration as an agency of the United States, as security for the payment of any sums now or heretofore owed to the Northwest Grain Association. Upon the cancelation of such notes, all persons shall be relieved of all liability for making any payment of principal or interest upon such notes and of all liability for making any payment upon any judgment which may have been secured in any action based upon such notes.

Mr. TAFT. Mr. President, may we have an explanation of the bill?

Mr. SCHWELLENBACH. Mr. President, in 1930, as a part of the Farm Board activities, the Farm Board sent out to the States of Minnesota, North and South Dakota, and Montana, certain representatives who caused the farmers of those States to buy stock in a cooperative organization which was known as the Northwest Grain Association, and which was represented to the farmers of those States as being the organization with which they would be compelled to affiliate if they were to receive the benefits of the cooperative provisions of the Farm Act at that time.

A year later, in 1931, by the action of the Farm Board in connection with the National Grain Corporation, the activities of this more or less local organization were not only curtailed but practically eliminated. As a result of that circumstance the stock which these people purchased in the regional organization became worthless. They had made down payments on their stock. They are not asking for the return of the money which they paid. However, they are asking that the notes which were given for the balances due upon the stock be canceled, and the purpose of the bill, which was introduced by the Senator from Montana [Mr. WHEELER] is to effect the cancelation of the notes.

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

Mr. SCHWELLENBACH. I yield.

Mr. KING. Why should not the Department of Agriculture, or some of its agencies which perpetrated this wrong—from the Senator's statement I assume there was some sort of wrong—be required to pay?

Mr. SCHWELLENBACH. I think undoubtedly it should be required to pay back the money received. However, the bill came to the committee in this form, to cancel certain notes.

Mr. KING. What authority had Mr. Wallace or any of his agents——

Mr. SCHWELLENBACH. It was not Mr. Wallace. The events I have described happened in 1930, under the Farm Act of that year, when it was thought that by creating regional cooperative organizations it would be possible to solve the farm problem. The act which really resulted in damage to these people came a year later, when it was made impossible for the regional organization to function.

Mr. KING. What is the total amount of the outstanding obligations?

Mr. SCHWELLENBACH. I think it amounts to only $24,000 or $25,000.

Mr. WHEELER. Mr. President, it is not that much. It amounts to about $15,000.

Mr. KING. As I understand, the purpose of the bill is to cancel the obligations referred to.

Mr. SCHWELLENBACH. Yes.

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

The amendment was agreed to.

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

CEMETERY, CRAB ORCHARD CREEK DAM PROJECT, WILLIAMSON COUNTY, ILL.

The bill (H. R. 5764) to provide for the establishment of a cemetery within the Crab Orchard Creek Dam Project, Williamson County, Ill., was considered, ordered to a third reading, read the third time, and passed.

DISPOSITION OF CERTAIN RECORDS OF THE UNITED STATES GOVERNMENT

The bill (H. R. 6585) to provide for the disposition of certain records of the United States Government, was considered, ordered to a third reading, read the third time, and passed.

COLUMBIAN FOUNTAIN, WASHINGTON, D. C.

The joint resolution (S. J. Res. 178) authorizing the selection of a site and the erection thereon of the Columbian Fountain in Washington, D. C., was considered, ordered to be engrossed for a third reading, read the third time, and passed as follows:

Resolved, etc., That authority is hereby granted to any association organized within 2 years from date of approval of this joint resolution for that purpose to erect the Columbian Fountain on an appropriate site on grounds now owned by the United States in the District of Columbia other than those of the Capitol or the Library of Congress. The location of said fountain and the plan for the development of the site shall be submitted to the Commission of Fine Arts and the National Capital Park and Planning Commission for advisory assistance and the construction shall be under the direction of the Director of the National Park Service, Department of the Interior: *Provided*, That the United States shall be put to no expense in or by the erection of said fountain and that unless funds, which in the estimation of the Secretary of the Interior are sufficient to insure the completion of the fountain, are certified available, and the erection of this fountain begun within 5 years from and after the passage of this joint resolution, the authorization hereby granted is revoked.

OIL PORTRAIT OF FORMER PRESIDENT HERBERT HOOVER

The joint resolution (H. J. Res. 208) authorizing the Joint Committee on the Library to procure an oil portrait of

former President Herbert Hoover was considered, ordered to a third reading, read the third time, and passed.

REFUND OF CERTAIN PROCESSING TAXES ON HOGS

The Senate proceeded to consider the joint resolution (S. J. Res. 66) making provisions for the refund of the processing tax on hogs marketed for slaughter by the raisers and producers who in fact bore all or part of the burden of such tax, which had been reported from the Committee on Agriculture and Forestry with amendments.

The first amendment of the Committee on Agriculture and Forestry was, on page 2, line 3, after the word "person", to strike out "or persons, or their heirs or assigns"; in line 6, after the word "Agricultural", to insert "Adjustment"; in line 7, after the word "that", to strike out "the" and insert "such"; at the beginning of line 8, to insert "or his legal representatives"; in line 8, after the word "such", to strike out "tax refunded, provided, such claimant or claimants or their heirs or assigns show" and insert "tax or part thereof, refunded to him, if it is shown"; in line 15, after the figures "1936", to insert "insofar as such title may be applicable"; and in line 18, after the word "by", to strike out "the raisers and the producers," and insert "such person", so as to read:

That any person who raised or produced and marketed hogs for slaughter on which there was levied, collected, or paid a processing tax, under the provisions of the Agricultural Adjustment Act, prior to the time that such act was held unconstitutional, or his legal representative, may have such tax, or part thereof, refunded to him, if it is shown to the satisfaction of the Commissioner, in accordance with regulations to be prescribed by the Commissioner with the approval of the Secretary, or to the satisfaction of the Board of Review, or the trial court, as the case may be, under provisions of title VII of the Revenue Act of 1936, insofar as such title may be applicable, that all or part of the burden of such processing tax was in fact charged to and borne by such person and was in fact deducted from the market price of such hogs.

The amendment was agreed to.

The next amendment was, on page 2, line 19, after the word "hogs", to insert: "The amount of refund of such processing tax to which any claimant shall be entitled with respect to any particular quantity of hogs marketed shall be an amount equal to the processing tax payable upon the processing of an equal quantity of hogs at the time such particular quantity of hogs was marketed minus any amount by which the spread between the average hog product value at Chicago of such particular quantity of hogs during the month in which they were marketed and the average hog price at Chicago of such particular quantity of hogs during the month in which they were marketed was less than the amount of such processing tax plus 65 cents. The account sales kept by the vendor, or by the vendee, or by an agent of either shall be accepted as proof when properly identified."

The amendment was agreed to.

The next amendment was, on page 3, line 13, after the word "Any", to strike out "person or persons or their heirs or assigns who raised or produced and marketed such hogs for slaughter", and insert "claimant"; in line 16, after the figures "1936," to insert "insofar as such title may be applicable"; in line 17, after word "and", to insert "shall"; in line 19, after the word "appeal" and the comma, to strike out the word "as"; in line 19, after the word "provided", to insert "for"; in line 20, after the figures "1936", to insert "insofar as such title may be applicable", so as to read:

Any claimant may prove his claim under the provisions of title VII of the Revenue Act of 1936, insofar as such title may be applicable, and shall be entitled to all the rights and benefits including the right of review and appeal, provided for by title VII of the Revenue Act of 1936 insofar as such title may be applicable.

The amendment was agreed to.

The next amendment was, on page 3, line 23, after the words "from the", to strike out the word "effective"; in the same line, after the word "date", to insert "of enactment"; on page 4, line 1, after the word "such", to strike out "effective"; and in line 3, after "Commissioner" and the period, to insert "No fees shall be charged for filing any such claim. It shall not be necessary that the claimant be represented by an attorney", so as to read:

Provided, however, That such claim, if not previously filed, must be filed with the Commissioner at Washington, D. C., within 1 year from the date of enactment of this act, and proof must be submitted on any and all claims within 18 months from such date in accordance with regulations to be prescribed by the Commissioner. No fees shall be charged for filing any such claim. It shall not be necessary that the claimant be represented by an attorney.

The amendment was agreed to.

Mr. KING. Mr. President, I should like to have an explanation of the amount involved, and upon what ground it is alleged that the Government should make refunds.

Mr. GURNEY. Mr. President, the bill has been before the Committee on Agriculture and Forestry since the middle of February. The subcommittee has held extensive hearings on the bill, and the bill was reported favorably on July 25.

Mr. President, this is the last bill on the calendar. In my opinion, it has much greater merit than many of the bills which were hurriedly passed this afternoon.

The report of the committee states:

Under the terms of Senate Joint Resolution 66 there is provided the mechanics by which a farmer may proceed to recover hog-processing taxes illegally levied under the Agricultural Adjustment Act of 1933.

The claimants have proved their claims to the satisfaction of the authorities, and the money is due them in accordance with the decision of the Supreme Court.

According to the report, the average claim is $433. I do not know exactly what amount is involved; but I do know that the claims are just, and that the claimants should be given the right to submit their claims.

Mr. KING. Are the claimants residents of some particular section of the country?

Mr. GURNEY. No; the bill covers all sections of the country.

Mr. KING. Has the Senator any idea of the amount which will be claimed?

Mr. GURNEY. I do not believe many farmers keep such good records that the claims can be filed 100 percent. The claims go back to a period of time possibly 4 or 5 years ago, when the hog processing tax was being collected. As was shown by the testimony before the committee, the tax was all taken away from the producer, not the processor or the consumer. It was taken away from the producer, and it lowered the price the farmer actually received for his hogs.

Mr. KING. This was one of the illegal proceedings of the Department of Agriculture under which farmers were mulcted illegally and unjustly.

Mr. GURNEY. That is entirely correct.

Mr. KING. I think the joint resolution should be passed.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

COLUMBIAN FOUNTAIN, WASHINGTON, D. C.

Mr. BARKLEY. Mr. President, the Senate just passed Calendar No. 1086, Senate Joint Resolution 178, authorizing the selection of a site and the erection thereon of the Columbian Fountain in Washington, D. C. My attention has been called to the fact that the House has passed and sent over to the Senate House Joint Resolution 159, covering the same matter.

I move that the vote by which Senate Joint Resolution 178 was passed be reconsidered.

The motion was agreed to.

Mr. BARKLEY. I ask that House Joint Resolution 159 be laid before the Senate and substituted for Senate Joint Resolution 178.

The PRESIDING OFFICER. The Chair lays before the Senate a joint resolution coming over from the House.

The joint resolution (H. J. Res. 159) authorizing the selection of a site and the erection thereon of the Columbian Fountain in Washington, D. C., was read the first time by its title, and the second time at length, as follows:

Resolved, etc., That authority is hereby granted to any association organized within 2 years from date of approval of this joint resolution for that purpose to erect the Columbian Fountain on an

appropriate site on grounds now owned by the United States in the District of Columbia other than those of the Capitol, the Library of Congress, the Mall, or the Tidal Basin area. The location of said fountain and the plan for the development of the site shall be submitted to the Commission of Fine Arts and the National Capital Park and Planning Commission for advisory assistance and the construction shall be under the direction of the Director of the National Park Service, Department of the Interior: *Provided*, That the United States shall be put to no expense in or by the erection of said fountain and that unless funds, which in the estimation of the Secretary of the Interior are sufficient to insure the completion of the fountain, are certified available, and the erection of this fountain begun within 5 years from and after the passage of this joint resolution, the authorization hereby granted is revoked.

The PRESIDING OFFICER. Is there objections to the present consideration of House Joint Resolution 159?

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

Mr. BARKLEY. Mr. President, I ask that Calendar No. 1086, Senate Joint Resolution 178, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, Senate Joint Resolution 178 is indefinitely postponed.

That concludes the calendar.

GEORGE ROGERS CLARK NATIONAL MEMORIAL, STATE OF INDIANA

Mr. BARKLEY. Mr. President, from the Committee on the Library I report back favorably without amendment House bill 6528 and ask for its present consideration.

There being no objection, the bill (H. R. 6528) to provide for the creation of the George Rogers Clark National Memorial, in the State of Indiana, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

FRANK M. SMITH

Mr. CONNALLY. Mr. President, has the calendar been concluded?

The PRESIDING OFFICER. The calendar has been concluded.

Mr. CONNALLY. Mr. President, earlier in the day there was reported from the Committee on Claims, with an amendment, Senate bill 2787, for the relief of Maude Smith. I ask that House bill 4261, for the relief of the estate of Frank M. Smith, which has been messaged over from the House and is now on the clerk's desk, be substituted for the Senate bill and immediately considered.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House of Representatives.

The bill (H. R. 4261) for the relief of the estate of Frank M. Smith, was read the first time by its title, and the second time at length, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Frank M. Smith, deceased, formerly of Kerens, Tex., the sum of $2,500 on account of the death of the said Frank M. Smith, who was killed on January 5, 1939, as a result of a fall into an unguarded open drainage ditch of a Works Progress Administration project in the southwestern part of Kerens, in Navarro County, Tex.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The PRESIDING OFFICER. Is there objection to the present consideration of House bill 4261?

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

The PRESIDING OFFICER. Without objection, Senate bill 2787 is indefinitely postponed.

RETIREMENT OF CERTAIN EMPLOYEES OF THE ALASKA RAILROAD

Mr. KING. Mr. President, a few moments ago on the calendar we reached Calendar No. 1067, House bill 2178, and Calendar 1068, House bill 2642, dealing with the Alaska Railroad Retirement Act. I objected to them until I could obtain further information. Both bills are meritorious, and I ask unanimous consent to recur to them and for their present consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the bills?

There being no objection—

The bill (H. R. 2178) to amend sections 6 and 7 of the act entitled "An act for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States," approved June 29, 1936, was considered, ordered to a third reading, read the third time, and passed; and

The bill (H. R. 2642) to amend the act entitled "An act for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States," approved June 29, 1936, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

TAXES ON TANGIBLE PERSONAL PROPERTY IN UNITED STATES NATIONAL PARKS

Mr. HARRISON. Mr. President, a few moments ago on the call of the calendar we reached House bill 6687, Calendar 1071, a bill to authorize the levy of State, Territory, and District of Columbia taxes upon, with respect to, or measured by sales, purchases, or use of tangible personal property or upon sellers, purchasers, or users of such property or use thereof occurring in United States national parks.

The purpose of the bill was to assist the States which have a sales tax in the orderly collection of their taxes. However, there is some opposition to the bill from the Interior Department. I ask leave to have printed in the RECORD a letter from the Acting Secretary of the Interior in regard to the question, so that Senators from States which have Indian reservations may examine it, because it is hoped later to bring this measure up for consideration.

The PRESIDING OFFICER. Without objection, the letter may be printed in the RECORD.

The letter is as follows:

THE SECRETARY OF THE INTERIOR,
Washington, August 1, 1939.

Hon. PAT HARRISON,
Chairman of the Committee on Finance,
United States Senate.

MY DEAR SENATOR HARRISON: It has come to my attention that H. R. 6687, entitled "A bill to authorize the levy of State, Territory, and District of Columbia taxes upon, with respect to, or measured by sales, purchases, or use of tangible personal property or upon sellers, purchasers, or users of such property measured by sales, purchases, or use thereof occurring in United States national parks, military, and other reservations or sites over which the United States Government may have jurisdiction," is now on the Senate Calendar.

Although the proposed legislation involves matters of vital concern to this Department, it has been passed by the House of Representatives and reported out by the Senate Finance Committee before our report thereon could be submitted. Therefore, I earnestly request that the bill be recommitted to the Senate Finance Committee for further consideration.

The bill presents a serious question as to whether it would authorize the levy of State sales and other taxes on transactions within Indian reservations. We have been advised by the office of the Senate legislative counsel that it is not intended to apply to such transactions and will not be so construed. It is possible, however, that the bill, if enacted, may be construed otherwise by State-taxing authorities and by State courts. If the bill were to be construed to apply to Indian reservations, it would probably be in violation of established constitutional and treaty rights of the Indians and doubtless would lead to prolonged litigation. It certainly would be in contravention of the established departmental policy that transactions between Indians on Indian reservations should remain a matter of Federal rather than of State control. In order to avoid any possible question on this score, I recommend that the bill, if not recommitted to your committee, be amended by adding at the end thereof the following proviso: "*Provided*, That this act shall not affect existing law relating to taxation on Indian reservations."

Since this report has not been submitted for clearance to the Bureau of the Budget, no commitment can be made as to the relationship of the proposed legislation, or to the suggested amendment, to the program of the President.

Sincerely yours,

E. K. BURLEW,
Acting Secretary of the Interior.

RIGHTS OF CITIZENS IN THE DISTRICT OF COLUMBIA

Mr. CAPPER. Mr. President, I would be untrue to my obligations as an American citizen were I to permit the first session of the Seventy-sixth Congress to close without calling to the attention of the Senate and the entire country the sad and humiliating plight of the more than half a million fellow

Americans who make up the community of the city of Washington, D. C.

Of all Americans of continental and contiguous United States, these are the only ones who are deprived of all voice in both their national and local governments. Of course, there are scattered throughout the States lunatics and convicts who likewise are deprived of participation, but their deprivation is a protective measure. No such reason exists as to the residents of the District of Columbia.

This great American community of the National Capital is subject to all national laws and all local laws enacted by the Congress of the United States, which is its only legislative body. These people have no representation in the Congress which legislates for them and really have little influence with legislators, who are selected by all the people throughout the country except those living in the District of Columbia.

These people, whose home is in the city of Washington, have no say whatever regarding their taxes, either as to kind or amount. Nor do they have any say as to the purposes for which the resulting tax money is to be spent. There was never a more flagrant example of taxation without representation.

When I contemplate such a deplorable state of affairs I am humiliated and ashamed that this Nation permits so flagrant a violation of fundamental American principles to exist at the very seat of the Government of the United States. The unfriendly attitude of some of the Members of our National Legislature toward these voteless and unrepresented Americans can be in part attributed to the lack of these political rights. However, I am constrained to believe that much of such manifestation of unfriendliness is due to the lack of knowledge of the true conditions prevailing in the District of Columbia and the circulation of misleading statements which lack even the slightest essence of truth.

It is my firm belief that if the people back in the States and in every one of the 435 congressional districts understood the true situation in the District of Columbia they would not tolerate the indifference or unfriendly attitude of their legislators, but would demand that American principles be put into operation at the Nation's Capital. The long list of grievances against King George III enumerated in the Declaration of Independence are more than matched by those which might be listed by the voteless and unrepresented people of the District of Columbia.

This is the Nation's city, and by the Constitution is placed under the exclusive legislative power of Congress. This was done by the founding fathers of our Republic in the national interest solely, and was to avoid the existence of any dual sovereignty. But I can see no justification for depriving these people from voting representation in the Congress, which exercises this exclusive power.

The national interest is the only reason or excuse which can be advanced for this departure from the principles of representative government; and there can be neither reason nor excuse for it being carried beyond what is required in the national interest.

While the District of Columbia is declared by law to be a municipal corporation, it is unlike any other in the country. Its problems, to a large extent, differ from those of any other community. Attempts to compare it with other communities have usually been unsuccessful and far from satisfactory.

The local government consists of a board of three Commissioners, two of whom are appointed by the President by and with the advice and consent of the Senate. The third Commissioner is an officer of the Corps of Engineers of the United States Army, detailed for a term of such service by the President. The two civilian Commissioners are required to have resided in the District for 3 years next preceding their appointment and not to have claimed residence elsewhere during such period.

The Board of Commissioners are the chief administrative officers of the District of Columbia and in addition have been given the authority to enact certain police and other municipal regulations. The local government is in no way responsible to the people of the District over whom it rules.

During the present Congress there has been considerable subcommittee and public discussion regarding proposals to reorganize the government of this District. A draft of what is in effect a new city charter has been introduced in both the House of Representatives and the Senate. While radical changes are proposed in the set-up of the local government there is no proposal to give the people participation in the national councils nor in the local government. Neither is there any proposal to give the people an opportunity to vote on the proposed new charter as would be permitted in any other municipality.

The distinguished Senator from Louisiana [Mr. OVERTON] has made a study of District of Columbia affairs and recently made an earnest effort, backed by the Senate, to have enacted into law a definite formula by which the United States would have to bear an equitable share of the cost of the maintenance and development of the Capital City. He was defeated in his praiseworthy efforts through prejudice based on misunderstanding and lack of knowledge of the true status of the District of Columbia.

Someone has referred to Washington as "the best known and at the same time the most unknown community in the world; the most misunderstood of all." After a service of more than 20 years in the Senate, and continuous membership on the Senate Committee on the District of Columbia throughout that period, I am ready to approve that statement.

The wrong ideas regarding the Capital City are as numerous as they are erroneous. To some this is a tax-free paradise to which the retired wealthy and the "economic royalists" flee to avoid taxation. In some minds the notion prevails that Washington, D. C., "is supported by the Nation with money wrung from the meager earnings of Americans and flung as beggars' alms to a mendicant people."

To some the population of the District of Columbia consists of a horde of Federal job holders who continue to hold their citizenship and vote in the States from which they came.

Many men come to Congress with such erroneous notions regarding this National Capital community and some continue to hold such impressions. Many are too engrossed in the job of representing their constituents to give any time or thought to learning the truth regarding this seat of the Government of the United States over which Congress by provision of the Constitution exercises exclusive legislation in all cases whatsoever.

But the District of Columbia is not a tax-free paradise. The people here pay both National and local taxes in the same manner as in other communities. However, unlike other communities, they have no voice in the enactment of the tax laws under which they are taxed nor any say as to the expenditure of the money collected from such taxes.

These voteless and unrepresented Americans pay annually in National taxes an amount greater than each one of more than half of the States and more than the combined collections from nine States. Such payments help make up the fund from which the complex Federal Government, with its far-flung ramifications, draws its chief support.

In local taxes the people of this District pay an amount comparable with the payments in other American cities similar in size and standards of municipal service.

Instead of being supported by the Federal Government, the National Capital community paid through local taxes during the last fiscal year, 1939, about 90 percent of its cost. The Federal Government made a payment of $5,000,000 toward the expenses of the year. This was a very modest amount when one remembers the fact that the Federal realty holdings, that of foreign governments and of national organizations, and other property exempted from taxation aggregate a total of well over 50 percent of the entire taxable area.

These Federal holdings and other exemptions are annually increasing, while the tendency and the practice is to reduce the amount of the Federal payment. If we continue as things have been going with the rapid increase of Federal

holdings, there will be an increasing penalty on the residents of the District of Columbia for the privilege of remaining in this community.

Other items of evasion of obligation by the Federal Government which should not be overlooked are the water supply to the extensive Government establishments in Washington, without cost to the Government but at the expense of the private consumers of water and further the exemption from contribution to the highway fund as required of other users of the highways of the District. These highway funds come from the local tax on motor-vehicle fuel. Though the United States operates a great number of motor vehicles over the streets, avenues, and other highways of the District, it pays no tax on the gasoline consumed.

There is an equitable and logical obligation on the part of the Federal Government to pay substantially toward the operation, maintenance, and upbuilding of its Capital city and compelling reasons why it should not continue to unload this burden in an increasing degree upon the local community.

The following, quoted from an article in the Washington Star of June 20, 1939, sets forth forcibly some of the bases of the obligation of the Federal Government toward its Capital City:

THE EQUITABLE OBLIGATION

Washington contends that the true basis of the Nation's obligation of proportionate contributions to the maintenance and development of the Capital is not solely or primarily untaxed ownership of District real estate (the assessed value of which recently was placed at $703,615,000 in a Federal report to Congress on Government property holdings), though a substantial and continuous obligation does arise in connection with such ownership. The strongest obligation resting upon the Nation is equitable in its nature and based primarily on the circumstances of the Capital's creation and the treatment of the Capital by the Nation ever since the birth of the Nation's City, including the Nation's absolute despotic control of the National Capital.

The general Government by the fact of planning a magnificent Capital covering a large area and characterized by broad streets and avenues and reservations unsuitable for a commercial city and by founding this Capital in a place comparatively uninhabited, as well as by the terms of the bargain with the owners of the soil, by its advertised promises to purchasers from it of donated Washington lots and by the declarations of its representatives at the founding of the city and afterward showed an intention to build up a national city at the Nation's expense upon a grand scale irrespective of the future population of the District. The Capital was to be primarily a center of Federal action, and the expense of its support and adornment was not to be limited by the scanty resources of whatever permanent population it might acquire.

Obviously, the primary obligation in the arrangement between Nation and District taxpayers should be upon that party to it which absolutely controls every cent of the money contributed for Capital maintenance by both parties, local and national, and which has undivided and despotic power to fix the amount of local tax contribution, to decide by what method of taxation it shall be collected, to collect it and to spend it. Clearly in equity the primary obligation should not be shifted to the Capital, originally the incidental contributor, which has no power of control even of its own tax money at any stage, and whose sole function in respect to taxation and its financial status is to petition, to obey, and to pay.

From the beginning the Nation's obligation in respect to Capital maintenance and upbuilding has been in equity and on principle primary, dominating and, like its power to govern, exclusive and supreme.

POLITICAL POWER AND FINANCIAL OBLIGATION COUPLED

Primary and full responsibility, both in respect to the control and to the maintenance and upbuilding of the Capital, is in Congress representing the Nation. Political power and financial obligation are inseparably coupled. If the Nation controls, it pays; and to the extent that it controls, it pays. Washington is the only capital in the world in which, if certain policies prevail, the Nation will do all the controlling and none of the paying.

Mr. President, this only scratches the surface of the fiscal problems of the District of Columbia. The citizens of the District, through well-organized and able civic committees for many years have submitted compelling information on the subject in the form of briefs, petitions, and graphic charts and tables of statistics. That Congress has not solved this problem is no fault of the local citizenry.

The people of our country, I fear, underestimate the importance of the District of Columbia from a population standpoint compared with the population of some of the sovereign States of the Union. The census of 1930, which is the latest, gave the District population as 486,869. The latest estimate of population made by the United States Bureau of the Census, as of July 1, 1937, gives the number at that time as 627,000.

Mr. Theodore W. Noyes, editor of the Washington (D. C.) Evening Star, published on the last national election day some interesting population studies and other pertinent information, from which I quote the following excerpts:

DISTRICT MORE POPULOUS THAN EIGHT STATES

The Americans of the District of Columbia, according to the census of 1930, outnumber the Americans of eight of the States—New Hampshire, Idaho, Arizona, New Mexico, Vermont, Delaware, Wyoming, and Nevada. They send as agents to the National Legislature to make laws for them: District of Columbia, 0; New Hampshire, 4; Idaho, 4; Vermont, 3; Arizona, 3; New Mexico, 3; Delaware, 3; Wyoming, 3; and Nevada, 3.

Montana and Utah in 1930 exceeded very slightly the District of Columbia in population. They send to the National Legislature to engage in the councils of the greatest representative Republic in the world: Montana, 4 men; Utah, 4 men; District of Columbia, 0 men.

* * * * * * *

POPULATION OF VOTING AGE EXCEEDED IN 1930 THAT OF 10 STATES

Its population of voting age (over 21) in 1930 was 341,465, exceeding that of 10 of the States.

It is contended, however, that these figures of voting age are misleading for the reason that there are thousands of District residents who vote in the States and who might not vote in the District even if they had the opportunity. The census of 1930 reports that there had been enumerated in the District 15,105 thoroughly qualified recent actual voters in the States. The District of Columbia political and partisan leaders in the Presidential campaign of 1932 estimated that there were from 55,000 to 60,000 persons in the District who could, if they registered, vote in the States. Other estimates, including some that were obviously unreasonable, carried the figure of possible potential voters in the States up to 80,000.

If from the total population of voting age in the States and District (in 1930) the foreign-born residents not naturalized be deducted, and if from the District's population of voting age there be further subtracted 80,000 (covering liberally every possible reasonable and some unreasonable deductions), the resulting District of Columbia potential voters who can vote nowhere else (251,439) would be only 6,102 less than that of New Hampshire (257,541), only 824 less than that of Utah (252,263), and 12,620 more than Arizona (238,819); 12,655 more than Idaho (238,784); 37,244 more than New Mexico (214,195); 48,001 more than Vermont (203,438); 109,309 more than Delaware (142,130); 124,309 more than Wyoming (127,230); and 195,726 more than Nevada (55,713).

* * * * * * *

NATION'S SHAME OF UNAMERICANISM AT ITS HEART

An evil condition maintained by the Nation at the Nation's Capital is rightly viewed as typical and characteristic. The shame is national not local.

Autocratic nonrepresentative government in the only American territory governed exclusively by the Nation brands the Nation itself distinctly and indelibly as un-American. As is the Nation's city so is the Nation. The Capital is the Nation's heart. If the Republic is tainted with un-Americanism at its heart, the whole of the body politic is thus tainted.

* * * * * * *

Should not the Nation, irrespective of the just plea of the Washingtonians and purely as a national concern abolish the evil and injury-working paradox of nonrepresentative, un-American government of the National Capital territory under exclusive national control? Will not the people of the United States respond so vigorously to the District's appeal that before the next Presidential election this unjust and hurtful discrimination shall be removed?

* * * * * * *

How is it that District Americans do not exercise this right and power, a vital part of their American heritage?

The Constitution makers unintentionally omitted to fix the political status of the future residents of the 10 miles square, constituting the seat of Government, and unintentionally failed to give Congress the power, analogous to that which it possessed in relation to the admission of territories to statehood, of granting representation in Congress and electoral college to the population of the District when it became fit.

An amendment to the Constitution is pending which corrects this unintentional omission.

Without making a State of the District of Columbia, and without depriving Congress of an atom of its constitutional exclusive legislative control of the National Capital, it empowers Congress to grant to the people of the District voting representation in Congress and the electoral college, whenever, in its judgment, they are fit to enjoy this right and to exercise this power.

DISTRICT FIT FOR NATIONAL REPRESENTATION

Are the people of the District fit in numbers, intelligence, and resources to enjoy these national rights and privileges of citizens

of a State? Yes. They are American citizens assembled "in sufficient numbers in a limited space," and they meet all the territorial requirements of the community about to be admitted to full statehood, though they are not in this constitutional amendment asking statehood for themselves.

The District exceeds in population every new State in the Union at the time of its admission except Oklahoma.

The community in intelligence, in public spirit, in patriotic devotion in every distinctive American characteristic is unsurpassed in the United States.

Mr. President, here at the very heart of our Nation are more than a half million as good Americans as are to be found any place under the Stars and Stripes. They are intelligent, public spirited, loyal, and patriotic, and are always to be found meeting all of the obligations of American citizens, both in war and in peace. In measuring up to these obligations of citizenship they are excelled by no other American citizen, but when it comes to their possession and exercise of vital and fundamental political rights, they are rated in the same class as the criminal and the lunatic.

These people, being subject to all laws enacted by Congress, are as vitally affected by, and interested in, all national legislation as are the citizens of the States, yet they are deprived of the right to participate through their duly elected representatives in the enactment of those laws. They are required to pay heavily in taxes for the support of the Nation, yet are denied representation in the legislature which determines the kind and the amount of these taxes, and how the resulting revenues shall be spent. They are required in time of war to bear arms in the service of their country, to fight, and possibly to die; yet they have no voice whatever in determining whether there shall be war, or at the conclusion of the war, as to the terms of peace. They are ruled over locally by administrative and judicial officers appointed by the President of the United States, but are denied participation in the selection of that President. They are also required to pay in taxes for the the support of the Nation's Capital, whatever the Congress, in which they are not represented, requires of them, and have no voice whatever as to what these taxes shall be or in deciding for what this money shall be spent.

Mr. President, were these people of the District of Columbia satisfied to rest content in this deprivation of their natural-born rights, they would be unworthy of the name "American." They realize fully that they suffer a great injustice through inaction of their fellow Americans in the States. They know that in fact and in truth they are really the subjects rather than the equals of the other citizens of their country. They know that the only possible relief from their anomalous situation is to be found through an amendment to the Constitution of the United States, which will give Congress the power to correct this defect in our fundamental laws.

The framers of the Constitution, unintentionally, I am convinced, omitted to fix the political status of the future residents of the 10 miles square, constituting the seat of government, and unintentionally failed to give Congress the power, analagous to that which it possesses to admit territories to statehood and to grant representation in Congress and the electoral college to the people of the District.

Under existing conditions, the Congress is a National, State, and local legislature for the District of Columbia, but there are no representatives in the legislature of these people, who are thus governed without their consent. In consquence they can exercise only that right of doubtful value guaranteed by the Constitution "peaceably to assemble and to petition the Government for a redress of grievances." Right here let me say, as a matter of practical politics, voteless petitioners carry little, if any, weight.

Mr. President, I have tried, and am continuing to try, to do more than just sympathize with these de-Americanized Americans. For a number of years I have introduced in the Senate a joint resolution proposing an amendment to the Constitution of the United States which will remove the obstacles which now prevent these good fellow Americans from participating in the Government of their country. This amendment, supported by the Citizens' Joint Committee on National Representation, which is a truly representative body of the organized citizenry of the District, is known as Senate Joint Resolution 35 and is pending before the Committee on the Judiciary of the Senate.

The amendment would empower Congress, by appropriate legislation, to grant to the residents of the District the right of voting representation in the Senate and House of Representatives and among the electors for President and Vice President. It would also give the District residents the right to sue and be sued in the courts of the United States on an equal footing with the citizens of the States. This right, now denied to District citizens, is open even to aliens in the States.

The proposed amendment would not make a State of the District of Columbia, and would not deprive Congress of an atom of its constitutional legislative control of the National Capital. It does not detract from the power of Congress, but clothes it with a new power, to be exercised whenever the Congress, in its wisdom, shall decide that these voteless and unrepresented Washingtonians are fit to enjoy and exercise the rights and powers which are now denied them.

The Senate Committee on the District of Columbia in 1922 reported favorably a somewhat similar amendment, but the matter has never had the consideration of the Senate or of its Committee on the Judiciary.

Representative HATTON W. SUMNERS of Texas, during the present session, introduced House Joint Resolution 257, proposing a much simpler amendment, to accomplish the same purpose. Its brevity and its proposal to permit Congress to delegate to a local government such of its legislative powers as it may desire appeals strongly to me. There is another reasonable feature which should appeal to Congress, that is, to make revocable, at the will of Congress, any legislation enacted under the proposed constitutional amendment.

At an informal referendum election in May 1938 the District citizens voted overwhelmingly for the privilege of the ballot and representation in the National Government. By a slightly smaller vote they recorded their desire for an elective local government.

Mr. President, there is no sound American reason for withholding these fundamental rights from this more than half a million Americans. I am convinced that a satisfactory solution of the District's problems can be found only through the granting of voting representation to District people in the Senate, House of Representatives, and among the electors of President and Vice President.

This, in my opinion, is the first step to make National American citizens of these people. Then, with their own representatives in the two Houses of Congress, clothed with the same privileges as those from the States, they will have an equal opportunity with other Americans to enter upon the solution of their accumulation of unsolved civic problems in the true American way.

I have serious doubts as to the advantages of an elective local government until the District possesses voting representation in Congress and among the Presidential electors. Whatever kind of a local government the District is given is apt to prove unsatisfactory while a Congress, in which it is not represented, continues to exercise without let or hindrance its power of exclusive legislation in all cases whatsoever. That has been a source of weakness in local governments here in the past, and history has a way of repeating itself.

I am convinced that the chief reason for these people and their community being misunderstood, neglected, and treated unfairly is because of their political impotency. The cure for this condition is through amendment of the Constitution and subsequent legislation establishing fundamental American principles of government here at the Nation's Capital.

Mr. President, I hope that the righteous cause of these voteless and unrepresented fellow Americans of the Capital community will appeal so strongly to the fundamental Americanism of the people of our country and the Congress

that favorable consideration may be given these pending resolutions at the next session, and that District citizens will no longer have to sing that spirited, but humiliating, song composed by Frederic William Wile:

MY DISTRICT, 'TIS OF THEE

(By Frederic William Wile)

(Tune: America)

My District, 'tis of thee,
Land without liberty,
Of thee I sing.

Where Nation's laws are made,
Where income tax is paid,
Yet, when all's done and said,
Freedom can't ring.

Land of the Congress folk,
Citizenship a joke,
At it we fling.

We scorn our shackled right,
We mean some day to fight,
With all our main and might,
And suffrage bring.

Why should the District be
Black sheep in land of free,
Her spirit galled?

We send our sons to die,
Heed the Republic's cry,
With all patriots vie,
Whene'er we're called.

Nation, at large, to you
We raise our cry and hue:
Hear our fair plea.

Tax without voice or vote
Sounds a discordant note,
See rank injustice smote,
End tyranny!

CIVIL-SERVICE RETIREMENT

During the delivery of Mr. CAPPER's speech,

Mr. O'MAHONEY. Mr. President, I note from the RECORD for yesterday that while I was absent from the Chamber the Senate approved the conference report on Senate bill 281 dealing with civil-service retirement. I note that the Senator from West Virginia [Mr. NEELY] is in the Chamber. I merely wish to ask him whether or not the conference report upon that bill included postmasters in the benefits of the Civil Service Retirement Act, as provided in a bill passed by the Senate, which, as I recall, was Senate bill 577.

Mr. NEELY. Mr. President, the conference report includes postmasters. Indeed, it includes the substance of everything that was contained in the bill which was introduced by the Senator from Wyoming and passed by the Senate earlier in the session, by virtue of which postmasters of the first, second, third, and fourth class were granted the benefits of the civil-service retirement law. The House, instead of passing the Senator's bill as an independent measure, simply incorporated it with the bill which is embraced in the conference report.

Mr. O'MAHONEY. I thank the Senator. Inasmuch as Senate bill 577 was passed by the Senate I was very anxious to make sure that there was some action at this session. The Senator's statement makes it clear that postmasters are included.

Mr. President, I ask unanimous consent that this interruption be placed at the conclusion of the speech of the Senator from Kansas who has so kindly yielded to me.

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

Mr. AUSTIN, Mr. GEORGE, and Mr. BARKLEY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Kansas yield and if so to whom?

Mr. AUSTIN. In my own right I ask what the parliamentary situation is. What was the request to which consent was given without an opportunity to inquire?

Mr. O'MAHONEY. It was merely a request for information.

The PRESIDING OFFICER. The Chair will advise the Senator from Vermont that a colloquy took place between the Senator from Wyoming and the Senator from West Virginia. The Senator from Wyoming asked unanimous consent that that colloquy be placed in the RECORD at the conclusion of the speech of the Senator from Kansas rather than in the body of that speech.

Mr. AUSTIN. Another parliamentary inquiry. Did the Senator from Wyoming ask for action by the Senate preceding that request?

The PRESIDING OFFICER. The Senator from Wyoming did not ask for any action by the Senate. The Senator from Wyoming simply asked the Senator from Kansas to yield to him.

Mr. BARKLEY. I suggest to the Senator from Kansas that if he wants to complete his speech he had better go ahead and do it.

Mr. GEORGE. Mr. President, I desire to ask the Senator from West Virginia a question with reference to the matter about which he was queried by the Senator from Wyoming. Is the bill to which the Senator from Wyoming referred the bill that was considered by the Civil Service Committee of the Senate?

Mr. NEELY. It is the same bill and the one in relation to which the able Senator from Georgia [Mr. GEORGE] rendered exceptionally valuable service. With deep regret I inform the Senator that the House refused to pass the Senate bill in the form in which this body approved it. In fact, the House struck out of the Senate bill everything except the enacting clause. The Senate conferees offered to acquiesce in all the amendments made by the House excepting that which increased the beneficiaries' contribution to the retirement fund from 4 to 5 percent. But the conferees on the part of the House declined this offer. Thereupon the Senate conferees reluctantly agreed to the report which the Senate adopted yesterday evening because they believed that it contained all the benefits to the civil-service employees which could possibly be obtained during the present session of the Congress.

Mr. GEORGE. I thank the Senator.

After the conclusion of Mr. CAPPER's speech.

AMENDMENT OF PACKERS AND STOCKYARDS ACT—CONFERENCE REPORT

Mr. GILLETTE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4998) to amend the Packers and Stockyards Act, 1921, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

G. M. GILLETTE,
W. J. BULOW,
ARTHUR CAPPER,
Managers on the part of the Senate.

WALL DOXEY,
R. M. KLEBERG,
CLIFFORD R. HOPE,
Managers on the part of the House.

The report was agreed to.

PROGRAM FOR TOMORROW

Mr. BARKLEY. Mr. President, before moving an executive session, I wish to say that we have cleaned up the calendar pretty well today. There are a few little bills, odds and ends, that we may take up tomorrow. Just what they are, I do not know yet, but the Senator from South Carolina [Mr. BYRNES] has a bill, the Senator from Florida has one or two bills, and one or two other Senators have measures that we may be able to take up separately. Outside of that, I do not see much work ahead of us for tomorrow. There may be conference reports ready for action, and so forth.

I now move that the Senate proceed to the consideration of executive business.

EXECUTIVE SESSION

The motion was agreed to, and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

Mr. THOMAS of Utah, from the Committee on Education and Labor, reported favorably the nomination of Dr. Paul H. Nystrom, of New York, to be a member of the Federal Board for Vocational Education (reappointment).

Mr. WALSH, from the Committee on Naval Affairs, reported favorably the nominations of sundry officers for promotion in the Navy.

He also, from the same committee, reported favorably the nominations of several officers and citizens for promotion or appointment in the Marine Corps.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER (Mr. MINTON in the chair). The reports will be placed on the Executive Calendar.

If there be no further reports of committees, the clerk will state the nominations on the calendar.

NOMINATION RECOMMITTED

The legislative clerk read the nomination of Edward E. Dewey to be postmaster at Decatur, Ark.

Mr. McKELLAR. Mr. President, I inquire if the Senator from Arkansas will permit that nomination to be recommitted to the Committee on Post Offices and Post Roads?

Mr. MILLER. I think that would be all right.

Mr. McKELLAR. I ask unanimous consent that the nomination referred to may be recommitted to the Committee on Post Offices and Post Roads.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will state the other nominations on the calendar.

THE JUDICIARY

The legislative clerk read the nomination of Campbell E. Beaumont to be United States district judge, southern district of California.

The PRESIDING OFFICER. Without objection the nomination is confirmed.

The legislative clerk read the nomination of Harry E. Pratt to be United States district judge, division No. 4, District of Alaska.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Herman E. Moore, of Illinois, to be judge of the District Court of the Virgin Islands of the United States.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. BARKLEY subsequently said: Mr. President, today Herman E. Moore, of Illinois, was confirmed to be judge of the District Court of the United States of the Virgin Islands. I ask unanimous consent that the President be notified immediately.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

UNITED STATES ATTORNEYS

The legislative clerk read the nomination of Charles Stewart Lynch to be United States attorney, district of Delaware.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. HUGHES subsequently said: Mr. President, today the nomination of Charles Stewart Lynch to be United States attorney for the district of Delaware was confirmed. I ask that the President be immediately notified.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

The legislative clerk read the nomination of Harold Maurice Kennedy to be United States attorney, eastern district of New York.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES MARSHAL

The legislative clerk read the nomination of Henry L. Dillingham to be United States marshal, western district of Missouri.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. CLARK of Missouri subsequently said: Mr. President, today the nomination of Henry L. Dillingham to be United States marshal for the western district of Missouri was confirmed. That office has been vacant for more than a year, and I ask unanimous consent that the President be notified.

The PRESIDING OFFICER. Without objection, the President will be notified.

FEDERAL COMMUNICATIONS COMMISSION

The legislative clerk read the nomination of James Lawrence Fly, of Tennessee, to be member Federal Communications Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

RAILROAD RETIREMENT BOARD

The legislative clerk read the nomination of Lee M. Eddy, of Missouri, to be a member of the Railroad Retirement Board.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmaster be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

Mr. McKELLAR. Mr. President I want to call attention to the nomination of Arthur A. Weng to be postmaster at Doggett, Mich., in place of W. A. Nelson. That nomination was confirmed July 29. I ask unanimous consent that the vote by which the nomination was confirmed be reconsidered and that the nomination be placed on the calendar, showing an adverse report because one of the Senators from the State of Michigan, Hon. PRENTISS M. BROWN, personally objects to the nomination.

The PRESIDING OFFICER. Without objection, the vote whereby the nomination was confirmed is reconsidered, and the nomination will be placed on the calendar, showing an adverse report.

NOTIFICATION TO PRESIDENT—CONFIRMATION OF NOMINATION OF DENIS W. DELANEY

Mr. WALSH. Mr. President, the Senate yesterday confirmed the nomination of Denis W. Delaney to be work-projects administrator for Massachusetts. It is important that he assume his office at once. Therefore, I ask unanimous consent that the President may be notified of the confirmation.

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

CONSIDERATION OF TREATIES

Mr. BARKLEY. Mr. President, there are several treaties on the calendar, most of which are probably noncontroversial. The Senator from Nevada [Mr. PITTMAN] desires now to take up and have considered and disposed of some of those treaties.

LIBERIA—CONSULAR CONVENTION

Mr. PITTMAN. Mr. President, I should like to have the Senate proceed to the consideration of Executive D.

The Senate, as in Committee of the Whole, proceeded to consider the convention, Executive D (76th Cong., 1st sess.), a consular convention between the United States of America and Liberia, signed at Monrovia on October 7, 1938, which was read the second time, as follows:

CONSULAR CONVENTION BETWEEN THE UNITED STATES AND LIBERIA

The President of the United States of America and the President of the Republic of Liberia, being desirous of defining the duties, rights, prerogatives, and immunities of consular officers of each country in the territory of the other country, have decided to conclude a convention to that end and have appointed the following Plenipotentiaries; that is to say:

The President of the United States of America:

Lester A. Walton, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Republic of Liberia, and

The President of the Republic of Liberia:

His Excellency C. L. Simpson, Secretary of State of the Republic of Liberia,

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following articles:

ARTICLE I

Each of the High Contracting Parties agrees to receive from the other, consular officers in those of its ports, places, and cities, where it may be convenient and which are open to consular representatives of any foreign country.

Consular officers of each of the High Contracting Parties shall, after entering upon their duties, enjoy reciprocally in the territories of the other all the rights, privileges, exemptions, and immunities which are enjoyed by officers of the same grade of the most favored nation. As official agents, such officers shall be entitled to the high consideration of all officials, national or local, with whom they have official intercourse in the State which receives them.

The Government of each of the High Contracting Parties shall furnish free of charge the necessary exequatur of such consular officers of the other as present a regular commission signed by the chief executive of the appointing State and under its great seal; and they shall issue to a subordinate or substitute consular officer duly appointed by an accepted superior consular officer with the approbation of his Government, or by any other competent officer of that Government, such documents as according to the laws of the respective countries shall be requisite for the exercise by the appointee of the consular function. On the exhibition of an exequatur, or other document issued in lieu thereof to such subordinate, such consular officer shall be permitted to enter upon his duties and to enjoy the rights, privileges, and immunities granted by this Convention.

ARTICLE II

Consular officers, nationals of the State by which they are appointed, and not engaged in any profession, business, or trade, shall be exempt from arrest except when charged with the commission of offenses locally designated as crimes other than misdemeanors and subjecting the individual guilty thereof to punishment. Such officers shall be exempt from military billetings, and from service of any military or naval, administrative or police character whatsoever.

In criminal cases the attendance at court by a consular officer as a witness may be demanded by the prosecution or defense, or by the court. The demand shall be made with all possible regard for the consular dignity and the duties of the office; and there shall be compliance on the part of the consular officer.

When the testimony of a consular officer who is a national of the State which appoints him and is engaged in no private occupation for gain is taken in civil cases, it shall be taken orally or in writing at his residence or office and with due regard for his convenience. The officer should, however, voluntarily give his testimony at the trial whenever it is possible to do so without serious interference with his official duties.

No consular officer shall be required to testify in either criminal or civil cases regarding acts performed by him in his official capacity.

ARTICLE III

Consular officers, including employees in a consulate, nationals of the State by which they are appointed, other than those engaged in private occupations for gain within the State where they exercise their functions, shall be exempt from all taxes, National, State, Provincial, and Municipal, except taxes levied on account of the possession or ownership of immovable property situated in, or income derived from property of any kind situated or belonging within the territories of the State within which they exercise their functions. All consular officers and employees, nationals of the State appointing them, shall be exempt from the payment of taxes on the salary, fees, or wages received by them in compensation for their consular services.

The exemptions of the foregoing paragraph shall apply equally to officials who are duly appointed by one of the High Contracting Parties to exercise in its behalf essential governmental functions in the territory of the other High Contracting Party, provided that such officials shall be nationals of the State appointing them and shall not be engaged in private occupations for gain within the country to which they are accredited. The State appointing them shall communicate to the other State satisfactory evidence of the appointment and shall indicate the character of the service of the officials to whom the exemptions of this Article are intended to apply.

The Government of each High Contracting Party shall have the right to lease land and to lease, acquire, and own buildings required for diplomatic or consular premises in the territory of the other High Contracting Party and also to erect buildings in such territory for the purposes stated subject to local building regulations.

Lands and buildings situated in the territory of either High Contracting Party, of which the other High Contracting Party is the legal or equitable owner and which are used exclusively for governmental purposes by that owner, shall be exempt from taxation of every kind, National, State, Provincial and municipal, other than assessments levied for services or local public improvements by which the premises are benefited.

ARTICLE IV

Each of the High Contracting Parties agrees to permit the entry free of all duty and without examination of any kind, of all furniture, equipment and supplies intended for official use in the consular offices of the other, and to extend to such consular officers of the other and their families and suites as are its nationals, the privilege of entry free of duty of their baggage and all other personal property whether accompanying the officer, his family or suite, to his post or imported at any time during his incumbency thereof; provided, nevertheless, that no article, the importation of which is prohibited by the law of either of the High Contracting Parties, may be brought into its territories.

The exemptions of the foregoing paragraph shall apply equally to officials who are duly appointed by one of the High Contracting Parties to exercise in its behalf essential governmental functions in the territory of the other High Contracting Party, provided that such officials shall be nationals of the State appointing them and shall not be engaged in private occupations for gain within the country to which they are accredited. The State appointing them shall communicate to the other satisfactory evidence of the appointment and shall indicate the character of the service of the officials to whom the exemptions of this Article are intended to apply.

It is understood, however, that this privilege shall not be extended to officers who are engaged in any private occupation for gain in the countries to which they are accredited, save with respect to governmental supplies.

ARTICLE V

Consular officers may place over the outer door of their respective offices the arms of their State with an appropriate inscription designating the official office, and they may place the coat of arms of their State on automobiles employed by them in the exercise of their consular functions. Such officers may also fly the flag of their country on their offices including those situated in the capitals of the two countries. They may likewise fly such flag over any boat or vessel employed in the exercise of the consular function.

The quarters where consular business is conducted and the archives of the consulates shall at all times be inviolable, and under no pretext shall any authorities of any character within the country make any examination or seizure of papers or other property deposited with the archives. When consular officers are engaged in business within the territory of the State where they are exercising their duties, the files and documents of the consulate shall be kept in a place entirely separate from the one where private or business papers are kept. Consular offices shall not be used as places of asylum. No consular officers shall be required to produce official archives in court or testify as to their contents.

Upon the death, incapacity, or absence of a consular officer having no subordinate consular officer at his post, secretaries or chancellors, whose official character may have previously been made known to the Government of the State where the consular function was exercised, may temporarily exercise the consular function of the deceased or incapacitated or absent consular officer; and while so acting shall enjoy all the rights, prerogatives, and immunities that were granted to the consular officer.

ARTICLE VI

Consular officers of either High Contracting Party, nationals of the State by which they are appointed, may, within their respective consular districts, address the authorities concerned, National, State, Provincial, or Municipal, for the purpose of protecting their countrymen in the enjoyment of their rights accruing by treaty or otherwise. Complaint may be made for the infraction of those rights. Failure upon the part of the proper authorities to grant redress or to accord protection may justify interposition through the diplomatic channel, and, in the absence of a diplomatic representative, a consul general or the consular officer stationed at the capital may apply directly to the Government of the country.

Consular officers shall have the right to interview, to communicate with, and to advise their countrymen within their consular districts; and, upon notification to the appropriate authority, to visit any of their countrymen who are imprisoned or detained by authorities of the State in which they exercise their consular functions; to assist them in proceedings before or relations with such authorities; and to inquire into any incidents which have occurred within the consular district affecting the interests of their countrymen.

Nationals of either of the high contracting parties shall have the right at all times to communicate with the consular officers of their country.

ARTICLE VII

Consular officers, in pursuance of the laws of their own country may (a) take, at any appropriate place within their respective districts, the depositions of any occupants of vessels of their own country, or of any national of, or of any person having permanent residence within the territory of, their own country; (b) draw up, attest, certify and authenticate unilateral acts, translations, deeds, and testimentary dispositions of their countrymen, and also contracts to which a countryman is a party; (c) authenticate signatures; (d) draw up, attest, certify, and authenticate written instruments of any kind purporting to express or embody the conveyance or encumbrance of property of any kind within the territory of the State by which such officers are appointed, and unilateral acts, deeds, testamentary dispositions and contracts relating to property situated, or business to be transacted, within the territories of the State by which they are appointed, embracing unilateral acts, deeds, testamentary dispositions or agreements executed solely by nationals of the State within which such officers exercise their functions.

Instruments and documents thus executed and copies and translations thereof, when duly authenticated by the consular officer, under his official seal, shall be received as evidence in the territories of the High Contracting Parties as original documents or authenticated copies, as the case may be, and shall have the same force and effect as if drawn by and executed before a notary or other public officer duly authorized in the country by which the consular officer was appointed; provided, always, that such documents shall have been drawn and executed in conformity to the laws and regulations of the country where they are designed to take effect.

ARTICLE VIII

In case of the death of a national of either High Contracting Party in the territory of the other without having in the locality of his decease any known heirs or testamentary executors by him appointed, the competent local authorities shall at once inform the nearest consular officer of the State of which the deceased was a national of the fact of his death, in order that necessary information may be forwarded to the parties interested.

In case of the death of a national of either of the High Contracting Parties without will or testament whereby he has appointed testamentary executors, in the territory of the other High Contracting Party, the consular officer of the State of which the deceased was a national and within whose district the deceased made his home at the time of death, shall, so far as the laws of the country permit and pending the appointment of an administrator and until letters of administration have been granted, be deemed qualified to take charge of the property left by the decedent for the preservation and protection of the same. Such consular officer shall have the right to be appointed as administrator within the discretion of a tribunal or other agency controlling the administration of estates provided the laws of the place where the estate is administered so permit.

Whenever a consular officer accepts the office of administrator of the estate of a deceased countryman, he subjects himself as such to the jurisdiction of the tribunal or other agency making the appointment for all necessary purposes to the same extent as a national of the country where he was appointed.

ARTICLE IX

A consular officer of either High Contracting Party shall within his district have the right to appear personally or by delegate in all matters concerning the administration and distribution of the estate of a deceased person under the jurisdiction of the local authorities for all such heirs or legatees in said estate, either minors or adults, as may be nonresidents and nationals of the country represented by the said consular officer, with the same effect as if he held their power of attorney to represent them, unless such heirs or legatees themselves have appeared, either in person or by duly authorized representative.

A consular officer of either High Contracting Party may on behalf of his nonresident countrymen collect and receipt for their distributive shares derived from estates in process of probate or accruing under the provisions of so-called Workmen's Compensation Laws or other like statutes, for transmission through channels prescribed by his Government to the proper distributees.

ARTICLE X

A consular officer shall have exclusive jurisdiction over controversies arising out of the internal order of private vessels of his country, and shall alone exercise jurisdiction in cases, wherever arising, between officers and crews, pertaining to the enforcement of discipline on board, provided the vessel and the persons charged with wrongdoing shall have entered a port within his consular district. Such an officer shall also have jurisdiction over issues concerning the adjustment of wages and the execution of contracts relating thereto; provided, however, that such jurisdiction shall not exclude the jurisdiction conferred on local authorities under existing or future laws.

When an act committed on board of a private vessel under the flag of the State by which the consular officer has been appointed and within the territorial waters of the State to which he has been appointed constitutes a crime according to the laws of that State, subjecting the person guilty thereof to punishment as a criminal, the consular officer shall not exercise jurisdiction except insofar as he is permitted to do so by the local law.

A consular officer may freely invoke the assistance of the local police authorities in any matter pertaining to the maintenance of internal order on board of a vessel under the flag of his country within the territorial waters of the State to which he is appointed, and upon such a request the requisite assistance shall be given.

A consular officer may appear with the officers and crews of vessels under the flag of his country before the judicial authorities of the State to which he is appointed for the purpose of observing the proceedings or of rendering assistance as an interpreter or agent.

ARTICLE XI

A consular officer of either High Contracting Party shall have the right to inspect within the ports of the other High Contracting Party within his consular district, the private vessels of any flag destined or about to clear for ports of the country appointing him in order to observe the sanitary conditions and measures taken on board such vessels, and to be enabled thereby to execute intelligently bills of health and other documents required by the laws of his country, and to inform his Government concerning the extent to which its sanitary regulations have been observed at ports of departure by vessels destined to its ports, with a view to facilitating entry of such vessels therein.

In exercising the right conferred upon them by this Article, consular officers shall act with all possible despatch and without unnecessary delay.

ARTICLE XII

All proceedings relative to the salvage of vessels of either High Contracting Party wrecked upon the coasts of the other shall be directed by the consular officer of the country to which the vessel belongs and within whose district the wreck may have occurred, or by some other person authorized thereto by the law of that country. Pending the arrival of such officer, who shall be immediately informed of the occurrence, or the arrival of such other person, whose authority shall be made known to the local authorities by the consular officer, the local authorities shall take all necessary measures for the protection of persons and the preservation of wrecked property. The local authorities shall not otherwise interfere than for the maintenance of order, the protection of the interests of the salvors, if these do not belong to the crews that have been wrecked and to carry into effect the arrangements made for the entry and exportation of the merchandise saved. It is understood that such merchandise is not to be subjected to any customhouse charges, unless it be intended for consumption in the country where the wreck may have taken place.

The intervention of the local authorities in these different cases shall occasion no expense of any kind, except such as may be caused by the operations of salvage and the preservation of the goods saved, together with such as would be incurred under similar circumstances by vessels of the nation.

ARTICLE XIII

The territories of the High Contracting Parties to which the provisions of this Convention extend shall be understood to comprise all areas of land, water, and air over which the Parties respectively claim and exercise dominion as sovereign thereof, except the Panama Canal Zone.

ARTICLE XIV

The present Convention shall be ratified and the ratifications thereof shall be exchanged at Monrovia. The Convention shall take effect in all its provisions thirty days from the day of the exchange of ratifications and shall remain in full force for the term of five years thereafter.

If within six months before the expiration of the aforesaid period of five years neither High Contracting Party notifies to the other an intention of modifying, by change or omission, any of the provisions of any of the Articles in this Convention or of terminating it upon the expiration of the aforesaid period, the Convention shall remain in full force and effect after the aforesaid period and until six months from such a time as either of the High Contracting Parties shall have notified to the other an intention of modifying or terminating the Convention.

In witness whereof the respective Plenipotentiaries have signed this Convention and have affixed their seals thereto.

Done in duplicate, at Monrovia, this seventh day of October 1938.

[SEAL] LESTER A. WALTON.
[SEAL] C. L. SIMPSON.

Mr. AUSTIN. Mr. President, may we have an explanation?

Mr. PITTMAN. Mr. President, this is a consular convention between the United States of America and Liberia. It is in the ordinary form, exactly in the form other consular treaties take. It is a form which has been followed by the State Department for 2 years.

The PRESIDING OFFICER. The convention is before the Senate and open to amendment. If there be no amendment to be proposed, the convention will be reported to the Senate.

The convention was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read, as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive D, Seventy-sixth Congress, first session, a consular convention between the United States of America and Liberia, signed at Monrovia on October 7, 1938.

Mr. PITTMAN. I move that the resolution of ratification be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the convention is ratified.

LIBERIA—TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION

Mr. PITTMAN. Mr. President, I ask that the Senate proceed to the consideration of Executive E.

The Senate, as in Committee of the Whole, proceeded to consider the treaty, Executive E (76th Cong., 1st sess.), a treaty of friendship, commerce, and navigation between the United States of America and Liberia, signed at Monrovia on August 8, 1938, which was read the second time, as follows:

TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION BETWEEN THE UNITED STATES AND LIBERIA

The United States of America and the Republic of Liberia, desirous of strengthening the bond of peace which happily prevails between them, by arrangements designed to promote friendly intercourse between their respective territories through provisions responsive to the spiritual, cultural, economic, and commercial aspirations of the people thereof, have resolved to conclude a Treaty of Friendship, Commerce, and Navigation and for that purpose have appointed as their Plenipotentiaries,

The President of the United States of America:

Lester A. Walton, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Republic of Liberia, and

The President of the Republic of Liberia:

His Excellency C. L. Simpson, Secretary of State of the Republic of Liberia,

Who, having communicated to each other their full powers found to be in due form, have agreed upon the following Articles:

ARTICLE I

The nationals of each of the High Contracting Parties shall be permitted to enter, travel and reside in the territories of the other; to exercise liberty of conscience and freedom of worship; to engage in professional, scientific, religious, philanthropic, manufacturing, and commercial work of every kind without interference; to carry on every form of commercial activity which is not forbidden by the local law; to own, erect or lease and occupy appropriate buildings and to lease lands for residential, scientific, religious, philanthropic, manufacturing, commercial and mortuary purposes; to employ agents of their choice, and generally to do anything incidental to or necessary for the enjoyment of any of the foregoing privileges upon the same terms as nationals of the State of residence or as nationals of the nation hereafter to be most favored by it, submitting themselves to all local laws and regulations duly established.

The nationals of either High Contracting Party within the territories of the other shall not be subjected to the payment of any internal charges or taxes other or higher than those that are exacted of and paid by nationals of the State of residence.

The nationals of each High Contracting Party shall enjoy freedom of access to the courts of justice of the other on conforming to the local laws, as well for the prosecution as for the defense of their rights, and in all degrees of jurisdiction established by law.

The nationals of each High Contracting Party shall receive within the territories of the other, upon submitting to conditions imposed upon its nationals, the most constant protection and security for their persons and property, and shall enjoy in this respect that degree of protection that is required by international law. Their property shall not be taken without due process of law and without payment of just compensation.

Nothing contained in this Treaty shall be construed to affect existing statutes of either of the High Contracting Parties in relation to emigration or to immigration or the right of either of the High Contracting Parties to enact such statutes, provided, however, that nothing in this paragraph shall prevent the nationals of either High Contracting Party from entering, traveling, and residing in the territories of the other Party in order to carry on international trade or to engage in any commercial activity relate to or connected with the conduct of international trade on the same terms as nationals of the most-favored nation.

ARTICLE II

With respect to that form of protection granted by National, State or Provincial laws establishing civil liability for bodily injuries or for death, and giving to relatives or heirs or dependents of an injured person a right of action or a pecuniary compensation, such relatives or heirs or dependents of the injured person, himself a national of either of the High Contracting Parties and injured within any of the territories of the other, shall, regardless of their alienage or residence outside of the territory where the injury occurred, enjoy the same rights and privileges as are or may be granted to nationals, and under like conditions.

ARTICLE III

The dwellings, warehouses, manufactories, shops, and other places of business, and all premises thereto appertaining of the nationals of each of the High Contracting Parties in the territories of the other, lawfully used for any purposes set forth in Article I, shall be respected. It shall not be allowable to make a domiciliary visit to, or search of any such buildings and premises, or there to examine and inspect books, papers or accounts, except under the conditions and in conformity with the forms prescribed by the laws, ordinances and regulations for nationals of the State of residence or nationals of the nation most favored by it.

ARTICLE IV

Where, on the death of any person holding real or other immovable property or interests therein within the territories of one High Contracting Party, such property or interests therein would, by the laws of the country or by a testamentary disposition, descend or pass to a national of the other High Contracting Party, whether resident or non-resident, were he not disqualified by the laws of the country where such property or interests therein is or are situated, such national shall be allowed a term of three years in which to sell the same, this term to be reasonably prolonged if circumstances render it necessary, and withdraw the proceeds thereof, without restraint or interference and exempt from any estate succession, probate or administrative duties or charges other than those which may be imposed in like cases upon the nationals of the country from which such proceeds may be drawn.

Nationals of either High Contracting Party may have full power to dispose of their personal property of every kind within the territories of the other, by testament, donation, or otherwise, and their heirs, legatees, and donees, of whatsoever nationality, whether resident or non-resident, shall succeed to such personal property, and may take possession thereof, either by themselves or by others acting for them, and retain or dispose of the same at their pleasure subject to the payment of such duties or charges only as the nationals of the High Contracting Party within whose territories such property may be or belong shall be liable to pay in like cases. In the same way, personal property left to nationals of one of the High Contracting Parties by nationals of the other High Contracting Party, and being within the territories of such other Party, shall be subject to the payment of such duties or charges only as the nationals of the High Contracting Party within whose territories such property may be or belong shall be liable to pay in like cases.

ARTICLE V

The nationals of each of the High Contracting Parties in the exercise of the right of freedom of worship, within the territories of the other, as hereinabove provided, may, without annoyance or molestation of any kind by reason of their religious belief or otherwise, conduct services either within their own houses or within any appropriate buildings which they may be at liberty to erect and maintain in convenient situations, provided their teachings or practices are not contrary to public morals; and they shall also be permitted to bury their dead according to their religious customs in suitable and convenient places established and maintained for the purpose, subject to the mortuary and sanitary laws and regulations of the place of burial.

ARTICLE VI

In the event of war between either High Contracting Party and a third State, such Party may draft for compulsory military service nationals of the other having a permanent residence within its territories and who have formally, according to its laws, declared an intention to adopt its nationality by naturalization, unless such persons depart from the territories of said belligerent Party within sixty days after the declaration of war. Such right to depart shall apply also to persons possessing the nationality of both High Contracting Parties unless they habitually reside in the territory of the country drafting for compulsory military service.

It is agreed, however, that such right to depart shall not apply to natives of the country drafting for compulsory military service, who, after having become nationals of the other Party, have declared an intention to acquire or resume the nationality of the country of their birth. Such persons shall nevertheless be entitled in respect of this matter to treatment no less favorable than that accorded the nationals of any other country who are similarly situated.

ARTICLE VII

Between the territories of the High Contracting Parties there shall be freedom of commerce and navigation. The nationals of each of the High Contracting Parties equally with those of the most-favored nation, shall have liberty freely to come with their vessels and cargoes to all places, ports, and waters of every kind within the territorial limits of the other which are or may be open to foreign commerce and navigation.

ARTICLE VIII

With respect to customs duties or charges of any kind imposed on or in connection with importation or exportation, and with respect to the method of levying such duties or charges, and with respect to all rules and formalities in connection with importation or exportation, and with respect to all laws or regulations affecting the sale, taxation, or use of imported goods within the country, any advantage, favor, privilege or immunity which has been or may hereafter be granted by either High Contracting Party to any article originating in or destined for any third country, shall be accorded immediately and unconditionally to the like article originating in or destined for the other High Contracting Party.

With respect to the amount and collection of duties on imports and exports of every kind, each of the two High Contracting Parties binds itself to give to the nationals, vessels and goods of the other the advantage of every favor, privilege or immunity which it shall have accorded to the nationals, vessels, and goods of a third State, whether such favored State shall have been accorded such treatment gratuitously or in return for reciprocal compensatory treatment. Every such favor, privilege or immunity which shall hereafter be granted to nationals, vessels or goods of a third State shall simultaneously and unconditionally, without request and without compensation, be extended to the other High

Contracting Party, for the benefit of itself, its nationals, vessels, and goods.

ARTICLE IX

Neither of the High Contracting Parties shall establish or maintain any import or export prohibition or restriction on any article originating in or destined for the territory of the other High Contracting Party, which is not applied to the like article originating in or destined for any third country. Any abolition of an import or export prohibition or restriction which may be granted even temporarily by either High Contracting Party in favor of an article originating in or destined for a third country shall be applied immediately and unconditionally to the like article originating in or destined for the territory of the other High Contracting Party.

If either High Contracting Party establishes or maintains any form of quantitative restriction or control of the importation or sale of any article in which the other High Contracting Party has an interest, or imposes a lower import duty or charge on the importation or sale of a specified quantity of any such article than the duty or charge imposed on importations in excess of such quantity, the High Contracting Party taking such action shall, upon request, inform the other High Contracting Party as to the total quantity, or any change therein, of any such article permitted to be imported or sold, or permitted to be imported or sold at such lower duty or charge during a specified period, and shall allot to the other High Contracting Party for such specified period a proportion of such total quantity as originally established or subsequently changed in any manner equivalent to the proportion of the total importation of such article which the other High Contracting Party supplied during a previous representative period, unless it is mutually agreed to dispense with such allotment. Neither of the High Contracting Parties shall, by import licenses, regulate the total quantity of importations into its territory or sales therein of any article in which the other High Contracting Party has an interest, unless the total quantity of such article permitted to be imported or sold during a quota period of not less than three months shall have been established, and unless the regulations covering the issuance of such licenses or permits shall have been made public before such regulations are put into force.

ARTICLE X

If either High Contracting Party establishes or maintains, directly or indirectly, any form of control of the means of international payment, it shall, in the administration of such control:

(a) Impose no prohibition, restriction, or delay on the transfer of payment for imported articles the growth, produce, or manufacture of the other High Contracting Party, or of payments necessary for and incidental to the importation of such articles;

(b) Accord unconditionally, with respect to rates of exchange and taxes or surcharges on exchange transactions in connection with payments for or payments necessary and incidental to the importation of articles the growth, produce, or manufacture of the other High Contracting Party, treatment no leses favorable than that accorded in connection with the importation of any article whatsoever the growth, produce, or manufacture of any third country; and

(c) Accord unconditionally, with respect to all rules and formalities applying to exchange transactions in connection with payments for or payments necessary and incidental to the importation of articles the growth, produce, or manufacture of the other High Contracting Party, treatment no less favorable than that accorded in connection with the importation of the like articles the growth, produce, or manufacture of any third country.

With respect to noncommercial transactions, each High Contracting Party shall apply any form of control of the means of international payment in a nondiscriminatory manner as between the nationals of the other High Contracting Party and the nationals of any third country.

ARTICLE XI

In the event that either High Contracting Party establishes or maintains a monopoly for the importation, production or sale of a particular product or grants exclusive privileges, formally or in effect, to one or more agencies to import, produce or sell a particular product, the High Contracting Party establishing or maintaining such monopoly, or granting such monopoly privileges, shall, in respect of the foreign purchases of such monopoly or agency, accord the commerce of the other High Contracting Party fair and equitable treatment. In making its foreign purchases of any article such monopoly or agency shall be influenced solely by competitive considerations such as price, quality, marketability, and terms of sale.

ARTICLE XII

All articles which are or may be legally imported from foreign countries into ports of the United States of America or are or may be legally exported therefrom in vessels of the United States may likewise be imported into those ports or exported therefrom in Liberian vessels, without being liable to any other or higher duties or charges whatsoever than if such articles were imported or exported in vessels of the United States; and reciprocally, all articles which are or may be legally imported from foreign countries into the ports of Liberia or are or may be legally exported therefrom in Liberian vessels may likewise be imported into those ports or exported therefrom in vessels of the United States without being liable to any other or higher duties or charges whatsoever than if such articles were imported or exported in Liberian vessels.

In the same manner there shall be perfect reciprocal equality in relation to the flags of the two countries with regard to bounties, drawbacks, and other privileges of this nature of whatever denomination which may be allowed in the territories of each of the Contracting Parties, on goods imported or exported in national vessels to that such bounties, drawbacks and other privileges shall also and in like manner be allowed on goods imported or exported in vessels of the other country.

ARTICLE XIII

The nationals, goods, products, wares, and merchandise of each High Contracting Party within the territories of the other shall receive the same treatment as nationals, goods, products, wares, and merchandise of the country with regard to internal taxes, transit duties, charges in respect of warehousing and other facilities and the amount of drawbacks and export bounties.

ARTICLE XIV

The merchant or other private vessels and cargoes of one of the High Contracting Parties shall, within the territorial waters and harbors of the other Party in all respects and unconditionally be accorded, the same treatment as the vessel and cargoes of that Party, irrespective of the port of departure of the vessel, or the port of destination, and irrespective of the origin or the destination of the cargo. It is especially agreed that no duties of tonnage, harbor, pilotage, lighthouse, quarantine, or other similar or corresponding duties or charges or whatever denomination, levied in the name or for the profit of the Government, public functionaries, private individuals, corporations or establishments of any kind shall be imposed in the ports of the territories or territorial waters of either country upon the vessels of the other, which shall not equally, under the same conditions, be imposed on national vessels.

ARTICLE XV

Merchant vessels and other privately owned vessels under the flag of either of the High Contracting Parties, and carrying the papers required by its national laws in proof of nationality shall, both within the territorial waters of the other High Contracting Party and on the high seas, be deemed to be the vessels of the Party whose flag is flown.

ARTICLE XVI

Merchant vessels and other privately owned vessels under the flag of either of the High Contracting Parties shall be permitted to discharge portions of cargoes at any port open to foreign commerce in the territories of the other High Contracting Party, and to proceed with the remaining portions of such cargoes to any other ports of the same territories open to foreign commerce, without paying other or higher tonnage dues or port charges in such cases than would be paid by national vessels in like circumstances, and they shall be permitted to load in like manner at different ports in the same voyage outward, provided, however, that the coasting trade of the High Contracting Parties is exempt from the provisions of this Article and from the other provisions of this Treaty, and is to be regulated according to the laws of each High Contracting Party in relation thereto. It is agreed, however, that nationals and vessels of either High Contracting Party shall within the territories of the other enjoy with respect to the coasting trade most-favored-nation treatment.

ARTICLE XVII

Limited liability and other corporations and associations, whether or not for pecuniary profit, which have been or may hereafter be organized in accordance with and under the laws, National, State, or Provincial, of either High Contracting Party and which maintain a central office within the territories thereof, shall have their juridical status recognized by the other High Contracting Party provided that they pursue no aims within its territories contrary to its laws. They shall enjoy free access to the courts of law and equity, on conforming to the laws regulating the matter, as well for the prosecution as for the defense of rights in all the degrees of jurisdiction established by law.

The right of corporations and associations of either High Contracting Party which have been so recognized by the other to establish themselves in the territories of the other Party or to establish branch offices and fulfill their functions therein shall depend upon and be governed solely by the consent of such Party as expressed in its National, State, or Provincial laws.

ARTICLE XVIII

The nationals of either High Contracting Party shall enjoy within the territories of the other, upon compliance with the conditions there imposed, such rights and privileges as have been or may hereafter be accorded the nationals of any other State with respect to organization of and participation in limited liability and other corporations and associations, for pecuniary profit or otherwise, including the rights of promotion, incorporation, purchase and ownership and sale of shares and the holding of executive or official positions therein. In the exercise of the foregoing rights and with respect to the regulation or procedure concerning the organization or conduct of such corporations or associations, such nationals shall be subjected to no condition less favorable than those which have been or may hereafter be imposed upon the nationals of the most-favored nation. The right of any of such corporations or associations as may be organized or controlled or participated in by the nationals of either High Contracting Party within the territories of the other to exercise any of their functions therein, shall be governed by the laws and regulations, National, State or Provincial, which are in force or may hereafter be established within the territories of the Party wherein they propose to carry on their

activities. The foregoing stipulations do not apply to organization of and participation in political associations.

ARTICLE XIX

The nationals, including corporations and associations, of either High Contracting Party shall enjoy in the territories of the other Party, upon compliance with the conditions there imposed, most-favored-nation treatment in respect of the exploration for and exploitation of mineral resources; provided that neither Party shall be required to grant rights and privileges in respect of the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain, or in respect of the ownership of stock in domestic corporations engaged in such operations, greater than its nationals, corporations, and associations receive from the other Party.

It is understood, however, that neither High Contracting Party shall be required by anything in this paragraph to grant any application for any such right or privilege if at the time such application is presented the granting of all similar applications shall have been suspended or discontinued.

ARTICLE XX

Commercial travelers representing manufacturers, merchants, and traders domiciled in the territories of either High Contracting Party shall on their entry into and sojourn in the territories of the other Party and on their departure therefrom be accorded the most-favored-nation treatment in respect of customs and other privileges and of all charges and taxes of whatever denomination applicable to them or to their samples.

If either High Contracting Party requires the presentation of an authentic document establishing the identity and authority of a commercial traveler, a signed statement by the concern or concerns represented, certified by a consular officer of the country of destination shall be accepted as satisfactory.

ARTICLE XXI

There shall be complete freedom of transit through the territories including territorial waters of each High Contracting Party on the routes most convenient for international transit, by rail, navigable waterway, and canal, other than the Panama Canal and waterways and canals which constitute international boundaries, to persons and goods coming from, going to or passing through the territories of the other High Contracting Party, except such persons as may be forbidden admission into its territories or goods of which the importation may be prohibited by law or regulations, provided that the foregoing shall not be construed to prevent either High Contracting Party from excluding aliens from special areas within its territories closed to visit by law, military order or regulations. The measures of a general or particular character which either of the High Contracting Parties is obliged to take in case of an emergency affecting the safety of the State or vital interests of the country may, in exceptional cases and for as short a period as possible, involve a deviation from the provisions of this paragraph, it being understood that the principle of freedom of transit must be observed to the utmost possible extent.

Persons and goods in transit shall not be subjected to any transit duty, or to any unnecessary delays or restrictions, or to treatment as regards charges, facilities, or any other matter less favorable than that accorded to the most-favored nation.

Goods in transit must be entered at the proper customhouse, but they shall be exempt from all customs or other similar duties.

It is understood that all goods in transit through the territory of the United States of America and all goods in transit through the territory of Liberia when warehoused or otherwise stored shall be subject to storage charges.

All charges imposed on transport in transit shall be reasonable, having regard to the conditions of the traffic.

Nothing in this Article shall affect the right of either of the High Contracting Parties to prohibit or restrict the transit of arms, munitions and military equipment in accordance with treaties or conventions that may have been or may hereafter be entered into by either Party with other countries.

ARTICLE XXII

Nothing in this Treaty shall be construed to prevent the adoption of measures prohibiting or restricting the exportation or importation of gold or silver, or to prevent the adoption of such measures as either High Contracting Party may see fit with respect to the prohibition, or the control, of the export or sale for export, of arms, ammunition, or implements of war, and, in exceptional circumstances, all other military supplies.

Subject to the requirement that, under like circumstances and conditions, there shall be no arbitrary discrimination by either High Contracting Party against the other High Contracting Party in favor of any third country, the stipulations of this Treaty shall not extend to prohibitions or restrictions (1) imposed on moral or humanitarian grounds; (2) designed to protect human, animal, or plant life or health; (3) relating to prison-made goods; (4) relating to the enforcement of police or revenue laws.

The stipulations of this Treaty do not extend to advantages now accorded or which may hereafter be accorded to neighboring States in order to facilitate short frontier traffic, or to advantages resulting from a customs union to which either High Contracting Party may become a party so long as such advantages are not extended to any other country.

The stipulations of this Treaty do not extend to advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another or to the Republic of Cuba. The provisions of this paragraph shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another, irrespective of any change in the political status of any of the territories or possessions of the United States of America.

ARTICLE XXIII

Subject to any limitation or exception hereinabove set forth, or hereafter to be agreed upon the territories of the High Contracting Parties to which the provisions of this Treaty extend shall be understood to comprise all areas of land and water over which the Parties, respectively, claim and exercise dominion as sovereign thereof, except the Panama Canal Zone.

ARTICLE XXIV

The present Treaty shall come into force in all of its provisions on the day of the exchange of ratifications and shall continue in force for the term of five years from that day.

If within one year before the expiration of five years from the date on which the present Treaty shall come into force, neither High Contracting Party notifies to the other Party an intention of terminating the Treaty upon the expiration of the aforesaid period of five years, the Treaty shall remain in full force and effect after the aforesaid period and until one year from such a time as either of the High Contracting Parties shall have notified to the other Party an intention of terminating it.

The present Treaty shall, from the date of the exchange of ratifications, be deemed to supplant the Treaty of Commerce and Navigation between the United States of America and Liberia, concluded at London on October 21, 1862.

ARTICLE XXV

The present Treaty shall be ratified, and the ratifications thereof shall be exchanged at Monrovia as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the present Treaty and have affixed their seals thereto.

Done in duplicate, at Monrovia, this eighth day of August nineteen hundred and thirty eight.

[SEAL] LESTER A. WALTON.
[SEAL] C. L. SIMPSON.

Mr. PITTMAN. Mr. President, this is in the usual form followed during the last 2 years.

Mr. AUSTIN. Is this a standard treaty?

Mr. PITTMAN. It is a standard treaty. There is no distinction between it and any other treaty.

The PRESIDING OFFICER. The treaty is before the Senate and open to amendment. If there be no amendment to be proposed, the treaty will be reported to the Senate.

The treaty was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive E, Seventy-sixth Congress, first session, a treaty of friendship, commerce, and navigation between the United States of America and Liberia, signed at Monrovia on August 8, 1938.

Mr. PITTMAN. I move that the resolution of ratification be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the treaty is ratified.

LIBERIA—EXTRADITION TREATY

Mr. PITTMAN. I ask that the Senate proceed to the consideration of Calendar No. 12, Executive F.

The Senate, as in Committee of the Whole, proceeded to consider the treaty, Executive F (76th Cong., 1st sess.), an extradition treaty between the United States of America and Liberia, signed at Monrovia, on November 1, 1937, which was read the second time, as follows:

TREATY OF EXTRADITION BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF LIBERIA

The United States of America and the Republic of Liberia, desiring to promote the cause of justice, have resolved to conclude a treaty for the extradition of fugitives from justice between the two countries and have appointed for that purpose the following Plenipotentiaries:

The President of the United States of America:

His Excellency Lester A. Walton, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Liberia;

The President of the Republic of Liberia:

His Excellency C. L. Simpson, Secretary of State:

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon and concluded the following articles:

ARTICLE I

It is agreed that the Government of the United States and the Government of the Republic of Liberia shall, upon requisition duly made as herein provided, deliver up to justice any person who may be charged with, or may have been convicted of, any of the crimes or offenses specified in Article II of the present Treaty committed within the jurisdiction of one of the High Contracting Parties, and who shall seek an asylum or shall be found within the territories of the other; provided that such surrender shall take place only upon such evidence of criminality, as according to the laws of the place where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial if the crime or offense had been there committed.

ARTICLE II

Persons shall be delivered up according to the provisions of the present Treaty, who shall have been charged with or convicted of any of the following crimes or offenses:

1. Murder (including crimes designated by the terms parricide, poisoning, and infanticide); manslaughter, when voluntary.
2. Malicious wounding or inflicting grevious bodily harm with premeditation.
3. Rape, abortion, carnal knowledge of children under the age of 16 years.
4. Abduction or detention of women or girls for immoral purposes.
5. Bigamy.
6. Arson.
7. Willful and unlawful destruction or obstruction of railroads, which endangers human life.
8. Crimes committed at sea:

(a) Piracy, as commonly known and defined by the law of nations, or by statutes;

(b) Wrongfully sinking or destroying a vessel at sea or attempting to do so;

(c) Mutiny or conspiracy by two or more members of the crew or other persons on board of a vessel on the high seas, for the purpose of rebelling against the authority of the Captain or Commander of such vessel, or by fraud or violence taking possession of such vessel;

(d) Assault on board ship upon the high seas with intent to do bodily harm.

9. Burglary; house-breaking.
10. The act of breaking into and entering the offices of the Government or public authorities, or other buildings not dwellings with intent to commit a felony therein.
11. Robbery.
12. Forgery or the utterance of forged papers.
13. The forgery or falsification of the official acts of the Government or public authorities, including Courts of Justice, or the uttering or fraudulent use of any of the same.
14. The fabrication of counterfeit money, whether coin or paper, counterfeit titles or coupons of public debt, created by National, State, Provincial, Territorial, Local, or Municipal Governments, bank notes or other instruments of public credit, counterfeit seals, stamps, dies, and marks of State or public administrations, and the utterance, circulation, or fraudulent use of the above-mentioned objects.
15. Embezzlement.
16. Kidnapping of minors or adults, defined to be abduction or detention of a person or persons, in order to exact money from them, their families, or any other person or persons, or for any other unlawful end.
17. Larceny, defined to be the theft of effects, personal property, or money, of the value of twenty-five dollars or more.
18. Obtaining money, valuable securities, or other property by false pretenses, or receiving any money, valuable securities, or other property knowing the same to have been unlawfully obtained, where the amount of money or the value of the property so obtained or received exceeds one hundred dollars.
19. Perjury.
20. Fraud or breach of trust by a bailee, banker, agent, factor, executor, administrator, guardian, director, or officer of any company or corporation, or by anyone in any fiduciary position, where the amount of money or the value of the property misappropriated exceeds one hundred dollars.
21. Crimes and offenses against the laws of both countries for the suppression of slavery and slave trading.
22. Willful desertion or willful nonsupport of minor or dependent children, or of other dependent persons, provided that the crime or offense is punishable by the laws of both countries.
23. Bribery.
24. Crimes or offenses against the bankruptcy laws.
25. Crimes or offenses against the laws for the suppression of traffic in narcotics.
26. Crimes and offenses against the laws regulating the postal service of both countries, with respect to using the mails to promote frauds.
27. Extradition shall also take place for participation in any of the crimes or offenses before mentioned as an accessory before or after the fact, or in any attempt to commit any of the aforesaid crimes or offenses.

ARTICLE III

The provisions of the present Treaty shall not import a claim of extradition for any crime or offense of a political character, nor for acts connected with such crimes or offenses; and no person surrendered by or to either of the High Contracting Parties in virtue of this Treaty shall be tried or punished for a political crime or offense committed before his extradition. The State applied to, or Courts of such State, shall decide whether the crime or offense is of a political character. When the offense charged comprises the act either of murder or assassination or of poisoning, either consummated or attempted, the fact that the offense was committed or attempted against the life of the Head of the State of one of the High Contracting Parties, or against the Sovereign or Head of a foreign State, or against the life of any member of the family of either, shall not be deemed sufficient to sustain that such crime or offense was of a political character, or was an act connected with crimes or offenses of a political character.

ARTICLE IV

No person shall be tried for any crime or offense, committed prior to his extradition, other than that for which he was surrendered, unless he has been at liberty for one month after having been tried, to leave the country, or, in case of conviction, for one month after having suffered his punishment or having been pardoned.

ARTICLE V

A fugitive criminal shall not be surrendered under the provisions hereof, when, from lapse of time or other lawful cause, according to the laws of the demanding country, the criminal is exempt from prosecution or punishment for the offense for which the surrender is asked.

ARTICLE VI

If a fugitive criminal whose surrender may be claimed pursuant to the stipulations hereof, be actually under prosecution, out on bail or in custody, for a crime or offense committed in the country where he has sought asylum, or shall have been convicted thereof, his extradition may be deferred until such proceedings be determined, and until he shall have been set at liberty in due course of law.

ARTICLE VII

If a fugitive criminal claimed by one of the two parties hereto, shall be also claimed by one or more powers pursuant to treaty provisions, on account of crimes or offenses committed within their jurisdiction, such criminal shall be delivered to that State whose demand is first received unless the demand is waived.

This article shall not affect such treaties as have previously been concluded by one of the contracting parties with other States.

ARTICLE VIII

Under the stipulations of this Treaty, neither of the High Contracting Parties shall be bound to deliver up its own citizens, except in cases where such citizenship has been obtained after the perpetration of the crime for which extradition is sought. The State appealed to shall decide whether the person claimed is its own citizen.

ARTICLE IX

The expense of transportation of the fugitive shall be borne by the Government which has preferred the demand for extradition. The appropriate legal officers of the country where the proceedings of extradition are had, shall assist the officers of the Government demanding the extradition before the respective judges and magistrates, by every legal means within their power; and no claim other than for the board and lodging of a fugitive prior to his surrender, arising out of the arrest, detention, examination and surrender of fugitives under this Treaty, shall be made against the government demanding the extradition; provided, however, that any officer or officers of the surrendering government giving assistance, who shall, in the usual course of their duty receive no salary or compensation other than specific fees for services performed, shall be entitled to receive from the government demanding the extradition the customary fees for the acts or services performed by them in the same manner and to the same amount as though such acts or services had been performed in ordinary criminal proceedings under the laws of the country of which they are officers.

ARTICLE X

Everything found in the possession of the fugitive criminal at the time of his arrest, whether being the proceeds of the crime or offense, or which may be material as evidence in making proof of the crime, shall be so far as practicable, according to the laws of either of the High Contracting Parties, be delivered up with his person at the time of surrender. Nevertheless the rights of a third party with regard to the articles referred to shall be duly respected.

ARTICLE XI

The stipulations of the present Treaty shall be applicable to all territory wherever situated, belonging to either of the High Contracting Parties, or in the occupancy and under the control of either of them, during such occupancy or control.

Requisitions for the surrender of fugitives from justice shall be made by the respective diplomatic agents or superior consular officers of the High Contracting Parties. In the event of the absence of such agents or officers from the country or where extradition is sought from territory included in the preceding paragraphs, other than the United States or Liberia, requisitions may be made by superior consular officers.

The arrest of the fugitive shall be brought about in accordance with the laws of the respective countries, and if, after an examination, it shall be decided, according to the law and the evidence, that extradition is due pursuant to this Treaty, the fugitive shall be surrendered in conformity to the forms of law prescribed in such cases.

The person provisionally arrested shall be released, unless within two months from the date of commitment in the territory of either one of the High Contracting Parties, the formal requisition for surrender with the documentary proofs hereinafter prescribed shall be made as aforesaid by the diplomatic agent or superior consular officer of the demanding government, or, in his absence, by a consular officer thereof.

If the fugitive criminal shall have been convicted of the crime or offense for which his surrender is asked, a copy of the sentence of the court before which such conviction took place, duly authenticated, shall be produced. If, however, the fugitive is merely charged with crime, a duly authenticated copy of the warrant of arrest in the country where the crime was committed shall be produced, together with the evidence of criminality mentioned in Article I hereof.

ARTICLE XII

The present Treaty, written in English, shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods, and shall take effect on the date of the exchange of ratifications which shall take place at Monrovia as soon as possible.

ARTICLE XIII

The present Treaty shall remain in force for a period of five years, and in case neither of the High Contracting Parties shall have given notice one year before the expiration of that period of its intention to terminate the Treaty, it shall continue in force until the expiration of one year from the date on which such notice of termination shall be given by either of the High Contracting Parties.

In witness whereof the above named Plenipotentiaries have signed the present Treaty and have hereunto affixed their seals.

Done in duplicate at Monrovia this first day of November, nineteen hundred and thirty-seven.

LESTER A. WALTON. [SEAL]
C. L. SIMPSON. [SEAL]

Mr. PITTMAN. Mr. President, this is the usual form which has been followed for 2 years. It includes bankruptcy offenses.

The PRESIDING OFFICER. The treaty is before the Senate and open to amendment. If there be no amendment to be proposed, the treaty will be reported to the Senate.

The treaty was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive F, Seventy-sixth Congress, first session, an extradition treaty between the United States of America and Liberia, signed at Monrovia, on November 1, 1937.

Mr. PITTMAN. I move the adoption of the resolution of ratification.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the treaty is ratified.

TREATY OF COMMERCE AND NAVIGATION BETWEEN UNITED STATES AND IRAQ

Mr. PITTMAN. I ask that the Senate proceed to the consideration of Executive G.

The Senate, as in Committee of the Whole, proceeded to consider the treaty, Executive G (76th Cong., 1st sess.), a treaty of commerce and navigation between the United States of America and the King of Iraq, signed at Baghdad on December 3, 1938, which was read the second time, as follows:

TREATY OF COMMERCE AND NAVIGATION BETWEEN THE UNITED STATES OF AMERICA AND THE KINGDOM OF IRAQ

The United States of America and His Majesty the King of Iraq, taking cognizance of the provisions of Article 7 of the Convention, signed at London January 9, 1930, to which the United States of America, Great Britain, and Iraq are Parties, whereby on the termination of the special relations existing between His Britannic Majesty and His Majesty the King of Iraq, negotiations shall be entered into between the United States and Iraq for the conclusion of a treaty in regard to their future relations, have resolved to conclude a treaty of Commerce and Navigation and for that purpose have appointed as their Plenipotentiaries:

The President of the United States of America:

Paul Knabenshue, Minister Resident of the United States of America at Baghdad.

His Majesty The King of Iraq:

His Excellency Sayid Towfik Al Swaidi, Minister for Foreign Affairs.

who, having communicated to each other their full powers found to be in due form, have agreed upon the following articles:

ARTICLE I

In respect to import and export duties, all other charges imposed on or in connection with importation or exportation, and the method of levying such duties and charges, as well as in respect of transit, warehousing, and customs formalities, and the treatment of commercial traveler's samples, the United States of America will accord to Iraq and Iraq will accord to the United States of America, its territories and possessions, unconditional most-favored-national treatment.

Therefore, no higher or other duties shall be imposed on the importation into or the disposition in the United States of America, its territories or possessions, of any articles the growth, produce, or manufacture of Iraq than are or shall be payable on like articles the growth, produce, or manufacture of any other foreign country.

Similarly, no higher or other duties shall be imposed on the importation into or the disposition in Iraq of any articles the growth, produce, or manufacture of the United States of America, its territories or possessions, than are or shall be payable on like articles the growth, produce, or manufacture of any other foreign country.

Similarly, no higher or other duties shall be imposed in the United States of America, its territories or possessions, or in Iraq, on the exportation of any articles to the other or to any territory or possession of the other, than are payable on the exportation of like articles to any other foreign country.

Any advantage, of whatsoever kind, which either High Contracting Party may extend to any article, the growth, produce, or manufacture of any other foreign country shall simultaneously and unconditionally, without request and without compensation, be extended to the like article the growth, produce, or manufacture of the other High Contracting Party.

The stipulations of this Treaty regarding the treatment to be accorded by each High Contracting Party to the commerce of the other do not extend:

(a) to the advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another or to the Republic of Cuba. The provisions of this paragraph shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another, irrespective of any change in the political status of any of the territories or possessions of the United States of America;

(b) to any advantages in customs matters which Iraq may grant to goods the produce or manufacture of Turkey, or of any country whose territory was in 1914 wholly included in the Ottoman Empire in Asia.

(c) to any advantages which are, or may in the future be accorded by either Party to purely border traffic within a zone not exceeding ten miles (15 kilometres) wide on either side of the customs frontier;

(d) to any advantages in customs matters which are, or may in the future be accorded to States in customs union with either High Contracting Party so long as such advantages are not accorded to any other State.

ARTICLE II

Having regard to the volume and nature of the trade between the two countries it is agreed that in all that concerns matters of prohibitions or restrictions on importations and exportations each of the two countries will accord, whenever they may have recourse to the said prohibitions or restrictions, to the commerce of the other country treatment equally favorable to that which is accorded to any other country and that in the event either country establishes or maintains import or customs quotas, or other quantitative restrictions, or any system of foreign exchange control, the share of the total permissible importation of any product or of the total exchange made available for importation of any product of the other country shall be equal to the share in the trade in such product which such other country enjoyed in a previous representative period.

ARTICLE III

Vessels of the United States of America will enjoy in Iraq and Iraqui vessels will enjoy in the United States of America treatment not less favorable than that accorded to national vessels or the vessels of the most favored nation.

The coasting trade of the High Contracting Parties is exempt from the provisions of this Article and from the other provisions of this Treaty, and is to be regulated according to the laws of each High Contracting Party in relation thereto. It is agreed, however, that vessels of either High Contracting Party shall enjoy within the territory of the other with respect to the coasting trade the most-favored-nation treatment.

ARTICLE IV

Nothing in this Treaty shall be construed to prevent the adoption of measures prohibiting or restricting the exportation or importation of gold or silver, or to prevent the adoption of such measures as either Government may see fit with respect to the control of the export or sale for export of arms, ammunition, or implements of war, and in exceptional circumstances, all other military supplies. It is agreed, further, that nothing in this Treaty shall be construed to prevent the adoption of enforcement of measures relating to neutrality or to rights and obligations arising under the Covenant of the League of Nations.

Subject to the requirement that, under like circumstances and conditions, there shall be no arbitrary discrimination by either High Contracting Party against the other High Contracting Party

in favor of any third country, nothing in this Treaty shall be construed to restrict the right of either High Contracting Party to impose (1) prohibitions or restrictions designed to protect human, animal, or plant health or life or national treasures of artistic, historical or archaeological value; (2) prohibitions or restrictions applied to products which as regards production or trade are or may in the future be subject within the country to state monopoly or monopolies exercised under state control; or (3) regulations for the enforcement of revenue or police laws.

Each of the High Contracting Parties agrees that, in respect of the foreign purchases of any state monopoly for the importation, production, or sale of any commodity or of any agency having such monopoly privileges, the commerce of the other High Contracting Party shall receive fair and equitable treatment, and that, in making its foreign purchases, such monopoly or agency will be influenced solely by those considerations which would normally be taken into account by a private commercial enterprise interested solely in purchasing goods on the most favorable terms.

ARTICLE V

Should measures be taken by either High Contracting Party seriously affecting the chief exports of the other Party, the Party taking such measures will give sympathetic consideration to any representations which the other Party may make in respect to such measures. If agreement with respect to the question or questions involved in such representations shall not have been reached within ninety days from the date of the receipt of the said representations the Government making the representations may, notwithstanding the provisions of Article VII, terminate this Treaty, such termination to be effective at the expiration of thirty days from the date of the receipt of a notification given subsequent to the expiration of the ninety-day period provided herein.

ARTICLE VI

The present Treaty shall, from the day on which it comes into force, supplant Article 7 of the convention between the United States of America and Great Britain and Iraq signed at London January 9, 1930, insofar as commerce and navigation are concerned.

ARTICLE VII

The present Treaty shall take effect in all its provisions on the thirtieth day after the exchange of ratifications, and shall continue in force for the term of three years from that day. If neither High Contracting Party notifies to the other at least one year in advance an intention of terminating the Treaty upon the expiration of the aforesaid period of three years, the Treaty shall remain in full force and effect after the aforesaid period and until one year from such a time as either of the High Contracting Parties shall have notified to the other an intention of terminating the Treaty.

ARTICLE VIII

The present Treaty shall be ratified and the ratifications thereof shall be exchanged at Baghdad as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the present Treaty and have affixed their seals thereto.

Done in duplicate in the English and Arabic languages, which have the same value and shall have equal force, at Baghdad this 3rd day of December, 1938, of the Christian Era, corresponding with the 10th day of Shawaal 1357, of the Hijra.

PAUL KNABENSHUE
T. SWAIDI

RELATED PAPERS

RIGHTS OF THE UNITED STATES OF AMERICA AND OF ITS NATIONALS IN IRAQ

CONVENTION[1] AND PROTOCOL BETWEEN THE UNITED STATES OF AMERICA AND GREAT BRITAIN AND IRAQ

Signed at London, January 9, 1930.
Ratification advised by the Senate of the United States, April 22, 1930 (legislative day of April 21, 1930).
Ratified by the President of the United States, April 28, 1930.
Ratified by Great Britain, February 20, 1931.
Ratified by Iraq, February 2, 1931.
Ratifications exchanged at London, February 24, 1931.
Proclaimed by the President of the United States, March 11, 1931.

(i.) WHEREAS in virtue of the Treaty of Peace concluded with the Allied Powers and signed at Lausanne on the 24th day of July, 1923, and in virtue of the Treaty concluded with His Britannic Majesty and His Majesty the King of Iraq, signed at Angora on the 5th day of June, 1926. Turkey has renounced all rights and titles over the territory of Iraq; and

(ii.) WHEREAS by their decision of the 27th day of September, 1924, which is set forth in the first schedule hereto the Council of the League of Nations agreed that, in so far as concerns Iraq, effect had been given to the provisions of article 22 of the Covenant of the League of Nations in the Treaty of Versailles by the communication received by them from His Britannic Majesty's Government on that date; and

(iii.) WHEREAS the Treaty of Alliance referred to in the aforesaid decision of the Council of the League of Nations, and set forth in the second schedule hereto, entered into force on the 19th day of December, 1924; and

(iv.) WHEREAS with the object of extending the duration of the aforesaid Treaty of Alliance, a new Treaty between His Britannic Majesty and His Majesty the King of Iraq was signed at Baghdad on the 13th day of January 1926, as set forth in the third schedule hereto, and hereinafter referred to as the Treaty of 1926; and

(v.) WHEREAS on the 2nd day of March 1926, a letter in the terms set forth in the fourth schedule hereto was addressed by His Britannic Majesty's Government to the League of Nations; and

(vi.) WHEREAS on the 11th day of March 1926, the Council of the League of Nations accorded a resolution taking note of the Treaty of 1926; and

(vii.) WHEREAS the Treaty of 1926 entered into force on the 30th day of March 1926; and

(viii.) WHEREAS the United States of America, by participating in the war against Germany, contributed to her defeat and the defeat of her Allies, and to the renunciation of the rights and titles of her Allies in the territory transferred by them, but has not ratified the Covenant of the League of Nations embodied in the Treaty of Versailles; and

(ix.) WHEREAS the United States of America recognizes Iraq as an independent State; and

(x.) WHEREAS the President of the United States and His Britannic Majesty and His Majesty the King of Iraq desire to reach a definite understanding with respect to the rights of the United States and of its nationals in Iraq;

(xi.) The President of the United States of America of the one part and His Britannic Majesty and His Majesty the King of Iraq of the other part have decided to conclude a Convention to this effect, and have named as their plenipotentiaries:—

The President of the United States of America;
His Excellency General Charles G. Dawes, Ambassador Extraordinary and Plenipotentiary of the United States at London;
His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India;
for Great Britain and Northern Ireland;
The Right Honourable Arthur Henderson, M. P., His Majesty's Principal Secretary of State for Foreign Affairs;
His Majesty the King of Iraq;
Ja'far Pasha El Askeri, C. M. G., His Majesty's Envoy Extraordinary and Minister Plenipotentiary at London;

who, after having communicated to each other their respective full powers, found in good and due form, have agreed as follows:—

ARTICLE 1

Subject to the provisions of the present Convention, the United States consents to the régime established in virtue of the decisions of the Council of the League of Nations of the 27th day of September, 1924, and of the 11th day of March, 1926, the Treaty of Alliance (as defined in the said decision of the 27th day of September, 1924), and the Treaty of 1926, and recognizes the special relations existing between His Britannic Majesty and His Majesty the King of Iraq as defined in those instruments.

ARTICLE 2

The United States and its nationals shall have and enjoy all the rights and benefits secured under the terms of the aforesaid decisions and treaties to members of the League of Nations and their nationals, notwithstanding the fact that the United States is not a member of the League of Nations.

ARTICLE 3

Vested American property rights in Iraq shall be respected and in no way impaired.

ARTICLE 4

Subject to the provisions of any local laws for the maintenance of public order and public morals, and to any general educational requirements prescribed by law in Iraq, the nationals of the United States will be permitted freely to establish and maintain educational, philanthropic, and religious institutions in Iraq, to receive voluntary applicants and to teach in the English language.

ARTICLE 5

Negotiations shall be entered into as soon as possible for the purpose of concluding an Extradition Treaty between the United States and Iraq in accordance with the usages prevailing among friendly States.

ARTICLE 6

No modification of the special relations existing between His Britannic Majesty and His Majesty the King of Iraq, as defined in article 1 (other than the termination of such special relations as contemplated in article 7 of the present Convention) shall make any change in the rights of the United States as defined in this Convention, unless such change has been assented to by the Government of the United States.

ARTICLE 7

The present Convention shall be ratified in accordance with the respective constitutional methods of the High Contracting Parties. The ratifications shall be exchanged in London as soon as practicable. The present Convention shall take effect on the date of the exchange of ratifications, and shall cease to have effect on the termination of the special relations existing between His Britannic Majesty and His Majesty the King of Iraq in accordance with the Treaty of Alliance and the Treaty of 1926.

---

[1] Except as to article 7 (q. v.) this Convention and Protocol terminated on October 3, 1932, the date on which Iraq was admitted to the League of Nations.

On the termination of the said special relations, negotiations shall be entered into between the United States and Iraq for the conclusion of a treaty in regard to their future relations and the rights of the nationals of each country in the territories of the other. Pending the conclusion of such an agreement, the nationals, vessels, goods, and aircraft of the United States and all goods in transit across Iraq, originating in or destined for the United States, shall receive in Iraq the most-favoured-nation treatment; provided that the benefit of this provision cannot be claimed in respect of any matter in regard to which the nationals, vessels, goods, and aircraft of Iraq, and all goods in transit across the United States, originating in or destined for Iraq, do not receive in the United States the most-favoured-nation treatment, it being understood that Iraq shall not be entitled to claim the treatment which is accorded by the United States to the commerce of Cuba under the provisions of the Commercial Convention concluded by the United States and Cuba on the 11th day of December, 1902, or any other commercial convention which may hereafter be concluded by the United States with Cuba or to the commerce of the United States with any of its dependencies and the Panamá Canal Zone under existing or future laws, and that the United States shall not be entitled to claim any special treatment which may be accorded by Iraq to the nationals or commerce of neighbouring States exclusively.

In witness whereof, the undersigned have signed the present Convention, and have thereunto affixed their seals.

Done in triplicate in English and Arabic, of which, in case of divergence, the English text shall prevail, at London, this 9th day of January, 1930.

[SEAL] CHARLES G. DAWES.
[SEAL] ARTHUR HENDERSON.
[SEAL] JA'FAR EL ASKERI.

PROTOCOL

On the signature this day of the Convention between His Britannic Majesty and His Majesty the King of Iraq, respectively, of the one part, and the President of the United States of America of the other part, the undersigned Plenipotentiaries, duly authorized thereto, have agreed as follows:—

(1) It is understood by the High Contracting Parties that the term "exercise of industries" as employed in article XI of the Anglo-Iraq Treaty of Alliance signed the 10th October, 1922, covers the granting and operation of concessions.

(2) With reference to article 4 of the Convention signed this day, it is understood by the High Contracting Parties that the Iraq Government will not interfere in matters concerning the curriculum, such as the time-table, discipline and purely internal administration in schools established or maintained by nationals of the United States of America in Iraq.

(3) It is understood that upon the entry into force of the Convention signed this day and during the period of the special relations existing between His Britannic Majesty and His Majesty the King of Iraq, defined in article I of the said Convention, there will be a suspension of the capitulatory régime in Iraq so far as the rights of the United States and its nationals are concerned, and that such rights will be exercised in conformity with the decision of the Council of the League of Nations dated the 27th September, 1924.

(4) It is understood that article 3 of the Convention signed this day does not prohibit the Iraq Government from expropriating American property for public purposes under normal expropriation laws of general application, and subject to the previous provision for just and reasonable compensation.

The present Protocol shall be deemed an integral part of the Convention signed this day and shall be ratified at the same time as that Convention.

In witness whereof, the respective Plenipotentiaries have signed the present Protocol and have affixed thereto their seals.

Done in triplicate in English and Arabic, of which, in case of divergence, the English text shall prevail, at London, this 9th day of January, 1930.

[SEAL] CHARLES G. DAWES
[SEAL] ARTHUR HENDERSON
[SEAL] JA'FAR EL ASKERI

Mr. PITTMAN. Mr. President, as to this treaty I call the attention of the Senate to the fact that it deals only with commerce and navigation. It is not a treaty of amity. The distinction between this treaty and the others is that we had a treaty of amity, commerce, and navigation ratified several years ago, at which time Great Britain was recognized as having a certain protectorate over Iraq. There was one clause in the treaty of amity at that time which caused a termination of the treaty of amity at the time Great Britain relinquished its protectorate over Iraq. Great Britain has relinquished that protectorate, and this treaty is to continue in force and effect not only the amity treaty, which would have expired at the time of the relinquishment of the protectorate, but it is to reenact the treaty of commerce and navigation. It is in the usual form.

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

Mr. PITTMAN. I yield.

Mr. AUSTIN. Does the protocol of January 9, 1933, between His Britannic Majesty and this Government continue in effect after this treaty is ratified?

Mr. PITTMAN. No; the protocol of 1933 has expired. That is the protocol which recognized the protectorate over Iraq. Section 7 is the only section that is affected by this treaty. The treaty of amity would have expired upon the termination of the protectorate by Great Britain, and this extends it instead of having it expire.

I may say to the Senator from Vermont that it is in the ordinary form of a treaty of amity, commerce, and navigation.

The PRESIDING OFFICER. The treaty is before the Senate and open to amendment. If there be no amendment to be proposed, the treaty will be reported to the Senate.

The treaty was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive G, Seventy-sixth Congress, first session, a treaty of commerce and navigation between the United States of America and the King of Iraq, signed at Baghdad on December 3, 1938.

Mr. PITTMAN. I move the adoption of the resolution of ratification.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the treaty is ratified.

CONVENTION BETWEEN UNITED STATES AND FINLAND

Mr. PITTMAN. I ask that we proceed to the consideration of Calendar 14, Executive H.

The Senate, as in Committee of the Whole, proceeded to consider the convention, Executive H (76th Cong., 1st sess.), a convention between the United States of America and the Republic of Finland, signed at Helsinki on January 27, 1939, regulating the military obligations of persons possessing the nationality of both the high contracting parties, which was read the second time, as follows:

The United States of America and the Republic of Finland, being desirious of regulating the question of exemption from military obligations of persons possessing the nationality of both the High Contracting Parties, have decided to conclude a convention for that purpose, and have appointed as their Plenipotentiaries:

The President of the United States of America:

Mr. H. F. Arthur Schoenfeld, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Republic of Finland; and

The President of the Republic of Finland:

Mr. Juho Eljas Erkko, Minister of Foreign Affairs of the Republic of Finland;

Who, having communicated to each other their full powers found to be in good and due form, have agreed as follows:

ARTICLE I

A person possessing the nationality of both the High Contracting Parties who habitually resides in the territory of one of them and who is in fact most closely connected with that Party shall be exempt from all military obligations in the territory of the other Party.

ARTICLE II

The present convention shall be ratified and the ratifications thereof shall be exchanged at Helsinki. It shall take effect in all its provisions on the day of the exchange of ratifications and shall continue in force for the term of ten years from that day.

If within six months before the expiration of ten years from the day on which the present convention shall come into force, neither High Contracting Party notifies the other of an intention of terminating the convention upon the expiration of the aforesaid period of ten years, the convention shall remain in full force and effect after the aforesaid period and until six months from such a time as either of the High Contracting Parties shall have notified to the other an intention of terminating the convention.

In witness whereof, the respective Plenipotentiaries have signed the present convention and have affixed their seals thereto.

Done in duplicate, in the English and Finnish languages, both authentic, at Helsinki, this twenty-seventh day of January, nineteen hundred and thirty-nine.

H. F. ARTHUR SCHOENFELD [SEAL]
ELJAS ERKON [SEAL]

Mr. PITTMAN. Mr. President, this treaty provides that when the nationals of either of the contracting parties have resided in the other country for a substantial length of time, then the laws of the country in which they shall have resided shall govern as to military service.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. CLARK of Missouri. Rather irrelevantly I should like to say to the Senator from Nevada that I am not familiar with the provisions of the pending treaty, but I am certain that I voice the feeling of every American citizen when I say that any kind of a treaty or any sort of an accord between the United States and the Republic of Finland which would lead to better relations, relations even better than those which now exist between these two nations, would meet with the approval of every American citizen. Finland is the one nation on earth that has the entire respect of every American citizen.

Mr. PITTMAN. I am very pleased to have the Senator from Missouri make that statement, because I thoroughly agree with him.

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

Mr. PITTMAN. I will.

Mr. CONNALLY. While I share with the Senator from Missouri his fine opinion of Finland, I do not subscribe to the theory that any government has the right to hand its citizens around for military service as though they were so many chattels. I do not see why an American citizen living in Finland any number of years, so long as he is an American citizen, should be subjected to the military laws or service of Finland. I have not read the treaty, but I should like to know how long the time of residence has to be.

Mr. PITTMAN. I did not explain before, as I should have, that this first deals with dual nationality; that is, where a subject of Finland, or citizen, now, has become naturalized in this country, or where a citizen of the United States has become naturalized in Finland.

Mr. CLARK of Missouri. If the Senator will yield, as I have said, I am not familiar with the treaty, but I have recently had presented to me a case affecting a citizen of the United States who was subject to dual nationality with another power. This man was born in the United States, under our Constitution was a citizen of the United States, but happened to be traveling in Europe at the outbreak of the World War, and, in the country in which his father had been born, under the theory of dual nationality he was declared by the military authorities of Italy to be an Italian citizen, although he was born in the United States, and was a citizen of the United States, and he was pressed into military service.

Mr. CONNALLY. The Senator from Missouri does not believe that was right, does he?

Mr. CLARK of Missouri. I do not; but because he was forced into the service of the Kingdom of Italy, he was refused American citizenship when he returned, on the ground that he had renounced his American citizenship.

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

Mr. PITTMAN. I yield.

Mr. AUSTIN. I am not a member of the distinguished committee of which the Senator from Nevada is chairman, and there is one expression in the treaty which is novel to me, and I should like to have the Senator's views about it.

The treaty reads:

ARTICLE I. A person possessing the nationality of both the High Contracting Parties.

That is not clear to me. What does that mean?

Mr. PITTMAN. We have met with that expression a great many times. A person is born in one country, we will say, and becomes naturalized in another. He is recognized as a citizen of the country in which he is naturalized. In some cases the government of the country in which he is born still claims him as a citizen. We have had that conflict. That is what this means.

Mr. AUSTIN. Then it is assumed that nationality can be acquired by a person voluntarily?

Mr. PITTMAN. That is true. I will read the provision of the treaty, since it is very short:

A person possessing the nationality of both the High Contracting Parties who habitually resides in the territory of one of them and who is in fact most closely connected with that party shall be exempt from all military obligations in the territory of the other party.

The PRESIDING OFFICER. The convention is before the Senate and open to amendment. If there be no amendment to be proposed, the convention will be reported to the Senate.

The convention was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive H, Seventy-sixth Congress, first session, a convention between the United States of America and the Republic of Finland, signed at Helsinki on January 27, 1939, regulating the military obligations of persons possessing the nationality of both the High Contracting Parties.

Mr. PITTMAN. I move the adoption of the resolution of ratification.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the convention is ratified.

EXTRADITION TREATY BETWEEN UNITED STATES AND MONACO

Mr. PITTMAN. I ask that the Senate now take up for consideration Executive I.

The Senate, as in Committee of the Whole, proceeded to consider the treaty, Executive I (76th Cong., 1st sess.), an extradition treaty between the United States of America and Monaco, signed at Monaco on February 15, 1939, which was read the second time, as follows:

EXTRADITION TREATY

The Government of the United States of America and His Most Serene Highness the Sovereign Prince of Monaco, desiring to assure a better administration of justice in both countries, have resolved to conclude a treaty for the extradition of fugitives from justice and have appointed for that purpose the plenipotentiaries designated below, to wit:

The President of the United States of America;

Paul C. Squire, Consul of the United States of America at Nice, France, and at Monaco;

His Most Serene Highness the Sovereign Prince of Monaco;

Henry Mauran, Minister Plenipotentiary, Secretary of State of the Principality of Monaco;

Who, after having communicated to each other their full powers found in good and due form, have agreed upon the following articles:

ARTICLE I

The High Contracting Parties agree to surrender to each other reciprocally persons who, having been prosecuted for or convicted of any of the crimes or offenses specified in the following article, committed within the jurisdiction of one of the two States shall have sought an asylum or shall be found on the territory of the other.

Nevertheless, the extradition shall not take place except in a case where the existence of the violation is shown in such manner that the laws of the country where the fugitive is found would justify his arrest and prosecution if the crime or offense had been committed there.

ARTICLE II

Extradition shall be granted for the following crimes and offenses:

1. Murder, parricide, assassination, poisoning, infanticide; manslaughter, when voluntary; assault with intent to commit murder;
2. Rape, abortion, bigamy;
3. Arson;
4. Stealing accompanied by one of the following circumstances: violence, threats, housebreaking, skeleton keys; stealing committed at night in an inhabited house; stealing committed by several persons or by one person bearing arms;
5. Forgeries in a public or authentic document, in a commercial or bank paper, in a private document; use of the said forgeries;

6. Counterfeiting, falsifying or alteration of coin or paper money, bonds or coupons of public debts, bank notes; seals of State; utterance or use of the articles thus counterfeited, falsified, or altered;

7. Breach of trust, embezzlement, whether by public depositaries, or by ministerial or public officers; embezzlement by a hired person to the prejudice of his employer, embezzlement or abstraction by an innkeeper, carrier, boatman, or their agents, when such acts are punishable by the laws of both countries and when the amount of the sums or values concerned in the offense is not less than two hundred dollars or five thousand francs;

8. Obtaining money, securities or other property under false pretenses, and theft, when such acts are punishable by the laws of both countries and when the amount of the sums or values affected by the violation is not less than two hundred dollars or five thousand francs;

9. False swearing, false witness, subornation of witnesses, experts or interpreters;

10. Child-stealing, abduction of a minor boy under the age of 14 or a girl under the age of 16;

11. Kidnapping or illegal detention;

12. Wilful and unlawful obstruction or destruction of railways, which may endanger human life;

13. (*a*) Piracy, by the law of nations;

(*b*) The act by any person, being or not being one of the crew of a seagoing vessel or ship, of taking possession of such vessel by fraud or violence;

(*c*) Wrongfully destroying, sinking, stranding or causing the loss of a vessel at sea;

(*d*) Revolt or conspiracy, by two or more persons on board a vessel on the high seas, against the authority of the captain or master;

(*e*) Assault on board a vessel on the high seas with intent to kill or inflict serious injuries;

14. Crimes and offenses committed against the laws of both countries on the suppression of slavery and the slave trade;

15. Fraudulent receiving and concealment of articles or values obtained through a crime or an offense, when such act is punishable under the laws of both countries and when the amount of the said articles or values is not less than two hundred dollars or five thousand francs;

16. Crimes and offenses relating to the traffic in women and children;

17. Crimes and offenses covered by the laws concerning the use of and traffic in opium and other narcotics.

Extradition shall also be granted for the attempt to commit the acts listed above, or participation or complicity in the said acts, when such attempt, participation or complicity is punishable according to the laws of the two countries.

ARTICLE III

Requisitions for extradition shall be made by the diplomatic agents, or, in their absence, either from the country or its seat of government, by the consuls or consular agents.

If the requisition concerns a fugitive who has been convicted after a hearing in court (contradictoirement), it must be accompanied with a duly authenticated copy of the sentence; if it concerns a fugitive who has merely been charged with a crime or offense or convicted in his default or absence, it must be accompanied with a duly authenticated copy of the warrant of arrest and of the depositions or other evidence upon which such warrant was issued. The procedure of extradition shall be followed according to the laws regulating extradition in force in the country on which the requisition is made.

ARTICLE IV

The arrest of the fugitive criminal may be requested on information even by telegraph, of the existence of a judgment of conviction or of a warrant of arrest.

In Monaco, the application for the arrest shall be addressed to the Minister of State, who shall transmit it to the proper authority.

In the United States of America, the application for arrest shall be addressed to the Secretary of State, who shall deliver a warrant certifying that the application is regular and requesting the competent authorities to take action thereon in conformity with law.

In each country, in case of urgency, the application for arrest may be addressed directly to the competent magistrate in conformity with the laws in force.

In both countries, the person provisionally arrested shall be released, if, within a period of forty days from the date of arrest in Monaco, or from the date of commitment in the United States of America, the formal requisition for extradition accompanied with the documents prescribed in the foregoing article has not been submitted by the diplomatic agent of the country making the requisition or, in his absence, by a consul or consular agent of said country.

ARTICLE V

The contracting Parties shall not be bound to deliver up their own citizens or subjects under the stipulations of this treaty.

ARTICLE VI

No person shall be surrendered if the offense for which his extradition is requested is of a political character, or if he proves that the requisition for his surrender has, in fact, been made with a view to try or punish him for an offense of a political character.

If any question arises as to whether a case comes within the provisions of this article, the authorities of the Government on which the requisition is made shall decide.

However, when the violation comprises the act of murder, assassination or poisoning, either consummated or attempted, the fact that the offense was committed or attempted against the life of the Sovereign or Head of any State, or against the life of any member of his family, shall not be deemed sufficient to sustain that such crime or offense is of a political character, or that it has any connection with crimes or offenses of a political character.

ARTICLE VII

No person surrendered by one of the High Contracting Parties to the other shall be prosecuted, judged, or punished for any crime or offense committed prior to his extradition, other than the offense for which his surrender was accorded, and no person shall be arrested or detained by civil process for a cause prior to the extradition, unless, in either case, he has been at liberty for one month to leave the country, after having been tried, or, in case of conviction, after having either served his sentence or obtained pardon.

ARTICLE VIII

Extradition shall not be granted, under the stipulations of this Convention, if the person claimed has been tried for the same act in the country to which the requisition is addressed, or if, subsequent to the acts with which he is charged, the prosecution or the conviction, the action cr the sentence has become barred by limitation, according to the law of the said country.

ARTICLE IX

If, at the time of the requisition, the person claimed is being prosecuted, or has been convicted of a crime or offense committed in the country of refuge, his extradition may be deferred until such prosecution is terminated, and/or until he has been released in conformity with law.

ARTICLE X

If the person claimed by one of the High Contracting Parties, in virtue of this treaty, is also claimed by one or more other Powers on account of crimes or offenses committed in their respective jurisdictions, his extradition shall be granted to the State whose demand is received first; unless the Government from which extradition is asked is bound by treaty, in case of concurrent demands, to accord preference to the one that is first in date, in which event that rule shall be followed, unless also an arrangement exists between the demanding Governments which would decide the preference either on account of the gravity of the offenses committed or for any other reason.

ARTICLE XI

All articles seized which were in the possession of the person to be surrendered at the time of his arrest, whether they are the proceeds of the crime or offense charged, or can be used as elements to establish the proof of the crime or offense, shall, so far as practicable, and if the competent authority of the State applied to orders the delivery thereof, be given up at the time the extradition is effected. Nevertheless, the rights of third parties with regard to the articles aforesaid shall be duly respected.

ARTICLE XII

The expenses occasioned by the arrest, examination and delivery of the persons claimed shall be borne by the Government requesting the extradition. However, such Government shall not have to bear any expense for the services of such public officers or functionaries of the Government from which extradition is sought as receive a fixed salary from the State. It is understood that the charge for the services of such public officers or functionaries as receive only fees or perquisites shall not exceed their customary fees for the acts or services performed by them had such acts or services been performed in ordinary criminal proceedings under the laws of the country of which the extradition is requested.

ARTICLE XIII

This treaty shall take effect in 30 days after the date of the exchange of ratifications, and shall not operate retroactively.

The ratifications of this treaty shall be exchanged at Monaco as soon as possible, and it shall continue to produce its effects for a period of six months after either of the High Contracting Parties shall have given notice of its intention to terminate it.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed the above articles both in English and French and have hereunto affixed their seals.

DONE, in duplicate, at Monaco, this fifteenth day of February, in the year nineteen hundred and thirty-nine.

PAUL C. SQUIRE.
HENRY MAURAN.

Mr. PITTMAN. Mr. President, this is exactly in the form that has been followed during the last 2 years.

The PRESIDING OFFICER. The treaty is before the Senate and open to amendment. If there be no amendment to be proposed, the treaty will be reported to the Senate.

The treaty was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive I, Seventy-sixth Congress, first session, an extradition treaty

between the United States of America and Monaco, signed at Monaco on February 15, 1939.

Mr. PITTMAN. I move that the Senate agree to the resolution of ratification.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the treaty is ratified.

CONVENTION ON INTERCHANGE OF PUBLICATIONS

Mr. PITTMAN. Mr. President, I ask that the Senate proceed to the consideration of Executive M.

The Senate, as in Committee of the Whole, proceeded to consider the convention, Executive M (76th Cong., 1st sess.), a convention on interchange of publications signed at the Inter-American Conference for the Maintenance of Peace at Buenos Aires on December 23, 1936, by the plenipotentiaries of the United States of America and the respective plenipotentiaries of the other American republics, which was read the second time, as follows:

CONVENTION ON INTERCHANGE OF PUBLICATIONS

The Governments represented in the Inter-American Conference for the Maintenance of Peace,

Desiring to conclude a convention relative to the exchange of publications, have named the following plenipotentiaries:

Argentina:
Carlos Saavedra Lamas, Roberto M. Ortiz, Miguel Angel Cárcano, José María Cantilo, Felipe A. Espil, Leopoldo Melo, Isidoro Ruiz Moreno, Daniel Antokoletz, Carlos Brebbia, César Díaz Cisneros.

Paraguay:
Miguel Angel Soler, J. Isidro Ramírez.

Honduras:
Antonio Bermúdez M., Julián López Pineda.

Costa Rica:
Manuel F. Jiménez, Carlos Brenes.

Venezuela:
Caracciolo Parra Pérez, Gustavo Herrera, Alberto Zérega Fombona.

Peru:
Carlos Concha, Alberto Ulloa, Felipe Berreda Laos, Diómedes Arias Schreiber.

El Salvador:
Manuel Castro Ramírez, Maximiliano Patricio Brannon.

Mexico:
Francisco Castillo Nájera, Alfonso Reyes, Ramón Beteta, Juan Manuel Alvarez del Castillo.

Brazil:
José Carlos de Macedo Soares, Oswaldo Aranha, José de Paula Rodrigues Alves, Helio Lobo, Hildebrando Pompeu Pinto Accioly, Edmundo da Luz Pinto, Roberto Carneiro de Mendonça, Rosalina Coelho Lisboa de Miller, María Luiza Bittencourt.

Uruguay:
José Espalter, Pedro Manini Ríos, Eugenio Martínez Thedy, Juan Antonio Buero, Felipe Ferreiro, Andrés F. Puyol, Abalcázar García, José G. Antuña, Julio César Cerdeiras Alonso, Gervasio Posadas Belgrano.

Guatemala:
Carlos Salazar, José A. Medrano, Alfonso Carrillo.

Nicaragua:
Luis Manuel Debayle, José María Moncada, Modesto Valle.

Dominican Republic:
Max Henríquez Ureña, Tulio M. Cestero, Enrique Jiménez.

Colombia:
Jorge Soto del Corral, Miguel López Pumarejo, Roberto Urdaneta Arbeláez, Alberto Lleras Camargo, José Ignacio Díaz Granados.

Panama:
Harmodio Arias M., Julio J. Fábrega, Eduardo Chiari.

United States of America:
Cordell Hull, Sumner Welles, Alexander W. Weddell, Adolph A. Berle, Jr., Alexander F. Whitney, Charles G. Fenwick, Michael Francis Doyle, Elise F. Musser.

Chile:
Miguel Cruchaga Tocornal, Luis Barros Borgoño, Felix Nieto del Rio, Ricardo Montaner Bello.

Ecuador:
Humberto Albornoz, Antonio Pons, José Gabriel Navarro, Francisco Guarderas, Eduardo Salazar Gómez.

Bolivia:
Enrique Finot, David Alvéstegui, Eduardo Diez de Medina, Alberto Ostria Gutiérrez, Carlos Romero, Alberto Cortadellas, Javier Paz Campero.

Haiti:
H. Pauleus Sannon, Camille J. León, Elie Lescot, Edmé Manigat, Pierre Eugéne de Lespinasse, Clément Magloire.

Cuba:
José Manuel Cortina, Ramón Zaydin, Carlos Márquez Sterling, Rafael Santos Jiménez, César Salaya, Calixto Whitmarsh, José Manuel Carbonell.

Who, after having deposited their full powers, found to be in good and due form, have agreed as follows:

Article I: There shall be established in the national or official Library of the Capital of each of the Contracting Parties a section dedicated to each of the other States taking part in this Convention.

Article II: For the installation of these sections each Government promises to provide to each of the other Parties signatory to this Convention a collection of works of such character as to afford an understanding of the thought of their men of letters and science.

Article III: Each Government agrees to provide the accredited diplomatic missions of the other Contracting Parties with two copies of each of its official publications and such other publications as are edited with official assistance. These copies shall be destined for the sections indicated in Article I.

Article IV: The national or official Libraries of the Capitals of the Contracting Parties shall enter into agreements to maintain, with the frequency desirable, a service of exchange of works edited in each one of them, and of photographic copies of documents which may be of interest to American history.

Article V: The present Convention shall not affect obligations previously entered into by the High Contracting Parties by virtue of international agreements.

Article VI: The present Convention shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures. The original instrument shall be deposited in the Ministry of Foreign Affairs of the Argentine Republic which shall transmit authentic certified copies to the Governments for the afore-mentioned purpose of ratification. The instruments of ratification shall be deposited in the archives of the Pan American Union in Washington, which shall notify the signatory governments of said deposit. Such notification shall be considered as an exchange of ratifications.

Article VII: The present Convention will come into effect between the High Contracting Parties in the order in which they deposit their respective ratifications.

Article VIII: The present Convention shall remain in effect indefinitely but may be denounced by means of one year's notice given to the Pan American Union, which shall transmit it to the other signatory governments. After the expiration of this period the Convention shall cease in its effects as regards the party which denounces it but shall remain in effect for the remaining High Contracting Parties.

Article IX: The present Convention shall be open for the adherence and accession of the States which are not signatories. The corresponding instruments shall be deposited in the archives of the Pan American Union, which shall communicate them to the other High Contracting Parties.

In witness whereof, the above mentioned Plenipotentiaries sign the present Convention in English, Spanish, Portuguese and French and hereunto affix their respective seals, at the City of Buenos Aires, Capital of the Argentine Republic, on the twenty-third day of the month of December, 1936.

Argentina:
CARLOS SAAVEDRA LAMAS,
ROBERTO M. ORTIZ,
MIGUEL ANGEL CÁRCANO,
JOSÉ MARÍA CANTILO,
FELIPE A. ESPIL,
LEOPOLDO MELO,
ISIDORO RUIZ MORENO,
DANIEL ANTOKOLETZ,
CARLOS BREBBIA,
CÉSAR DÍAZ CISNEROS.

Paraguay:
MIGUEL ANGEL SOLER,
J. ISIDRO RAMÍREZ.

Honduras:
ANTONIO BERMÚDEZ M.,
JULIÁN LÓPEZ PINEDA.

Costa Rica:
MANUEL F. JIMÉNEZ,
CARLOS BRENES.

Venezuela:
CARACCIOLO PARRA PÉRE.,
GUSTAVO HERRERA,
ALBERTO ZÉREGA FOMBONA.

Peru:
CARLOS CONCHA,
ALBERTO ULLOA,
FELIPE BARREDA LAOS,
BIÓMEDES ARIAS SCHREIBER.

El Salvador:
MANUEL CASTRO RAMÍREZ,
MAXIMILIANO PATRICIO BRANNON.

Mexico:
FRANCISCO CASTILLO NÁJERA,
ALFONSO REYES,
RAMÓN BETETA,
JUAN MANUEL ALVAREZ DEL CASTILLO.

Brazil:
JOSÉ CARLOS DE MACEDO SOARES,
JOSÉ DE PAULA RODRIGUES ALVES,
HELIO LOBO,
HILDEBRANDO POMPEU PINTO ACCIOLY,
EDMUNDO DA LUZ PINTO,
ROBERTO CARNEIRO DE MENDONÇA,
ROSALINA COELHO LISBOA DE MILLER,
MARÍA LUIZA BITTENCOURT.

Uruguay:
PEDRO MANINI RÍOS,
EUGENIO MATÍNEZ THEDY,
FELIPE FERREIRO,
ABALCÁZAR GARCÍA,
JULIO CÉSAR CERDEIRAS ALONSO,
GERVASIO POSADAS BELGRANO.

Guatemala:
CARLOS SALAZAR,
JOSÉ A. MEDRANO,
ALFONSO CARRILLO.

Nicaragua:
LUIS MANUEL DEBAYLE,
JOSÉ MARÍA MONCADA,
MODESTO VALLE.

Dominican Republic:
MAX HENRÍQUEZ UREÑA,
TULIO M. CESTERO,
ENRIQUE JIMÉNEZ.

Colombia:
JORGE SOTO DEL CORRAL,
MIGUEL LÓPEZ PUMAREJO,
ROBERTO URDANETA ARBELÁEZ,
ALBERTO LLERAS CAMARGO,
JOSÉ IGNACIO DÍAZ GRANADOS.

Panama:
HARMODIO ARIAS M.,
JULIO J. FÁBREGA,
EDUARDO CHIARI.

United States of America:
CORDELL HULL,
SUMNER WELLES,
ALEXANDER W. WEDDELL,
ADOLF A. BERLE, JR.,
ALEXANDER F. WHITNEY,
CHARLES G. FENWICK,
MICHAEL FRANCIS DOYLE,
ELISE F. MUSSER.

Chile:
MIGUEL CRUCHAGA TOCORNAL,
LUIS BARROS BORGOÑO,
FÉLIX NIETO DEL RÍO,
RICARDO MONTANER BELLO.

Ecuador:
HUMBERTO ALBORNOZ,
ANTONIO PONS,
JOSÉ GABRIEL NAVARRO,
FRANCISCO GUARDERAS.

Bolivia:
ENRIQUE FINOT,
DAVID ALVÉSTEGUI,
CARLOS ROMERO.

Haiti:
H. PAULEUS SANNON,
CAMILLE J. LEÓN,
ELIE LESCOT,
EDMÉ MANIGAT,
PIERRE EUGÉNE DE LESPINASSE,
CLÉMENT MAGLOIRE.

Cuba:
JOSÉ MANUEL CORTINA,
RAMÓN ZAYDIN,
CARLOS MÁRQUEZ STERLING,
RAFAEL SANTOS JIMÉNEZ,
CÉSAR SALAYA,
CALIXTO WHITMARSH,
JOSÉ MANUEL CARBONELL.

DEPARTMENT OF STATE,
Washington, June 16, 1939.

MY DEAR SENATOR PITTMAN: I should like to express my great personal interest in the Convention on Interchange of Publications, concluded at the Inter-American Conference for the Maintenance of Peace at Buenos Aires, which has been transmitted by the President to the Senate for its advice and consent to ratification.

As you will recall, this convention was proposed to the Buenos Aires Conference by the United States delegation and was unanimously approved at that gathering by the representatives of the 21 American republics. It represents a significant advance step toward the achievement of that deeper inter-American understanding which we all consider of such paramount importance.

Although the printed page is one of the most valuable media for encouraging a greater appreciation abroad of the life and thought of our country, the circulation of United States books in foreign countries has been hampered by unfavorable rates of exchange and by the relatively high cost of books published in this country, when compared with those of certain other nations.

The interchange of publications, envisaged under this convention, will provide the means for breaking down existing barriers. It should contribute to a wider knowledge in the other American republics of the best contributions of our thinkers and writers and reciprocally to a similar wider knowledge in the United States of the most significant literary and scientific productions of the other American republics.

Favorable action by the Senate will open the way for this Department to take prompt steps toward initiating this mutually profitable exchange.

Sincerely yours,

SUMNER WELLES, *Under Secretary.*

The Honorable KEY PITTMAN,
United States Senate.

Mr. PITTMAN. Mr. President, I think that convention explains itself.

Mr. AUSTIN. Mr. President, I am not familiar with it, and I should like to have an explanation of it.

Mr. PITTMAN. It was proposed that the Governments of the Latin American countries and the United States should exchange public documents, translated into Spanish and English, except with regard to Brazil. They were supposed to be documents with respect to government. The Committee on Appropriations has already provided the necessary appropriations for the exchange of the documents. That is all there is to this particular treaty.

The PRESIDING OFFICER. The convention is before the Senate and open to amendment. If there be no amendment to be proposed, the convention will be reported to the Senate.

The convention was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification, with the understanding, will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive M, Seventy-sixth Congress, first session, a convention on interchange of publications signed at the Inter-American Conference for the Maintenance of Peace at Buenos Aires on December 23, 1936, by the plenipotentiaries of the United States of America and the respective plenipotentiaries of the other American republics, subject to the following understanding:

To carry out the provisions of article III, bilateral agreements may be entered into through exchanges of notes between the United States and the other governments parties to the convention setting forth the procedures to be followed, any modifications which may seem advisable in the number of copies of publications required to be exchanged under the said article, and the government agencies to be responsible for the delivery of the publications.

Mr. PITTMAN. I move that the Senate agree to the resolution of ratification.

The PRESIDING OFFICER. The question is on agreeing to the understanding to the resolution of ratification.

The understanding was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification with the understanding. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification, with the understanding, is agreed to, and the convention is ratified.

SWEDEN—DOUBLE TAXATION

Mr. PITTMAN. Mr. President, there are three other treaties which I am not going to ask to take up at this time. The next treaty is Executive K, a convention between the United States of America and Sweden for the avoidance of double taxation and the establishment of rules of reciprocal administrative assistance in the case of income and other taxation, signed at Washington on March 23, 1939.

I may say that the Foreign Relations Committee appointed the Senator from Mississippi [Mr. HARRISON] as a subcommittee to deal with that matter, because the Finance Committee has been considering the subject matter of the treaty for a long time. He finally made a favorable report to the Committee on Foreign Relations with regard to it. But I would not ask that it be taken up until he could make an explanation of it to the Senate. I know generally what the treaty means, but the Senator from Mississippi could answer any questions touching it much better than I, and, therefore, I will not ask that it be taken up for ratification.

LIABILITY WHEN COLLISIONS OCCUR BETWEEN VESSELS

So far as Calendar No. 4 is concerned, Executive K, that is an international convention for the unification of certain

rules to govern the liability of vessels when collisions occur between them, and a protocol thereto, both signed at Brussels on September 23, 1910.

A subcommittee, of which the Senator from Washington [Mr. SCHWELLENBACH] is chairman, has been considering that matter for quite a while. Considerable evidence was taken on it. It is quite a technical question, and I will not attempt at this time to take the subject up, because I desire that the Senator from Washington and the members of the subcommittee shall discuss it with the Senate.

COPYRIGHT CONVENTION

There is a convention dealing with copyrights. Announcement was made this morning by the Senator from Utah [Mr. THOMAS] that owing to circumstances which he then stated, he would not consider it advisable to attempt to take it up at this session of Congress.

I think that covers all the explanations necessary with regard to the treaties on the calendar.

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

Mr. PITTMAN. I yield.

Mr. WHITE. Was it the Senator's purpose to take up Executive Calendar Nos. 6 and 7 at this time? I indicated to the Senator that I was opposed to those two conventions, but I have no desire to interpose objection to their consideration, and if I can have an opportunity to state the grounds of my objection to them, so far as I am concerned, I should be perfectly satisfied to have both conventions considered.

Mr. PITTMAN. I understand the Senator has no objection at all to Calendar No. 7.

Mr. WHITE. I made a statement to the Senator to that effect a few days ago, I recall, but, as I have reflected over it, it seems to me the two conventions are somewhat interrelated, and I think they should stand together.

Mr. PITTMAN. Does the Senator desire to express his opinion in regard to them at this time?

Mr. WHITE. I had not assumed that the matter was coming up at the moment, and my thoughts are somewhat scattered. But I might be able to gather them together and state briefly my objections, if the Senator wants to go ahead with the consideration of those two conventions at this time.

Mr. AUSTIN. Mr. President, will the Senator yield to me for an observation?

Mr. PITTMAN. I yield.

Mr. AUSTIN. Unless the Senator is eager to have his statement in the RECORD for study, I make the suggestion that I would not feel like proceeding without a quorum call if he should object to these two conventions. So I suggest that they go over.

Mr. PITTMAN. The Senator from Nevada will not insist, under those circumstances. The Senator from Nevada is sure that the Senator from Maine has very material objections to make, and they probably will be of very great value. I think it is probably better, under the circumstances, that we postpone consideration of the conventions until tomorrow or perhaps the next day. I think it is well, however, that the Senate should act one way or the other upon these two conventions.

Mr. WHITE. I think, Mr. President, if the Senator will yield, I could say all I wanted to say about these two radio conventions in 10 minutes. I am perfectly willing to undertake to do it now, or to let it go over until there is a larger attendance in the Senate.

Mr. PITTMAN. In view of the statement made by the Senator from Vermont, I think it is very well to let them go over, with the understanding that there will be no delay and that we will act on them.

ADJOURNMENT

Mr. BARKLEY. As in legislative session, I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 37 minutes p. m.) the Senate adjourned until tomorrow, Wednesday, August 2, 1939, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 1, 1939

FEDERAL COMMUNICATIONS COMMISSION

James Lawrence Fly to be a member of the Federal Communications Commission.

RAILROAD RETIREMENT BOARD

Lee M. Eddy to be a member of the Railroad Retirement Board.

UNITED STATES DISTRICT JUDGES

Campbell E. Beaumont to be United States district judge for the southern district of California.

Harry E. Pratt to be United States district judge for division No. 4, District of Alaska.

JUDGE OF THE DISTRICT COURT OF THE VIRGIN ISLANDS

Herman E. Moore to be judge of the District Court of the Virgin Islands of the United States.

UNITED STATES ATTORNEYS

Charles Stewart Lynch to be United States attorney for the district of Delaware.

Harold Maurice Kennedy to be United States attorney for the eastern district of New York.

UNITED STATES MARSHAL

Henry L. Dillingham to be United States marshal for the western district of Missouri.

POSTMASTERS

ALABAMA

Alton N. Runyans, Ashville.
Homer Wright, Auburn.
Felton Collier, Bessemer.
Robert E. Bowdon, Jr., Calera.
Dewey D. Prater, Millport.
Walter H. Wilson, Opelika.
George W. Morris, Ragland.
Maurice W. Holmes, Vinemont.

GEORGIA

Jim Lou Cox Hoggard, Camilla.
Albert V. Jones, Sr., Canton.
Flora G. Hicks, Clarkesville.
Andrew J. Trulock, Climax.
William R. Melton, Cuthbert.
Leila W. Maxwell, Danville.
Afley M. Cherry, Donalsonville.
Mary L. Ellis, Experiment.
Hugh C. Register, Hahira.
Augustus B. Mitcham, Jr., Hampton.
Elizabeth S. Maxwell, Lexington.
Henry A. Lee, Marshallville.
Goodwin M. Barnes, Midville.
David S. Cuttino, Newnan.
George H. Ray, Norwood.
Sara W. Bulloch, Ochlochnee.
Hugh J. Alderman, Pavo.
Otis A. King, Perry.
Garth L. Webb, Ray City.
James L. Fricks, Rising Fawn.
Sim A. Gray, Waynesboro.

INDIANA

Rena Zehr, Berne.
Lester C. Leman, Bremen.
Beatrice Bales, Dana.
Alfred E. Pate, Dillsboro.
Ray Dills, Farmersburg.
Thomas R. Teegardin, Hamilton.
Ralph F. Yeoman, Hanna.
Walter R. Meinert, Silver Lake.
Charles O. Hall, Sullivan.
John E. Robinson, Waynetown.
Lawrence J. Etnire, Williamsport.
Charles A. Wall, Winchester.

MASSACHUSETTS

George A. Sweeney, Attleboro.
Henry L. Pierce, Barre.

Charles F. Wissenbach, Bolton.
James D. Sullivan, Danvers.
John H. Gilboy, East Brookfield.
Patrick F. Shea, Fitchburg.
Harold J. McCormick, Gardner.
Robert P. Sheehan, Harvard.
James J. Dowd, Holyoke.
Edward Thomas Murphy, Hyannis.
Mary E. O'Toole, Leominster.
William F. Goodwin, Plymouth.
Timothy W. Fitzgerald, Salem.
William E. Brennan, Whitman.

MICHIGAN

Ozro K. Hess, Akron.
Bernie C. McLeish, Bay Port.
Cornelius Oosta, Caledonia.
Kay Rice, Camden.
John A. Yagley, Dearborn.
George B. McIntyre, Fairgrove.
Stuart J. Haddrill, Lake Orion.
Frank E. Moore, Lakeview.
Emmett E. Scofield, Leslie.
Clare E. Bishop, Millington.
James F. Jackson, Mohawk.
James J. Harrington, Painesdale.
Glenn Davis, Rockford.
Victoria S. Nye, Rose City.
Hazel A. Graham, Whittemore.

MISSOURI

Adam B. Jenkins, Advance.
William A. Barton, Alton.
Felix P. Wulff, Argyle.
Ezra W. Mott, Armstrong.
Jesse D. Burwell, Browning.
Arthur J. Clayton, Brunswick.
George W. Shelton, Dixon.
Roy M. Burchett, Elsberry.
Claud W. Boone, Gainesville.
Mary E. Woody, Golden City.
Orville L. Davis, Keytesville.
Champ C. Ray, Middletown.
Edward H. Mertens, Morrison.
Clyde E. Walker, Mountain View.
Lloyd M. Weaver, New London.
Mary G. Kenton, Norborne.
Helen T. Meagher, Oregon.
Fred A. Lambert, Princeton.
Dayton A. Street, Purdin.
Charles E. Logan, Spickard.
Thomas W. Withrow, Troy.
Carl A. Baldwin, Vienna.
Fay B. Swicegood, Weaubleau.
Blanche E. Tucker, Westboro.
Mabel Smulling, Wyaconda.

MONTANA

Forrest L. De Rosia, Libby.
James J. Price, Three Forks.

NEW JERSEY

Cameron M. McCurdy, Fair Lawn.
Albert P. Troy, Palisade.

NEW MEXICO

Filiberto E. Lucero, Espanola.
Robert S. Sanchez, Estancia.
Alta V. Short, Monument.
Thomas N. Lawson, Tucumcari.
Vera Clayton, Tularosa.

NEW YORK

Verner Sharp, Altamont.
Eber T. McDonald, Cayuga.
Guy C. Hazelton, Coeymans.
Harry D. Hickey, Lewiston.
James T. Crotty, Monroe.
Charles S. Donnelley, Utica.
Stewart A. Farrar, Warrensburg.
Herbert D. Carlton, West Chazy.

OKLAHOMA

Leonard C. Peterman, Davis.
Weltha Guilford Heflin, Erick.
Charles H. Hatfield, Hydro.
Joseph R. Reed, Lawton.

OREGON

William W. Lower, Creswell.
Ruth E. Hoffman, Jacksonville.
Burt E. Hawkins, Klamath Falls.
Lewis Lee Mead, Nehalem.
Volney E. Lee, North Powder.
Richard J. Collins, Oceanlake.
John C. Bilyeu, Tigard.
Emmett Lee Chenault, Union.
Harold R. White, Wasco.

UTAH

Jabez W. Dangerfield, Provo.

VIRGINIA

Edwin L. Toone, Boydton.
Grady W. Garrett, Cumberland.
Herbert H. Rhea, Damascus.
H. Thornton Davies, Jr., Manassas.
Forrest L. Harmon, Melfa.
Garnett A. Kellam, Onley.
Virginia S. Lucas, Pembroke.

WASHINGTON

Emma H. Davis, College Place.
Thomas H. Mansfield, Forks.
Marcus O. Nelsen, Kent.
Ronald L. Chard, Pomeroy.
Jessie A. Knight, Shelton.

WEST VIRGINIA

Olga O. Baughman, Belington.
Robert Lake Bailey, Bluefield.
George J. Carter, Jr., Fort Gay.
Glenn A. Fowler, Harrisville.

WYOMING

George H. Case, Lander.

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 1, 1939

The House met at 12 o'clock noon.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou who art found by those who truly seek Thee, known by those who love, and seen by all whose hearts are pure, we desire to begin, to continue, and to end this day with Thee.

We pray that all the barriers that separate us from Thee and our fellowmen may be submerged by a renewed love and consecration, and that every thought of our mind may be brought into obedience to the spirit of the Christ.

Wilt Thou lift upon us the light of Thy countenance so that it may be a day of unclouded vision. May we give ourselves unreservedly to the Great Companion of our souls who is too wise to err and too kind to injure.

In His name we pray, whose will is our peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2864. An act to provide for the financing of a program of recoverable expenditures, and for other purposes.