

the Speaker's table and referred as follows:

1111. A letter from the Military Order of the Purple Heart, national adjutant, transmitting the minutes of the ninth national convention of the Military Order of the Purple Heart, held at Atlanta, Ga., August 3 to 6, 1941; to the Committee on Military Affairs and ordered to be printed.

1112. A letter from the acting director, national legislative committee, the American Legion, transmitting the proceedings of the twenty-third annual national convention of the American Legion, held at Milwaukee, Wis., September 15-18, 1941 (H. Doc. No. 538); to the Committee on World War Veterans' Legislation and ordered to be printed, with illustration.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. KOCIALKOWSKI: Committee on Insular Affairs. S. 1623. An act to suspend the export tax and the reduction of the quota prescribed by section 6 of the act of March 24, 1934 (48 Stat. 456), as amended, for a fixed period, and for other purposes, without amendment (Rept. No. 1460). Referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII Mr. LEA introduced a bill (H. R. 6156) to amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic; to the Committee on Interstate and Foreign Commerce.

#### PRIVATE BILLS AND RESOLUTIONS

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

By Mr. CASEY of Massachusetts:  
H. R. 6157. A bill for the relief of M. Grace Murphy, administratrix of the estate of John H. Murphy, deceased; to the Committee on Claims.

By Mr. HEIDINGER:  
H. R. 6158. A bill granting a pension to Myrtle Learned; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

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

2108. By Mr. SMITH of West Virginia: Resolution of John Brawley Post, No. 20, American Legion, Charleston, W. Va., calling upon the Navy Department to give proper recognition to the deeds of the naval personnel who were engaged in the rescue of the survivors of the American naval destroyers, *Greer*, *Kearny*, *Reuben James*, and the Navy tanker *Salinas*; to the Committee on Naval Affairs.

2109. By Mr. KEOGH: Petition of the State of New York Joint Legislative Committee on Interstate Cooperation, concerning the Wheeler-Lea bill (S. 2015 and H. R. 5949) and the Magnuson bill (H. R. 4785); to the Committee on Interstate and Foreign Commerce.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, DECEMBER 3, 1941

The House met at 11 o'clock a. m., and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou in whose presence we wait at the altar of prayer, grant that the lessons taught by our Master, His searching appeals, His noble life and passion, and His solemn warnings may be pondered in all hearts. Thou expressed love of God with all its hidden mazes, let Thy clear light shame and guide these lives of ours. We praise Thee that Thou hast not forgotten to be gracious and dost prompt us to penitence and faith that we may know more of the richness of love, the worth of self-sacrifice, and the sublimity of purity.

"Not as the world giveth, give I unto you." O God may there be a conscience in us that is willing to be guided aright, trembling on some Mount Sinai, beholding the consummation of some Mount Olivet and drinking in its teachings. Amid the world's distractions, give us hearts of calm repose and the blessing of indwelling peace; only on such high planes can we treat wisely and effectively the tumult, the hate, and the malignancy of the human heart, unmoved, above all storms, with placid tempers, enable us to walk forward in strength that shall garrison our souls. For the sake and in the name of our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### SELECT COMMITTEE TO INVESTIGATE NATIONAL-DEFENSE PROGRAM

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (Rept. No. 1461), which was reported to the House Calendar and ordered to be printed:

*Resolved*, That there is hereby created a select committee to be composed of seven Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the manner in which the original appointment was made.

The committee is authorized and directed to conduct a study and investigation of the national-defense program in its relation to small business in the United States with a view to determining (1) whether or not the potentialities of small business in the national-defense program have been adequately developed, and, if not, what factors have hindered such development; and (2) whether or not adequate consideration has been given to the needs of small business engaged in nondefense activity, or engaged in the transition from nondefense to defense activity; and (3) whether or not small business is being treated fairly and the public welfare properly and justly served through the allotments of valuable materials in which there is a shortage, or in the granting of priorities or preferences in the use, sale, or purchase of said materials.

The committee shall report to the House (or to the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigation, together with such recommendations as it deems desirable.

For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places, whether or not the House is sitting, has recessed, or has adjourned, to employ such personnel, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpoenas shall be issued under the signature of the chairman of the committee or any member designated by him, and shall be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. KEOGH]?

There was no objection.

[Mr. KEOGH addressed the House. His remarks appear in the Appendix of the Record.]

#### EXTENSION OF REMARKS

Mr. KEOGH asked and was given permission to revise and extend his remarks in the Record.

Mr. DELANEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include certain figures.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. DELANEY]?

There was no objection.

#### TRANSPORTATION FOR SOLDIERS ON FURLOUGH

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the Record and to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. WICKERSHAM]?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, there is a bill which will likely come before this House that was introduced by a young gentleman named EDWIN ARTHUR HALL. He is a Republican, but he is a fine young man, and I hope all Democrats as well as all Republicans will get behind him and help put this bill over. It would provide transportation for soldiers back home from the camps on a short furlough for Christmas. I have been a lover, I have been a son, I am a father, and I know what it means to the mothers, wives, sweethearts, fathers, brothers, and sisters to have the boys at home during Christmas holidays.

[Here the gavel fell.]

#### EXTENSION OF REMARKS

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include a short article from one of the Navy publications.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. ANDERSON]?

There was no objection.

#### WAYNE THORNDYKE

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma [Mr. RIZLEY]?

There was no objection.

Mr. RIZLEY. Mr. Speaker, for the seventh time Oklahoma has been honored by one of its boys obtaining the highest honor that can come to a 4-H Club boy, having won the Moses Trophy for the year 1941. In this particular instance I am happy to state the boy is an outstanding young man from my district, Wayne Thorndyke, of Lambert, Alfalfa County, Okla.

I include in my remarks a newspaper clipping with reference thereto:

ALFALFA COUNTY 4-H BOY WINS NO. 1 TROPHY AT NATIONAL EVENT

Wayne Thorndyke, of Lambert, Alfalfa County, was announced Saturday night as the 1941 winner of the Moses Trophy, highest honor that can come to a 4-H Club boy in the United States.

With the honor, announced at the National 4-H Congress now in session in Chicago, goes a \$300 scholarship, which Thorndyke said he will use to continue his studies at Oklahoma A. and M. College, where he is a freshman.

Thorndyke is the seventh Oklahoman to win the top designation, and all of the six other winners are still living in Oklahoma. Ford Mercer won it the first year it was offered, in 1924, and the second winner was Frances Smith, of Geary, who later became Mrs. Ford Mercer. He is now assistant State 4-H Club leader in charge of wildlife projects.

Theodore Lorenz, Blaine County, won it in 1929. He is now a hatcheryman at Guthrie.

The fourth Oklahoman winner was Hugo Graumann, of Granite, in 1933, who now is an instructor in agronomy and coach of the crops judging teams at Oklahoma A. and M.

Viley Johnson, of Eufaula, who won in 1936, is county supervisor for the Farm Security Administration in Madill, and the sixth winner was Bonnie Phillips, of Major County, in 1939, now a home economics senior at Stillwater.

#### EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I have two requests, one that I may be permitted to revise and reduce the speech I made yesterday.

The **SPEAKER**. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

#### WESTBROOK PEGLER

Mr. HOFFMAN. Mr. Speaker, the other one is that I may be permitted to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, here is a card from Hagerstown, Md., received this morning stating:

Some radio commentator said you were going to put Pegler on the carpet for some reflection on Congress. I read his column almost daily and have not read anything yet but what was mild to what one can hear on most any street corner about the weakness of Congress and none of it would be fit to print.

I did not put Pegler "on the carpet." I only asked that he be given opportunity to offer proof of his charges.

#### EXTENSION OF REMARKS

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to extend my own re-

marks in the **RECORD** on the production of crude oil and the present prices.

The **SPEAKER**. Is there objection to the request of the gentleman from Kansas [Mr. CARLSON]?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the **RECORD** and also to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentleman from New York [Mr. EDWIN ARTHUR HALL]?

There was no objection.

#### TRANSPORTATION FOR SOLDIERS ON FURLOUGH

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I wish to extend my thanks to the gentleman from Oklahoma [Mr. WICKERSHAM] for his very kind remarks and for his most valued support.

I am making another plea today in the interest of the Hall bill which, as the gentleman said, provides free transportation for soldiers on furlough when they go home from the training camps.

I hold in my hand, Mr. Speaker, a cartoon showing a typical American family in a wonderful American home, with all its atmosphere of religion and goodness. The father is standing with arm uplifted showing a letter from the boy in camp, the soldier who has volunteered in the interest of his country. He is pointing to it and with great gladness in his voice saying, "We got the big present we have been waiting for, Ma. Our boy got his furlough and is coming home for Christmas."

[Here the gavel fell.]

#### THE JAPANESE SITUATION

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include therein a statement by Mr. Vicente Villamin on the Japanese situation.

The **SPEAKER**. Is there objection to the request of the gentleman from Michigan?

There was no objection.

[Mr. CRAWFORD addressed the House. His remarks appear in the Appendix of the **RECORD**.]

#### EXTENSION OF REMARKS

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the **RECORD** and include therein an excerpt from the Disabled American Veterans' magazine.

The **SPEAKER**. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

#### CALL OF THE HOUSE

Mr. VINSON of Georgia. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

Without objection, a call of the House is ordered.

There was no objection.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 125]

Anderson, N. Mex.	Hart, Hill, Colo.	Sacks, Sasser
Baldwin, Knutson	Larrabee, Satterfield	Scanlon
Bennett, Lesinski	Lewis, Schaefer, Ill.	Schuetz
Boehne, Minn.	Ludlow, Scott	Scruggs
Buckley, N. Y.	McArdle, Sheridan	Smith, Pa.
Byron, Maas	Magnuson, Snyder	Somers, N. Y.
Chenoweth, Murdock	Nichols, Stearns, N. H.	Sweeney
Cole, N. Y.	Norton, Tibbott	Tolan
Collins, O'Day, N. Y.	O'Leary, Treadway	Weiss
Costello, Creal	Pfeiffer, Joseph L.	Welch
Crowther, Ford	Reed, Ill.	White
Douglas, Leland M.	Richards, Robinson, Utah	Winter
Edmiston, Gore	Rogers, Okla.	Woodruff, Mich.
Fish, Green	Romjue, Wright	

The **SPEAKER**. Three hundred and sixty-three Members have answered to their names, a quorum.

Without objection, further proceedings under the call are dispensed with.

There was no objection.

#### LABOR LEGISLATION

Mr. VINSON of Georgia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 4139) to further expedite the national-defense program in respect of naval construction and procurement by providing for the investigation and mediation of labor disputes in connection therewith, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4139, with Mr. COLE of Maryland in the chair. The Clerk read the title of the bill.

The Clerk read as follows:

*Be it enacted, etc., That the act (relating to naval construction and procurement) entitled "An act to expedite national defense, and for other purposes," approved June 28, 1940, is amended by adding at the end thereof the following new title:*

"TITLE III—MEDIATION AND ADJUSTMENT OF LABOR DISPUTES AFFECTING NAVAL DEFENSE CONTRACTORS AND THEIR EMPLOYEES

#### "DECLARATION OF POLICY

"SEC. 301. It is hereby declared to be the policy of the United States that the following principles and policies governing the relations between naval defense contractors and their employees should be observed by such contractors and employees, in order that the Nation's defense program may proceed as expeditiously as possible and not be delayed by unnecessary strikes or lock-outs:

"(a) Naval defense contractors and their employees should exert every possible effort to settle all their disputes without any interruption in production;

"(b) In the interest of national defense, naval defense contractors and their employees or representatives thereof should give to the National Defense Mediation Board (1) notice in writing of any desired change in existing agreement, wages, hours, or working conditions, (2) full information as to all developments in labor disputes, and (3) such sufficient advance notice of any threatened interruptions of continuous production as will permit exploration of all avenues of possible settlement of such controversies so as to avoid strikes, stoppages, or lock-outs;



"(c) Naval defense contractors should scrupulously comply with the provisions of the National Labor Relations Act;

"(d) The employees of naval defense contractors, in the exercise of their rights guaranteed under the National Labor Relations Act, should not use coercive measures of any kind to induce persons to join their organizations, nor to induce employers to bargain or deal therewith;

"(e) In establishments of naval defense contractors where the union shop exists, such conditions should continue, and the union standards as to wages, hours of labor, and other conditions of employment should be maintained; and

"(f) In establishments of naval defense contractors where union and nonunion employees now work together, the continuance of such condition should not be deemed a grievance, but this declaration is not intended in any manner to deny the right, or to discourage the practice of the formation of labor organizations, or the joining of labor organizations by the employees in such establishments, nor to prevent the National Defense Mediation Board from urging, or any umpire from granting, under the machinery provided in this title, improvement of their situation in the matter of wages, hours of labor, or other conditions, as shall be found desirable from time to time.

#### "DEFINITIONS

"Sec. 302. As used in this title—

"(a) The term 'employer', 'employee', 'representative', 'labor organization', and 'labor dispute' shall have the same meaning as in section 2 of the National Labor Relations Act;

"(b) The term 'naval defense contractor' means an employer engaged in—

"(1) the production of arms, armament, ammunition, implements of war, munitions, clothing, food, fuel, or any articles or supplies, or parts or ingredients of any articles or supplies; or

"(2) the construction, reconstruction, repair, or installation of a building, plant, structure, or facility; under a contract entered into on behalf of the United States by the Secretary of the Navy or by an officer or employee of the Department of the Navy, or under a contract, which the Secretary of the Navy by order declares to be necessary to the national defense, with another naval defense contractor, but such term shall not include an employer engaged in the production of farm products on a farm.

"(c) The term 'Board' means the National Defense Mediation Board created by Executive order of March 19, 1941, issued by the President.

"(d) The term 'Adjustment Board' means the Naval Defense Adjustment Board provided for in section 308 of this title.

#### "GENERAL DUTIES

"Sec. 303. It shall be the duty of all naval defense contractors and their employees to exert every reasonable effort to settle all disputes, whether arising out of the application of collective bargaining agreements or otherwise, in order to avoid any interruption to the national-defense program or to the operation of any naval-defense contractor, growing out of any dispute between the naval-defense contractor and its employees, and every naval-defense contractor shall notify its employees by printed notices, in such form and posted at such times and places as the Board may prescribe, that all labor disputes between such contractor and its employees will be handled in accordance with the requirements of this title.

#### "PROCEDURE FOR MEDIATION AND FOR INVESTIGATION AND REPORT

"Sec. 304. (a) Whenever any labor dispute in which a naval-defense contractor or any of his employees is involved arises, it shall be

the duty of each party to the dispute to give forthwith to each other party to the dispute a notice in writing of his claims, contentions, and demands with respect thereto. Upon the giving of such notice it shall be the duty of the parties to the dispute to endeavor in good faith to reach an agreement with respect to the matter or matters involved in such dispute. In endeavoring to reach an agreement the parties to a dispute not referable to the Adjustment Board under section 305 shall utilize the services of the appropriate now existing mediation or conciliation agency or board of the United States or of the State concerned, unless an agreement is effected without employment of such services.

"(b) If an agreement settling a dispute not referable to the Adjustment Board under section 305 is not reached before the expiration of 10 days from the date upon which any party to the dispute gave notice under subsection (a) of his claims, contentions, and demands to the other parties thereto, such party may give to each of the other parties to the dispute and to the Board written notice of an intention, after the Board has rendered a report upon such dispute, to strike or lock out, as the case may be, or to take some other action which will or may result in slowing down or stopping the work being performed by the naval-defense contractor concerned. It shall be unlawful, in connection with a labor dispute not referable to the Adjustment Board under section 305, for employees of a naval-defense contractor, or for their representative, to institute or aid in the conduct of a strike, or for a naval defense contractor to institute or conduct a lock-out, or for such employees, representative, or contractor, to take any other action which results, or might result in slowing down or stopping the work being performed by such contractor, until a notice of an intention so to do has been given as provided in this subsection and until after the Board has rendered a report to the public upon the labor dispute giving rise to such proposed strike, lock-out, or other action.

"(c) The notices provided for in this section shall be in such form and shall be given in such manner as the Board may by rules and regulations prescribe.

"(d) Upon receipt by the Board of any notice under subsection (b), the Board shall fix a time and place for joint or separate conferences with the parties to the labor dispute upon the matters involved in such dispute, and it shall be the duty of the parties to the dispute at such conference or conferences to make every reasonable effort to adjust and settle such dispute, and the Board shall assist the parties in negotiating and drafting agreements for the adjustment and settlement of such dispute, and shall also take such steps as it may deem most expedient for the purpose of investigating such dispute and preparing a report thereon. It shall be the duty of the parties to the dispute to attend at the joint or separate conferences at the time and place fixed by the Board, and to continue in such conferences until excused by the Board, but not for a period longer than 20 days after the giving of such notice, unless by mutual consent of the parties such conferences are continued for a longer period.

"(e) Within a period of not more than 20 days after receipt by the Board of any notice under subsection (b) in respect of any labor dispute, or within such longer period as the parties to the dispute consent to by mutual agreement, the Board shall render a report to the public upon such dispute. Such report shall be published in the Federal Register.

"(f) Except as provided in sections 309 and 310, it shall be unlawful for a naval defense contractor, without the written consent of his employees or their representative, to make any change in the rates of pay, hours of employment, or other conditions of employment of

any of his employees, until (1) after the expiration of 20 days after the date on which such contractor gives to his employees or their representative notice of such intended change, or (2) after the date on which the Board has rendered a report to the public with respect thereto under subsection (e), whichever occurs later.

#### "ADJUSTMENT OF GRIEVANCES, AND SO FORTH

"Sec. 305. If an agreement settling a dispute growing out of any grievance or out of the interpretation or application of a collective bargaining agreement is not reached before the expiration of 10 days from the date upon which any party to the dispute gave notice under section 304 (a) of his claims, contentions, and demands to the other parties thereto, such dispute may be referred by petition of the parties or by either party to the Adjustment Board with a full statement of the facts and all supporting data bearing upon such dispute.

#### "SUBMISSION OF LABOR DISPUTES AFFECTING NAVAL DEFENSE CONTRACTORS TO ARBITRATION

"Sec. 306. (a) At any time during the mediation, investigation, or adjustment of a labor dispute under this title, in which a naval defense contractor or any of his employees is involved, the parties to the dispute may voluntarily submit the issues involved in such dispute to a naval defense arbitration tribunal for settlement. Whenever the parties to any such labor dispute agree to submit the issues involved in such dispute to a naval defense arbitration tribunal for settlement, they shall give notice thereof to the Board. Upon receipt of any such notice the Board shall forthwith appoint the members of such tribunal and they shall proceed to consider the issues involved in such dispute, summoning such witnesses and hearing such testimony as they may deem relevant. The tribunal shall make and file its decision with the parties to the labor dispute and with the Board as expeditiously as possible. Such decision shall be published in the Federal Register.

"(b) Each naval-defense-arbitration tribunal appointed under the provisions of subsection (a) shall consist of three members, one of whom shall represent labor, one of whom shall represent employers, and the third of whom shall represent the public. Members of such tribunals shall receive compensation fixed upon a per diem basis by the Board at a rate not in excess of \$25.

#### "NATIONAL DEFENSE MEDIATION BOARD

"Sec. 307. For the purposes of this title—

"(a) The Board shall, at the close of each fiscal year, make a report in writing to the Congress and to the President stating in detail the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the Board, and an account of all moneys it has disbursed.

"(b) Each member of the Board who, during the period of his service on the Board, is not an officer or employee of the United States, shall receive as compensation for his services \$25 per diem on such days as he is performing Board duties. The Board shall appoint without regard to the provisions of the civil-service laws an executive secretary and such attorneys, examiners, and regional directors, and shall appoint such other employees with regard to existing laws applicable to the employment and compensation of officers and employees of the United States, as it may from time to time find necessary for the proper performance of its duties and as may be from time to time appropriated for by the Congress. The Board may establish or utilize such regional, local, or other agencies, and utilize such voluntary and uncompensated services, as may from time to time be needed.

"(c) All expenses of the Board, including all necessary traveling and subsistence ex-

penses outside of the District of Columbia, incurred by the members or employees of the Board under its orders shall be allowed and paid on the presentation of itemized vouchers therefor approved by the Board or by any individual it designates for that purpose.

"(d) The Board may, by one or more of its members or by such agents or agencies as it may designate, prosecute any inquiry necessary to its functions in any part of the United States. Any member of the Board shall have power to issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation by the Board. Any member of the Board or any agent or agency designated by the Board for such purpose may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place in the United States or any Territory or possession thereof at any designated place of hearing.

"(e) In case of contumacy or refusal to obey a subpoena issued to any person under subsection (d), any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Board shall have jurisdiction to issue to such person an order requiring such person to appear before the Board, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

"(f) Process and papers of the Board, its members, agent, or agency, may be served either personally or by registered mail or by telegraph or by leaving a copy thereof at the principal office or place of business of the person required to be served. The verified return by the individual so serving the same, setting forth the manner of such service, shall be proof of the same, and the return post-office receipt or telegraph receipt therefor when registered and mailed or telegraphed as aforesaid shall be proof of service of the same. Witnesses summoned before the Board, its members, agent, or agency, shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

"(g) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpoena of the Board, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

"(h) All process of any court to which application may be made under this title may be served in the judicial district wherein the person required to be served resides or may be found.

"(i) The several departments and agencies of the Government, when directed by the President, shall furnish the Board, upon its request, all records, papers, and information

in their possession relating to any matter before the Board.

"(j) Any power, function, or duty of the Board may be exercised or performed by any division of the Board designated by the Board for that purpose, except that no less than three members shall be assigned to any such division and each of the three groups represented on the Board shall be represented on any such division.

#### "NAVAL DEFENSE ADJUSTMENT BOARD

"SEC. 308. (a) There is hereby created a board to be known as the Naval Defense Adjustment Board, which shall consist of 36 members, 18 of whom shall be selected by the President upon nomination of naval-defense contractors and 18 by the President upon nomination of national labor organizations. If either the naval-defense contractors or the labor organizations fail to nominate representatives to the Adjustment Board within 30 days after the enactment of this act in the case of any original appointment to the office of a member of the Adjustment Board, or in the case of a vacancy in any such office within 30 days after such vacancy occurs, the President shall thereupon directly make the selection and shall select an individual associated in interest with naval-defense contractors or such labor organizations, whichever such individual is to represent. Each member of the Adjustment Board shall be compensated by the party or parties he is to represent. The Adjustment Board shall adopt such rules as it deems necessary to control proceedings before the respective divisions of the Adjustment Board.

"(b) The Adjustment Board shall be composed of such number of divisions, whose proceedings shall be independent of one another, as the Board shall deem necessary to expedite the work of the Adjustment Board. The Board shall designate the members of the Adjustment Board to serve on each such division, but on each such division naval-defense contractors and such labor organizations, respectively, shall have equal representation. Each division of the Adjustment Board shall annually designate one of its members to act as chairman. Each division of the Adjustment Board shall submit an annual report to the Board of its activities. The Adjustment Board, subject to the approval of the Board, may employ and fix the compensation of such employees as it deems necessary in carrying on the proceedings of its several divisions, and the compensation of such employees shall be paid by the Board. The several divisions of the Adjustment Board shall be supplied with suitable quarters in any Federal building located at their respective places of meeting.

"(c) Any division of the Adjustment Board shall have authority to empower two or more of its members to conduct hearings and make findings upon disputes, when properly submitted, at any place designated by the division, but the final award as to any such dispute shall be made by the entire division. Parties may be heard either in person, by counsel, or by other representatives, and the several divisions of the Adjustment Board shall give due notice of all hearings to the employee or employees and the naval-defense contractor or contractors involved in any disputes submitted to them.

"(d) A majority vote of all members of a division of the Adjustment Board shall be required to make an award with respect to any dispute submitted to such division. Upon the failure of any division to agree upon an award because of a deadlock or inability to secure a majority vote, then such division shall forthwith agree upon and select a referee to make the award. Should the division fail to agree upon and select a referee within 10 days of the date of the deadlock or inability to secure a majority vote, then the division, or any member thereof, or either party to the dispute, may certify that fact to the

Board, and the Board shall, within 10 days from the date of receiving such certificate, select the referee to sit with the division and make an award. Referees selected by the division or by the Board under this subsection shall receive such reasonable compensation for their services as the Board may prescribe, together with traveling expenses and expenses actually incurred for subsistence while so serving. Such compensation and expenses shall be paid by the Board.

"(e) The awards of the several divisions of the Adjustment Board shall be stated in writing. A copy of the award shall be furnished to the parties to the dispute, and the award shall be final and binding upon both parties to the dispute, and any such award may be enforced in the same manner as awards made by the National Railroad Adjustment Board under title I of the Railway Labor Act.

#### "UNLAWFUL CONDITIONS OF EMPLOYMENT

"SEC. 309. Until the existing national-defense emergency is proclaimed by the President to have ended, it shall be unlawful, notwithstanding any other provision of law, for a naval-defense contractor, by discrimination in regard to hire, terms, or tenure of employment, to encourage or discourage membership in any labor organization, unless such discrimination is required by the terms of a contract or agreement with a labor organization entered into prior to the date of enactment of this title which complies with the provisions of section 8 (3) of the National Labor Relations Act, or by the terms of any subsequent contract or agreement with the same labor organization which complies with the provisions of such section 8 (3).

#### "SUBVERSIVE ACTIVITIES AMONG EMPLOYEES OF NAVAL-DEFENSE CONTRACTORS

"SEC. 310. (a) It shall be unlawful for any naval-defense contractor knowingly to employ or retain in his employment any individual whom such contractor has reasonable cause to believe—

"(1) teaches, advocates, or believes in, or at any time has taught, advocated, or believed in the duty, necessity, or propriety of controlling, conducting, seizing, or overthrowing the Government of the United States by force, violence, military measures, or threats thereof; or

"(2) is, or at any time was, a member of, or is soliciting or advocating or at any time has solicited or advocated membership in the Communist Party, the Young Communists League, the German-American Bund, or any organization which teaches, advocates, or believes in, or at any time has taught, advocated, or believed in, the duty, necessity, or propriety of controlling, conducting, seizing, or overthrowing the Government of the United States by force, violence, military measures, or threats thereof; or

"(3) is disseminating or distributing, or at any time has disseminated or distributed, any book, pamphlet, leaflet, or other item of written, printed, or graphic matter (A) teaching or advocating the duty, necessity, or propriety of controlling, conducting, seizing, or overthrowing the Government of the United States by force, violence, military measures, or threats thereof; or (B) soliciting or advocating membership in the Communist Party, the Young Communists League, the German-American Bund, or in any organization which teaches, advocates, or believes in the duty, necessity, or propriety of controlling, conducting, seizing, or overthrowing the Government of the United States by force, violence, military measures, or threats thereof.

"(b) If, in the case of any individual whom a naval-defense contractor has discharged or refused to employ, the Board determines that such contractor at the time of such discharge or refusal to employ had reasonable cause to believe that such individual was an individual described in subsection (a), (1), (2), or (3), no order issued under section



10 of the National Labor Relations Act shall require such contractor to reinstate or employ such individual or to pay to such individual any amount of back pay or any amount in respect of such discharge or refusal to employ.

#### "PENALTIES"

"SEC. 311. Any person who shall willfully violate any of the provisions of section 304, 309, or 310, or who shall willfully resist, prevent, impede, or interfere with any member of the Board or of the Adjustment Board, or any of its agents or agencies in the performance of duties pursuant to this title shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than 1 year, or both.

#### "APPROPRIATION"

"SEC. 312. The appropriation of such sums as may be necessary to carry out the provisions of this title is hereby authorized."

#### EFFECTIVE DATE

SEC. 2. The amendment made by this act, except section 308 of such amendment, shall take effect upon the thirtieth day after the date of enactment of this act. Section 308 of such amendment shall take effect immediately. Such amendment shall cease to be in effect after the expiration of 3 years from such date of enactment.

Amend the title so as to read: "A bill to further expedite the national-defense program by providing for the investigation and mediation of labor disputes in connection therewith without stoppage of work, and for other purposes."

Mr. VINSON of Georgia (interrupting the reading of the bill). Mr. Chairman, in view of the fact that the bill contains only two sections and the first section is some 16 or 18 pages long, in the interest of time and to focus the issue, I ask unanimous consent to dispense with the further reading of the bill.

Mr. RANKIN of Mississippi. Reserving the right to object, Mr. Chairman, this means that the bill will be printed in the RECORD?

The CHAIRMAN. It will be printed in the RECORD.

Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. RAMSPECK. Mr. Chairman, I offer an amendment in the nature of a substitute.

Mr. RANKIN of Mississippi. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RANKIN of Mississippi. Does this mean that the entire bill will be printed in the RECORD at this point?

The CHAIRMAN. The gentleman is correct.

Mr. RANKIN of Mississippi. Does the gentleman intend also to print the amendments that are proposed?

Mr. VINSON of Georgia. That is what the gentleman from Georgia [Mr. RAMSPECK] is doing right now, offering his bill as an amendment.

Mr. RANKIN of Mississippi. So the bill will be printed in full in the RECORD at this point?

The CHAIRMAN. The Chair will state that amendments will, of course, be reported and printed in the RECORD.

The Clerk will report the amendment offered by the gentleman from Georgia [Mr. RAMSPECK].

The Clerk read as follows:

Amendment to H. R. 4139 proposed by Mr. RAMSPECK: Strike out the first section and insert the following as a substitute for the bill:

"Be it enacted etc., That this act may be cited as the 'National Defense Mediation Act.'"

"SEC. 2. It is declared to be the policy of the United States that labor disputes affecting the national defense should be settled fairly and without interruption or delay in the production necessary for the adequate defense of the Nation. To this end there are hereby established additional facilities for the voluntary settlement of such disputes as cannot be settled expeditiously by collective bargaining and by existing conciliation and mediation procedures.

#### "NATIONAL DEFENSE MEDIATION BOARD"

"SEC. 3. (a) There is hereby created in the Executive Office of the President a board to be known as the National Defense Mediation Board (in this act called the Board), which shall be composed of such number of members, appointed by the President, as the President from time to time deems the work of the Board to require. The Board shall consist of a number of members representative of employers, a like number representative of employees, and a number of disinterested members representative of the public (in this act called, respectively, employer members, employee members, and public members). The President shall designate a Chairman and a Vice Chairman of the Board from among the public members. The President is also authorized to appoint such number of alternate public members, employer members, and employee members as he deems appropriate. Upon designation by the Chairman, an alternate member may serve upon the panels provided for in section 5 of this act, and may serve as a substitute for any absent regular member in the same representative group, with full power to act as a regular member of the Board. The members and alternate members shall receive such compensation for their services as the President shall, from time to time, determine.

"(b) In the absence of the Chairman of the Board the Vice Chairman shall be authorized to act as Chairman. In the absence of both the Chairman and the Vice Chairman the Chairman shall designate some public member or alternate public member of the Board to act as Chairman.

"(c) Two members or alternate members from each representative group shall constitute a quorum of the Board. The Board shall have an official seal which shall be judicially noticed.

"(d) The Board is authorized to employ such officers and employees not otherwise provided for, as may be necessary, and to fix the compensation of such officers and employees in accordance with the Classification Act of 1923, as amended. The Board may establish or utilize such regional, local, or other agencies and utilize such voluntary and uncompensated services and, with the approval of the President, the services and facilities of such other departments and agencies of the Government, as may from time to time be needed.

"(e) The Board may delegate to any public member or alternate public member or to an executive secretary such administrative duties relating to the internal management of the Board's affairs as it may deem appropriate.

"(f) The principal office of the Board shall be in the District of Columbia, but it may meet and exercise any or all of its powers in any other place.

"(g) Upon the appointment of the Chairman of the Board, the National Defense Mediation Board created under Executive Order No. 8716 of March 19, 1941, shall cease to exist. Thereupon, all records, papers, and

property of the Board created by such Executive order shall become the records, papers, and property of the Board.

#### "JURISDICTION OF THE BOARD"

"SEC. 4. The Chairman shall determine whether any labor dispute (excluding any matter coming within the purview of the Railway Labor Act) substantially affects the national defense and cannot be expeditiously adjusted by collective bargaining or other conciliation and mediation procedures. If he so determines, the Board shall have jurisdiction of the dispute.

#### "PROCEDURE FOR MEDIATION"

"SEC. 5. After the Board has taken jurisdiction of a dispute, the Board, under the direction of the Chairman, shall make every reasonable effort to assist the parties to adjust and settle the dispute and make agreements for that purpose. To such end the Board may utilize, and the Chairman may designate, a mediation panel consisting exclusively of disinterested persons representative of the public or consisting of one or more persons representative of employers, a like number representative of employees, and a disinterested person or persons representative of the public. The persons designated may be members of the Board, alternate members of the Board, or other persons named by the Board. The Chairman or the mediation panel may at any time request the parties to a dispute to negotiate by collective bargaining or to meet with any representatives of the Board.

#### "VOLUNTARY ARBITRATION"

"SEC. 6. In the event that a dispute is not settled by collective bargaining or mediation under section 5, the Chairman or the mediation panel shall endeavor to induce the parties to the dispute voluntarily to submit their differences to arbitration. If the parties consent to arbitration, they shall file with the Board a notice of the agreement to arbitrate the dispute. The award of the arbitrator shall be filed with the Board.

#### "PROCEDURE FOR FACT FINDING AND RECOMMENDATIONS"

"SEC. 7. (a) In the event that a dispute is not settled by collective bargaining or mediation under section 5, or by voluntary arbitration, the Chairman in his discretion may authorize a panel to investigate the issues involved in the dispute and to make findings of fact and formulate recommendations, which may contain appropriate retroactive provisions, for the settlement of such dispute. Such a panel may, in the discretion of the Chairman, consist of the mediation panel appointed for the dispute, a different panel constituted as provided in section 5, or a panel composed of the full Board. The panel may confer with the parties to the dispute, conduct hearings, and take testimony. The Board shall submit the findings and recommendations, if approved by a majority of the panel, to the parties and may make public such findings and recommendations.

#### "MAINTENANCE OF THE STATUS QUO"

"SEC. 8. (a) After the Board has taken jurisdiction of a dispute as provided in section 4, the Board in order to effectuate the purposes of this act shall have power to issue an order (1) requiring any person to refrain or cease and desist from calling, or assisting in any manner, a strike arising out of such dispute; or (2) requiring the employer, who is involved in the dispute to refrain or cease and desist from practices which change the situation existing at the time the dispute arose, or which by changing an existing situation led to the dispute, and which the Board shall deem prejudicial to the prompt settlement of the dispute. No order of the Board or process of any court under this act shall require an individual employee to render labor or services without his consent, nor

shall any provision of any such order or process be construed to make the refusal to work of an individual employee a violation of such order or process or otherwise an illegal act.

"(b) Such order shall be effective for such period as the Board shall determine, but shall, in any event, terminate within 5 days after the findings and recommendations of the Board or within 60 days after the date on which the order was issued, whichever first occurs. Any further order issued under subsection (a) in connection with the same dispute shall not extend beyond the termination date of the original order but terminate at the same time as such original order.

"(c) The Attorney General, at the request of the Board, shall petition any district court of the United States, or the United States court of any Territory or possession, within the jurisdiction of which any person to whom any order is directed resides, transacts business, or is found, or the District Court of the United States for the District of Columbia, for enforcement of such order, and for appropriate temporary relief or restraining order. Upon the filing of such petition, the court shall have jurisdiction of the proceeding, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter a decree enforcing the order of the Board. Notice or process of the court under this section may be served in any judicial district, either personally or by registered mail or by telegraph or by leaving a copy thereof at the residence or principal office or place of business of the person to be served. Petitions filed under this section shall be heard with all possible expedition. The judgment and decree of the court shall be subject to review by the appropriate circuit court of appeals or by the United States Court of Appeals for the District of Columbia in the case of a judgment of the District Court of the United States for the District of Columbia, and by the Supreme Court of the United States upon writ of certiorari.

"(d) An order of the Board shall be enforceable only at the suit of the Attorney General, and in the manner provided for in this section.

"(e) When granting temporary relief or restraining order, or making or entering a decree enforcing an order of the Board, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the act entitled "An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," approved March 23, 1932, except that sections 11 and 12 of such act shall apply in cases of contempt.

#### "REGULATIONS OF THE BOARD

"SEC. 9. The Board shall have authority from time to time to make, amend, and rescind regulations providing appropriate procedures for carrying out the powers vested in it by this act.

#### "PROCURING OF EVIDENCE AND ATTENDANCE OF WITNESSES

"SEC. 10. For the purposes of the foregoing provisions of this act, the provisions of sections 9 and 10 (relating to examination, the production of books, papers, and documents, and attendance of witnesses) and of section 5 (f) of the Federal Trade Commission Act, as amended, are hereby made applicable to the jurisdiction, powers, and duties of the Board, and may be exercised by any public member or alternate public member, or any employee of the Board authorized by the Chairman. The term "witness" as used in these sections shall include a party involved in a labor dispute.

#### "OPERATION OF CERTAIN PLANTS IN INTEREST OF NATIONAL DEFENSE

"SEC. 11. If the parties to a labor dispute fail to reach an agreement through collective

bargaining, conciliation, or mediation or the procedures herein provided, or in the case of a dispute within the purview of the Railway Labor Act through the procedures provided in such act, and the President finds that a continuation of the dispute imperils the public interest and substantially jeopardizes the national-defense program, the President in his discretion shall have power, by order, on behalf of the United States to take immediate possession of any establishment or facility (including any transportation or communication facility) in which there is an interruption or threatened interruption of operation arising out of the dispute, and to use and operate such establishment or facility in accordance with the authority contained in section 9 of the Selective Training and Service Act of 1940, as amended. In the case of any establishment or facility of which possession shall have been taken under the provisions of this section, such establishment or facility shall be returned to its owners when this act ceases to be in effect or whenever prior thereto the President determines that such establishment or facility will be privately operated in a manner consistent with the needs of the national defense.

#### "DEFENSE WAGE BOARD

"SEC. 12. (a) There is hereby established a Defense Wage Board (hereinafter referred to as the "Board"), which shall be composed of three members, who shall be appointed by the President, by and with the advice and consent of the Senate. A vacancy in the Board shall not impair the right of the remaining members to exercise all the powers of the Board and shall be filled in the same manner as the original selection. Two members of the Board shall constitute a quorum. The President shall designate one member to serve as chairman.

"(b) The Board is authorized to appoint such officers and employees as are necessary to carry out its duties under this act and to fix their compensation in accordance with the Classification Act of 1923, as amended.

"(c) The principal office of the Board shall be in the District of Columbia, but it may meet and exercise any or all of its powers at any other place. The Board is authorized to make such regulations as may be necessary to carry out its duties under this act.

"(d) A majority of the employees at any plant or facility possession of which has been or is hereafter taken under the authority granted by section 11 of this act or section 9 of the Selective Training and Service Act of 1940, as amended, or the representative of such employees, may petition the Board for a readjustment of wages. Upon receipt of any such petition, the Board shall make an investigation of the wages paid at such plant or facility, the costs of living in the locality in which such plant or facility is situated, the wages established for work of like or comparable character in the industry, and such other factors as the Board may deem necessary or desirable in the public interest. If, after such investigation, the Board finds that the wages paid at such plant or facility are not fair and reasonable, it shall, with the approval of the President, order such readjustments of wages as it deems will fairly and reasonably compensate said employees for their work. If the Board finds that such wages are fair and reasonable, it shall dismiss the petition. The findings and orders made by the Board under the authority of this section shall be final, and shall not be subject to review by any person, tribunal, or governmental agency.

#### "SAVING CLAUSE

"SEC. 13. Except as otherwise expressly provided herein, nothing in this act shall be construed to repeal, modify, or affect any other statute of the United States, unless such statute should be in necessary conflict with the specific requirements of this act.

#### "TERMINATION

"SEC. 14. This act shall cease to be in effect on the expiration of 2 years from the date of its enactment or upon the date upon which the President proclaims the unlimited national emergency proclaimed by him on May 27, 1941, terminated, whichever occurs first."

Mr. RAMSPECK (interrupting the reading of the amendment). Mr. Chairman, in view of the fact that this bill has been reported by the Committee on Labor and printed, I ask unanimous consent to dispense with the reading of the amendment and print it in the Record at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The CHAIRMAN. The gentleman from Georgia is recognized for 5 minutes.

Mr. RAMSPECK. Mr. Chairman, the amendment I have just offered in the nature of a substitute for the Vinson bill is H. R. 6137, and it is available at the desk.

I have made one minor amendment in section 11 of that printed bill, which makes it certain that in cases dealing with transportation facilities the procedures of the Railway Labor Act shall be exhausted before the President shall have the power to take over any transportation facilities. This was done at the request of the Railroad Brotherhoods, and I think it was a reasonable request and in line with the desire of our committee.

I now read you a letter which I think has an important bearing on the issue we are to decide here today.

The following letter, dated December 1, addressed to me, was received by me, and is as follows:

PARLOR CORPORATION,

CORNER CHESTNUT,

GREENWOOD LAKE, N. Y.,

December 1, 1941.

To Representative RAMSPECK, of Georgia, Washington, D. C.

DEAR SIR: Thought I would hastily drop you a few lines so you can advise the others in Washington that it would be useless to pass any antistrike laws for the Nation, for men are not going to wear themselves out, work 10 hours a day for under pay to make steel men and others interested in fat profits, and not even for the Government, whose officials all get fat salaries.

The results will be less production. It takes about 1,000 men now to produce 100 men's work in shipyards. The men are underpaid, must risk their lives daily, someone hurt and killed every week, while the officials in Washington wax fat on soft jobs. I work in a shipyard and know. Each night I am all in at 10 hours.

Every time a new tax is put on, it's a cut in wages, and for revenge men get even by failing to produce. It's a dangerous thing to pass antistrike laws. It will delay the progress of the work, and men won't work at point of guns.

Better inform the others. I am merely writing this to help you give the others some light on the subject. You know most of the men have been out of a job since 1929 and are deep in debt, and it will be several years before they get out of debt or they refuse to pay. So if you stop them from earning a decent wage, by antistrike laws, they will just further refuse to produce, and there won't be the production even as now. You can't force the men to make others rich



on their sweat. Hope you can see the reason of not passing antistrike laws. I am,  
Sincerely yours,

GEORGE R. RILEY.

I read that, Mr. Chairman, for the purpose of emphasizing what I said in general debate.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I have not the time and I do not yield. I have put it into the RECORD, having read it for the purpose of emphasizing the statement I made in general debate that if the statement in the letter is true, if we are to be faced with a rebellion of labor in this country, the time to find it out is now, and not when we get actually involved in war. I do not believe this letter represents the sentiment of any considerable part of organized labor, but I do believe that in deciding this issue we must take into consideration the reasonableness or the unreasonableness of legislation that we adopt in the minds of the working people themselves. That is why I am going to vote against the Smith substitute, which is going to be offered to the substitute I have just offered. We have given you from the Committee on Labor a reasonable bill that can stop strikes for a period of 60 days, so that the mediation process can work, and if that fails, then it is provided that the President may under statutory authority take over the plant, as he has been doing heretofore under his authority as Commander in Chief of the Army and Navy. That is, I think, as far as we ought to go with emergency legislation. The matters contained in the other proposals here I think should be carefully considered by the proper committees after deliberate hearings, and then Congress can act upon those proposals, which undertake to perform a major operation on the body of the labor law that this Congress has enacted throughout the years. This bill that I am offering you provides the processes of collective bargaining, conciliation, mediation, voluntary arbitration, and if all of those fail, then plant seizure under statutory authority. It will stop strikes, because the Board has the authority to use the power of the Federal courts for a period of 60 days to stop picketing, to stop any act that assists in the conduct of a strike. It can stop strike benefits; it can stop anything which undertakes to assist or help in the maintenance of a strike. Therefore, it will be effective, it will do the job, and it is as far, in my judgment, as we ought to go at this time unless we want to run into the danger of alienating the loyalty of the workers, 98 percent of whom have been just as loyal as anybody else in this emergency.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I cannot yield. The workers in my own district have had only one strike during this emergency, and I want the minority, which has caused these strikes, stopped, but I do not want to penalize those who have been going along.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. CANNON of Missouri. Mr. Chairman, I move to strike out the last word

for the purpose of making an announcement. The Committee on Appropriations will today report out the third supplemental national-defense appropriation bill, 1942, and Members of the House are apprised that copies of the hearings and the report are now available. We expect to take up the bill for consideration immediately following the disposition of the pending bill—doubtless Thursday morning—with the intention of passing it this week. The hearings are being distributed in the committee room and may be had on application. The committee clerks will be glad to supply information relative to the bill or its consideration.

Mr. SMITH of Virginia. Mr. Chairman, I offer the following substitute for the Ramspeck proposal.

The CHAIRMAN. The gentleman from Virginia offers a substitute for the Ramspeck proposal, which the Clerk will report.

Mr. MARCANTONIO. Mr. Chairman, before the Clerk reads the bill, have there not been some changes made in this bill?

Mr. VINSON of Georgia. The gentleman from Virginia will explain what they are.

The Clerk read as follows:

Mr. SMITH of Virginia offers the following as a substitute for the Ramspeck bill: Strike out the first section of the bill and insert the following as a substitute:

#### "DEFINITIONS

"SECTION 1. As used in this act—

"(a) 'Person' means an individual, partnership, association, corporation, business trust, or any organized group of persons.

"(b) 'Defense contract' means—

"(1) a contract with the United States entered into on behalf of the United States by an officer or employee of the Department of War, the Department of the Navy, or the United States Maritime Commission;

"(2) a contract with the United States entered into by the United States pursuant to an act entitled 'An act to promote the defense of the United States';

"(3) a contract, whether or not with the United States, for the production, manufacture, construction, reconstruction, installation, maintenance, storage, or repair of—

"(A) any weapon, munition, aircraft, vessel, or boat;

"(B) any building, structure, or facility;

"(C) any machinery, tool, material, supply, article, or commodity; or

"(D) any component material or part of or equipment for any article described in subparagraph (A), (B), or (C);

the production, manufacture, construction, reconstruction, installation, maintenance, storage, or repair of which by the contractor in question is found by the President as being contracted for for national-defense purposes.

"(c) 'Defense contractor' means the person producing, manufacturing, constructing, reconstructing, installing, maintaining, storing, or repairing under a defense contract.

"(d) The terms 'employer,' 'employee,' 'representative,' 'labor organization,' and 'labor dispute' shall have the same meaning as in section 2 of the National Labor Relations Act.

#### "MAINTENANCE OF STATUS QUO

"SEC. 2. It shall be unlawful for a defense contractor to conduct a lock-out or for employees of a national-defense contractor to strike until after the expiration of 30 days from the date on which they or their representatives give to such contractor and the Secretary of Labor written notice of their intention to do so together with a statement of their reasons for such intended strike or lock-out.

#### "STRIKE BALLOTS

"SEC. 3. It shall be unlawful for employees of a defense contractor to strike until after the Secretary of Labor has certified the result of a secret ballot taken, under the direction of the United States Conciliation Service, of said employees employed at the plant, plants, or other place or places of employment, or in the bargaining unit or units, with respect to which the notice under section 2 applies. At any time after the employees of a defense contractor, or their representatives, give notice under section 2, such employees of any defense contractor or their representative may request the Secretary of Labor to take, through the United States Conciliation Service, a secret ballot of the employees at the plant, plants, or other place or places of employment, or in the bargaining unit or units, with respect to which such notice applies, for the purpose of determining whether such employees favor or oppose such proposed strike. Upon receiving any such request, the Secretary of Labor shall direct the United States Conciliation Service to take forthwith such secret ballot, and the Secretary shall by order certify the results thereof, which shall be open to public inspection.

#### "UNLAWFUL CONDITIONS OF EMPLOYMENT

"SEC. 4. It shall be unlawful, notwithstanding any other provision of law, for a defense contractor, by discrimination in regard to hire, terms, or tenure of employment, to encourage or discourage membership in any labor organization, unless such discrimination is required by the terms of a contract or agreement with a labor organization entered into prior to the date of the enactment of this act which complies with the provisions of section 8 (3) of the National Labor Relations Act, or by the terms of any voluntary subsequent contract or agreement with the same labor organization.

#### "VIOLENCE AND INTIMIDATION

"SEC. 5. (a) It shall be unlawful for any person, by the use of force or violence or threats thereof, to prevent or to attempt to prevent any individual from accepting employment by, or continuing in the employment of, any defense contractor, or from entering or leaving any place of employment of such contractor in the course of such employment.

"(b) Notwithstanding any other provision of this act, it shall be unlawful for one or more persons, for the purpose of inducing any person to work or abstain from working for a defense contractor, to watch or beset a house or place where a person resides or the approach to such house or place.

#### "JURISDICTIONAL DISPUTES, BOYCOTTS, SYMPATHY STRIKES

"SEC. 6. (a) It shall be unlawful, by means of a strike against a person (whether or not a defense contractor), or by means of a concerted refusal to work on, handle, or otherwise deal with articles or materials produced or manufactured by any such person, to induce or require or to attempt to induce or require another person who is a defense contractor to recognize, deal with, comply with the demands of, or employ members of, any labor organization.

"(b) It shall be unlawful, by means of a strike against a defense contractor, or by means of a concerted refusal to work on, handle, or otherwise deal with articles or materials purchased, produced, manufactured, or used by a defense contractor, to induce or require or to attempt to induce or require such contractor to recognize, deal with, comply with the demands of, or employ members of, one labor organization instead of another labor organization with which such contractor has an applicable collective-bargaining agreement.

#### "ENFORCEMENT

"SEC. 7. (a) The district courts of the United States shall have jurisdiction, not-

withstanding the act of March 23, 1932, entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes,' to enjoin violations and threatened violations of any of the provisions of section 2, 3, 4, 5, or 6, and by appropriate order or decree to compel compliance with such provisions.

"(b) Any person violating any of the provisions of section 2, 3, 4, 5, or 6 shall be liable to a civil suit to any person injured thereby for damages resulting from such injury.

"(c) Any individual who violates any of the provisions of section 2, 3, 4, 5, or 6 shall on and after such violation cease to have and cease to be entitled to (1) the status of an employee for the purposes of sections 7, 8, and 9 of the National Labor Relations Act or the status of a representative for the purposes of such act; (2) any employment or other benefits under or pursuant to any act making appropriations for relief purposes; or (3) any unemployment compensation or other benefits under or pursuant to title III or title IX of the Social Security Act.

"(d) Any person other than an individual who violates any of the provisions of sections 2, 3, 4, 5, or 6 shall on and after such violation cease to have and cease to be entitled to (1) the status of a representative or labor organization under the National Labor Relations Act; (2) the status of a person participating in or interested in any labor dispute for the purposes of section 4 of the act of March 23, 1932, entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes.'

"(e) In case any individual who violates any of the provisions of sections 2, 3, 4, 5, or 6 is an officer or representative of a labor organization, then on and after such violation and so long as such individual is an officer or representative of such labor organization, such labor organization shall cease to have or be entitled to the status of a labor organization under the National Labor Relations Act and cease to have the status of a person participating in or interested in any labor dispute for the purposes of section 4 of the act of March 23, 1932, entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes.'

#### "REGISTRATION OF LABOR ORGANIZATIONS

"Sec. 8. Within 30 days after the date of enactment of this act and annually thereafter every labor organization in which employees of any defense contractor participate, through its president or other authorized officer, shall register its identity with the National Labor Relations Board and shall state under oath the following information and such other information as the Board may require by regulations as provided in section 6: The name of the labor organization; the address at which it has its principal office or does business; the names and titles of the officers; the company or companies with which the labor organization deals, if a local organization; the industry or industries in which the labor organization operates if a national organization or a craft; initiation fees; annual dues charged each member; assessments levied during the past 12-month period; limitations on membership; number of paid-up members; date of the last election of officers; the method of election; the vote for and against each candidate for office; and the date of the last detailed financial statement furnished all members and the method of publication or circulation of such statement. With such information shall be filed under oath detailed and intelligible financial statements and a copy of the constitution and bylaws of the labor organization.

"Sec. 9. Every labor organization established after the date of enactment of this act in which employees of any defense contractor participate shall, when established and an-

nually thereafter, register with the Board and furnish the information required of existing labor organizations under the provisions of section 7.

"Sec. 10. Any labor organization which fails to register with the Board and file the information required by this act shall be disqualified to act as the representative of employees in collective bargaining for such time as such failure shall continue: *Provided*, That in the initial registration only if information on a particular point is lacking, the statement 'no information' or 'no record' shall be considered an answer.

#### "MEDICATION OF LABOR DISPUTES AFFECTING THE NATIONAL DEFENSE

"Sec. 11. It is declared to be the policy of the United States that labor disputes affecting the national defense should be settled fairly and without interruption or delay in the production necessary for the adequate defense of the Nation. To this end there are hereby established additional facilities for the voluntary settlement of such disputes as cannot be settled expeditiously by collective bargaining and by existing conciliation and mediation procedures.

#### "NATIONAL DEFENSE MEDIATION BOARD

"Sec. 12. (a) There is hereby created in the Executive Office of the President a board to be known as the National Defense Mediation Board (in this act called the Board), which shall be composed of such number of members, appointed by the President, as the President from time to time deems the work of the Board to require. The Board shall consist of a number of members representative of employers, a like number representative of employees, and a number of disinterested members representative of the public (in this act called, respectively, employer members, employee members, and public members). The President shall designate a chairman and a vice chairman of the Board from among the public members. The President is also authorized to appoint such number of alternate public members, employer members, and employee members as he deems appropriate. Upon designation by the Chairman, an alternate member may serve upon the panels provided for in section 5 of this act, and may serve as a substitute for any absent regular member in the same representative group, with full power to act as a regular member of the Board. The members and alternate members shall receive such compensation for their services as the President shall, from time to time, determine.

"(b) In the absence of the Chairman of the Board, the Vice Chairman shall be authorized to act as chairman. In the absence of both the Chairman and the Vice Chairman, the Chairman shall designate some public member or alternate public member of the Board to act as Chairman.

"(c) Two members or alternate members from each representative group shall constitute a quorum of the Board. The Board shall have an official seal which shall be judicially noticed.

"(d) The Board is authorized to employ such officers and employees not otherwise provided for, as may be necessary, and to fix the compensation of such officers and employees in accordance with the Classification Act of 1923, as amended. The Board may establish or utilize such regional, local, or other agencies and utilize such voluntary and uncompensated services and, with the approval of the President, the services and facilities of such other departments and agencies of the Government, as may from time to time be needed.

"(e) The Board may delegate to any public member or alternate public member or to an executive secretary such administrative duties relating to the internal management of the Board's affairs as it may deem appropriate.

"(f) The principal office of the Board shall be in the District of Columbia, but it may

meet and exercise any or all of its powers in any other place.

"(g) Upon the appointment of the Chairman of the Board, the National Defense Mediation Board created under Executive Order No. 8716 of March 19, 1941, shall cease to exist. Thereupon, all records, papers, and property of the Board created by such Executive order shall become the records, papers, and property of the Board.

#### "JURISDICTION OF THE BOARD

"Sec. 13. The Chairman shall determine whether any labor dispute (excluding any matter coming within the purview of the Railway Labor Act) substantially affects the national defense and cannot be expeditiously adjusted by collective bargaining or other conciliation and mediation procedures. If he so determines, the Board shall have jurisdiction of the dispute.

#### "PROCEDURE FOR MEDIATION

"Sec. 14. After the Board has taken jurisdiction of a dispute, the Board, under the direction of the Chairman, shall make every reasonable effort to assist the parties to adjust and settle the dispute and make agreements for that purpose. To such end, the Board may utilize, and the Chairman may designate, a mediation panel consisting exclusively of disinterested persons representative of the public or consisting of one or more persons representative of employers, a like number representative of employees, and a disinterested person or persons representative of the public. The persons designated may be members of the Board, alternate members of the Board, or other persons named by the Board. The Chairman or the mediation panel may at any time request the parties to a dispute to negotiate by collective bargaining or to meet with any representatives of the Board.

#### "VOLUNTARY ARBITRATION

"Sec. 15. In the event that a dispute is not settled by collective bargaining or mediation under section 5, the Chairman or the mediation panel shall endeavor to induce the parties to the dispute voluntarily to submit their differences to arbitration. If the parties consent to arbitration, they shall file with the Board a notice of the agreement to arbitrate the dispute. The award of the arbitrator shall be filed with the Board.

#### "PROCEDURE FOR FACT FINDING AND RECOMMENDATIONS

"Sec. 16. (a) In the event that a dispute is not settled by collective bargaining or mediation under section 5, or by voluntary arbitration, the Chairman in his discretion may authorize a panel to investigate the issues involved in the dispute and to make findings of fact and formulate recommendations, which may contain appropriate retroactive provisions, for the settlement of such dispute. Such a panel may, in the discretion of the Chairman, consist of the mediation panel appointed for the dispute, a different panel constituted as provided in section 5, or a panel composed of the full Board. The panel may confer with the parties to the dispute, conduct hearings, and take testimony. The Board shall submit the findings and recommendations, if approved by a majority of the panel, to the parties and may make public such findings and recommendations.

#### "MAINTENANCE OF THE STATUS QUO

"Sec. 17. (a) After the Board has taken jurisdiction of a dispute as provided in section 4, the Chairman in order to effectuate the purposes of this act shall have power to issue an order (1) requiring any person to refrain or cease and desist from calling, or assisting in any manner, a strike arising out of such dispute; or (2) requiring the employer, who is involved in the dispute to refrain or cease and desist from practices which change the situation existing at the time the dispute arose, or which by changing an existing situation led to the dispute, and



which the Chairman shall deem prejudicial to the prompt settlement of the dispute. No order of the Chairman or process of any court under this act shall require an individual employee to render labor or services without his consent, nor shall any provision of any such order or process be construed to make the refusal to work of an individual employee a violation of such order or process or otherwise an illegal act.

"(b) Such order shall be effective for such period as the Chairman shall determine, but shall, in any event, terminate within 5 days after the findings and recommendations of the Board or within 60 days after the date on which the order was issued, whichever first occurs. Any further order issued under subsection (a) in connection with the same dispute shall not extend beyond the termination date of the original order but terminate at the same time as such original order.

"(c) The Attorney General, at the request of the Chairman, shall petition any district court of the United States, or the United States court of any Territory or possession, within the jurisdiction of which any person to whom any order is directed resides, transacts business, or is found, or the District Court of the United States for the District of Columbia, for enforcement of such order, and for appropriate temporary relief or restraining order. Upon the filing of such petition, the court shall have jurisdiction of the proceeding, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter a decree enforcing the order of the Chairman. Notice or process of the court under this section may be served in any judicial district, either personally or by registered mail or by telegraph or by leaving a copy thereof at the residence of principal office or place of business of the person to be served. Petitions filed under this section shall be heard with all possible expedition. The judgment and decree of the court shall be subject to review by the appropriate circuit court of appeals or by the United States Court of Appeals for the District of Columbia in the case of a judgment of the District Court of the United States for the District of Columbia, and by the Supreme Court of the United States upon writ of certiorari.

"(d) An order of the Chairman shall be enforceable only at the suit of the Attorney General, and in the manner provided for in this section.

"(e) When granting temporary relief or restraining order, or making or entering a decree enforcing an order of the Chairman, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the act entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes,' approved March 23, 1932, except that sections 11 and 12 of such act shall apply in cases of contempt.

#### "REGULATIONS OF THE BOARD

"Sec. 18. The Board shall have authority from time to time to make, amend, and rescind regulations providing appropriate procedures for carrying out the powers vested in it by this act.

#### "PROCURING OF EVIDENCE AND ATTENDANCE OF WITNESSES

"Sec. 19. For the purposes of the foregoing provisions of this act, the provisions of sections 9 and 10 (relating to examination, the production of books, papers, and documents, and attendance of witnesses) and of section 5 (f) of the Federal Trade Commission Act, as amended, are hereby made applicable to the jurisdiction, powers, and duties of the Board, and may be exercised by any public member or alternate public member, or any employee of the Board authorized by the Chairman. The term 'witness' as used in these sections shall include a party involved in a labor dispute.

#### "TERMINATION

"Sec. 20. This act shall cease to be in effect on the expiration of 2 years from the date of its enactment or upon the date upon which the President proclaims the unlimited national emergency proclaimed by him on May 27, 1941, terminated, whichever occurs first."

Mr. SMITH of Virginia. Mr. Chairman, the Ramspeck bill does some good things, but remember this, the Ramspeck bill does not touch those things that have caused strikes in defense industries. If you are going to do anything about this situation there are two features of it that you must take care of. One is to freeze the closed shop and stop organizational strikes in your defense industries. The other is to prohibit violence in strikes, so that men who want to exercise the right to work shall be protected.

Those are the two main features that any comprehensive legislation on this subject must and should contain.

The bill which I offer as a substitute is the same bill which I offered some time ago, H. R. 6066, with the addition of two features. One is the accounting and registration of labor unions which everybody seemed to want. I have then added to the bill which I introduced, the so-called Ramspeck bill, but have stricken therefrom the property-seizure clause in that bill. I made another minor correction in the bill. On the registration of labor unions I have made a slight change so as to avoid any question of its germaneness and have tied it in to national defense. Then I changed the Ramspeck bill so as to provide that in this stop order provided in the Ramspeck bill the stop order might be put in motion by the chairman instead of by the Board. Those are all the changes. If you will take note of those changes you will then have a full and complete story of the bill H. R. 6149.

Now, Mr. Chairman, that brings before you the whole picture and it leaves to this House to decide what and how much you want to do about it. You are at liberty now to offer your amendment to strike out any part of that bill that you think is not necessary or desirable, and then it is going to be up to this House in a democratic way to decide whether you want that clause or whether you do not want it. If you do not want secret elections before a strike occurs, it is your privilege to move to strike out that section.

Mr. HARNES. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. HARNES. In your bill, on page 12, section 15, it purports to set up voluntary arbitration. Is this compulsory or voluntary arbitration?

Mr. SMITH of Virginia. It is the Ramspeck bill. It is compulsory to arbitrate, but not compulsory to accept, as I understand it. The gentleman from Georgia [Mr. RAMSPECK] will correct me if I am wrong. It is not compulsory to accept the arbitration finding.

Mr. RAMSPECK. It is neither compulsory to arbitrate nor compulsory to accept the arbitration.

Mr. SMITH of Virginia. Then there is not much to it.

Mr. HARNES. Then, what would happen to either an employer or an employee in the event they refused to go before the Mediation Board?

Mr. SMITH of Virginia. Of course, they could invoke this stop order if a strike came. But my main objection to the theory upon which the Ramspeck bill is based is that you cannot have this stop order entered until after the Board takes jurisdiction. Strikes are going to happen before the Board ever gets jurisdiction. In other words, strikes are going to be called that otherwise very likely would not be called. They will call a strike first and they will conciliate afterward.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield to me to correct a statement and give the information?

Mr. SMITH of Virginia. I yield.

Mr. VINSON of Georgia. If any party, under the Ramspeck bill, refuses to mediate after the Mediation Board has taken jurisdiction, they are subject to prosecution under the Federal Trade Act.

Mr. THOMASON. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. THOMASON. Will the gentleman give us his reason for not accepting that provision in the Ramspeck bill covering seizure of plants, which is commonly known as the Connally amendment?

Mr. SMITH of Virginia. I have two reasons. The first reason is that we have it already, apparently, because the President has seized them already. The second reason is that I do not think you should take an industry's plant away from it because labor strikes. I do not think that is necessary, advisable, or fair.

[Here the gavel fell.]

Mr. HARNES. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

Mr. VINSON of Georgia. Mr. Chairman, reserving the right to object, in view of the fact that so many Members want to be heard today, I think it is nothing but fair and proper that all be given an opportunity, and I think we can accomplish that by confining all remarks on each amendment to the 5-minute rule.

Mr. RANKIN of Mississippi. Will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. RANKIN of Mississippi. Let me say to the gentleman from Georgia that this is one of the most important issues that has ever come before the Congress.

Mr. VINSON of Georgia. And that is the very reason I want to do that.

Mr. RANKIN of Mississippi. Every man does not want to talk 5 minutes, but we would like to hear these Members who have studied the question and are informed on it for longer than 5 minutes.

Mr. VINSON of Georgia. That is the principal purpose of holding everybody to 5 minutes—to give everybody an opportunity to participate in the debate and get all the information they want. The gentleman just propounding the question can take the floor and get all the information he desires by asking questions of

the gentleman from Virginia. In that way every Member can be heard, and no one will have an advantage over another Member.

The CHAIRMAN. Does the gentleman from Georgia object to the unanimous-consent request?

Mr. VINSON of Georgia. I object, Mr. Chairman.

The CHAIRMAN. Objection is heard.

Mr. VINSON of Georgia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the issue has now been made. The gentleman from Georgia has offered from the Labor Committee their viewpoint, which is found in the bill H. R. 6137. I might say that practically every word in that bill, at least the skeleton and the groundwork, is similar and practically identical with the Naval Affairs substitute that was reported to the House and voted out by the committee on the 25th day of June.

As far as the Mediation Board is concerned, the Labor Committee is on the right premise. They are proceeding upon the right line for mediation.

The gentleman from Virginia [Mr. SMITH] has introduced a substitute, H. R. 6149, which contains matter other than is in the Ramspeck bill. The issue is clean-cut. You must bear in mind that nothing will be read by the Clerk. The Clerk will not read the Ramspeck bill by section, nor will he read the Smith bill by section, because they are one amendment. It is in order therefore at any time for any Member to offer an amendment to the Ramspeck proposition or to the Smith proposition, but I hope that the House will first address its consideration to the Smith proposal.

The Smith proposal is set out in H. R. 6149 and it runs from page 1 down to page 9. Everything prior to that is the Smith proposal, everything after that the Ramspeck proposal. This makes the issue clear.

Every Member has a right to offer an amendment to the Ramspeck section, he has a right to offer an amendment to the Smith section, but in the interest of orderly procedure let us first take up the Smith proposition, handle that, and see if the House approves these additional features that are incorporated in the mediation phase of the bill.

Mr. RAMSPECK. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. RAMSPECK. It might be pointed out for the information of the House that the first vote will come on the Smith proposal.

Mr. VINSON of Georgia. That is right.

Mr. RAMSPECK. The amendment should now therefore be directed to the Smith proposal and let the House dispose of that either up or down first.

Mr. VINSON of Georgia. That is right. The gentleman from Georgia [Mr. RAMSPECK] has just stated the sequence in which the votes will come. I think, of course, that the substitute we brought in for our original bill is not as strong, nor does it have as many teeth in it as the Smith bill because the Smith bill carries in it certain provisions that make it stronger.

So I am going to vote for perfecting the Smith bill, adding some teeth and

workable provisions to the Smith bill, because I want to say in all frankness and candor that my committee's own handiwork and my own handiwork, which has been adopted practically in toto by the Committee on Labor, lacks the necessary points to accomplish the job.

If the House wants to have a milk-and-cider proposition that will practically accomplish just what is going on now by having a legislative existence for the Mediation Board, you have a workable plan; but if you want to do something that strikes at the very evil that has caused these 24,000,000 man-days to be lost in the defense industry, then write something in the bill along sane and constructive lines as set out in the Smith proposal.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. HINSHAW. The gentleman referred to the Smith substitute as H. R. 6149. Do I understand correctly that in the amendment as submitted here, section 20 of H. R. 6149 has been eliminated?

Mr. VINSON of Georgia. Section 20 has been eliminated, and section 21 which provides for a wage board has been eliminated.

I hope the committee now—and it is only a hope—in the interest of orderly procedure, in the interest of our having an opportunity to understand the issue we are vitally concerned about, will address its attention to the Smith amendment.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I rise in opposition to the pro forma amendment.

First, I want to commend the committee, speaking generally, for the spirit in which they are investigating and determining what should be done about this proposed important legislation.

The Committee on the Judiciary has had some of these bills before it. We addressed a communication to the Executive Agency asking if any additional legislation was required in order to keep these plants open. Recently the President has indicated that he desires additional legislation to enable him to keep these factories in operation.

If I may be permitted to observe, it seems to me that in the consideration of this matter criticism of individuals and of unions themselves does not find any proper place. This is a very dangerous matter with which we are dealing. We want to be absolutely fair about it. This labor situation is largely the natural result of well-understood causes. As supporting that statement I want to direct your attention to a similar situation which existed in 1928, and before that, with regard to industry and to the similarity of causes. I called attention then to the danger when we were developing in this country a sort of economic feudalism.

The movement was very rapid, indeed. It was practically free from governmental restraint. The antitrust and similar laws were not enforced. The movement was supported by public opinion; at least, public acquiescence. Those connected

with business seemed to have no realization of the danger that was involved in this swinging of the pendulum so far in their direction. Human beings do not seem to be able to exercise that restraint with reference to a movement of that sort in which they are engaged, the restraint necessary to protect the public and themselves against self-inflicted hurt. It is therefore the responsibility and the duty of statesmanship to supply that in which human nature seems deficient—a duty both to the public and to whatever legitimate interests are involved. That restraint was not afforded. The support of public opinion was lost. The pendulum swung backward. Then labor, under its own momentum, the justice of its cause accentuated by the support of public opinion and later added to by governmental action began to acquire in this country a momentum dangerous to its own safety. And now labor confronts the same danger that industry confronted in 1928. That danger is greatly accentuated by the fact that we are moving rapidly into fighting contact with this war. I believe we would arrive at a wiser determination and there would be less internal hurt, if we examined this matter from that standpoint and be guided in this determination by what seems to be sound statesmanship rather than by trying to establish the fact that these problems with reference to labor result from some baseness of character on the part of those engaged in labor. Not only is it a dangerous approach, it is an unfair approach.

Perhaps I can make myself more clearly understood by incorporating some brief excerpts from a speech I made in 1928, 13 years ago, with regard to the difficulty and danger confronted by industry. I said:

Those who are pressing this movement are not true friends to their own interest. They are getting the country ready for a swing-back. The thing which is happening now has not infrequently occurred during the almost 2,000 years of the history of our system. It is the phenomenon of the swinging of the pendulum which any country boy can see manifesting itself through the old grapevine swing and which students of nature know is a law universal, operating everywhere. Private fortunes can be imperiled in this country only by those who possess them.

That was 13 years ago. As I view the situation, labor confronts the same danger now which industry confronted in 1928. These avoidable strikes in defense industries are driving away with great rapidity the well-earned and well-deserved support of labor engaged in the effort to win for itself a fair opportunity while doing its part of the necessary work of the world.

Members of this House today face a definite duty to labor, to the country, and to the President, the chief executive officer of the Nation, to deal with the situation as justly and as effectively as possible, to provide for labor in this situation that element of restraint in its own interest and in the public interest which human experience demonstrates. It is unsafe and unfair to trust human beings to provide for themselves in such situations. That is the reason why we have government. That is the reason



why there are supposed to be statesmen responsible for governmental policy. As I view it, labor has a larger interest in being protected against the relatively small number of unfortunate occurrences which are hurtful to the public interest than any other part of our citizenship. Their interest is equal to that of any other group of people, and they have in addition to that this peculiar interest in the retention as far as possible of the support of public opinion and public attitude. Can any intelligent laboring man or woman doubt the tremendous effect of these strikes in defense industries upon public opinion and public support? The fact that this character of legislation is now being considered on the floor of the House, that the President has requested legislation, is a result of this adverse development of public opinion, this loss of its support. That public opinion does not come solely from the public outside of organized labor—it is coming up from the ranks of organized labor as well, which shows conclusively that, in addition to the loss of the support of public opinion, there is a loss of intra-organization solidarity and strength.

It seems to me highly important not only from the standpoint of public interest, but from the standpoint of the interest of organized labor and its individual members, that an attempt be made to establish a better method than strikes to settle disputes in these defense industries. It is our duty, Mr. Chairman, to give to the President the sort of power essential to do the job which the necessities of this country, in the opinion of the people of this country, require him to do. If there is anything required to see to it that the interests and the rights of the people who labor in these defense industries are protected, I for one would go the limit in seeing to it that it is taken care of by proper legislation. In other words, we must develop in this country and use in this country a better method for settling disputes in these defense industries than paralyzing their production affords.

We do not seem conscious of our situation with reference to this war. As a matter of fact, we are right square up against the shooting now. I am much impressed by what the distinguished gentleman from Georgia [Mr. RAMSPECK] said this morning, repeating what he said yesterday:

"That if we cannot keep these industries in activity, we had better stop and find out about it now, before we proceed further in our involvement in this war."

I do not attempt to quote the gentleman exactly.

The other day—and I do not mean to criticize—we voted in this House to send armed men, on armed ships, to deliver contraband of war into the ports of belligerents, into the very heart of the shooting. We had already provided for war materials for one group of these belligerents and for the loan of our ships in which to transport them. We are putting our own men on these ships which carry these contrabands of war, to fight, if necessary, from our shores to the ports of these belligerents. As a matter of fact, this is but little less, if any less, than a miniature A. E. F. which we have authorized to be sent across. That is where we

are now. We have no choice. We must speed up our preparedness; we must avoid these interruptions of production, so that we can provide for those whom we ask to go into these danger zones every possible equipment to protect themselves which a people conscious of their sacrifices and their danger can provide. There cannot be any argument about that. When the President asks us for the power necessary to keep these factories open, it is a duty which we owe to him, to labor, to the rank and file of loyal labor, to prevent, if possible, these unfortunate incidents, these strikes, which are unfair to them, unfair to their sons in uniform. We owe a duty to respond to that request with legislation adequate insofar as legislation can be adequate to enable the President properly to discharge his responsibility as the Chief Executive Officer of this country.

[Here the gavel fell.]

Mr. McKEOUGH. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I ask for this time in order that I might make inquiry of the distinguished gentleman from Texas, chairman of the Judiciary Committee, who has just addressed the House. If I recall his language correctly he stated that the President of the United States had asked for legislation that would permit him to keep industry at work in order that the flow of war defense materials might not be interrupted. I think that is what the gentleman from Texas just stated.

The question I would like to ask the gentleman from Texas is this: Is it his opinion, and is he in a position to speak for the President of the United States, with relation to the language offered by the gentleman from Virginia [Mr. SMITH]? In other words, did the President of the United States give his approval to the language which the gentleman from Virginia [Mr. SMITH] now presents to this body for deliberation? I would appreciate it if the gentleman from Texas could advise the House. Will the gentleman indicate that?

Mr. SUMNERS of Texas. I may say to the gentleman that I cannot advise the House as to what language the President desires. I understand he has not stated it, but he has said it is the business of Congress and he is passing it up to us. May I say to the gentleman, I am not discussing the Smith bill, as my friend understands.

Mr. McKEOUGH. The gentleman is discussing the proposed legislation that is now before us?

Mr. SUMNERS of Texas. That is right.

Mr. McKEOUGH. The gentleman has answered the question and it does not indicate—at least it clears up in my mind at least—that the President of the United States has not suggested to the Congress any language; so that it resolves itself then to the language of the Smith bill, the Vinson bill, or whatever language the House in its deliberations today may adopt as the final work of this House in connection with the proposed anti-labor legislation.

I merely want to point out, as I understand the Smith bill, which bears number H. R. 6149, and which was introduced

December 1 and on which no hearings were held, at least to my knowledge, there has been stricken from that draft sections 20 and 21. I hope that every Member of this body will examine that language. It strikes out the plant-seizure provision in the event of any stoppage of work, but strangely—and I presume with propriety in the judgment of the gentleman from Virginia—he adds to the Ramspeck bill in the preceding sections of his bill the introduction of activities by the Government, interfering with the functions—internal and private—solely under jurisdiction resting within the union itself to supervise. He asks for a secret ballot, he asks that balance sheets be presented to the public showing the financial statement and the financial status of every labor organization in the country, and other restrictions.

I hope that this House, before it determines this afternoon or early this evening, or whenever it finally votes on this, will pause and consider fully what very dangerous procedures are now presented in the Smith bill for consideration. I hope that when the vote is taken it will be so clearly understood by every Member of this body as to just what language he or she may be asked to vote up or down, there will be no misunderstanding as to its serious effect to our present and long-standing American standards.

The distinguished gentleman from Georgia, chairman of the Naval Affairs Committee, was the sponsor of the first "cooling off" period proposed legislation in connection with industrial strikes. The gentleman from Virginia [Mr. SMITH] needs no word of introduction from me as to his attitude toward those who toil. I think it might be refreshing if we in the House looked over the record vote on the wage-hour bill. It is my guess, and I will be happy to be corrected if in error—with the exception of the distinguished gentleman from Georgia [Mr. RAMSPECK], none of the proponents of this antilabor legislation spoke for, or voted for, the adoption of the wage-hour law in this country. I hope we will pause before we apply this fascistic Hitler technique against those who toil.

[Here the gavel fell.]

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, it is an old, old procedure when you have no argument against a proposition to charge the author with improper motives.

Mr. McKEOUGH. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. No; I cannot now.

Mr. McKEOUGH. I am sorry. The gentleman is usually very generous in that regard.

Mr. HOFFMAN. All right; quickly, if you please, just for a question.

Mr. McKEOUGH. I do not subscribe, of course, to the gentleman's statement that we are bankrupt of argument in opposing this legislation.

Mr. HOFFMAN. Very well. The gentleman does subscribe, I take it, to the other proposition.

Mr. McKEOUGH. No.

Mr. HOFFMAN. All right. If there is anyone in this House who wants to find an out or an excuse for voting against the legislation which the people demand, it is an easy proposition. You can do it, because there is something in each of these bills with which some fault can be found. I call your attention to the cooling-off period. For 50 years, according to the testimony of the secretary-treasurer of the A. F. of L. before the Committee on Rules on May 4 last, their contracts for years—50, he said—have had a cooling-off period of 90 days, so there is nothing against including that in the bill.

Over on the Labor Committee sits an official of a union. He handed me the other day a copy of the constitution and the bylaws of that union, and in it were provisions for a vote, and there were provisions for an accounting of the funds. The gentleman happens to represent a good union, which abides by the law.

There is nothing in the Smith bill to which there is substantial objection over on this side, as far as I can learn, except these two things: First, that section which calls for the maintenance of the status quo with reference to strikes. Some want that stricken out. In my judgment, that is an excuse, that is an out, so that if it is not taken out, the boys will have a chance to vote against the bill and go along with the C. I. O. and the A. F. of L. And that is their right, which I would be the last to deny.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. Yes; for a question.

Mr. SMITH of Virginia. Does the gentleman think that if we leave out the plant-freezing feature of this bill, we shall touch the real core of this trouble?

Mr. HOFFMAN. No. The organizing drives will go on; there is no question about it.

Then the other thing to which some on this side, and probably some on that side object is the provision in the Smith bill which would do away with jurisdictional and sympathetic strikes. Is there anyone here who does not believe that under the present circumstances we should do away with all of these jurisdictional and sympathetic strikes? If there is, then I ask you to read the statement put in the RECORD by the gentleman from Pennsylvania [Mr. WALTER] on Monday and form your judgment after you have read that.

Those are the only two things in the Smith bill, aside from that provision which would deprive the striker of his rights under the social-security law, and that I understand will be stricken by a committee amendment, and the provision in the Smith bill for the seizure of plants, which I understand will also be disposed of by a committee amendment, so where are we and to what in the Smith bill can we reasonably object?

The gentleman from Georgia [Mr. VINSON] said that the Smith bill would come up for amendment. What should we do? I know that some on the minority side want to let the Smith bill first be defeated. Mark you, I do not say they are going to vote to defeat it, but they are willing that the Smith bill should be defeated. Then they propose to take up

the Ramspeck bill and offer their amendments, an amendment which would require an accounting, an amendment which would prevent violence, which is the Halleck amendment, an amendment which would do away with subversive activities, which is the Landis amendment, and then an amendment which I shall by request offer requiring registration of unions. They will strike out of the Ramspeck bill the plant-seizure proposition. So that when we got through, we would have under the Ramspeck bill the Smith bill, but out of it would be that provision providing for the maintenance of the status quo, that is, the closed and open shop as it stands today, and we would have out of it the provision which prevents jurisdictional and sympathetic strikes.

There is no use in trying to deceive ourselves. We are not going to deceive the people of this country, not for one moment. They are not so foolish that they do not recognize legislation after they see it at work. Notwithstanding the statements of the gentleman from Illinois, who just left the floor, and notwithstanding all the names we have been called, I maintain today that those who propose adequate legislation who support the Smith bill at this time are better friends of the workingman than those who oppose that legislation.

[Here the gavel fell.]

Mr. COLMER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I realize, of course, my impotency in trying to persuade this House to do the right and the just and the proper thing on this momentous question, but this is a serious matter, and all eyes in this country today are directed at the Capitol of the United States. The people of this country are alarmed, they are amazed, they are dumbfounded that their will has been so long thwarted upon this question of strikes in defense industries.

I do not know what this Congress is going to do. I do not know whether we are going to get in a fight here between this bill and that bill and do nothing, or whether we are going to intelligently and patriotically work this out. I do not know whether some of us are going to be controlled by labor leaders at home, whether we are going to place this group above the interests of our country, or whether we are not. But I do know the people of this country are looking to this Congress today, they are looking to you and they are looking to me, to take some action on this question that will stop strikes in defense industries.

My distinguished friend from Illinois [Mr. McKEOUGH] on yesterday made a most impassioned appeal against any legislation. Today he took the floor again. I listened to the gentleman from Michigan [Mr. HOOK] and others who represent that school of thought talking about crucifying labor. Nobody is trying to crucify labor. I maintain that the majority of labor, the rank and file of labor, want something like this to protect them from the labor racketeers who have control of them today. I maintain that they are as loyal as the average

young man who goes into the armed forces to fight the battles of his country.

The gentleman from Illinois says that those who advocate this legislation have voted against all labor legislation. I challenge that statement. I say to the gentleman from Illinois that there is no man on the floor of this House, not excepting him, who has a better labor record than I have. I have never voted against a piece of legislation, the wage-hour law not excluded, that was for the benefit of labor since I have been on the floor of this House. I say to you that we want some action on this thing, and when I listen to these gentlemen talk, I can almost see in my mind's eye the delegates in the Congress of France and I can hear them making the same kind of appeal the gentleman from Illinois [Mr. McKEOUGH] made.

Mr. McKEOUGH. Mr. Chairman, will the gentleman yield?

Mr. COLMER. Mr. Chairman, I am sorry I cannot yield, my time is so limited. I would like to debate this matter with the gentleman if I had the time.

Mr. McKEOUGH. I would like to also.

Mr. COLMER. I have not the time. I know that the delegates in France, in all the crises of that country made the same kind of an impassioned appeal that the gentleman from Illinois made, and today, where is France? Where are the gentlemen who made those appeals?

Mr. Chairman, America is at war. The legislation which we are discussing here today is war legislation. The sooner the American people realize that America is at war and awaken to that grim fact, the sooner the country will become prepared for its greatest undertaking. America is not prepared for the great task that lies ahead, primarily because the country's leadership have not been fully frank and taken the people of America into their confidence. A few days ago this Congress, by its action in repealing the Neutrality Act, placed the country at war by striking the last semblance of neutrality from the statute books. Whether that course was wise or unwise, right or wrong, is no longer a debatable question. The country is at war just as much as if a formal declaration of war had been declared by the Congress. In fact, I doubt very much if any formal declaration of war will be declared. The formality of war declarations in this modern age is a thing of the past. It belongs to the horse-and-buggy days. If anyone doubts the truth of these statements, he has but to await the passing of a few more weeks when our ships will have had time to enter the combat zones before the casualty list will awaken him to a full realization that America is at war. I repeat that whether that policy was right or wrong is now a closed issue. The Rubicon has been crossed, the die has been cast, and it is squarely up to all patriotic Americans with the love of country in their hearts to relegate into the background of oblivion all differences of opinion about that policy. We are today at grips with Hitlerism and all of the evils that it represents. As one who has for years consistently recommended and earnestly advocated the preparedness of this country to meet that day, and as one who believed in all the sincerity of his



being that we should have deferred the last step equivalent to war of sending our merchant ships into the combat zones, convoyed by our naval forces, I am convinced that the duty of all patriotic Americans is now to rally behind the Commander in Chief of the Army and Navy, the President of the United States, and to do all things necessary to win the war that we have now set out to win.

But, Mr. Chairman, we cannot win this war in a half-hearted manner. We cannot win this war without a united effort on the part of all Americans. Soldiers alone are not sufficient. We must have the united effort of capital, labor, industry, and agriculture. Today we have the unfortunate spectacle of a house divided against itself. Labor and industry apparently are at cross purposes. We have been pursuing a policy somewhat similar to that followed by the people of France immediately prior to and during their brief engagement in World War No. 2. I do not belong to that school of thought which advocates that we can win this war and at the same time carry on our policy of "the more abundant life" with its policy of shorter hours, more amusement, social uplift, and business as usual. France tried that policy and today her monument in the cemetery of nations who have fallen prey to Hitlerism is the most striking of them all. We must be realistic. We must, while the time still exists, redouble our energies and make the necessary sacrifice to win the goal which we have set out to gain—the destruction of Hitlerism.

Mr. Chairman, today we are face to face with the fact that this Nation, its institutions, and the heritage left us by the founding fathers is at the greatest crisis that it has ever witnessed. It will either survive and flourish as a result of this world struggle, or it too will fall prey to the scourge of Hitlerism, and its peoples will be added to Hitler's slaves. The legislation which we are considering here today seeks to make the disgrace of strikes in defense industries either no longer possible or negligible. So, Mr. Chairman, this legislation is in no sense antilabor legislation. This legislation is prompted by an effort to help the rank and file of labor to help themselves and to give them a full opportunity to contribute their full patriotic measure toward the winning of the war against Hitlerism. This legislation is necessary and essential, therefore, not only to see that the wheels of industry in our defense program are kept rolling, but it is necessary to protect that great mass of workers, who are just as patriotic as any other class of American people, against a small group of labor racketeers who place their own selfish gains and advancement above their duty to the masses of labor and their country.

Mr. Chairman, I am thoroughly convinced that the average American laborer, who has been the beneficiary of more advancement and profits under this administration than under all administrations which have gone before in the past 50 years, is aware of the dangers ahead. I believe that the average worker appreciates that if America does not survive in the gigantic undertaking upon which we

are presently engaged that he, too, will become but another commodity to be bartered upon the slave markets of Berlin, and, contrary to some of the denunciations of this proposed legislation, I am convinced that the American laborer will not only cooperate but will welcome such legislation. Who, Mr. Chairman, has the right to arrogantly state that American labor, engaged in vital defense industry, is not just as patriotic, given the opportunity, as the young man who is called from every walk of life into our armed forces, sacrificing all, their very lives, if necessary, in defense of their country? The American laborer is just as essential to the success of the cause as is the man in our armed forces. Every man who drives a rivet or contributes to the construction of a gun is as essentially important as the man who sails a ship or fires a gun in the great common cause in which we are all engaged. To my mind, the one has no more right to strike than the other has to desert. Their duties are equally important; yet, in spite of this, we recently witnessed the amazing spectacle of the outstanding labor profiteer in this country, John L. Lewis, attempting to paralyze the whole defense program by calling a strike in the vital coal mines of the country. No one realized better than Mr. Lewis that by that one move he could stop the whole defense program. Without coal we could not have coke, and without coke we could not have steel, and without steel we could not have ships, guns, ammunition, tanks, and planes; and, although Mr. Lewis repeatedly defied the President of the United States, it took an aroused public opinion to force Mr. Lewis into allowing these coal miners to go back to work. May I ask you, in all seriousness, whether there was any difference in the conduct of Mr. Lewis on this regrettable occasion and the conduct of one Benedict Arnold in another great crisis of this country?

Mr. Chairman, the President of the United States, charged with the responsibility of carrying out this program of the making of this country an arsenal of the democracies, of the destruction of Hitlerism, of the preservation of our great common country, and of winning the war upon which we have embarked, has been most patient and considerate of labor and particularly its leaders in this great crisis. The Congress of the United States, comprising as it does the representatives of 135,000,000 people, largely out of deference to the wishes of the President, has heretofore refrained from taking any action in the deplorable spectacle of strikes in defense industries, engineered by unconscionable labor leaders. Some of these leaders have defied the President and the Congress, and today their henchmen are threatening and browbeating the duly elected representatives of the people in the Congress of the United States in an attempt to thwart this legislation which all fair-minded men must admit is not antisocial or antilabor. Let me say, Mr. Chairman, to you and my colleagues of the House on both sides of the aisle, that some such legislation is essential. The American people, including the hordes of the rank and file of labor, are looking to you as

their representatives to enact legislation that will stop this unwarranted and inexcusable system of strikes in defense industries. Moreover, they have a right to expect such action on your part. I can conceive of nothing that would afford the common enemy greater satisfaction than for you to fail the country in this hour of crisis. The splendid young men who have been forced by the draft law, enacted by you, as well as the hundreds of thousands of young patriots who have volunteered into the country's Army and Navy for a mere pittance in the form of a wage, are looking to you. The mothers and fathers of those young men, and the millions of patriotic laborers themselves have turned their eyes toward the Nation's Capital today, and they all together with the patriotic Americans everywhere, except every Member of this Congress to do his duty faithfully, patriotically, and without fear.

Mr. Chairman, I conclude where I began. America is at war on the Atlantic front and is faced with the possible necessity of becoming engaged on the Pacific front. Let us of this generation be found not wanting. The heritage left us by our forefathers must be protected. The duty which we owe to our children of the next generation is plain and emphatic. Let us as one united American people pursue relentlessly the goal which we have set out to attain. As for me, my own policy from here on out will continue as in the past. My policy in this crisis of my Nation will continue to be such that should my own precious son or that of any other American father and mother be brought back from the firing line in a flag-draped casket that I can look courageously into his pallid face and say, "Ole fellow, I have been honest with you."

The CHAIRMAN. The time of the gentleman from Mississippi has expired. Mr. CASE of South Dakota. Mr. Chairman, I am in favor of action and intend to vote for the Smith bill, but I rise in opposition to the pro forma amendment, to ask the attention of the gentleman from Virginia [Mr. SMITH] and the gentleman from Georgia [Mr. VINSON] for the purpose of clearing up a misunderstanding. I understand that section 20 of the Smith bill is eliminated, the plant-seizure section, because it is understood that is taken care of by existing law. Some of us, however, did not hear the reason given for the elimination of section 21. Is it also taken care of by existing law?

Mr. SMITH of Virginia. Mr. Chairman, I did not intend to say that either of them is taken care of by existing law. What I said was that they are taken care of by existing practice. The Government has not taken over these plants under statutory authority.

Mr. VINSON of Georgia. If the committee strikes out section 20, there is no justification for a Defense Wage Board, because a Defense Wage Board deals with plants taken over.

Mr. CASE of South Dakota. In the Smith bill, are sections 20 and 21 to be voted on.

Mr. VINSON of Georgia. No; but they are in the Ramspeck bill.

Mr. CASE of South Dakota. Then, may I ask this question: In the provisions for mediation are provisions made for determining a just wage?

Mr. VINSON of Georgia. There is nothing in the Ramspeck bill, as I understand, that deals with the question of wages at all, except the wages of a plant that has been taken over.

Mr. CASE of South Dakota. What about the Smith substitute?

Mr. VINSON of Georgia. The same thing in the Smith substitute. The only theory of a wage board is where the plant has been taken over. There is nothing in the Mediation Board to justify its going into the question of wages, unless it is a part of the dispute that is to be considered by the Board.

Mr. CASE of South Dakota. Is there any provision in any of the legislation proposed for taking care of the correction of an unfair wage situation?

Mr. VINSON of Georgia. Not at all, except by mediation, and recommendation of the Mediation Board after it has taken jurisdiction of a dispute.

Mr. CASE of South Dakota. And, of course, if the wages paid are unfair that will be one of the issues before the Mediation Board. If an unfair wage situation exists, however, it might be wise to deal with the situation before a strike impends. My father wrote me a letter the other day in which he said that the time to kill weeds is when they are small. The smartest employers I know are those who avoid trouble by forestalling it with fair treatment.

Mr. VINSON of Georgia. In view of the question raised about plant seizure, if the gentleman thinks that should go back in the bill, of course, he has the right to put it back.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. Yes.

Mr. MAY. As a matter of fact, section 9 of the Selective Training and Service Act, known as the Smith amendment, is still the law of the land and authorizes the President to take over a plant.

Mr. CASE of South Dakota. That was my understanding on the reason for dropping section 20. And now I must decline to yield further.

The main objection made to the Smith substitute by the gentleman from Illinois was the implication that in some way he thought the bill was dangerous because it proposes a secret ballot on strikes and an accounting with publicity for the funds of labor organizations.

In my ignorance I want to ask this question: Since when has it become dangerous to freedom or democracy to provide for a secret ballot? Since when has it become dangerous to the freedoms we want to preserve to require a secret ballot, supervised to guard against fraud and secret to protect the voter-workers from pressure and dictation by racketeers?

Testimony has come before the Appropriations Committee repeatedly that key strikes have been doing more damage than the total number of days lost. The fraudulent Allis-Chalmers plant strike hurt national defense because it was a key strike which held up production of im-

portant materials for other plants. The Allis-Chalmers strike was ordered on the basis of a fraudulent election.

If that is the only objection that can be raised to the Smith amendment, that it is dangerous to require a secret ballot and supervised elections, then I think it is time this Congress did something dangerous in order to secure freedom and secure democracy.

[Here the gavel fell.]

Mr. LANHAM. I move to strike out the last three words.

Mr. Chairman, in all the confusion which the debate on this subject has engendered I think there are three facts which stand out as indisputable. The first is that, in this modern warfare, mechanized instruments of war are the dominant factor in the outcome of any martial conflict, and that for the proper defense of our beloved country the production of those necessary implements of war must not be interrupted.

The second is that there have been serious interferences with that necessary production which have kept our program of preparation lagging and below the requirements for our own national defense and for the aid we are seeking to give to those who are fighting for principles in which we believe.

The third is that, through no fault of their own and against their will, honest American workmen are losing the approval of public opinion because of the machinations of subversive agents which those honest American workmen themselves are anxious to see eliminated.

Because of those three fundamental, indisputable facts, it devolves upon us as a duty to pass appropriate legislation not only for the defense of our country, but also for the defense of American laborers who are patriotically interested in the safety of our land and the preservation of its institutions, its ideals, its principles, and its purposes.

In the district I have the honor to represent there are a great number of loyal workmen engaged in various branches of industry, but I thank God that they are patriotically American in their ideas, their sentiments, and their desires to be distinctly helpful to their nation in this time when universal exemplification of Americanism is needed. Our system must not be disrupted by the preaching of hostile propagandists who are seeking constantly to invade the ranks of labor and divert and pervert fundamental American doctrines to the nefarious purposes of foreign dictators.

I think it is generally agreed that practically all of these strikes against our defense production have resulted from the machinations of those who are not in sympathy with our form of government. We must not follow in the path of sorrowing, devastated France. We must travel the American way. We must thwart the insidious efforts of agents inspired from abroad to rob all our people of the blessings of liberty and democracy which have come to us as a priceless heritage from our fathers. If those subversive groups get control of our production in this critical time and thereby largely get control of our Government, we shall not have much in the way of government left.

It is a very important and a very imperative duty which faces us now, to deal honestly and candidly with this situation for the benefit of the American people and for the benefit of honest American labor.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent to extend my own remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. O'CONNOR. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, I just want to make some general observations about the measures pending before the House. First of all, I want to call your attention to this:

Speed in building United States ships is seen.

This is from this morning's New York Times:

The rapid progress of shipbuilding for the Navy and the Maritime Commission was described by the spokesmen for the Government and private industry at yesterday's preliminary sessions of the Congress of American Industry of the National Association of Manufacturers at the Waldorf-Astoria Hotel.

Now, let us see who attended that meeting up there. Knudsen, Nelson, Leon Henderson, Mr. Odum, and I see our good friend and colleague the gentleman from Tennessee, ALBERT GORE, is going to address them.

What else?

Commercial vessels for the Maritime Commission are being launched at the rate of one a day and will slide down the ways at the rate of two daily by July, it was disclosed by Lewis Compton, former Assistant Secretary of the Navy. Shipbuilding is keeping abreast of sinkings by the Axis, Mr. Compton declared.

Mr. Compton, who is assistant to the president of the National Council of American Shipbuilders, constructing naval and merchant vessels, announced that on construction of Maritime Commission vessels shipbuilders were "making very fine time," while launchings of naval vessels were "well ahead of schedule." Many of the merchant ships are of 10,000 tons.

Let us see what is in the Washington Post this morning in regard to production. After all, production is what we want. The distinguished gentleman from California [Mr. WELCH] sounded the keynote yesterday morning when he said it was production that we want. That is what you are getting.

What does this morning's Washington Post point out? God knows, that paper is not giving labor any the better of it:

Only one strike now menaces defense.

The Office of Production Management announced there was only one current strike having a serious effect on the defense program.

These newspaper statements give us a fairly good picture of the situation as to the state of production. We have seen in the last few days the railroad companies and employees get together and settle their differences. We saw the captive mine owners and employees submit their differences to arbitration for settlement. Every day we see more evidence of a spirit of conciliation being developed between capital and labor during this



emergency. I think the President is doing a mighty good job of handling labor disputes. I think he has all the authority that is necessary for him to take such action as will bring about a settlement of disputes. I think the President has exhibited a remarkable spirit of fairness and tolerance for both sides in these controversial issues and I have not heard his asking for any such legislation as we have before us today, and particularly what is known as the Smith and Vinson bills. I want to say now that I am opposed to strikes and I am also opposed to anything else that will disrupt the production of planes, tanks, guns, and so forth. On the other hand, I do not want to see such shackles put on labor as to cause them to feel their efforts are not appreciated and that after all the Government is against them. I feel that labor is delivering the goods today. This has been clearly shown during the debates on these bills. We must bear in mind we cannot produce any of these materials without our men working. Suppose they, for instance, took a vacation and went fishing. What could we do about it. You know you can lead a horse to water but you cannot make him drink. I believe that if we keep our shirts on for a while and rely on the patriotism of labor that labor will continue to deliver the goods with a greater degree of enthusiasm than if we try to make our laboring people feel that they are not loyal, patriotic American citizens. Understand that I am as opposed as anyone against the so-called racketeers in labor groups. I also condemn racketeers in any other classes. There is no class or group of people that has a monopoly upon racketeers and disloyal citizens. I do not believe we should take such steps by legislation that might cause labor to falter in its efforts.

Again referring to the speech of the gentleman from California [Mr. WELCH] yesterday he gave the figures and they ought to be quoted again. In our country and in Canada and England slightly more than 2 percent of the workers were out on strike. England 2.3, Canada 2.4, United States, 2.3 percent. We are doing as well as England has done and she has been in the war for 3 years.

Only the other day 100,000 Scotchmen threw down their tools in the shipyards on the Clyde. They called it a "token strike." The national wage tribunal had delayed a decision on a wage increase and the Scotchmen decided to hurry them up.

Did Churchill order out troops? Did he talk about wiping out all the labor laws on the statute books of Great Britain? No. He is too smart for that. Instead, the wage board was told to get busy and render a decision and the Scotchmen went back to work.

Does any sane man question the patriotism of those Scotchmen? Of course not.

I want to tell you members of the press up here in the gallery that the best and most encouraging news you can send out to the world, including England, today are the figures I have just quoted. Let England know that we are united over here to the extent of more than 97½ per-

cent of production, that we are not engaged in fights amongst ourselves to any extent that would interfere with our help to England.

Right down on one of the main streets in this city recently a building was turned over to the Government that was constructed from foundation to roof and ready for occupancy in 38 days, a great big building. Who built this building? It was built by men in overalls, Mr. Chairman. The contractors did not go into these shops where they trim fingernails—beauty parlors—for help. They did not go into any of these pink tea and other places where they hold meetings every afternoon to tell Congress what to do about labor. They got workers and built that building.

Who are building these ships? It is the laboring men of this country.

In conclusion, Members of the House, I think we should thank God that we have the loyal, patriotic American citizens that make up our great labor groups in this country. It is true a very small percentage of them is not what we would like, but we should not condemn 97 percent or 98 percent of this great labor group because there may be some among them who are disinterested, disloyal not only to our country but to our form of government.

[Here the gavel fell.]

Mr. O'CONNOR. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

Mr. VINSON of Georgia. With all deference to the gentleman from Montana, I must object, for everybody must have an opportunity to be heard.

Mr. VAN ZANDT. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the legislation we are now considering concerns one of the most vital problems to be considered by this Congress. It is a well-known fact that strikes in industry have impeded our national-defense program to such an extent that the American people are alarmed and looking to Congress for remedial action.

My district is primarily a laboring man's district. Among these laboring men you will find a true cross section of American labor—honest and patriotic, they are interested in the welfare of the Nation. Many of these same laboring men have given their sons in 1917-18 and have sons or grandchildren in the present armed forces of the Nation.

This labor problem is nothing new to Congress. For many months it has been buried under other legislative matters.

I agree with the statement of the gentleman from Georgia [Mr. RAMSPECK] that the country is without a strong labor policy and as a result we have this labor problem. What the Nation needs is a two-listed Secretary of Labor who understands the common problems of both capital and labor and who is capable of reaching a middle ground agreeable and just to both sides.

Make no mistake about it, there are two sides to every controversy. We all recall the profiteering days of 1917-18, when millionaires were created overnight. Who will deny that the same situation is

not occurring today as billions of dollars for defense contracts are awarded, while the rising cost of living staggers the imagination.

The man who labors must by the sweat of his brow pay taxes, according to President Roosevelt's own statement. He must also provide the necessities of life for his family, in addition to carrying the burden of taxation. Therefore, if the cost of living is skyrocketing and taxes, as we all know, are reaching unbearable heights, is it not simple justice to reflect on the fat profits from defense contracts and ask the question: Are we to create another harvest of millionaires similar to the crop that followed the first World War?

Frankly, I think we will all agree that if this Congress had recognized the experience of this Nation in regard to the profiteers of 1917-18 and passed legislation to curb excessive profits during a period of emergency, we would have solved many of our present-day problems.

I realize the wage question is a small part of the present controversy and that in most instances the betterment of working conditions is the basis of the complaints.

We have before us several bills, each designed in its own way to remedy the situation. I find myself in the position of many more Members of this House who are confused in their efforts to find a suitable measure that will give our Nation a strong labor policy and establish unity between capital and labor.

In our efforts to perfect legislation we must keep in mind that both capital and labor have inalienable rights under the Constitution of the United States. Capital is entitled to respect for their property and a fair return on their investment. Labor, on the other hand, is entitled to a living wage, ideal working conditions, and the right to present their grievances, if any, in a lawful manner. In spite of these constitutional guaranties to both capital and labor, there is a widespread cry on the part of newspapers and their columnists that Congress enact legislation to curb strikes in industry.

As the gentleman from Georgia [Mr. RAMSPECK] rightly asserted on the floor yesterday, it is unconstitutional to deny any American citizen the right to strike or to picket in a lawful manner. I trust that all of us will keep this in mind in our efforts to formulate a strong labor policy for the Nation.

While we cannot deny the American workman his right to strike or to peaceful picketing his place of employment, we can strengthen the labor policy of our country by a plan of arbitration designed for such an emergency as the present, and such arbitration proceedings to be preceded by a suitable cooling-off period.

This is definitely the problem before Congress today. Whatever legislation we enact should be fair to both sides as a further guaranty against future interruption in our national-defense program.

There is truth in the old saying, "Experience is the best teacher." This is borne out in my congressional district where we have had several bitter labor controversies. One of the leading manufacturers in my district who spent years

in litigation with his workers has sent me his observations on the present situation, and I offer them at this time as a timely contribution to our discussion of the subject. He says in part:

1. I am against antistrike legislation. That may sound strange from an industrialist, but this is a free country. Don't outlaw strikes.

2. When an industry finds itself in the jaws of a labor fight and they request a labor vote from the National Labor Relations Board, it should be given them at once so they know whom to bargain with.

3. Before a strike is called every employee should have a vote, and such vote should be secret and conducted by the National Labor Relations Board on or close to the place of employment. Surveys show employees desire this right, yet at our plant 1 week after a strike was called the National Labor Relations Board director prescribed a vote, but it was not held until nearly 4 years later.

4. A cooling-off period of a week or 10 days should be mandatory on employer or employee before a strike or lock-out is called.

5. The individual right of employees should be protected.

He concludes:

We need labor legislation, but it must be fair to both parties, but, remember, don't outlaw strikes. We have been penalized \$131,000, and as a result of this bitter lesson we are convinced that outlawing strikes will not solve the problem.

Like other Members of Congress, I, too, have made a deep study of the subject and have resolved not to vote on any measure that will deny either capital or labor their constitutional rights.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield.

Mr. SMITH of Virginia. The gentleman has been referring constantly in his remarks to this as being an antistrike bill. Will he be good enough, in all fairness, to point out to the House any provision in either the Smith bill or the Ramspeck bill which prohibits a strike?

Mr. VAN ZANDT. I can answer the gentleman by saying there is no such provision in either of the bills. We must act quickly to find a solution to this distressing problem because of its importance to the program for national defense, but in so doing let us perfect a labor policy that will be fair and just to both sides.

Mr. FOGARTY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not rise this afternoon to attempt to tell anybody in this House how to vote on any of these bills. I would be very careful in attempting to write any law that has anything to do with the courts of the country, because I am not a member of the bar. I am not a lawyer. I am a bricklayer. I came off a wall last summer to run for Congress as a member of organized labor and as a member of the Bricklayers' Union of the city of Providence, R. I.

I am not going to attempt to tell you the causes for these strikes or anything else. There is not a bill before this House today that I intend to support. I am still a member of organized labor. I believe in organized labor. I believe in the closed shop. I know what I have received from being a member of organized labor. I know the benefits that every member of organized labor receives.

I paid \$107.15 initiation fee to join my union. I will not have to pay this initiation fee every year or two. I pay \$36 a year dues to the union. For what? To keep the gains we have been able to make, to keep what belongs to us.

These measures before the House today, regardless of what anybody says about their not being antistrike measures, are vicious antilabor measures, and I will not take that statement back for anyone.

What do we get when we join a union? We get the benefit of the gains made by that union for the past 60 or 70 years. During all that time they have worked to achieve their present gains. New unions have come into existence in the past 2 or 3 years. Many new men have joined unions in the past 2 or 3 years. What have they gained? They have gained an<sup>d</sup> share in the benefits it took the unions 60 or 70 years to build up—shorter working days, better living conditions, the workmen's compensation, unemployment insurance, social security, and the right to hold their heads up in any company—the secure knowledge that though they earned their bread by the sweat of the brow, no one had the right to call himself their master.

Why should they not pay an initiation fee? A man gets \$1.50 an hour for laying brick now; 20 years ago he got 40 cents an hour and worked 15 hours a day. Why should not those men want to come into a union today and gain the benefits that the older members gained for them?

May I say one thing in reference to the defense work that has been going on throughout this country, particularly on the cantonments in various parts of the country. They have in the great State of Texas, and it is a great and beautiful State, near Corpus Christi one of the biggest air bases in the country. They had only about 450 mechanics in that section when the base was to be built. What did organized labor do? It supplied that district with 15,000 men from all over the country at no cost to the Government and the base was completed in record time. They brought men from San Francisco, Chicago, St. Louis, and Kansas City to guarantee to the Government that that base would be built.

I have in my district the largest naval air base in the world, that would ordinarily take 3 to 4 years to build. It was completed 1 year after it was started, on last July 12. That is a sample of the accomplishment that organized labor has been giving.

Mr. Chairman, I do not stand up here and attempt to tell you that every member of organized labor is aboveboard. We have some so-called leaders in our movement who are not aboveboard and honest. But name me an organization in this country that has not some of that type. We intend to go along in this program.

The members of organized labor want to clear their ranks of undesirables. We have members at the head of our unions who are capable men, men who have come up from the ranks, and they are not going to stand by and not attempt to stop any such legislation as we have here today. Some Members have said,

"Oh, there will be others on the opposite side who will want to find some excuse to vote against this legislation." But, Mr. Chairman, I do not look for any such excuse. What I would like to hear excused—if it is possible—is the complete independence of big business in the defense program. At its very inception big business refused to play ball unless its terms were met—and the record shows they were met. What I would like to hear excused is the hundreds of thousands of dollars' worth of machinery which is going to stand idle because little business has to shut up shop. What I would like to hear excused is the growing army of unemployed, increasing daily, while antilabor forces insist on the passage of this legislation—an army of men and women who will walk the streets because of almost total abandonment of the small business man in the interests of big industrialists, who fatten their coffers through brokers and middlemen in defense contracts while small business, which carries the bulk of the burden in normal times, is allowed to starve.

It seems to me, Mr. Chairman, that the sponsors of these bill would rather have us go back to the days of the vassal and the slaves. Yes; slavery. Go back to the sweatshop days; go back to the days when men worked 10, 14, and 16 hours a day and on pay day received a slip of paper saying you owed the company store \$2 for kerosene or some other commodity, instead of a pay envelope.

Mr. BARDEN. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I belong to a great many organizations, but I am first an American citizen. I do not find a clause in the bill under consideration here, referred to as the Smith bill, that would conflict with the rights or privileges of any loyal, patriotic American citizen in times like these. There is not a word in that bill that would ever inconvenience the gentleman who just spoke from this Well. And, of course, there are those who resent regulations of any kind. But we live in a democracy. We strive to protect, defend, and perpetuate this democracy. We believe in order, not chaos. We believe in a referee; we believe in our courts, the very bulwark of protection for the citizens of this country, and particularly is that true of the workingman and the underprivileged.

The courts will say, "You shall not be oppressed and no one, great or strong, shall invade your rights." Yet there seems to be a psychology growing up in this country to speak lightly of our courts and to be fearful of them, so far as letting them pass on matters that affect individual rights are concerned. I fear if that goes too far we might wake up some day and find that we have done irreparable damage to the great supports and foundation of our democracy.

The Prime Minister of Great Britain made use of the term some time ago "Blood, sweat, and tears." I fear that term will not be confined altogether to the British Isles. We have appropriated approximately \$75,000,000,000 for national defense and the American people do not intend for that amount of



money to be a grab bag. They are willing to make the sacrifices necessary; yes, but they want orderly procedure, they want production and they want a law to stop any man who would hold up production, make no mistake about that.

Mr. MAY. Will the gentleman yield?

Mr. BARDEN. Just briefly.

Mr. MAY. The gentleman referred to Winston Churchill's "sweat, blood, and tears" statement. Of course, Chiang Kai-shek's has been a war-torn country for several years, and recently he said if we would work more in peacetimes we would bleed less in wartimes.

Mr. BARDEN. I thank the gentleman. There has been a lot of time taken up here trying to determine who is to blame. If we lose, what difference does it make who is to blame? It will not make any difference. Does it make any difference to France today to sit down and say that some member in their legislative body was to blame? No. They are prostrate. They are under the heel of the tyrant. They might just as well be dead, and I guess many of them wish they were. Yet we stand here in the Well of this House and wear out carpets and lash our tongues trying to determine who is to blame for the present labor trouble.

We do not want to hurt anybody. A man would be insane to come down here in the Well and attempt to do any harm to the laboring people. All of us have been in that same situation at one time or another. Our Government has been challenged. We cannot content ourselves with the continuation of a policy of appeasement. We must take a definite stand and prevent any recurrence of what has been happening. The passage of the Smith bill, in my opinion, will be a step in the right direction and will receive the approval of the American people.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, may I make inquiry of the Committee as to how many desire to address the Committee on the Smith amendment so that we can give everyone an opportunity, at the same time determine approximately how much time will be consumed on the Smith amendment?

The CHAIRMAN. The Chair will take the names of all Members standing who desire to speak on the Smith amendment.

Mr. VINSON of Georgia. Mr. Chairman, I ask unanimous consent that all debate on the Smith amendment and all amendments thereto close in 1 hour.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia [Mr. VINSON]?

Mr. BRADLEY of Pennsylvania. Mr. Chairman, reserving the right to object, is that on all amendments that may be offered?

Mr. VINSON of Georgia. That takes in 10 Members. I will make it an hour and a half.

The CHAIRMAN. The gentleman from Georgia [Mr. VINSON] asks unanimous consent that all debate on the Smith amendment and all amendments thereto close in 1 hour and 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia [Mr. VINSON]?

Mr. BRADLEY of Pennsylvania. Mr. Chairman, reserving the right to object, may I ask the chairman of the Committee on Naval Affairs if at this time he will confine his request only to the Smith amendment itself?

Mr. VINSON of Georgia. It is to the Smith amendment and all amendments thereto. That will afford everyone an opportunity in an hour and a half to discuss that phase. Of course, they can discuss the Ramspeck amendment later on, if necessary.

Mr. JENKINS of Ohio. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JENKINS of Ohio. If this unanimous-consent request is agreed to, does that mean that if one wanted to offer a substitute for the Smith amendment he could not do it?

Mr. VINSON of Georgia. That would be out of order, anyhow. You cannot offer a substitute to the Smith amendment.

The CHAIRMAN. The Smith amendment is a substitute, and a substitute for it would not be in order.

Mr. JENKINS of Ohio. Do I understand, now, that this applies only to pro forma amendments? Suppose a Member has a material amendment to offer, such as to strike out a section or two sections of the Smith amendment?

The CHAIRMAN. The gentleman's request includes all amendments. It covers the Smith amendment and all amendments thereto, including two amendments on the desk at the present time.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BRADLEY of Pennsylvania. In connection with the gentleman's request, for the information of the House can the Chair inform us whether, if the Smith amendment is adopted, it then will be subject to further amendment?

The CHAIRMAN. If the Smith amendment is adopted, it will not then be subject to further amendment.

Is there objection to the request of the gentleman from Georgia?

Mr. SMITH of Virginia. Reserving the right to object, Mr. Chairman, may I say I have no motive in reserving the right to object other than to see that any and every Member who desires to do so may have an opportunity not only to offer an amendment but to speak on it, and someone else should have the opportunity to oppose the amendment. If you fix a time limit and restrict recognition to those gentlemen who have arisen and indicated their desire to speak, we shall get ourselves into the same position we very often have gotten into heretofore; some important amendment will probably be offered in the last few minutes and the Member who offers it will have no opportunity to address the House regarding it. I hope that whatever arrangement is made—and I have no objection other than that to any arrangement—will be so framed and so arranged that every Member either for or against it may have a fair opportunity to be heard on this important subject.

Mr. HOBBS. Mr. Chairman, reserving the right to object, I have an amendment which has been on the Clerk's desk all morning.

The CHAIRMAN. The gentleman has an amendment on the desk, and his amendment is included in the request of the gentleman from Georgia.

Mr. McCORMACK. Reserving the right to object, Mr. Chairman, it seems to me that we ought to have some orderly procedure. Certainly an hour and a half is ample time for every Member with an amendment to have an opportunity to offer his amendment. Further, if the Smith substitute is defeated, then other substitutes will be in order. It seems to me that with the time we have already devoted to this matter, the hour and a half requested by the gentleman from Georgia will permit adequate debate on the Smith substitute.

Mr. JENKINS of Ohio. Reserving the right to object, as I understand it the proposal is to have an hour and a half of debate, but the Chairman does not feel himself bound to divide that hour and a half only among those who stood up.

Mr. VINSON of Georgia. We can ask them to submit their names to the Chair and let the Chair parcel out the time.

Mr. McCORMACK. We can always have confidence in the Chair on a matter of this kind.

Mr. JENKINS of Ohio. Further reserving the right to object, suppose 20 Members stand up now, is it understood that the Chairman will divide the hour and a half among the 20? Will he allow nobody 5 minutes? Some of the Members on our side who want to speak on this matter are not here, and I cannot reserve time for them.

Mr. SMITH of Virginia. Mr. Chairman, for the present, I object.

Mr. VINSON of Georgia. Mr. Chairman, I withdraw the request.

Mr. ANDREWS. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, I rise merely to ask a question or two of the majority leader or the gentleman from Georgia [Mr. VINSON] or the gentleman from Georgia [Mr. RAMSPECK], all of whom, I understand, have during the past week or 10 days been in conference with the President.

I have always been very much interested in the prospect that, if it is properly done, the labor unions or all organizations engaged in collective bargaining might be incorporated. The press reports of the last week, if they are true, intimate that among the various suggestions made by the congressional leaders to the White House was the incorporation of labor unions, to which suggestion, the newspaper reports, the President was not averse. I wonder if the majority leader can give me some information on this question.

Mr. McCORMACK. As far as I am concerned, I think the incorporation of labor unions would be the death knell of organized labor. I am expressing my own personal opinion. I do not know why we should compel labor to incorporate any more than we compel capital to incorporate.

Mr. ANDREWS. We do compel capital to incorporate. I am merely asking if the report is true that the President expressed a preference for the incorporation of labor unions.

Mr. McCORMACK. I have seen no such report. I am sure the gentleman would not say he had read something like that unless he had done so, but I saw nothing in the papers about it. Of course, I would never undertake to speak for anyone else on a subject I have never discussed with him, and I do not want to undertake to speak for the President, but I may say that the subject of incorporation of labor unions was never discussed.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, I believe a great many of those who advocate this legislation is, because they have been perhaps disturbed by mistakes which have been made by various individuals connected with the labor movement, are adopting the philosophy that the end justifies the means in an endeavor to punish those who may have been responsible for such mistakes. I wish any Member of the House to whom I make reference to understand that there is nothing personal in my remarks, I am simply referring to what the records of this House show.

My good friend from Texas [Mr. DIES] whom, despite the fact I generally disagree with him, I like very much, personally yesterday presented to this House the records of perhaps 20 men identified with the labor movement who have been guilty of or convicted of crime at some time in their careers. I have no brief for those men. I hope that they are driven out of organized labor. Furthermore, I have no brief for anyone who betrays his trust, but I say this, that it is no fairer or wiser to destroy labor for these derelictions, than it would be for us to tear down our governmental institutions because many men in public life have been guilty of far greater offenses than these individuals to whom he refers. For 4 years my friend has been investigating the labor movement, and he has brought the records of 20 men here. I could in a few minutes name more than 20 who occupied positions of trust in this country, who have been guilty of greater offenses.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. I yield.

Mr. DIES. I am prepared to give this House the records of 1,000, whenever the House wants those records.

Mr. BRADLEY of Pennsylvania. I have only 5 minutes and cannot yield further. The other day we saw in the press where a Federal judge was compelled to resign because of his misconduct in office, and in the State of New Jersey I could name a great political boss who was convicted a few months ago, and is now, if not already in prison, on his way to it. There are thousands of other cases of that kind, but we do not undertake to destroy American institutions because of such individuals.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. I have not the time. My friend the gentleman from Virginia [Mr. SMITH] I do not think had to wait for an emergency in the matter of national defense to convince himself that he should be an opponent of things that labor stands for, and I am just a little bit concerned whether there are not many who are now using this emergency as a vehicle to destroy labor. Just read the provisions of the bill of the gentleman from Virginia—and I am referring to the bill that he introduced on November 18—before you allow yourselves to be stampeded into affirmative action on this legislation. Read the provisions in section 5, and if they do not abridge the right of assembly, then I am very much mistaken. Then read the penalties of enforcement which his bill provides—penalties for the rest of an individual's life. There is no time limitation. He is deprived of all the benefits under our social-security laws and unemployment insurance, the right to represent labor under the National Labor Relations Act for the balance of his life.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. Yes.

Mr. SMITH of Virginia. If the gentleman thinks that there are provisions of that bill that are objectionable, I suggest that he offer an amendment to eliminate them.

Mr. BRADLEY of Pennsylvania. Practically everything in the gentleman's bill is objectionable to me. I think the gentleman has been diligent in burning the midnight oil to construct language in this bill which would place a strait jacket on labor and strangle it. He would restrict labor not only for the present, but forever.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. Yes.

Mr. DITTER. The gentleman referred to misconduct of a judge. Would it not be well to say alleged misconduct?

Mr. BRADLEY of Pennsylvania. But he resigned for fear of impeachment.

Mr. DITTER. It was alleged misconduct.

Mr. BRADLEY of Pennsylvania. Alleged misconduct, but he resigned to escape impeachment proceedings. There are hundreds if not thousands of similar cases of record of individuals elected or appointed to positions of trust, who betrayed that trust. I would have the House reflect on this. The gentleman from Virginia, and I speak without bitterness, yesterday said he spoke for the great mass of unorganized workers in this country. Did he have the unorganized workers' welfare in mind when he opposed the passage of the wage-and-hour bill, which was primarily intended for the unorganized workers of the United States? Not only did he vote against that legislation, but he opposed it in the Rules Committee, and I ask you gentlemen to take all of these things into consideration when you render your decision on the proposed legislation.

I realize there have been mistakes, but industrialists are not guiltless of mistakes either, and it certainly is not fair to take

from the millions of workers in this country the basic fundamental rights they have, which were only acquired after decades of struggle. Such action will not further the cause of democracy or of national unity.

There has been much exaggeration, regarding some of these situations complained of, by those who are always opposed to labor. Sight is lost of the contribution which labor is making to the defense program. How was the battleship *South Dakota* and the battleship *Indiana* completed months ahead of schedule if it were not for the contributions of men who are members of unions and who worked hard to establish these records? In my city we are doing more defense work than any other area in the United States. The Navy Department has made scores of efficiency awards to plants in our city, which, because of the cooperation between management and workers, union employees if you please, have completed contracts months ahead of scheduled dates. These employees are members of unions which are headed by the finest type of American citizen. Labor leaders who are a credit to our country and the union members are loyal patriotic Americans who are entitled to retain those basic rights which have enabled them throughout the years to achieve a fair living standard.

This Smith bill may utterly destroy labor or render it impotent for many years to come. Perhaps that is its purpose—I do not know. It will contribute nothing to national unity in our defense effort and although I am not a lawyer, I seriously doubt its constitutionality, because its provisions are so far reaching and, in my opinion, destructive of basic rights.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. HOBBS. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HOBBS to the Smith amendment: Page 5, between lines 5 and 6, after section 5 (b), insert the following:

"(c) It shall be unlawful, notwithstanding any other provision of law, for one or more persons acting in contemplation or furtherance of a labor dispute, to attend at or near a place where a defense contractor carries on business, for the purpose of obtaining or communicating information, or persuading or inducing any person to work or abstain from working, unless such persons so attending, were immediately prior to the beginning of such labor dispute, bona fide employees of such contractor."

Mr. HOBBS. Mr. Chairman, the sole purpose of this amendment is to implement the section which would seek to prevent violence in picketing. Mass picketing is in itself a nuisance, if for no other reason, because it chokes the highways and sidewalks, just as we saw on the Jelleff-building job. There the contract went to the C. I. O., a 100-percent union job. A. F. of L. pickets picketed the job as unfair to organized labor. The C. I. O. threw pickets around the A. F. of L. pickets, saying that the job was not unfair to organized labor, but that it was preeminently fair. And finally Jelleff put



pickets around both the A. F. of L. and C. I. O. pickets; so that no other pedestrians could use that side of F Street. But aside from that we are all, organized labor and unorganized labor and everyone else, sincerely desirous of trying to eliminate violence and bloodshed. One of the main causes of that in picketing is the imported and employed picket, who knows nothing of the job or what the strike is about. So this very simple amendment would require that before one can picket he must have been immediately before the strike an employee of the defense contractor.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I will be so happy to yield to the distinguished gentleman from Georgia.

Mr. VINSON of Georgia. As I understand the amendment, it applies to strangers or nonemployees being brought in to picket?

Mr. HOBBS. Yes, sir; that is all there is to it. It seems to me to be very fair. Any defense contractor may have a million employees and every one of them is eligible to come there and picket the struck plant or plants, but no one could hire an outsider, or a stranger to the job, to come in there and be a picket.

Mr. HANCOCK. Will the gentleman yield?

Mr. HOBBS. I yield gladly to my colleague of the Judiciary Committee, the distinguished gentleman from New York.

Mr. HANCOCK. The gentleman's provision is similar to the law enacted a few years ago prohibiting the use of professional strikebreakers?

Mr. HOBBS. No, sir; the purpose of each provision is the same, but the present law you cite prohibits the importation of strikebreakers by the employer. This would prohibit the importation of pickets, strangers to the dispute, by the other side.

Mr. Chairman, I wish to invite you and every other Member of this body to read, mark, and inwardly digest the following quoted part of the testimony of Mr. William Green, the president of the American Federation of Labor, given before the Judiciary Committee of the House, in response to questions propounded by the gentleman from New York who has just resumed his seat.

Mr. HANCOCK. Mr. Green, before you go on, there is another phase I would like your opinion on. A few years ago we passed a bill prohibiting the shipping of professional strikebreakers from one State to another. What would you think of a law to extend that prohibition to professional picketers?

A good many in the public feel that professional strikebreakers and professional picketers are responsible for most of the bloodshed and disorder and bitterness that arise in strikes. They prevent employers and the employees from getting together. They are there as troublemakers, and if it is wrong to ship professional strikebreakers from one point to another, what is the objection to a similar law for professional picketers?

Mr. GREEN. You mean the transportation of professional pickets across State lines in interstate commerce?

Mr. HANCOCK. Yes; a similar law to the one we have now prohibiting professional strikebreakers. We have outlawed that, so far as we could.

Mr. GREEN. I fear, Congressman, that that would not work well, because we would have

to go into every phase of that situation. I do not think that this business of privately employed pickets is a good thing. It has always been the rule that the men who picket a plant are the men who are on strike—men or women who are directly interested—but there has developed now a sort of professional service of paid pickets. But I do not believe you could reach that very well by legislation. That is my own judgment.

Mr. HANCOCK. We have adopted it with reference to professional strikebreakers. In principle it would seem to me to be desirable to settle disputes just as far as possible by the employers and the employees and their chosen representatives. That is democratic. That is fair. But these outside troublemakers cause the damage. At least most of us think so.

Mr. GREEN. The reason legislation was passed prohibiting the shipment of strikebreakers from one State to another was because it resulted in bloodshed. You will remember the Old Homestead strike, will you not, and the Latimer strike in Pennsylvania, where men were shot down? It always resulted in that, and it was for the purpose of preventing loss of life.

Mr. HANCOCK. The members of this committee unanimously favored that law.

Mr. GREEN. But there is a difference in this measure that I think would have to be considered, and I do not think you could reach it that way.

Mr. HANCOCK. Can you make any good distinction?

Mr. GREEN. I think there is a difference. There is a distinction between a professional strike picket and a professional strikebreaker.

Mr. HANCOCK. They both make trouble?

Mr. GREEN. Well, we may both agree that they are troublemakers; yes.

Fairly construed, it seems that Mr. Green does "not think that this business of privately employed pickets is a good thing," but does "not believe you could reach that very well by legislation."

Confidently, I submit to the judgment of the House that this amendment will do what Mr. Green joined us in wishing: That it reaches what he did "not believe could be reached very well by legislation," in an acceptable way.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I will be so happy to yield to the gentleman from New York.

Mr. MARCANTONIO. The gentleman's amendment would make it illegal for a member of the union who is not employed in the plant to assist his brothers in that strike by taking the picket line and relieving him on the picket line?

Mr. HOBBS. The only quarrel I have with the gentleman's question is the word "assist." I think it would hurt them, rather than help.

Mr. MARCANTONIO. Well, let us get it straight. The only people who are permitted to picket, under the gentleman's amendment, would be those employees who were working at that plant?

Mr. HOBBS. No, sir; working for the defense contractor in any plant.

Mr. MARCANTONIO. Working for that employer?

Mr. HOBBS. That is right.

Mr. MARCANTONIO. Other members of that same union could not follow the time-honored practice of good unionism of assisting and aiding their fellow union members on the picket line?

Mr. HOBBS. That is exactly right. In other words, you must have some

personal part in the quarrel in order to participate.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I am delighted to yield.

Mr. HOOK. This provision would not prevent a defense contractor from bringing in outsiders to break the strike?

Mr. HOBBS. Well, that is already outlawed by the law we passed several years ago.

Mr. HOOK. That is, from one State to another?

Mr. HOBBS. Yes, sir. That is all we have jurisdiction over. But the policy is plain and it is not done.

Mr. HOOK. But this provision here applies to defense strikes, which gives us authority, does it not?

Mr. HOBBS. That is right; and gives me an idea that had not occurred to me because I had been thinking the present law covered and prohibited importation of all strikebreakers.

Mr. HOOK. And in this case the previous law would not apply in some instances?

Mr. HOBBS. You are right, sir; and I will be glad to offer an amendment to my amendment to make it apply both to stranger strikebreakers and to stranger pickets.

Mr. Chairman, I ask unanimous consent to amend this amendment so as to make it apply to both the employer and the strikers, both to stranger strikebreakers as well as to stranger pickets. I ask that such an amendment be prepared as nearly as may be in the words of the anti-imported strikebreaker law.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The CHAIRMAN. The Chair will state to the gentleman from Alabama that the Chair will recognize the gentleman from Alabama while the amendment is corrected.

Mr. HOBBS. Thank you, Mr. Chairman. May I again thank the gentleman from Michigan for his suggestion which has enabled me, with the consent of the House, to improve the amendment? This gives us two barrels to our gun with which we may accomplish the single purpose I had in mind: To eliminate one great cause of violence, intimidation, and bloodshed in picketing strike-bound plants.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. It is even more pleasure than usual to yield to our colleague now soon to become a Federal judge.

Mr. HEALEY. Under the gentleman's amendment, I understand that not even an officer of a union to which this man may belong could appear on the site where the strike is being conducted?

Mr. HOBBS. He could appear. He could talk. He could do anything in the world that he wished except to join the picket line if he were not a party to the dispute.

Mr. HEALEY. Do you think he could communicate at all with the members who are on strike or those who are picketing the place? Would it be possible, under your amendment, to even

communicate with those who are picketing the plant?

Mr. HOBBS. Not for the interdicted purposes while they are on the picket line.

[Here the gavel fell.]

The CHAIRMAN. The Chair finds that it will take some time to modify the amendment which the gentleman has offered. The Chair will recognize anyone in opposition to the amendment. [After a pause.] If no one desires to be heard in opposition to the amendment, the Clerk will report the amendment in its modified form.

The Clerk read as follows:

On page 5, between lines 5 and 6, after section 5 (b), insert the following:

"It shall be unlawful, notwithstanding any other provision of law, for one or more persons acting in contemplation or furtherance of a labor dispute to attend at or near a place where a defense contractor carries on business for the purpose of obtaining or communicating information or of persuading or inducing any person to work or to abstain from working, unless such persons so attending were, immediately prior to the beginning of such labor dispute, bona fide employees of such contractor, or for a defense contractor to employ any person who is to be employed for the purpose of obstructing or interfering by force or threats, (1) with peaceful picketing of employees during any labor dispute affecting wages, hours, or conditions of labor; or (2) the exercise by employees of any of the rights of self-organization or collective bargaining."

Mr. VINSON of Georgia. Let us have a vote.

The CHAIRMAN. No one desiring recognition in opposition to the pending amendment, the Chair will put the question. The question is on the amendment offered by the gentleman from Alabama [Mr. HOBBS], as modified.

The question was taken; and on a division (demanded by Mr. VINSON of Georgia) there were—ayes 58, noes 54.

Mr. HOOK and Mr. MARCANTONIO demanded tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. HOBBS and Mr. HOOK.

The Committee again divided; and the tellers reported that there were—ayes 105, noes 68.

So the amendment was agreed to.

Mr. VINSON of Georgia. Mr. Chairman, I ask that the Clerk report the next amendment, and ask that the Chair recognize the next Member who has an amendment pending.

The CHAIRMAN. The gentleman from Texas [Mr. DIES] has an amendment pending at the desk, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DIES: On page 3, line 3, of the Smith substitute insert a new section to be known as section 2 (a), as follows:

"Any labor organization which knowingly or negligently permits any member of the Communist Party of the United States, or the Young Communists' League, or member of the German-American Bund, or the Kyferhauser Bund, or person who has been convicted of a felony involving moral turpitude, to hold any office, appointive or elective, in such labor organization shall cease to have, and cease to be entitled to, the status of a labor organization under the National Labor Relations Act so long as such person continues to hold such office."

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes in support of his amendment.

Mr. DIES. Mr. Chairman, I think the amendment is self-explanatory. It merely provides that any labor organization which knowingly or negligently permits any member of the Communist Party of the United States, Young Communists' League, German-American Bund, or the Kyferhauser Bund to hold any office in the union shall cease to be entitled to its rights under the National Labor Relations Act as long as such person holds such office.

For 4 years we have shown the country that certain officials and officers of labor unions in the United States are members of organizations that are under foreign control. It would seem to me, therefore, that, regardless of the views of Members with respect to pending legislation, whether they are opposed to antistrike legislation or favor some kind of antistrike legislation, the Members of the House should agree to this amendment.

Four years ago, and before this committee began its work, I went to the offices of John L. Lewis and conferred with him for the purpose of undertaking to persuade him to get rid of the Communist element in his unions. I told him then that if the labor organizations would take the initiative and satisfy the American people that they would not permit agents of a foreign government, people whose activities are controlled from abroad, who have no interest in the legitimate object of labor unions, but who are seeking to use such unions for revolutionary purposes, that if labor would take the initiative in getting rid of this element there would never be any occasion for legislation on the subject. The labor organizations not only did not take the initiative, but from that moment until the present moment the C. I. O. leaders have consistently condemned me throughout the United States.

I present this matter as a simple issue to this House. There simply is not any question but that there are hundreds of Communists entrenched in positions of leadership in labor unions. It is true they are a minority, and a small minority, but as long as they hold positions of leadership in these unions the unions will be discredited, strife and disturbances will continue. I have definite and conclusive proof that much of the labor disturbances in the United States can be directly traced to people who hold positions in these unions and are serving a foreign government.

Mr. McKEOUGH. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield.

Mr. McKEOUGH. I have no objection to the purpose the gentleman from Texas seeks to attain by his amendment, but I am wondering if he has thought enough about the phrase "or negligently"? The word "knowingly" is perfectly all right, but I think that the phrase "or negligently" raises a burden that is not fair.

Mr. DIES. The reason I used the phrase "or negligently" is because in my own Texas jurisdiction it has a well-understood meaning.

Mr. McKEOUGH. I would like to have the gentleman define it.

Mr. DIES. It means the failure to exercise ordinary care. In other words, what I am trying to get at is a labor union that knowingly permits a condition to exist or a labor union that does not exercise ordinary care to find out about the foreign affiliations of its people.

Mr. McKEOUGH. What I have in mind is, in the event this language is incorporated and becomes law, it is fair to assume that with the spread of time some new development in the way of a new officer may come about and the organization not in any way responsible because it did not know at the time.

Mr. VINSON of Georgia. The gentleman's amendment applies to officers of labor organizations?

Mr. DIES. Yes.

Mr. VINSON of Georgia. The evidence submitted yesterday pertained to organizers.

Mr. DIES. Those are officers.

Mr. VINSON of Georgia. Is an organizer an officer?

Mr. DIES. Yes.

Mr. VINSON of Georgia. Let us be positive about that.

Mr. DIES. An organizer is appointed by the labor officials. I assume there is no question about that.

Mr. TABER. Will the gentleman yield?

Mr. DIES. I yield to the gentleman from New York.

Mr. TABER. To clear up a question raised by the gentleman from Illinois, may I ask who would have the authority to determine the meaning of the word "negligent"?

Mr. DIES. The National Labor Relations Board, in denying rights for collective bargaining.

[Here the gavel fell.]

Mr. MARCANTONIO. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Texas [Mr. DIES].

Mr. Chairman, I realize perfectly well the disadvantage which confronts one who rises to oppose a proposition advanced by the gentleman from Texas in a body which has been worked up to a state of hysteria in a drive against the fundamental rights of labor. In this amendment we go further. The attack goes beyond the fundamental rights of labor. This attack is aimed at the constitutional rights of American citizens.

As I see it, the issue raised by this amendment is not the issue of communism at all. The issue raised by this amendment is an issue of democratic rights, the constitutional rights of American citizens. This amendment would subvert the American proposition that there shall be no discrimination against anyone, irrespective of color, race, creed, or political affiliation. Thoughtful men throughout the country today are beginning to realize, and men who understand the technique of Fascist conquest from within are beginning to recognize the great danger that lies in the proposal advanced in this amendment. I can understand perfectly well why Mr. Wendell Willkie has volunteered to defend the right of a naturalized American citizen whose citizenship is being challenged because of his political affiliations, because of his membership in the Com-



munist Party. No one can charge Mr. Willkie with being a Communist. In accepting the case he stated what I said here, that the proposition involved is a proposition of democratic rights and constitutional rights.

The most serious danger in this amendment is that it follows a pattern which was employed by Adolf Hitler and Mussolini in their respective countries and by Petain and the Vichy men and the Munich men in France.

An offensive against the Communists has been the vehicle with which and behind which nazi-ism has marched into power in the various former democracies of Europe. The anti-Communist offensive has been the weapon employed by the Fascists and Nazis not only to come into power in their own countries and in Italy, Spain, and Germany, but to divide and disunite the people of other countries so as to condition them for conquest. France is the historical example. This amendment, therefore, follows the Hitler technique of conquest from within. This proposal is part and parcel of domestic Hitlerism.

It is not an accident that those same gentlemen who support this antilabor legislation similar to that which was imposed on Germany and on Italy by decrees of Mussolini and Hitler are the same people who are also employing the technique of Fascist conquest from within by means of an anti-Communist drive, because antilabor laws have always been forced on people behind an anti-Communist smoke screen. This has been the experience of all democratic countries which have been conquered either from within or from without by Hitlerism.

I also want to make mention of some facts in connection with the charges made yesterday by the gentleman from Texas with regard to criminals in the labor movement. Why, I could stand here and mention criminals who were in his own employ, on the pay roll of his own committee, not only stool pigeons who received funds through that committee, but I am also referring to a person who was in an administrative capacity on that committee, the former chief investigator of the committee, a certain Edward Francis Sullivan, whose police record is a mile long. The gentleman from Texas was apprised of that criminal working for his committee, on his pay roll as chief investigator, and when I say "his" I mean his committee pay roll. When the gentleman was told about it by Mr. Oliver, of Labor's Non-Partisan League, what did the gentleman say? According to the New York Times of August 27, 1938, the gentleman from Texas [Mr. Dies] asserted that the charges were beside the point. I am not so sure about that. However, I say that the gentleman's charge about criminals being in the labor movement is definitely beside the point and only an attempt to smear a great American institution, the organized-labor movement, in order to bring about the enactment of legislation which will deprive labor of the right to organize, bargain collectively, and strike if necessary to obtain a decent living. This amendment and all of the bills before us constitute an assault on

the democracy of our country and are the beginnings of domestic fascism.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I have an amendment to offer to the Dies amendment.

The CHAIRMAN. That is not in order.

Mr. DIES. Mr. Chairman, I ask unanimous consent to put after the word "office" the words "or organizer."

Mr. VINSON of Georgia. The gentleman ought to use the word "employment."

The CHAIRMAN. The gentleman from Texas [Mr. Dies] asks unanimous consent to modify his amendment in certain particulars. Is there objection?

Mr. MARCANTONIO. Mr. Chairman, I object.

Mr. VINSON of Georgia. Mr. Chairman, I ask for a vote on the Dies amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. Dies] to the substitute offered by the gentleman from Virginia [Mr. SMITH].

The amendment was agreed to.

Mr. VINSON of Georgia. May I propound the inquiry whether any more amendments are on the Clerk's desk to the Smith substitute?

The CHAIRMAN. There are no more amendments to the Smith amendment at the desk.

Mr. RANKIN of Mississippi. Mr. Chairman, America is at the crossroads today. Representative government is on trial. Our American way of life, our sacred institutions, our Christian civilization is being attacked by fascism from without and communism from within. I recall that a few years ago Sir Auckland Geddes, the then British Ambassador, made a speech in this country in which he said, "An age is dying in Europe. The waves caused from its death agonies are lashing the shores of America."

We are today walking down the same path that led European countries to their ruin. When I say European countries, I mean Germany, Italy, Russia, and France. We cannot afford to permit subversive elements under the guise of representing labor to undermine or destroy our form of government and our way of life. The time has come when Congress must assume its responsibilities and stop these attempts to undermine and destroy our sacred institutions.

I am as sympathetic with labor as any of these kid-glove gentlemen who have spoken here today. I know what labor means. I know what it is to toil in the hot sun. I know what it is to work in the mill. I know that labor is going to pay the penalty for these "reds," these alien influences that are undermining and destroying confidence in the labor movement in America. This bill is really in the interest of the honest laborers of this country.

Besides, all labor is not organized. You would think to hear these men talk that all laborers were in a union. I represent thousands of unorganized laborers, American farmers, who toil in the hot sun day in and day out, and whose average earnings are less than one-third, yes, less

than one-fourth the average wage now paid to industrial labor, according to reports of the Labor Department itself.

Not only that, but we are drafting the sons of those farmers to go to war. They say it will probably take 10,000,000 of them before it is over. We pay those boys \$21 a month; yet we are having trouble putting a stop to racketeering in defense industries—the very industries that must supply the weapons of war for these young men to use in defense of our country.

We ought not to stop with defense industries. If the Bill of Rights means anything, it means the right to work for your daily bread. When you deny that right, you might as well strike the Bill of Rights from the Constitution of the United States.

If this thing continues, we are as surely headed for trouble in this country as time goes on. So, regardless of the pressure that is being brought, I sincerely trust that every Member of the House and every Member of the Senate will rise to his responsibility and pass laws here that will guarantee every man the right to work without paying tribute to some racketeer for the privilege. This will guarantee that when our country is in trouble our defense industries will not be interfered with.

Hitler and Stalin together could wreck many industries in America tomorrow. The OGPU in Russia has its agents all over this country, and the Gestapo in Germany has the same thing. If those agents do not do what they are told to do, their families will likely be killed. That is the strongest pressure that can be brought. How do you know how long it will be before those two dictators will be together? It would not surprise me to see that happen any day. Then you will have all this power in the hands of a foreign foe that can destroy many American industries and to that extent break down American defense. Then there is Japan, the most insidious influence in the world today. She would like to see all our industries destroyed.

Our duty is plain; we must pass legislation that will protect our country against any kind of sabotage during these trying times.

Mr. COX. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, as our friend and colleague the gentleman from Mississippi [Mr. COLMER] stated this morning, the eyes of America are focused more directly upon the Congress at this time than heretofore. As soldiers of the Republic and as Representatives of all the people, the hour has come for us, for you and me, to demonstrate our worthiness of the honors we wear. I trust that on tomorrow each and every one of us will find ourselves at peace with our consciences in the thought that we did not fail our country.

This is what I want to say to you, and the suggestion came to me from a beloved Member of this House on the minority side. It would be better if we did nothing than to enact a bill minus of teeth, minus of guts, minus of brains, and minus of character.

I believe the Smith bill is the answer to the needs of the moment. I believe the Members of this body should unite in support of that bill and give the people of this country the answer to the question they are propounding to us today. What are you going to do for the safety of home and country?

Mr. RAMSAY. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, a man who has a salary of \$10,000 per year, no doubt can safely talk about and is even willing to freeze wages. But what about the fellow who draws \$50 or less per month who must live and meet constantly rising prices.

I believe if the authors of such bills were among such wage earners, while they might be afraid they would freeze this winter, certainly they would not be advocating a bill that would make this terrible death possible.

After listening to the debate on this subject, I am convinced that some people believe that the union-labor man can only think of using his organization to hamper and injure his country in every manner at his command. Therefore he causes useless strikes and labor tie-ups, for the sole purpose of aiding those who seek to destroy the American Government and way of life.

I believe I can truthfully refute this mistaken and erroneous conception of the use of labor's only weapon against unjust and unfair working conditions that existed for centuries against laboring men, and at the present time continue in isolated cases.

Mr. Speaker, everyone dreads and abhors the necessity of strikes, even the union men themselves, who from time to time are forced to resort to these drastic measures. For, in forced shut-downs, none suffer so much as the striker and his family, not even the gentleman from Virginia, when the loss of pay to the wage earner brings suffering and hunger to his family and himself.

But like war—the action of strikes is sometimes necessary to prevent intolerable working conditions from continuing on and on so that future generations may secure for themselves at least an honest living commensurate with the American standard of life.

So, in considering legislation that will encroach upon labor's inalienable rights that have been guaranteed to him, not only by acts of legislation passed by this body itself and upheld by our highest court, we should be careful that we do not infringe upon the acknowledged privileges of labor and send him back to work embittered by the idea that he and he alone must be restrained of rights that are his and are necessary for him to prevent his falling into the category of passed days—a mere wage slave. Because if the laboring man is convinced that legislation we are now considering will bring down on his head such conditions, then we will have done vastly more harm than good, by the enactment of such legislation.

I am amazed at the charge that the laboring man is seeking by strikes to injure his country in an endeavor to prevent the continuous output of materials that are needed for our preparation against war and invasion.

In my State the greatest industry is coal. West Virginia today produces more bituminous coal than any State in the union. More than 110,000 men are employed in this industry, and more than 140,000,000 tons of coal will be produced this year. Each miner will average a production of more than 5 tons for each working day.

When we learn what this really means, I believe all of us here today will be very careful of boasting of our own ability to aid the preparedness program.

The production of 5 tons of coal per day will heat at the very lowest cost 5 homes for 30 days, or 100 homes per month. And the production of this daily output of coal will turn out 4 tons of steel each working day. Therefore our effort to aid preparedness in any other profession or industry, must seem puerile and meager indeed, compared with this great contribution to our national preparedness program.

Do we want to pass legislation that will embitter these greatest of preparedness workers? Do we want to bring unrest and shutdowns in the great coal industry? If not, we will be careful and considerate and try to keep the good will and faith of the American workmen in any legislation we may pass on the question of labor today. Let us remember that we cannot dig coal with bayonets nor can we operate steel mills with statutes.

Mr. KLEBERG. Mr. Chairman, I rise in opposition to the pro forma amendment. Having listened to this debate pretty consistently right straight on through, I have come to one or two conclusions, with reference to this matter, and for what they are worth, I desire to hand them on to the Members of the House. I am convinced that in this critical hour, the responsibility of the Government of the United States has received a flat and open challenge. The answer to that challenge is during this hour squarely before the representative branch of the Government of these United States. We represent, each and every one of us, a district within a sovereign State, that State belonging to the Union for which the Declaration of Independence was drafted and the Constitution of the United States was adopted and ratified. The challenge to the responsibility of government is so far-reaching in its impact, as to have reached down deep into the neighboring republics to the south of us. In a recent tour, which took us into 16 of the 21 countries of South America, the question was presented to each of us, to all of the members of the Select Committee of the House of Representatives to Investigate Air Accidents at various times and in most cases to all of them, "What are you in the United States going to do concerning the stoppage of the defense industries in your country?" That question has now returned and is back here squarely before us. With utter discretion, with prejudice and malice toward no citizen or group in this Nation, after listening to this debate I take this moment to adjure you, my fellow citizens and colleagues, that this is the time for the true expression of the value that the membership of this House of Representatives places

upon the Constitution of the United States and that flag. No law-abiding free citizen of the United States, be he a member of an organized labor union or not, can oppose legislation for the direct and sole benefit of his country and the continuity of the liberties of American citizens. I shall vote for the Smith bill. The Smith bill is an American bill, as I see it. It meets the issue squarely, and if within the Constitution, that immortal instrument, there is a certain and specific statement with reference to certain rights guaranteed to all persons, the right to keep and bear arms, without infringement, surely before our common God all Americans have the right to work without that right being abridged, and surely all Americans have the right to offer employment and to take employment and to work under the Constitution of the United States without abridgment of any sort, save that of our common God, when He calls the end of the days which are numbered to each and all of us.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. ROBERTSON of North Dakota. Mr. Chairman, I move to strike out the last word. I shall vote for the Smith bill.

One of my distinguished colleagues has rightly keynoted the legislation which we have before us today dealing with the labor problem. He said that—

The hour has come when we in this Congress can no longer avoid the issue so squarely placed before us; when we can no longer dodge the responsibility for taking action toward curbing unjustified strikes in defense industries.

Surely the day has come in America where, rightly, the people of the United States are demanding of this Congress in an unmistakable way that something must be done—something tangible, something worth while, something to end for the time being this constant labor agitation and dispute while the Nation spends its resources to prepare to defend itself.

Under the influence from high places, we have delayed too long some action on the part of this Congress in its responsibility to the people and its responsibility to labor. If the fathers and mothers of this Nation are to give up their sons to answer the call of Government in the service of their country, then the fathers and mothers have the right to ask of us that we put an end to these stoppages of production. All too often, when reference has been made to legislation of this character, we have been reminded that we cannot indict all labor for the sins of the few. I do not propose to indict all labor. But by that same logic, can we rightfully say we cannot indict the German people for the leadership of their Chancellor, but we are preparing to make war against the German people and the German people will die as a result of war—not the German Chancellor, but the German people must assume responsibility for their Chancellor; and organized labor, high-minded though it is, must assume some responsibility for its leadership. There is no other route to travel.

Yes, whenever there is suggestion of corrective legislation against labor, we are reminded over and over again of the



sins of the employer of the past generations. That is not the question we have before us today. Well may we admit those sins and well may we regret those sins, but our responsibility as a Congress today is to see that American factories produce. I should want to be listed among the first who will place legislation on the books to take from employers excessive profits. This is no time to make millionaires.

At the same time, let us remember that unwarranted stoppages of production affect not only the defense program but the general consumer as well. The restraints and the arbitrary rulings imposed by uncontrolled labor unions today affect the consumer by increasing the cost of the things he buys; they affect the farmer because they increase processing and transportation costs, which costs come out of his pockets and therefore reduce the farmer's income.

We have been told times without number that if private enterprise fails to fill its responsibility to the people that the Government will answer the call of the people and move in to do the job. If this is a logical statement and if this is a reasonable procedure, I ask you, my colleagues, this question: Do not the numbers on the yardstick run both ways? In this great period of emergency, Congress must courageously face its responsibility. I cannot bring myself to believe that within the ranks of labor exists any sizable number who believe in the policy of some of their leaders today. My contacts and my observations with men who carry the union card are quite the contrary.

Can it be possible that we, as a Congress, representing 132,000,000 people, find ourselves in the position where we bow to the demands of a few selfish leaders who pretend to speak for seven to ten million citizens? Can it be true that the remaining 125,000,000 must forever yield to a Government dictated by a unit of our society, the leadership of which, in many respects, does not represent the wishes of the rank and file of its membership? I should not want my position as regards labor to escape attention here. Organized labor has a place in the scheme of American life, and I shall always vote to defend it on the things in which it is reasonable. But surely there is a common meeting place in this hour of great concern where the forces of our American society can join hands in a common cause. The time and the place of that common cause has arrived.

Congress must act to save labor from itself; to restrain those leaders of labor who are responsible for the fact that public opinion in American today has become so antagonistic to labor as a whole because of the activities of its leaders. We can no longer dodge this issue. The time has passed for pussyfooting. The people of the United States expect this Congress to do its duty and to enact legislation which will effectively eliminate the greatest curse on our defense program today.

Mr. DOWNS. Mr. Chairman, I move to strike out the last two words. I am not a former bricklayer or lawyer or a member of any union. I am an employer, and the publisher of a daily news-

paper which negotiates and deals with three separate unions. I have had my business controversies with the unions, but in each instance I have been able to negotiate and mediate a settlement of all controversies. The gentleman from Georgia [Mr. Cox] stated a few moments ago that the eyes of America are upon this House of Representatives today. Yes; the eyes of America are upon the House of Representatives today. The eyes of America are watching us to ascertain whether or not we are going to crucify the people in this country who toil by the sweat of their brows. The eyes of America are upon us to ascertain whether or not we are going to take away from labor the hard-earned rights for which it has fought for many years. The eyes of America are upon us to ascertain whether or not we are trying to put shackles on labor while it is trying to carry out this defense program. I do not condone the recent test of strength by John L. Lewis in the captive coal strike, and if it had not been for that happening we would not be here today considering legislation of this nature. I say that we cannot destroy the rank and file of honest and hard-working people for the acts of a few men.

I have previously stated on the floor of this House that if we are going to adopt legislation, let us adopt legislation which will rid this country of the Communists and racketeers who have been allowed to creep into key positions in labor unions. Those men are the ones who have caused the trouble. Those men should have been deported or placed behind the bars long ago. They have no place in the American way of living. Thank God we have none of this type in Connecticut. We are proud of labor's defense record in our State.

This defense program has given the haters of labor a splendid opportunity to blast labor and to remove it from the position it now holds in this country. This has been proven by the remarks here today. I do not believe that any Member of this House would dare to stand up today and question the patriotism of the rank and file of labor.

I recently returned from a trip which took me from coast to coast. I had an opportunity during that trip to inspect many of the large defense plants of this country. I had an opportunity to watch the men and women of labor toiling in the factories and shipyards, turning out ships, guns, planes, and ammunition; and, after making that trip and watching those people at work, I say to you that I have no fear for the defense of our country. I have no fear for the future of this great Nation. None of us likes strikes. We hate to see them take place, but antistrike legislation is not going to remedy the situation.

I am opposed to the Smith resolution. It will take away the hard-earned rights which labor only gained after years of fighting. I cannot agree with the gentlemen who have stated that labor is sabotaging our defense program. I urge you to vote down the resolution.

[Here the gavel fell.]

Mr. GOSSETT. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, like the gentleman who has just left the floor, the gentleman from Connecticut [Mr. Downs], I, too, speak in the best interest of the toiling masses. I do this for a number of reasons. First, I come from those masses of common people. They have a greater stake in American democracy than has any other class. Such democracy is about all they have to protect. These masses want no slow-down or stoppage in defense industries.

The gentleman thinks the passage of the Smith bill will place shackles on labor. I think quite the contrary. None of us want to place shackles on labor; neither do we want shackles placed on any other group of honest American citizens. Through the passage of the Smith bill we seek to avoid these results both now and hereafter.

Mr. Chairman, I rise in wholehearted, unequivocal support of the Smith bill. The Smith bill is the strongest of the several bills from which we must choose at this time. It is an honest, courageous, straightforward method of dealing with the strike situation. Too long, much too long, have the President and the Congress vacillated in this matter. For 18 months our foreign policy has been fixed, but for 18 months our domestic policy has remained unfixed and uncertain. We are more endangered at this time from our failure to deal with domestic issues than from our failure to deal with foreign issues.

For 18 months we have been carrying on a serious economic war, a battle of production. Upon the success of this economic war, this battle of production, will depend our chance to escape a shooting war. Certainly it is better for all our citizens to sacrifice profits and unfair economic advantage than for some of our citizens to sacrifice their lives.

Had the Smith bill been law 1 month ago, the mine strike called by John L. Lewis would not have occurred. If the Smith bill now becomes law, such unnecessary and unreasonable strikes will not be called in the future, or, at least, during the continuance of this emergency. Let us not pass a milk-toast bill. A weak and equivocal measure passed at this time will simply be an invitation to further labor and industrial trouble rather than a discouragement of the same.

There comes a time when all must have less liberty in order for all to have more liberty, or else all will have no liberty. This is such a time. Let us arise to the needs of the hour and support a bill with some teeth in it. For the sake of American defense, let us pass the Smith bill, and do it now.

Mr. VINSON of Georgia. Mr. Chairman, I wonder if we cannot reach some agreement as to when the debate on the Smith proposal may be brought to an end? I see about 15 Members who desire to speak. I am wondering if we cannot conclude this debate on the Smith provision and all amendments in 1½ hours. That will be 3:30. I ask unanimous consent, Mr. Chairman, that all debate on the Smith substitute and all amendments close at 3:30.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent

that all debate on the Smith substitute and all amendments thereto close not later than 3:30. Is there objection?

Mr. FADDIS. Mr. Chairman, reserving the right to object, I would like to inquire how the time will be divided in that case. Will it be divided among those who have stood and signified their desire to speak?

Mr. VINSON of Georgia. That will be determined by the Chairman of the Committee of the Whole.

The CHAIRMAN. The Chair of course will have to recognize gentlemen seeking recognition. It will be the purpose of the present occupant of the chair to take the names of those now standing and divide that number into 1½ hours and allocate the proper time to each one.

Is there objection?

Mr. WALTER. Mr. Chairman, reserving the right to object, I have a substitute to the Smith amendment on the desk. Would that be affected by this request.

Mr. VINSON of Georgia. That is out of order for the time being.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The CHAIRMAN. The Chair will ask all gentlemen to remain standing in order that the Chair may check the names and try to be accurate.

Mr. VINSON of Georgia. Mr. Chairman, I desire to have 5 minutes reserved for the majority leader. He asked me to do so for him.

The CHAIRMAN. The Chair will call the names of those noted as standing requesting to be heard on this amendment: Messrs. HOOK, ELIOT of Massachusetts, WEST, RUSSELL, WICKERSHAM, FADDIS, COOLEY, PATRICK, PACE, POAGE, VOORHIS of California, GIFFORD, KEEFE, TABER, BURDICK, and McCORMACK.

Does any other Member desire to be heard on this amendment?

Mr. SMITH of Virginia. Mr. Chairman, I was on my feet.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, I ask that my name be placed on the list also.

The CHAIRMAN. The names of the gentleman from Virginia [Mr. SMITH] and the gentleman from New York [Mr. WILLIAM T. PHEIFFER] have been noted.

Mr. VINSON of Georgia. Mr. Chairman, it is understood, is it, that the Chair will parcel out the time to the gentlemen whose names have been called and that the vote on the Smith amendment comes at 3:30?

The CHAIRMAN. The gentleman is correct, except that the last 5 minutes of the time will be reserved for the gentleman from Massachusetts [Mr. McCORMACK].

The gentleman from Michigan [Mr. HOOK] is recognized for 3½ minutes.

Mr. HOOK. Mr. Chairman, I yield to no man in this House as to my vigorous fight against communism. I had the occasion to show my colors when it meant the possible loss of thousands of votes, and I do not believe there are many Members on the floor of the House who have had a similar opportunity. I was endorsed by a very large group supposed to be representing labor during one of

my campaigns, an organization having some 4,000 or 5,000 votes in my district. After investigation I discovered that there was a Communist leader in their midst. I then openly, before the public and over the radio, refused their endorsement until they would rid themselves of that Communist element. They did just that, and I know of no Communist in their midst since that time.

Mr. Chairman, ever since the Dark Ages there has been a fight for liberty. Socrates died for the right of free speech. Huss and Joan of Arc were burned at the stake rather than surrender in their fight for liberty. Yes; and if you will recall your history you will remember that when Patrick Henry and Thomas Jefferson were fighting for the Bill of Rights and they thought their cause was lost. They convinced Madison of the righteousness of their cause and were joined by Madison the conservative.

It was with the help of Madison, the conservative, that the Bill of Rights became the law of this Nation, the law of this land. Both Patrick Henry and Jefferson in those days were considered radicals.

The right of free speech, the right of liberty, and the Bill of Rights are on trial here today. Time will show the righteousness of the cause of labor. At times it may seem liberty is losing out, but it never does. As civilization progresses liberty and justice become more pronounced. Illustrative of our approach to this legislation, let me refer to the amendment that was offered by the gentleman from Alabama on the question of picketing. Right while he was discussing the amendment, I questioned him as to the importing of strikebreakers and he admitted that the proposed amendment did not cover the problem he was concerned with and saw the mistake in his amendment. He asked that it be modified. I do not even know what the modification is. I have not heard it read. He called on the drafting service to help perfect or modify it. They went to the desk and did some writing, but it has never even been read to this House in its modified form; I do not believe anyone in this House knows or understands what the amendment is; yet you men walked down through the line and passed it. It is a sorry day for America when legislation is written in such a manner. Then there was the Dies amendment. I am wondering why the Silver Shirts were not included in that amendment. I am wondering why the Christian Front was not included. The fallacy of the whole thing is that they can leave the German Bund, join the Silver Shirts, and the amendment is not worth the paper it is written on. Yet this House in a state of hysteria passes such legislation. This is the Hitler type of technique. I fear for the future of America and our democratic institutions.

A surrender to the Fascist element will crush the very thing we are fighting to defend. Kenneth G. Crawford in his book *The Pressure Boys* said:

Where the right to "life, liberty, and pursuit of happiness," the theoretically inalienable prerogatives, has conflicted with the right to hold and exploit property—a mere civil privilege—the inalienable rights have too frequently been alienated.

These rights are being alienated here today. I recommend that the Members of this House read that book, and they will find out who is behind all of this wild hysterical move to destroy labor.

The question here today is not only the right of labor but whether constitutional government shall live or whether we shall go back to the days before the thirteenth, fourteenth, and fifteenth amendments to the Constitution were adopted. God forbid that America today decay that far.

The CHAIRMAN. The gentleman from North Carolina [Mr. COOLEY] is recognized for 3½ minutes.

Mr. COOLEY. Mr. Chairman, in this great national crisis no man has a right to be guided by the allurements of greed. In this great debate, in the consideration of this important bill, no man has a right to be motivated by the promptings of angry passions.

I hate and despise the technique and the tactics of John L. Lewis, and I abhor the character and the conduct of his communistic labor agitators; but here we must approach the performance of our duty with calmness and becoming dignity and with an understanding of the great task which is now before us. As the gentleman from Mississippi has said, our way of life is threatened, but the true manhood of America should rise above sinister impulse and selfish motives. The gravity of our national situation addresses itself, Mr. Chairman, only to the true nobility of our souls and to the finest virtues of our patriotism. As this is no time for angry passions, it is likewise no time for indecision. America has made up its mind and America is demanding action, action which will lead this Nation on with rapidity and speed to the consummation of our great national-defense program.

My labor record is an open book, and my friendship for the laboring man is known to all of you. I know what it is to labor, and I agree with Henry Van Dyke, when he said:

This is the gospel of labor;  
Sing it, ye bells of the kirk;  
The Lord of Love came down from above  
To live with the men who work;  
This is the rose that he planted,  
Here is the thorn cursed soil;  
Heaven is blessed with perfect rest  
But the blessing of earth is toil.

When I think of the man in uniform and the man in the mine, when I think of the greed of some, when I think of the sacrifice of many and the cause of all, when I look out across America and on the horizons of the world, I wonder with Thomas Hood:

O God, that bread should be so dear  
And flesh and blood so cheap.

I agree with the great chairman of the Naval Affairs Committee, "a billion dollars will not drive a single rivet in a battleship." It will not build a single armor plate, a single tank, machine gun, or bombing plane. Yet at the same time you know and I know that we cannot instill patriotism into the breast of man by the enactment of law. We cannot by the enactment of law purge the human race of its less admirable traits. The laws we here enact will not save America nor its institutions. Only when the people of this Nation—and I mean the working



people of America—fully understand and appreciate the deep, dark meanings of the European conflict and understand the morbid ambition of the man who has precipitated it; only when our people appreciate and realize the fact that the fate of freemen and the fate of the world depends not only upon our soldiers but our citizens as well, will we have a unity of thought which will solidify all of the forces of the Nation. When this happens we will have a display of patriotism the like of which the world has never seen.

Not upon this law nor upon the enactment of any set of laws, but rather upon the character, the courage, the fortitude, and the patriotism of our people depends the future welfare and destiny of our Nation. The laws we here enact may reflect but they can never control public opinion. Public opinion will support, yea, public opinion is demanding, a law which will effectively control labor racketeers, and I welcome an opportunity to vote for a bill that will do the job.

Although we today pray for peace we are at this hour preparing for war—war with all of its agonies, its wants, and its woes, its bloodshed and its broken hearts, its ghastly ghosts, its tears, its torn and twisted lives, and all that rides in the bloody wake of the vortex of modern warfare.

Although we love life we are building instrumentalities and machines of death. Yes; we are building all of the devices of death and destruction that the ingenuity of man has developed through the ages. Though we love life, we are preparing for death—death under the surface and upon the bosom of the seas—death upon the earth and in the air. We are preparing to meet that evil genius who is responsible for the conflict and carnage which curses civilization at this hour.

Not only are we building machines of death and destruction but from the homes and firesides of America men have been called to the arms. A few months ago the whole world was profoundly impressed by a rather strange yet inspiring spectacle. You and I as Americans were proud when our Nation called for men to register for service in the armed forces of the Nation. Seventeen million red-blooded, patriotic American boys marched to the places of registration in all of the cities and villages throughout the length and breadth of this great land. Seventeen million, and not a single shot was fired and not a single drop of blood was shed. Yes; they are now dressed in the garments of glory, their Nation's uniform, and they are preparing to defend the glorious cause of our country—they are the heart and the hope of America.

Thousands upon thousands of those boys are now out on maneuvers, and they will sleep in the woods tonight, out under a bleak December moon, far from home and fireside, beneath the rugged pines of the Carolinas. They need, and they shall have, the best and all of the equipment that the rich resources of a mighty Nation can provide, and public opinion in America will no longer tolerate unnecessary strife and strikes in industries which are vital to their preparation and their

well-being and essential to the defense of this Nation. We are, therefore, face to face at this moment with the necessity of preventing delays in the production of fighting equipment and we must at all cost curb and control communistic labor agitators, and as has been well said during the course of this debate, we must strike the shackles from American workers and protect them in their right to work and in their desire to contribute to the cause of national defense. Yes; we must do this job and we must do it in the American way and within the framework of our Constitution.

I have an abiding faith in the loyalty and the patriotism of the workingmen of America and in their devotion to the common cause of our country.

While I appreciate that patience and tolerance are the watchwords of our democracy, you know and I know that even the patience of America will not endure all things. You know and I know that America will not longer tolerate an intemperate use of economic power which jeopardizes the defense, the welfare, and the security of our Nation.

Upon the success of our efforts to aid those who are pouring out their blood upon the altars of freedom in other parts of the world may well depend the supremacy of our own system of government here in America. To this system of government the workingmen of America are devoted and in defense of it they will bare their breasts and give their lives if the emergencies of the future are such as to require it, and this legislation is in the interest of the honest, loyal, and patriotic workingmen of the country.

Though there is much opposition, it is strange to observe that no one who has spoken in opposition to this bill has dared to discuss its provisions. Can there possibly be any opposition to the "cooling off" period provided? Can there possibly be any opposition to the ballot provision which provides for a secret ballot in an election held under the direction of the United States Conciliation Service? Does anyone object to the fourth section of the bill which makes it unlawful to discriminate between workers. Is it possible that someone objects to the provision which makes violence and intimidation unlawful? This provision only seeks to protect American citizens in the exercise of their inalienable right to work. Are you in favor of delaying the defense program by judicial disputes, boycotts, or sympathetic strikes? If you are, then, of course, you have a cause to be against the pending bill. Can any sound reason be given for an objection to the provision which requires registration of labor organizations and is accountable to its own members and to the public? The remaining sections of the pending bill provide for the creation of a National Defense Mediation Board and defines the jurisdiction of the Board and the procedure for mediation and voluntary arbitration, and the last important provision is the provision which provides for the maintenance of the status quo insofar as labor organizations are concerned.

The farmers of America will not; the soldiers of America cannot, and the laboring men of America must not, strike

against the defense and the security of our Nation.

In this hour of our Nation's great peril we should all have one grand objective, our country and our country's cause. In the interest of America I urge the approval of the Smith bill.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. PACE].

Mr. PACE. Mr. Chairman, I cannot discuss the subject matter under consideration without paying tribute to the wage earners of my district. There is located in the Third Congressional District of Georgia what is probably the greatest military establishment in the world, Fort Benning. Today there are stationed there approximately 60,000 troops. There have been millions and millions of dollars spent in construction down there.

Months ago, members of the American Federation of Labor met and said:

The welfare of our homeland is at stake. We hereby agree that we will undertake to settle our disputes by negotiation, and if that fails we will arbitrate our differences and stand by the award of the arbitrators regardless. We will not strike on defense projects.

Up to this hour, with thousands and thousands of men at work, with millions and millions of dollars expended, they have not lost the first day. They have not lost the first hour. They have not lost the first minute from preparing the defenses of this Nation. They are proud of that accomplishment and I am proud of them. They have said:

God willing, in this emergency we are going to stand by our country.

I cannot find in my study of this legislation any justification for the charge made here that it will enslave labor. In the first place, you utterly overlook the fact that it is purely a defense measure and remains in force for only 2 years. I regard it as a defense measure as much as the Selective Service Act. We did not enslave those boys when we ordered them to the training camps for 12 and 18 months. Let us keep the Selective Service Act in mind a minute.

What does this bill do? It says that before the men strike on defense production they shall wait 30 days to cool off and deliberate on their action. Is that enslavement? When our boys went to training camps they went there for 12 and 18 months. Many labor groups have voluntarily put such provision in their contracts. How can I object to asking that all contracts contain such a provision? The next provision says that the employees shall have the right to vote on whether or not to strike. When their jobs, their pay, their working conditions, their welfare is at stake, they shall be given the right to vote on whether or not they shall leave their employment. Is that enslavement? It is admitted by all that several strikes have been called in defense plants against the wishes of a majority of the workmen and these workmen have returned to the plants as soon as they were given protection. Is it slavery to say that these men shall be given a voice in the question of whether or not they shall work? It is also admitted that several of these leaders, calling out the

men, were doing it to sabotage the defense program.

What is the next provision? It says that no employer shall encourage or discourage a man about joining a union. You cannot object to that.

What is the next provision? It prohibits force and violence in picket lines. That is law and order. Can that be enslavement? Can any Member defend the slaughters that have been committed around picket lines during the last 2 years? Is there any good reason why we should approve their continuance?

What is the next provision? It prohibits jurisdictional strikes. When the welfare of this Nation is at stake, when we are facing the most critical hour that ever faced this Nation, is it wrong to ask the wage earners that they shall not stop defense production to settle their own little family affairs? Why, you have jurisdictional strikes within the same union stopping defense production. Is that enslavement? I have never heard of any sensible defense of the jurisdictional strike, and with the National Labor Relations Act in effect there is no justification for such strikes.

This amendment next provides that labor organizations shall register with the National Labor Relations Board and certify the names of its officers, the amount of its assessments, the number of members, and so forth. Certainly it cannot be denied that the public has a deep interest in any organization that has millions of members and so greatly affects the public welfare. I regret, however, that the rules of the House forbid the offering of an amendment to this section so as to broaden it and require that all organizations be compelled to register and give full information concerning themselves. These should include organizations of employers, propaganda organizations, and all others. I would like to know, and the people are entitled to know, for instance, where the America First Committee is getting all its money.

This amendment then gives legislative sanction to the National Mediation Board and gives the President authority to enforce its decision when the safety of this Nation is imperiled. I have heard no one question the wisdom of that provision. That is not slavery.

On yesterday, the gentleman from Texas [Mr. DIES] gave us a partial report on the 2,000 officers and organizers in the C. I. O. who are either connected with the Communists or have long criminal records. The loyal American workers do not like that; they do not want it. I know the wage earners of my district do not and that they want that type run out of the labor movement. This amendment prohibits that type from holding office in labor organizations, as recommended by the American Federation of Labor.

Mr. Chairman, this bill does not require organized labor to surrender any of its rights or give up any of its gains during the last few years. It simply asks that labor keep its head, consider first in this hour of peril the security and safety of our homeland, and run out of its ranks those few traitors and hotheads who will do anything for their own private gain.

There has been a great deal of false propaganda sent out about this bill and I have received some telegrams asking me to vote against it. But I believe I know the wage earners of my district. They love their country and they intend to support and defend it. They know I shall never ask of them any more than I shall give myself or require of my own son, who is now preparing for military service, and I know that when they understand this bill they will see that it requires no more of other labor organizations than they have voluntarily agreed to themselves.

To me, Mr. Chairman, there is only one real issue here today: Shall we support and sustain the President and our boys in the service, or shall we permit John L. Lewis, with the fate of our Nation in the balance, to dictate when and how much we shall produce to defend our loved ones against the attacks of a hated Hun who would delight to see this bill defeated?

To me there is but one choice. I believe I know what my duty is. You can tell our sailor boys out on the high seas tonight that, with God's help, I shall not fail them.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. ELIOT].

Mr. ELIOT of Massachusetts. Mr. Chairman, I want to speak very briefly, simply as an American who, like most of us here, is interested primarily in having full and continuous production for national defense.

I want to make one point about the amendment before us. I will deal only with the provisions in this bill which in one way or another make it illegal to strike. The bill deals with different situations in different ways, but it says that certain types of strikes shall be illegal, or that it will be illegal to strike until certain formalities are complied with, or that it will be illegal to strike within a 60-day cooling period.

I heard the gentleman from Tennessee a little while ago say that if this bill had been law a month ago there would have been no coal strike. I fear that he was overoptimistic. The record of other countries and this country in connection with laws attempting to outlaw strikes does not indicate that they do achieve the goal of full and continuous industrial production. Quite the contrary.

Let me recapitulate very briefly. In Australia they outlawed strikes over 40 years ago by imposing a system of compulsory arbitration. In the intervening years between then and now they have had more strikes, compared to their total number of men in industry, than we have had. The law did not work. It did not assure full and continuous production.

In England during the last war it was made a crime to strike. Three men were convicted of that crime, and promptly 97,000 shipyard workers gave notice they were going out on strike in protest. The law became a dead letter. It did not result in full and uninterrupted industrial production in Great Britain.

Finally, let us take the example of France, and the gentleman from North Carolina [Mr. BARDEN] told us most dramatically that we should remember prostrate France. Yes, indeed; we should

remember. They did just what we are asked to do here today, only more so. They outlawed strikes and they did enforce the law. They court-martialed a man and treated him as a deserter if he struck. What happened? Industrial production in France just before the war broke out, and during the first months of the war, fell to considerably lower levels than during the strike-torn regime of Premier Blum. That law, measured by the standard that we need to put up before us of full and uninterrupted production, did not work.

It may be said that the pending bill primarily is a cooling-period bill and contains nothing as drastic as what has been tried in these other countries. Unfortunately, we have in our own country some experience which enables us to see whether cooling periods actually do assure full and uninterrupted production. As was pointed out here yesterday by the gentleman from New York [Mr. BEITER], in one State that recently enacted a cooling-period bill, eight times more strikes occurred after the enactment of that law than previous to it.

There are other objections to cooling periods and the possible abuse of them by a few employers who are still fighting organized labor, who can use them to fire the leaders of the union and recruit strikebreakers and to terrorize the employees during the alleged cooling period. I do not think that would happen in many cases, but I do not doubt it would happen in some. The cooling period would do no good, based on the experience that we have had, and is likely to do some harm.

I think we all need a cooling period right here in the House. Drastic action, taken in anger, might relieve the feelings of some of us, but it would not help the country. As a nation we are much too prone to try to solve every problem by saying, "There ought to be a law."

Last Thursday, over the radio, William L. Batt, Director of Materials of the O. P. M., made a very informed speech on this subject. Mr. Batt is a leading industrialist; he certainly does not speak as a representative of organized labor. He saw the folly and futility of trying to assure full production by passing an antilabor law.

Mr. Batt urged that the President call a conference of representatives of management and labor and government to promulgate an industrial-relations policy for the emergency.

Such a voluntary agreement—

He said—

implemented by the President's acceptance and declared by him to be a vital factor in the safety of the country, would be a standard around which every liberty-loving American, in or out of the ranks of labor, could rally.

I hope that the gentleman from Pennsylvania [Mr. KELLEY] will have an opportunity later today to offer his resolution recommending just such a conference.

The need for harmony is greater than ever before—harmony, not embittered disunity. The need is for faith in America, faith in democracy, faith translated into works—not the deliberate creation of an inevitably sullen minority. The



working people of the Nation are good Americans. There will be no danger of their following false leadership, if they are recognized as equal partners in a great national effort. Free men will work in the defense of freedom.

[Here the gavel fell.]

The CHAIRMAN (Mr. COOPER). The Chair recognizes the gentleman from Texas [Mr. WEST].

Mr. WEST. Mr. Chairman, when we had the first sit-down strikes certain administration leaders were warned the time had come when they must decide whether we were to have law and order in this country or mob rule. As everyone knows, no action was taken to stop these unlawful acts and as a consequence they have gone from bad to worse until now they have reached such mammoth proportions as to threaten the very existence of this country's security and form of government.

Those of us who were anxious to stop these strikes have been repeatedly told that no legislation was necessary, as there were sufficient laws to handle the strike situation. At this belated hour we are now called upon to pass legislation to put an end to these unlawful acts. Again we are faced with the decision of whether law and order and our form of government is to continue or whether we are to have mob rule, racketeering and traitors set up on a pedestal among us.

There is no question but what the great majority of the members of organized labor are patriotic, liberty loving, and as fine American citizens as may be found anywhere, but, unfortunately, they are in the clutches of labor racketeers, Quislings, and others who put their selfish personal interests ahead of the welfare of the country. The ranks of labor unions and the laboring men are furnishing their quota of sons for our national defense, and they, no more than you and I, want to send them to battle inadequately trained because of a lack of arms and equipment.

The American people are far too intelligent, patriotic, and liberty loving to longer permit this festering sore to remain in the body politic. Each and every one of us has a high and sacred duty to perform in passing on this legislation. I beseech those of you who are wavering to lay aside your prejudice, your personal interests, your political future, if need be, and vote for the continuance of a government of free people, for a government that will not sanction the payment of tribute to traitors and racketeers for the privilege of exercising a God-given right to make an honest living for themselves and their families and to participate with other patriots in doing their utmost to avoid the fate of France befalling this country. Personally, I favor the Smith bill.

The CHAIRMAN. The Chair recognizes the gentleman from North Dakota [Mr. BURDICK].

Mr. BURDICK. Mr. Chairman, some newspaper reporter here has written a lot of articles about Congress, and he has come to the conclusion that the Members are principally a bunch of jackasses. The only fault I find with that statement is that it is about half true and we have demonstrated that here this afternoon.

I am going to take the position that we are not in war until this Congress declares war. The President may have all the shooting incidents he wants, but we are not at war until we declare it. It seems an action at this time against 10,000,000 workers, when 9,550,000 of them have been as loyal to this Government as anybody sitting on this floor, is not proper. To reach a few wrongdoers we should not indict 50,000,000 workers, organized and unorganized.

There is no use getting excited about anything. Just take it cool. A lot of you here this afternoon think the eyes of this Nation are upon you, and I think they are, too; at least they will be tomorrow morning when they find out what we did today.

This is what you did. Because there are 20 Communists occupying positions of leadership in labor organizations, this afternoon we have jumped on organized labor and said, "You have to put those men out," while at the same time the gentleman from Texas [Mr. DIES] and every man sitting on this floor know that we have 20 times as many Communists occupying positions of trust in the Government here in Washington as there are in the labor organizations of America, and we have not done anything about that. Do you not think the eyes of this Nation will be upon us tomorrow?

If you amended this Smith bill to suit me in every particular, and let me amend it, I will still vote against it. Vote down the Smith amendment and we shall have the Ramspeck bill left, which is a much more just measure.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, as I see this picture, I agree with those gentlemen who have said that the decision of the Congress today is going to be fraught with tremendous consequences. I happen to believe that it would be a mistake under all the circumstances for us to do nothing. I think when the recommendation of the Mediation Board was rejected in the captive coal-mine case we were confronted with a situation that called for action by the Congress. I am prepared to vote for the Ramspeck bill or a measure similar to it. But I know it would be a great mistake for us to have an antilabor field day here because of the fact that there is tremendous concern about the problem of stoppages in industry, and because of the existence of a great surge of antilabor feeling throughout the country. Some of that feeling is, I believe, justified. But it is our job to consider what the real results of what we do here today are going to be.

A number of Members have spoken about the fact that they think a lot of the rank and file of labor would at least not be opposed and might be in favor of certain types of legislation. I hold no brief whatsoever for such abuses as the establishment of a closed shop and the charging of exorbitant initiation fees at the same time. But I think it is obvious that a wholesale piece of legislation, doing almost everything that anyone

could think of with regard to labor, is not going to be regarded by the rank and file of labor as fair to them nor by the country generally as careful legislation in this field.

Are we going to pass a labor code here this afternoon or are we going to pass a bill to try to keep down strikes? Which is it going to be? In my judgment, it ought not to be both. The time will come, if labor ever achieves anything like full organization in this country, when we will pass a labor code, and we shall have to sit down and make one to prevent that power from becoming too great; but today, as I understand, our problem is to prevent strikes.

I am impressed by the fact that a number of Members have spoken about their being for something that will be effective in that regard, and then they wind up by saying that they are against any type of legislation that makes it possible for the Government to take over plants. I submit that you are going to operate in one field or the other. Either you are going to operate in the field of mediation, of calling together labor and industry and telling them to make a code, a policy to be followed during this emergency, to which both will agree and which both will follow—either you are going to operate in that field of mediation and voluntary arbitration, or else, if you are going to compel men to work, you must say that they must work for the United States Government and not for the private profit of somebody else. So if you want in this bill a power to absolutely stop strikes, if you want to say there cannot be strikes, then it is necessary that you do that in the only constitutional way there is to do it and empower the Government to take over plants at least temporarily, and until the grievances and difficulties have, in the judgment of an impartial tribunal, been fairly settled.

I believe these things have to be thought over. As I said yesterday, I think it is necessary that we be fair, that everyone see that we are trying to be fair. It is necessary that the rank and file of labor that has been spoken about regard us as being just as concerned about other groups that try to take advantage of this situation to gain a position of increased power as we are about labor. I do not think we can overlook any of them.

There have been a lot of very fair and just contracts entered into by manufacturing concerns with the Government for plant expansion. Most manufacturing concerns have come in and made contracts that are fair to the Government of the United States. However, I have before me information about one such concern that has asked for a contract that provides as follows: The Government to spend \$55,000,000 of the people's money to construct a plant on land belonging to this corporation—it is the Bethlehem Steel Corporation—that plant to be leased by Bethlehem Steel from the Government, but the Government to lease the land beneath it from Bethlehem Steel, both leases to run concurrently, so that any time the Government is compelled to cancel that contract the land lease is immediately canceled, and all the recourse the Government has is to

remove the facilities. In no other case, so far as I know, has a Government plant been built on privately owned land unless a binding long-term lease could be obtained.

Further, in this contract Bethlehem retains control of the rate of production, the one thing we care most about, and the only time the Government can cancel the contract is if Bethlehem fails to produce at 25 percent of capacity or more for a 5-year period. How does this sound from the standpoint of pushing forward the defense program? And, finally, this lease is to run until 1977—just about as long as the useful life of the plant itself.

If Bethlehem refuses to give priority to a Government contract in this Government-owned plant the only recourse of the Government is to remove the facilities from the land.

Now, the question I want to ask is this: What are the other manufacturers who did not try to take advantage going to say if Bethlehem gets this contract? I earnestly hope such a contract will never be signed.

Mr. Chairman, you cannot overlook things like this. I know the House does not know anything about it. I know you never hear about it in the House. But I am concerned about it. I am not trying to distract attention from the labor issue. I have said I would vote for a fair bill—and I will. But I think we have to do a fair job all around, and a careful job. I do think we have to meet these issues. I think we have to meet them fair and square. I said yesterday and I say again today, I do not think we can overlook it. I think the kind of a bill we vote on tonight is all important. Our duty at the moment is not to pass a bill containing a great number of half-considered measures to regulate labor. Our duty at the moment is to do what is best for our defense program. That means to pass a bill containing the best possible formula for the avoidance of strikes, the ultimate governmental power to take over the plant if necessary for temporary periods, and a provision to bring labor and industry together with the duty and responsibility of developing a code of principles and policies to govern industrial relations during this emergency.

I make my appeal not because there is going to be any rebellion in the ranks of labor whatever the House does. Such talk is wrong. But enthusiastic, earnest, eager work with a spirit of high morale is quite as important as the number of days people work. I do not want to hurt that spirit or that morale.

[Here the gavel fell.]

Mr. GIFFORD. Mr. Chairman, I rise in opposition to the pro forma amendment. I am greatly worried about the procedure, lest we get confused. I wish I could help make it plain by a brief statement. The Smith bill contains nearly all the provisions of the other bills except the seizure of plants. It contains the Ramspeck bill, with the seizure provisions deleted. It contains the "ice-water" section, that is, the cooling-off clause, which is in the Ramspeck bill. I understand that the Landis bill that will

be offered is a substitute. I trust it will not be offered in that manner. It should be offered as an amendment and only the portion containing the subversive clauses. The rest of this bill is already in the Smith bill although not exactly identical. Therefore only a part of the Landis bill should be offered as an amendment. Do not try to substitute it for the Smith bill. We can amend the Smith bill by striking out and by additional sections if desired. This is as I understand it and have been so assured by its author.

I am much worried lest we get confused on this procedure. I am trying at this moment only to make it clear. I also favor the Landis provisions, but not a substitute measure. In the Smith bill there are instructions to unions to report their "method of election." And in the matter of these strikes affecting the public interest, even the national safety, we should protect the individual by a secret ballot. Why do we hesitate to do this—certainly the membership of any union ought to desire such protection.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. Yes.

Mr. MARCANTONIO. Is the gentleman in favor of the enactment of a law which would compel large corporations to have secret ballots of their stockholders?

Mr. GIFFORD. Indeed I would, if they were affected with a public interest, such as affects the safety of the Nation. They can at any time have a secret ballot of their stockholders if the stockholders might desire it. You cannot compare an organization of stockholders with the great organization of John L. Lewis and his dictatorship methods. Certainly I would vote to protect stockholders if need be shown. I earnestly believe that if those miners had had the opportunity of a secret ballot last week, they would have voted with the President of the United States, after he had appealed to them and not with John L. Lewis. If I could not believe that I would indeed fear for my country.

Mr. PATRICK. Mr. Chairman, of course we have all heard from the country and everybody knows that Mr. and Mrs. America want some legislation here that will curb strikes in defense industries. Of course the eyes of America are upon the Congress of the United States in a measure. You ask any ordinary American as to who represents the Ninth District of Alabama and he will say some Democrat, he supposes. The eyes of America are upon us somewhat as they still will be 2 years from now, and if we jump up and pass too drastic an act at this time, we can say to ourselves, oh, we were excited at that time—yes, but the reply will be that the people of the country do not expect gentlemen down here to get excited and pass a law. They will say that they want to be allowed to grow a little excited themselves, at times, but they expect us to be cool and calm at all times. They demand that of their Congress. They will look back when they are not excited and hold us to account for all time.

I think the Ramspeck bill will do what it purports to do. I think it provides

for voluntary mediation of labor disputes affecting the national defense, and requires maintenance by employers, and so on, of the status quo, which is all we are after. No plants will actually be taken over. If we go too far, then we lose the effectiveness of the very thing that we are trying to do, because those to be most greatly affected will lose confidence in the amicable nature of the law which we pass. For that reason, I shall stand by the Ramspeck bill in as near a pure form as it can come out of committee.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. PATRICK. I do not yield until I get my statement in. Do you know why this law will be effective? Because America through its lawmaking body will have spoken, and then the majority of all voices in America will join in chorus.

That is nine-tenths of the whole battle. Why? Labor has been successful because the strikebreaker has been called a "scab" and has had the mark of Cain placed upon him. By popular feeling he has been discredited and winged. Even his family has suffered in consequence. Now, the organizers began going too far, as they belatedly saw. That is why the recent strike was called off. Do not let anybody tell you otherwise. Because then a man could become a strikebreaker—a man could say, "I am going into the mine and you may call me a scab or whatever you please. I am going in there and work for the defense of my country." He became a hero, nothing was against his name, and he came out fine. The labor leadership was destroying the very thing that has sustained and supported the successful program of labor during these years. This will continue to do that. This will leave it in that shape when groups insist on breaking over, and that is good democratic Americanism. The Ramspeck bill is enough, and I will support it, and I wish to go no further. However, I expect to be able to sustain the antistrike bill this committee shall report.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. PATRICK. I yield.

Mr. SHORT. It seems to me the Ramspeck bill is not an antistrike bill but merely a confiscation of property bill, since it gives to the employer the privilege of yielding either to the union or to the United States Army.

Mr. PATRICK. I simply do not agree with that application. I think the bill is a reasonable approach. If I felt that it would actually result in any measurable property confiscation, I would oppose it myself. The Ramspeck bill is a step in the right direction. The Smith bill may carry the danger of becoming a step in the wrong direction. There is a lot of difference between the successful outcome of a bill which goes in the right direction and a bill which moves in the wrong direction, even though they have the same potency.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Oklahoma [Mr. WICKERSHAM] is recognized.



Mr. WICKERSHAM. Mr. Chairman, it has been said that the American way of life has been threatened. I say the American way of life and the mode of living has already changed and unless needless strikes in defense industries are stopped, it may continue to change still further, not favorably, however, but likely to suit the whims of Hitler.

I want to say at this time the farmers have not struck. The ministers have not gone on a strike. The little clerks, small business men, teachers, and in fact many classes of the laborers have not struck. A few un-American leaders interested in their own selfish motives and not in the laborers or the public have caused the people of this country, the general public, laborers, and this Congress all of this unnecessary delay and trouble.

I desire at this time to compliment the laborers, both organized and unorganized, in Oklahoma. We have not had any strikes of any kind during this emergency. These Oklahoma laborers are true Americans.

I desire to compliment the old people. They have not struck. They are the pioneers who made this country. We owe them an obligation and though we pay them a very meager amount of \$10 or \$15 a month, we have not heard nearly as much complaint from them as we have from the others. We should give them at least \$30 per month Federal pension.

When you gentlemen cast your votes I hope you will not vote personalities, regardless of which side you are on. You and I both have friends supporting both phases of this bill. I hope you will vote in the interest of the land of the free and the home of the brave.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, I have been here since the inception of this debate, trying to see if I could not understand this legislation. I heard the gentleman from Connecticut [Mr. Downs] make a speech in which he very violently proclaimed that Congress is now in this fateful hour about to impose shackles upon labor. He makes a speech of that character. Then somebody else makes a speech equally as violent and says, "We are now, in this fateful hour, about to strike the shackles from labor." Somebody must be mistaken. Both gentlemen cannot be right.

I have heard very few Members stand here and say anything about what is in the Smith bill. So I have been trying to study the bill. What is there in this bill that places shackles upon labor? What is there about this bill that makes some so apprehensive? Oh, I remember back in Wisconsin when they passed the Wisconsin labor-relations act 2 years ago it was said that labor would go on a general strike and that the laboring class of Wisconsin were to be put forever into subservience because of the passage of that law. I talked with some of the boys from Wisconsin yesterday who were here representing the C. I. O. unions, and they said, "We do not have a labor difficulty or a labor strike in Wisconsin, due to fine administration of the act." The only blot

upon the escutcheon of labor in Wisconsin was that caused by the unauthorized, fraudulent Allis-Chalmers strike, which labor itself repudiated and the citizenry of Wisconsin are ashamed of.

Now, this bill says that labor is entitled to a secret ballot, to be supervised by the United States Conciliation Service. If this bill were law when they took that strike ballot with the C. I. O. union in Wisconsin in the Allis-Chalmers plant, the chances are that the strike would have been averted. Their bylaws provide for a secret ballot, and yet the deceitful, fraudulent representatives of that union stuffed the ballot nevertheless and succeeded in calling that strike and maintaining it by fraud and deception. I do not know of any honest labor leader—and I know a lot of them—who is opposed to any such provision as that. I do not know of any honest labor leader who is opposed to many of the provisions in the Smith bill. I would like to have the gentleman from Connecticut, who made this violent speech for labor, or some of these other gentlemen, come down here in the Well of the House and specifically point out in this bill or in any of these other bills what is the thing they are objecting to.

We are not talking generalities; we are talking about a piece of legislation. We are discussing the specific provisions in the bill. Those who are opposed should get down here and talk common sense and facts. Let us know what you are opposed to. What is there in this bill that you oppose? Or are you just making a speech, perhaps, for the consumption of those whom you think might like to have you utter such sentiments? I am charitable enough to believe that perhaps some statements may be made with some such purpose in mind. But if I am going to vote on this, I am going to vote on this bill as it is written, as it appears here, not as some people prophesy it may be. I cannot vote merely because some may generally claim that there is some sinister thing that can be read into this bill which in truth and fact does not exist. Let us be fair about it, and let us meet this issue fairly and squarely.

I know you are not going to get production by attempting to intimidate the workers of America. You are not going to produce goods by having a soldier with a bayonet back of the American worker; but I know further that you do not have to have that, because 98 percent of the American workers are working today and all the workers in my State are working. They are working hard, they are working busily, they are not striking, and they are making their contribution. I know there is provision after provision in this bill they would not object to.

I should like to have somebody discuss section 5 of the bill, the provision which attempts to prohibit violence in strikes, and tell us why you do not enforce the laws you have in every State of the Union today, and why we need that provision. I regret that limitations of time do not permit me to fully analyze this bill. Careful study has convinced me that the fears of honest labor are not justified, and that Congress intends to legislate in its interest rather than against it.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Texas [Mr. POAGE] is recognized for 3½ minutes.

Mr. POAGE. Mr. Chairman, it had not been my intention to take time to discuss this bill because I felt it was better to speed up action this afternoon than to spend any time in unnecessary discussion, but since there have been so many statements made on this floor indicating that the speakers felt that those of us who support this legislation were trying to impose on the working people of this country, it has seemed appropriate that we ask for a bill of particulars. Gentlemen have urged that the pending Smith bill would be unfair to labor, that it would require sacrifices from laborers all together out of line with any sacrifices that our Government asks of other groups, but none of the opponents of action have been specific. It seems to me to be appropriate at this time to ask: How are we imposing on the workingmen of America by requiring that before they strike and shut down a defense industry that they go through the democratic processes of an election? How are we taking from the workers of America the rights of American citizens when we provide for them the same processes we have provided for all other citizens of America? How can it be said that we are imposing on honest, upright laborers when we say that we will no longer condone violence in labor disputes? Does any other group enjoy the privilege of resorting to force to secure its ends?

Nor do I think it is entirely fair to suggest that this bill, the Smith bill, is an effort to take from any individual citizen of America the right to work where he pleases, to quit work when he pleases, to work or not to work as he pleases. This bill in nowise prohibits any man from quitting work; does not force any man to work against his will; but it says that you cannot form a conspiracy, you cannot get together and agree to stop work and to call upon your neighbor to stop work and to shut down a defense industry on which the lives of American boys are dependent. There is a vast difference, Mr. Chairman, between requiring an individual to work against his will and prohibiting an organized effort known as a strike. This bill does not attempt in anywise to interfere with the right of any individual to work or not to work, but it does attempt to say that no group of individuals, whether they call themselves a labor organization of whether they go by some other name, may seek to bring about a unified stoppage of work in a defense industry in a time of national emergency as John L. Lewis has so recently done.

It has been suggested that the laboring man has been singled out to have certain rights taken away from him. This bill subjects industry to regulation. Long ago we subjected industry and business to all manner of regulation in the public good. We have subjected the farmers to regulation. We have conscripted the boys of this country. Certainly the most biased pleader for John L. Lewis would not contend that any American citizen did not have a right to walk down Pennsylvania Avenue in Washington or Austin Avenue in Waco,

Tex., any time he pleases, but when the United States taps him on the shoulder and says: "Come with me buddy. You are on your way to camp," then that boy's right to walk down Main Street, to go fishing, or even to go on a strike is suspended so long as Uncle Sam wants him. Is it necessary that a man be drafted before his personal privileges bow to the common good? I do not think so. It seems perfectly clear to me that the same government that can control business, industry, the learned professions, and even the lives of all other citizens of this country can and should require the cooperation of labor in an hour of national need.

No; I do not want to single labor out and ask of labor any greater sacrifices than I ask of every other group in America, but I voted for the draft bill and the plant-seizure provisions thereof. I voted for the tax bills and expect to vote for more. I have voted for limitations without number on the privileges of individuals for the good of America. I believe labor has a greater stake in the preservation of America than any other group. I would not assume that labor was not just as ready to accept limitations on its privileges in the cause of national defense as any other group. Therefore, I am not going to single labor out and say: "There is the only group of American citizens who refuse to put their country above their personal privileges."

No, Mr. Chairman; in spite of the disloyal statement of Mr. Philip Murray at Detroit, where he recently stated in effect that the welfare of the C. I. O. came ahead of the welfare of the United States, I still believe that the great mass of American workers are loyal and that they will not only agree, but will willingly agree, to surrender certain privileges they have long enjoyed in order that their fundamental rights may be protected not simply for a day or a month, but for all time to come. Without the suspension of those privileges during this emergency it is doubtful that labor will in the future enjoy any rights whatsoever. The rights of all American citizens are jeopardized. The rights of the coal miner no less than the rights of the banker. Let it not be said that simply in order to protect ourselves from the criticism of certain well-organized groups that the Members of this House did not have the courage to go along and do the thing necessary to protect this Nation for all time to come. And America cannot be safe as long as John L. Lewis has the unlimited power to stop work in our coal mines or our steel mills.

The Smith bill, if passed, will take that power from Lewis and his type. The Ramspeck bill is little more than eye-wash. We are dealing with stern facts. We must meet the situation with stern action. I shall vote for the Smith amendment. No one has advanced any reason why it should not pass. I hope it may receive a resounding majority in this House.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Georgia [Mr. PETERSON] is recognized.

Mr. PETERSON of Georgia. Mr. Chairman, I am in favor of the adoption of the Smith amendment.

The authors of the various labor measures now before this body have clearly and forcefully presented their respective views on the measures and have explained the contents of the bills which they are sponsoring. There is therefore little need for me to elaborate upon the question further or to go into unnecessary detail in presenting my views and my reasons, which for the most part have already been so ably brought to the attention of this body.

There is one point, however, which it seems that the industrial laborer and those engaged in defense work have almost completely overlooked. We have drafted the young men of this country to go into the armed service whether they wished to or not and we have arbitrarily set the wage they are receiving without once giving them or any spokesman of the group any opportunity whatsoever to say what the wage should be or the conditions under which they must undergo this military training. They have had no say in wages or working conditions. Yet they are giving not only their time but in the event of actual conflict we all know that many of them will give their young lives.

At the same time we are permitting men to be given a deferred status as to military training should they be engaged in labor on vital defense projects, and they have the right to demand their own wage, set up their own working conditions, refuse to work if their demands are not met, and even prevent others who want to work from working. They have the power to tie up vital defense projects and stop the wheels of industry from turning out defense materials and equipment for the use and the protection of the young men who have been forced into military training and for the defense of this country.

Labor has this tremendous power and labor is not only exercising it but also abusing it. Perhaps it is only a minority that is guilty of this abuse, but all the Nation is suffering from such abuse. This should no longer be tolerated in this Nation.

The Government, through divers means, is keeping down the price of farm products. The rural communities are enjoying very little, if any, of the benefits of the prosperity this Nation is enjoying on account of the enormous defense program. The wage earner is enjoying it. Wages have gone up by leaps and bounds, and the work available has increased tremendously. At the same time farm prices have been kept down and farm production remains limited.

This measure does not limit the wages of labor, which keep rising each day, but certainly this Nation should take action to prevent labor, while enjoying this great relative benefit over agriculture, from exercising powers which can and, if carried far enough, will destroy the effectiveness of our defense program and even the Nation itself.

Agriculture is just as essential to the defense and welfare of this Nation as is labor. Why should one go unbridled and

be left free to wreck our country, if it so desires, while the other is curbed, regulated, restricted, and supervised on every hand by strong Federal laws?

I am not unfriendly to labor and I fully recognize the fact that the laboring man has a right to be treated fair and to receive fair and legitimate wages for his labor just as any other citizen has. I know that there are many instances where his rights have been denied and where he has not been given the wage he is entitled to. Likewise, I know that many young men who have been forced into military service have not gotten quite a fair deal, and I know that certainly agriculture has never come in for its fair portion of this Nation's income.

This measure does not take away any basic right of labor, nor does it give any more rights to the soldier or the farmer or any other citizen. It is aimed at remedying an abuse which is being perpetrated by a very small minority, and which bids fair to wreck this Nation if it is not stopped.

America is demanding that something be done, and I feel we will be meeting the demand, at least to a degree, if we adopt this amendment and pass this legislation.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. RUSSELL].

Mr. RUSSELL. Mr. Chairman, I have spoken five times in this session of Congress on the question confronting the House at this time. My position has been made clear to all on this important question. I want to congratulate the gentleman from Mississippi [Mr. RANKIN] for appearing here, as he said, on behalf of and in defense of the 46,000,000 American citizens. I join with the gentleman from Mississippi [Mr. RANKIN] in defense of that part of the American citizenship. But I want to go a little further and represent some others.

The very distinguished and able gentleman from Illinois said yesterday that there were 46,000,000 workers in the United States of America. He said out of those 46,000,000 workers there were 11,000,000 labor-union workers in the United States of America. According to the census report that reached your office and tables this morning from the Census Bureau, there are approximately 132,000,000 people in the United States of America. Eleven million from 132,000,000 leaves 121,000,000 citizens of this country.

Mr. Chairman, I rise at this time to say that I speak on behalf of 121,000,000 citizens of this country who are as much entitled to representation during these trying times as the 11,000,000. I want to go a little further than that. I not only want to represent those 121,000,000 citizens, but there are some more I want to represent. Out of the 11,000,000 the gentleman from Illinois described so eloquently to us yesterday, without reason or logic, there are at least 80 percent I want to speak for. I want to speak for them on this occasion because they are as much interested in the outcome of the legislation here as anyone else.

You ask me, perhaps, why speak that way? I will tell you. My actions here in Congress since the first of the year



have told the world where I stood on this question. I believe in the old-time democracy of equal rights to all and special privileges to none. I believe that is applicable to labor unions and non-labor unions alike. I believe that America guaranteed this right to us more than 150 years ago, and for this reason I have spoken my sentiments time and again on the floor here. These labor-union boys have heard of that. They have come to my house on Sundays, they have come to my house at night, not one time but scores of times, in ones, twos, and threes. They have come and introduced themselves to me and showed me their card in order that I might see they were in good standing with the labor union. Not a single one of them has condemned the stand I have taken, which was to prohibit strikes in defense industries.

I made the statement here one time that it should be just as much an offense for a laboring man to strike in a defense industry engaged in the manufacture of defense equipment or in the procuring of such equipment as it is for the boy today who is in the Army camp under orders of the United States Government to "go over the hill." If these labor-union boys are emancipated, if this Congress would give them the right to express themselves and enjoy the rights guaranteed to them under the fourteenth amendment of the Constitution of the United States, they will not cause any trouble, for they are more than willing to go along with the patriotic American citizens during these trying times. They have so informed me in person; and they condemn these un-American strikes as much as I have condemned them.

I have received letters from union men in my district—yes, from union leaders—commending the stand I have taken; and in some of these letters those men have included articles which they asked me to place in the CONGRESSIONAL RECORD. Some of these articles I thought were too radical to put in the RECORD, and I have so written the men who sent them to me. So I say, Mr. Chairman, and to the Members of this House here assembled, that 8,000,000 of those labor-union boys want the shackles of the Gestapo taken off them in order that they might have the opportunity to fully express their American citizenship—without fear of death or bodily injury.

Perhaps you ask me why I make this last statement. My answer, ladies and gentlemen of the House, is that most every one of these labor-union boys who have come to see me have stated that they have never voted and were afraid to vote; that they had to work and wanted to live, and for that reason they would not take any part in the voting because their votes would be well known to the leaders and to those who are at the head of this racketeering bunch.

Is it not fair to them along with the other 121,000,000 citizens in this country, to give them a square deal? I say now, at the hands of this Congress they must have a square deal.

I have studied the three bills which are now under consideration and have come

to the conclusion that the Smith bill comes nearest righting the wrongs that are being perpetrated upon the citizenship of America today by the un-American leaders of the labor unions.

Mr. Chairman, I believe it is as much the duty of this Congress to protect the man who does not belong to any union in his right to work as it is to protect the labor-union man. It is a God-given decree that all men shall earn their living by the sweat of their brows. This divine decree was placed upon mankind after the fall of our first parents; and it has never been revoked, repealed, or modified. It is a sentence of divine origin placed upon mankind today.

Then shall we, as Members of the greatest legislative body in the world, sit idly by and let racketeers destroy this divine decree? The right to work is a sacred right. It is a command of the Creator himself, and I ask the House at this time to pass the Smith bill which will give protection to the man who wants to work but who is prevented from doing so unless he pays tribute to a labor union.

I know a man who served in France during World War No. 1; who went over the top several times. This man was just as great a hero as America has ever produced. He came back to this country, and during this winter presented himself at a camp under construction—a defense camp, paid for and constructed by the United States Government—and this man who had gone over the top and risked his life for his country, who needed and was qualified to fill a place in the building of that camp for the defense of his country, was denied the right to work unless he would pay tribute to a labor union; to start with, the principal amount of \$50.

This man who had shown his patriotism in a dark hour; this man and this man's people who were all helping pay the bill—this man whose offspring were being placed under bondage perhaps for years to come by the financial outlays of the defense program—was denied the right to work unless he paid \$50 to a labor union.

Mr. Chairman and ladies and gentlemen of the Committee, America is looking to us today. Civilization is looking to us today. The eyes of the world are on us today, and 129,000,000 American citizens are appealing to us to right these wrongs against their country, our country. Let us pass this legislation which will free these 121,000,000 citizens and take these 8,000,000 loyal, patriotic, labor-union men out of bondage forever.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. LUTHER A. JOHNSON.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I am not going to detain the House. My views are well known from the numerous speeches I have made on this subject. I think it is of vital importance that we should enact legislation to prevent strikes in defense industries, and I am glad the House is going to vote on that question. If I had had my way, legislation of this kind would have long since been considered and passed.

The vast majority of the laboring men of America are patriotic and want to do their part in the defense of America, but there are a few labor racketeers who would sabotage America's defense, and it is necessary that legislation be passed to curb and restrict these enemies of democracy.

Believing that the Smith amendment is the best designed to accomplish this purpose, I shall vote for it.

The sentiment of the American people is crystallized in favor of this legislation, and I hope the House today, by a decisive majority, reflects the sentiment of the American people, by passing this bill designed to prevent strikes in defense industries, and thereby expedite the production of materials for our defense, in this the gravest crisis of our history.

Mr. BECKWORTH. Mr. Chairman, I ask unanimous consent to revise and extend my own remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. BECKWORTH]?

There was no objection.

Mr. BECKWORTH. Mr. Chairman, my position with respect to preventing delays in our national-defense effort is well known to the membership of the House. For many months, as the CONGRESSIONAL RECORD will show, I have been insisting that our defense efforts be uninterrupted, and I am thankful the House today is considering legislation designed to aid the cause of national defense. May we here today do that which will make more secure the welfare of the 130,000,000 people who live in and love America.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Chairman, some of those who are opposing legislation to prevent strikes in national-defense industries have indicated that all the friends of labor are opposing the legislation. I know that I can be classified as a friend of labor. Time and again I have voted for legislation favoring the laboring man. I have a good labor record and I do not apologize for it. Despite some of the trouble we are now having with certain labor leaders, I am going to remain the friend of the laboring man.

In my opinion, the great heart of the American people beats in sympathy with the workingmen of this country, and if we pass any legislation today it will be passed by the men in this House who are friends of labor. As a friend of labor I am interested in helping labor, because labor is a vital part of this country; labor has a stake in this country; labor must continue to survive in this country; and labor is entitled to a square deal from the people and Congress. If I have my way about it, and if most of you have your way about it, we are going to give labor, we are going to give our country, legislation on this subject in order that we can be more united and in order that we can progress with greater speed and effectiveness with our national-defense program.

I have not frequently followed the gentleman from Virginia [Mr. SMITH], who

has offered this particular amendment. I often differ with him, but I am in favor of those provisions in his bill which would tend to prevent shut-downs and strikes in national-defense industries. So, in the interest of the laboring man and in the interest of the country generally, I am going to vote today to try to keep a handful of racketeers from wrecking the great program of 130,000,000 American people.

The people of this Nation are aroused as they have seldom been aroused before. I am confident that at least 99 percent of the people of the district which I have the honor to represent want action. As early as April 3 this year I arose in the House and urged action by the President and the Congress against strikes and hold-ups in national-defense production.

Those of us who have been pleading for action for months are glad that at long last we have a chance to vote the will of the American people. There can be no doubt as to what the will of the American people is. They want legislation sufficiently drastic to stop strikes in national-defense industries. As far as I am concerned, they ought to have had it long ago, and they are going to get it now. Effective action today will mean much to the cause of unity and national defense.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. WILLIAM T. PHEIFFER].

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, it is not my intention to use all of my time. I do not intend to use enough of it to justify coming down to the Well of the House. I am going to use only enough time to make an observation that has occurred to me while listening to the 3 days of debate on this legislation, which legislation primarily is for the purposes of preventing the sabotaging of our national defense program, and for protecting the honest, patriotic American workingmen, the public, and the Government from being exploited by labor racketeers and agitators who thrive on the fomenting of discord between management and labor. The observation is simply this, that, if by some magic formula, by some alchemy, if you please, every member of every labor union in the United States could have his legal residence changed to the voteless District of Columbia, any one of these bills—the Smith bill, the Ramspeck bill, or the Vinson bill—would appear on the Consent Calendar of the great and fearless House of Representatives of the United States of America.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. SOUTH].

Mr. SOUTH. Mr. Chairman, Ralph Waldo Emerson, who is perhaps the greatest political and religious philosopher this country has ever produced, said:

Every excess causes a defect; every defect an excess.

He said further:

You cannot do a wrong without suffering a wrong.

Mr. Chairman, it is not necessary for me to point out at this time wherein a few labor leaders who are hungry for

power have indulged in excesses and have committed wrongs. Therefore, it becomes necessary for the Congress of the United States to take such action as may be necessary in order that further excesses and further wrongs may not be committed at this crucial time in our Nation's history.

I had hoped that legislation such as this would not be necessary, but the situation has become progressively worse, until a few weeks ago we saw one of these labor leaders defying the President of the United States and threatening to prevent nine-tenths of the honest men in union labor who want to work from doing so, thereby crippling our entire defense program.

Must we permit that situation to continue?

What does the Smith bill, which I am supporting, do? First, it freezes the closed shop as of the date of the passage of this legislation. Certainly that is not a very extreme thing to do. Further, it prevents strike violence or violence on the part of the so-called picketers.

Violence of this kind and character should never be permitted. The States have not been able to cope with the situation; therefore there is nothing left for the Federal Government to do but to step in and prevent it.

The Smith bill outlaws jurisdictional strikes. I submit to you that in times such as we are now passing through we cannot afford to be tied up by disputes as to whether the A. F. of L., the C. I. O., or some other labor union shall carry on the work in the mines and factories of this country.

Mr. Chairman, I should like to remind my colleagues again that there is too much sentiment in this country for entering the world conflict now raging abroad. These people have not fully counted the cost. Many of us are too willing to assume responsibilities for something that will begin at some unknown future date, but have not been willing enough to tackle the problems that are now on our doorsteps. The bill before us this afternoon is a splendid example of what I am talking about.

Mr. Chairman, the increased taxes we are going to have to pay and the labor advantages which union labor will have to forego for the time being are mighty small sacrifices indeed compared with those the boys who will put on the uniform and fight if we go to war will have to make. Indeed, this is true as it relates to their compulsory military training, even if we are fortunate enough to remain at peace.

Mr. Chairman, if we are forced into this war that is something else, but I am here opposing the increasingly large and vocal group who are wanting us to declare war on Germany now. I am for England in this struggle, and I am against Hitler, as I have been from the beginning. My first and main concern, however, is for America and especially for the American boys who will have to fight and die on foreign battlefields if we enter this awful conflict. Make no mistake about it, it is easier to get in a world war than it is to get out, and we cannot best keep out by plunging in, as some would have us believe.

Only a few months ago we were told by Mr. Churchill that England would do the job if we would furnish the material and supplies. That we are supplying, and will continue to supply, planes, tanks, guns, food, clothing, and medicine cannot be denied. At this time the war now raging is not our war, and we ought not to sacrifice the youth of this country until it becomes absolutely necessary.

Mr. Chairman, I submit that the Smith bill, which really undertakes to grant some relief and at the same time is not drastic or oppressive, should be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Nebraska [Mr. COFFEE].

Mr. COFFEE of Nebraska. Mr. Chairman, I want to voice my sentiment in favor of the Smith bill. It incorporates all the good features of the Ramspeck bill and deletes the property-seizure provision of the Ramspeck bill, to which I am opposed. The Smith bill also incorporates other provisions that are highly necessary. The people of this country are demanding action. I hope the House, today, will pass the Smith amendment to help to restore some confidence in the future of our American system of free enterprise. Let us do something to curb these C. I. O. labor racketeers who are sabotaging national-defense production before it is too late.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, I hold in my hand a letter addressed to me today by the three great national farm organizations of America, the American Farm Bureau Federation, the National Council of Farmer Cooperatives, and the National Grange. I desire to read a few extracts from this letter:

AMERICAN FARM BUREAU FEDERATION,  
NATIONAL COUNCIL OF  
FARMER COOPERATIVES,  
THE NATIONAL GRANGE,  
Washington, D. C., December 3, 1941.  
Hon. HOWARD SMITH,  
House of Representatives,  
Washington, D. C.

DEAR CONGRESSMAN SMITH: The farmers of America stand united for all-out aid to national defense, and are doing their full part by producing increased quantities of supplies of food and fiber for defense. They are rightfully aroused over the strikes and stoppages of industrial production which are interfering with and jeopardizing our national-defense effort when the greatest amount of production must be accomplished in the shortest period of time. This is no time for bickering over issues that interfere with the principal objective of defeating totalitarianism and the use of coercive power and duress. The welfare of labor, agriculture, and the Nation itself are all at stake.

At a meeting last June of representative leaders of each of our organizations from every section of the United States, the following statement with respect to these matters was unanimously agreed to:

"Agriculture recognizes the seriousness of the present national and international situation affecting the lives, liberties and security of all our citizens, our democratic ideals and institutions.

"During this acute emergency it is imperative that we have national unity and a willingness to toil and sacrifice on the part of all citizens and all economic groups. We have already demanded of our boys that they make heavy sacrifices. This is no time for any



group, whether in industry, labor, or agriculture to seek a selfish advantage.

"True patriotism and the security of all demand that all groups should contribute their utmost to produce everything essential to national defense with maximum speed and efficiency. Adequate defense requires that there be no stoppage or delay in production and distribution of essential materials or services in industry or agriculture. National safety demands that immediate action be taken to provide adequate means for continuing operations whenever disputes arise, until differences are composed. We recognize the rights of labor and agriculture to organize and to bargain collectively, but the emergency requires immediate, effective authority and action to eliminate all acts or threats of violence, destruction of property, intimidation, coercion, and illegal collusive practices whether in industry, labor, or agriculture."

"The power to deal with this situation resides in Congress. We believe that Congress should no longer temporize or deal ineffectually with this grave situation when our national security and democracy are at stake. Positive action that will stop all strikes in defense plants, eliminate acts or threats of violence, destruction of property, intimidation, coercion, and illegal collusive practices, and that will effectively put an end to abuses which defeat the national-defense effort should be taken now.

Respectfully yours,

Edw. A. O'NEAL,  
President, American Farm  
Bureau Federation.

JOHN D. MILLER,  
President, National Council  
of Farmer Cooperatives.  
A. S. GOSS,  
Master, the National Grange.

This letter is signed, as I said, by the American Farm Bureau Federation, the National Council of Farmer Cooperatives, and the National Grange.

Mr. Chairman, I had hoped during the course of the day's debate that somebody would point out what is the matter with the so-called Smith bill. I listened with great interest to the remarks of the gentleman from Wisconsin [Mr. KEEFE] when he challenged those who oppose this bill to say what is the matter with it. Nobody accepted that challenge.

Who wants to get on this floor today and deny the right of the American workman to work without paying tribute? Who would dare to take this floor and say that they are in favor of violence in these strikes? Some of them have said that that is not the business of Congress because the States ought to take care of it. You all know the States do not take care of it. One very good reason why the States cannot take care of the situation is that this Congress, through its own action, has taken the National Guard and the means of protection, away from every State in the Union. There is no use, as I said before, in shadow boxing about this situation. Before this debate is closed, somebody ought to meet the issue.

Somebody ought to be willing to stand up here courageously and boldly and say that he is opposed to legislation that will stop violence, that he is opposed to legislation that will stop sympathy strikes, that he is opposed to legislation that will stop boycotts and jurisdictional strikes. Let them get up here and say "We are opposed to the democratic method of permitting employees to have a strike

ballot before they strike and letting them say they are opposed to an accounting of the funds held by labor unions."

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. TABER. Mr. Chairman, industrial production in connection with national defense has been slowed down more indirectly than it has been directly. Thousands and thousands of men have been out on strike. The situation has gotten to a point where it needs attention, and there is not anyone who hardly dares get up and say that it does not. The gentleman from Virginia [Mr. SMITH] has offered a substitute bill. I have listened to the debate. I have failed to hear one of the opponents of the bill get up and point out where in any way any real right of labor is infringed, or where labor is imposed upon. The interest of the country at this time demands that we should do our duty and pass legislation which will promote defense production. It is absolutely necessary that we do this. With a bill that will do something, with no one pointing out why we should not enact it, let us pass that bill.

Mr. McCORMACK. Mr. Chairman, reference has been made during the debate to goon squads. I cannot respond very favorably to arguments of that kind, directed at labor when the representatives of labor come down here when a matter is pending of concern to them, to express their views and exercise their constitutional right of petition. One of the fundamental rights of an individual under our set-up is the right of petition, as well as the right of peaceful assembly. When important legislation is pending affecting other groups, it is perfectly all right for their representatives to come to Washington, and I would oppose the utterances of anyone who would condemn them; and in connection with the utterances made in the nature of condemnation of the representatives of labor who might be in Washington on this occasion, I just as vigorously oppose those utterances and speak in defense of their right to be here as I would if the large employers and representatives of capital in this country, as they have been on many occasions in the past, were in Washington on this occasion in connection with a bill that was pending before this body that vitally affected them. It is not a question of the strongest piece of legislation that we could pass. The question is what legislation is necessary that will protect in this crisis the interest of the Government. There are three interests involved, the interest of the employer, the interest of the employee, and the interest of the Government. It seems to me that the paramount question that concerns us all is what steps are reasonably necessary, consistent with good understanding, to assure the best interests of the Government, because, so far as the Government is concerned, whether we are a member of a labor union or not, whether we are employers or professional men, no matter what our economic or social position may be, each and every one of us has a card of membership in the greater Union, that

is, the Union of the United States of America. We do not want to do anything in haste today that we might repent at leisure. I am in favor of the passage of legislation, but legislation that will bring about a better understanding, not legislation that will be punitive in its nature. Respecting the high motives of the gentleman from Virginia [Mr. SMITH] as I do, I believe the adoption of his substitute will be construed as a punitive action against labor.

Mr. SMITH of Virginia. Does the gentleman favor the practice which this House has been complaining about during this past year, of permitting any labor union or any other institution to charge workmen for the right to work on Government jobs?

Mr. McCORMACK. I am going to discuss the gentleman's substitute and show a few weaknesses in it.

Mr. SMITH of Virginia. Will the gentleman not answer that question?

Mr. McCORMACK. I am not going to answer specific questions.

Mr. SMITH of Virginia. I did not think you would.

Mr. McCORMACK. Well, now—the act of the racketeer we all condemn, but I am not going to answer that question, and in answering that question indict 100 percent for what 1 or 2 percent might do. Your question is one of those two-edged questions, and you are damned if you do and damned if you do not.

Mr. SMITH of Virginia. If the gentleman will yield, my question is very simple, whether you favor the practice or do not?

Mr. McCORMACK. I am opposed to any practice, without regard to what it is, that is inconsistent with decency. That answers the gentleman's question and goes far beyond it. But I am not going to indict 100 percent for what 1 or 2 percent might do.

Now, coming to the Smith substitute, there are two provisions in this bill which in my opinion are more far-reaching than are necessary under existing circumstances. I refer to the provision calling for the registration of labor unions. If there is one thing that organized labor properly resents and properly opposes it is any legislation which is close to the line of compulsory incorporation of labor unions. I remember back in 1920 as a member of the Massachusetts Legislature I opposed a bill pending in that body calling for the incorporation of labor unions. The incorporation of labor unions is the act of the enemy of labor. It was conceived years ago by the enemies of labor. Labor well remembers the Danbury Hat case experience, and well might they remember that, and other similar experiences of the past as well. The registration of labor unions is very closely related to the incorporation of unions. Why should we compel labor unions to incorporate when capital is not compelled to incorporate? Incorporation is a voluntary act and forced incorporation or anything which relates directly to it or is closely related to it should not be imposed upon labor unions unless the circumstances are such that the best interests of the country abso-

lutely call for such action. That situation does not exist today.

Now, with reference to the secret ballot on a strike: I can see, under some circumstances, where we might have to resort to that some day, but I think in the light of present circumstances it would be unwise for this body to adopt this amendment including that provision. Certainly we do not compel the employers to have a secret ballot. The National Association of Manufacturers is meeting now. They passed a resolution yesterday, a resolution in relation to labor. Certainly there is no provision of law compelling those attending that meeting to have a secret ballot under Government supervision. There is no justification for it now. There is no justification for it today so far as labor is concerned.

So, Mr. Chairman, as far as the Smith substitute is concerned, there are two provisions that go far beyond what is necessary at the present time. As I see it, the one important thing at the present time is to have a reasonable waiting period, so-called, a period of reason, during which emotionalism will have an opportunity of passing over and during which reason and rational action will be able to assert itself.

The Smith amendment goes far beyond what we should legislate on today and I hope the Smith substitute will be defeated.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, the hour for the vote has arrived, and I ask for a vote on the Smith substitute.

Mr. COCHRAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COCHRAN. I desire to know if the first vote is on the Smith substitute as amended, to the Ramspeck amendment to the Vinson bill?

The CHAIRMAN. The gentleman is correct.

Mr. COCHRAN. Now I want to know if the Smith substitute is adopted, if the vote then comes on the Ramspeck amendment as amended by the Smith substitute?

The CHAIRMAN. The gentleman is correct again.

Mr. COCHRAN. Then I would like to know if I am correct in saying if that action prevails the Committee will rise?

The CHAIRMAN. The gentleman is correct.

Mr. COCHRAN. I would like to make one further parliamentary inquiry. If the Smith substitute is voted down, we then remain in Committee of the Whole and consider the Ramspeck bill, open to amendment under the 5-minute rule?

The CHAIRMAN. The gentleman from Missouri is correct throughout.

Mr. WORLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WORLEY. Suppose the Smith amendment is adopted in Committee of the Whole and is reported back to the House and the House fails to pass the Smith amendment, then does the question recur on the Vinson bill which ap-

plies only to naval defense contracts, or where are we?

The CHAIRMAN. In case the Smith bill fails in the House or is defeated in the House, the question then before the House would be the original Vinson bill.

Mr. WORLEY. Without offering any amendments?

The CHAIRMAN. Without any amendments being in order.

The question is upon the substitute amendment offered by the gentleman from Virginia [Mr. SMITH] as amended.

The question was taken; and on a division (demanded by Mr. RAMSPECK) there were—ayes 176, noes 135.

Mr. RAMSPECK. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers, Mr. RAMSPECK and Mr. SMITH.

The Committee again divided; and the tellers reported that there were—ayes 182, noes 143.

So the substitute amendment was agreed to.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Georgia [Mr. RAMSPECK] as amended by the substitute offered by the gentleman from Virginia [Mr. SMITH].

The amendment as amended was agreed to.

Mr. VINSON of Georgia. Mr. Chairman, I ask unanimous consent that the remaining sections of the bill (H. R. 4139) be stricken from the bill.

Mr. MARTIN J. KENNEDY. Mr. Chairman, I object.

Mr. VINSON of Georgia. Mr. Chairman, I move to strike out section 2 of the bill H. R. 4139.

Mr. MARTIN J. KENNEDY. Mr. Chairman, I rise in opposition to the motion.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. MARTIN J. KENNEDY. Mr. Chairman, we have just witnessed something that I thought could never happen in the House of Representatives in the year 1941. Amid applause and cheers, the so-called Smith amendment was adopted. This amendment, if enacted into law, will place many unfortunate restrictions on the rights of the workers of this country in the proper conduct of their union activities. The effect of the Smith amendment will put back the cause of the American worker more than 50 years. Many of the Members who applauded the adoption of the Smith amendment have, persistently and actively, opposed all legislation designed to improve the working conditions of the workers of America. Unfortunately, here in the House of Representatives, we have reached a point where some of the Members are determined that something must be done against organized labor. These Members, many of whom are fine, able, and conscientious Representatives, have the mistaken notion that the pending bill must be passed regardless of its result upon the future and the morale of labor.

During the time this bill has been under debate, much has been said about the work of the racketeer in labor, excessive initiation fees, illegal calling of strikes,

gangster-controlled unions, and many other abuses detrimental to good government.

Ulysses S. Grant said:

Labor disgraces no man; unfortunately you occasionally find men disgrace labor.

I admit that in certain unions, bad practices have existed and that some delegates and officers of unions are corrupt. For the sake of argument, I am willing to concede that some unions are dominated by gangsters; but I am sure that, if you add up all of the bad practices and if you catalog all of the disloyal and corrupt officials, you will find that they do not represent more than a small fraction of the decent, fine men and women connected with labor.

Thomas Middleton said:

Honest labor bears a lovely face.

Regardless of how you may try to smear labor, you will find that, through it all, there will appear the clear eye, the ready hand, and the loyal heart of the American workingman. All of my life I have lived in the city of New York. The majority of the people in my district are compelled to work for a living. Most of them are skilled mechanics and are most competent citizens as well as most intensely loyal and patriotic Americans. In the majority of cases, these men are union members, American born who have contributed much to improve the efficiency and usefulness of labor unions. I expect they will be among the first to stamp out any unwholesome influence in their unions. For my people, this legislation is unnecessary and harmful, because it casts a reflection upon the finest type of manhood and womanhood in our land, the producers.

Personally, I know much about organized labor. As a boy, I grew up in a neighborhood where everyone had to earn his living by the sweat of his brow. My father was a member of a trade-union and for that reason I have been able to appreciate what organized labor has done for the working man. My father worked 12 hours a day, 6 days a week for a salary that barely paid the actual household expenses. Later, as a result of the work of his union, the hours of his labor were reduced to the 10-hour day and a 5½-day week and later to the 8-hour day, 5 days a week. These new working conditions made it possible for a man to spend some time with his family and afforded him an opportunity for much needed relaxation and rest. In the light of this knowledge, I cannot permit the many accusations that have been made, here, about organized labor to go unchallenged because, without labor organization, the men and women of this country would still be working the same number of hours my father had to work and would be receiving only the same inadequate salary that was paid at the beginning of the century.

Daniel Webster had this to say:

Labor in this country is independent and proud. It has not to ask the patronage of capital, but capital solicits the aid of labor.

That statement is just as pertinent today as the day it was uttered by Daniel Webster.

There are abuses that creep into every organization because of the frailty of



human nature. But there is no abuse so great that it cannot be corrected from within the organization. We cannot legislate brains, honesty, and good judgment but we can hope and reasonably expect that the proper union officials will see that abuses which do exist will be corrected and be corrected at once. Now, that we have stated our objections, let us give labor, itself, a fair chance to remedy and correct these violations that exist before we legislate against labor.

This problem is not a one-sided affair. I am sure a careful examination will reveal there are many corrupt employers who, to outdo their competitors, subsidize dishonest labor leaders so as to gain advantage in obtaining contracts for and in securing the services of a sufficient number of mechanics. These contractors should be punished because they corrupt the representatives of labor and are an unwholesome element in the business world.

As my speech will be the last one before this vote is taken, I earnestly hope that you will listen attentively to my appeal. I have never been a demagog and I do not intend to be one today. I sincerely believe that industry and labor are composed of America's best men and women and they cooperate and work together on their problems, but I also believe there are employers and workers who, regardless of anything we may do, will resort to unfair labor practices. They avoid the labor laws and do everything possible to destroy each other. I recognize that there are some sinister influences on both sides and I am anxious that they should be weeded out and punished. However, the sins of the unfaithful ones should not, cannot, and must not be charged against that vast army of noble people who represent the best traditions of American labor and support the strong arm of good government.

Only this week we had the best example of what can be accomplished when clear-minded, right-thinking representatives sit down around the conference table. The railroad executives' committee and the representatives of railway labor settled their differences of working conditions and salary increases without even the lapse of a minute in the operation of the railroads. To me the labor representatives of this conference are typical of the true American workingman and the generous spirit of the railroad executives symbolizes the ideal American businessman.

At this point, I wish to compliment all of the men who accepted the invitation and followed the suggestion of the President to settle by agreement their differences, in spite of the decision of the Railway Mediation Board. I congratulate them for their fine display of good sportsmanship and true Americanism.

I hope the debate on this bill is serving a purpose. All the ills and grievances that are supposed to exist in labor organizations have been thoroughly discussed and exposed to public view and, certainly, the proponents of this legislation have presented them in their worst light. If these abuses exist, and I do not concede that they do, the intelligent lead-

ership in labor circles are now on notice and should clean house. Let the chips fall where they may, the labor unions should eliminate all those who fail to meet a high standard and who are unworthy of trust and of the respect of American people.

When I have finished speaking, the roll will be called. At that time, you will have an opportunity to display your interest and understanding of our working people and their problems. By a vote of "no" you will indicate your confidence in the rank and file of labor and you will show your confidence in the integrity and consummate patriotism of the American working man and woman.

Let us properly criticize labor organizations—suggest remedies to labor organizations—but do not destroy labor organizations and what they represent.

I plead with you to join with me and my fellow democrats from New York in voting "no."

The CHAIRMAN. The question is on the motion offered by the gentleman from Georgia [Mr. VINSON].

The motion was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COLE of Maryland, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 4139), to further expedite the national-defense program in respect of naval construction and procurement by providing for the investigation and mediation of labor disputes in connection therewith, and for other purposes, pursuant to House Resolution 198, he reported the same back to the House with sundry amendments agreed to in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered on the bill and amendments to final passage.

Is a separate vote demanded on any amendment?

Mr. RAMSPECK. Mr. Speaker, I demand a separate vote on the Smith substitute amendment.

The SPEAKER. Without objection, the other amendment is agreed to.

There was no objection.

The SPEAKER. The question is on agreeing to the so-called Smith substitute amendment.

Mr. RAMSPECK. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The Clerk called the roll; and there were—yeas 229, nays 158, not voting 42, as follows:

[Roll No. 126]

YEAS—229

Allen, Ill.	Beckworth	Buck
Allen, La.	Bell	Bulwinkle
Andersen.	Bender	Burch
H. Carl	Bland	Burgin
Anderson, Calif.	Boggs	Camp
Andersen.	Bolton	Cannon, Mo.
August H.	Bonner	Carlson
Andrews	Boren	Carter
Angell	Boykin	Cartwright
Arends	Bradley, Mich.	Case, S. Dak.
Barden	Brooks	Chapman
Barnes	Brown, Ga.	Chipfield
Bates, Mass.	Brown, Ohio	Clark
Baumhart	Bryson	Clason

Clevenger	Hobbs	Plauché
Cluett	Hoffman	Ploeser
Coffee, Nebr.	Holmes	Poage
Cole, Md.	Hope	Priest
Collins	Jarman	Randolph
Colmer	Jarrett	Rankin, Miss.
Cooley	Jenks, N. H.	Reece, Tenn.
Cooper	Jennings	Reed, N. Y.
Copeland	Jensen	Rees, Kans.
Courtney	Johnson, Calif.	Rich
Cox	Johnson, Ill.	Richards
Cravens	Johnson	Rivers
Crawford	Luther A.	Rizley
Creal	Johnson,	Robertson,
Cunningham	Lyndon B.	N. Dak.
Curtis	Johnson, Okla.	Robertson, Va.
Davis, Tenn.	Johnson, W. Va.	Rockefeller
Dies	Jones	Rodgers, Pa.
Dirksen	Jonkman	Rogers, Mass.
Disney	Keefe	Russell
Ditter	Kerr	Sanders
Domengeaux	Kilburn	Scott
Dondero	Kilday	Shafer, Mich.
Doughton	Kinzer	Sheppard
Drewry	Kleberg	Short
Duncan	Knutson	Sikes
Durham	Kocalkowski	Simpson
Dworschak	Kramer	Smith, Maine
Eaton	Lambertson	Smith, Ohio
Elliott, Calif.	Lanham	Smith, Va.
Ellis	Lea	South
Elston	LeCompte	Starnes, Ala.
Englebright	McGehee	Steagall
Faddis	McGregor	Stefan
Fellows	McLaughlin	Sumner, Ill.
Fish	McLean	Summers, Tex.
Ford, Miss.	McMillan	Taber
Fulmer	Mahon	Talle
Gamble	Mansfield	Tarver
Gathings	Martin, Iowa	Terry
Gearhart	Martin, Mass.	Thomas, N. J.
Gibson	Mason	Thomason
Gifford	May	Tinkham
Gilchrist	Michener	Treadway
Gore	Mills, Ark.	Vincent, Ky.
Gossett	Mitchell	Vinson, Ga.
Graham	Monroney	Vorys, Ohio
Grant, Ala.	Moser	Wadsworth
Gregory	Mott	Ward
Guyer	Mundt	Wasielewski
Gwynne	Nelson	Weaver
Hall,	Norrell	West
Edwin Arthur	O'Brien, N. Y.	Wheat
Hall,	O'Hara	Whitten
Leonard W.	Oliver	Whittington
Halleck	O'Neal	Wickersham
Hancock	Osmer	Wigglesworth
Hare	Pace	Winter
Harness	Paddock	Wolcott
Harrington	Pattman	Wolfenden, Pa.
Harris, Ark.	Pearson	Woodruff, Mich.
Hébert	Peterson, Ga.	Woodrum, Va.
Heldinger	Phelifer,	Worley
Hess	William T.	Youngdahl
Hinshaw	Pierce	Zimmerman

NAYS—158

Arnold	Fitzgerald	Kefauver
Barry	Fitzpatrick	Kelley, Pa.
Bates, Ky.	Flaherty	Kelly, Ill.
Beam	Flannagan	Kennedy,
Beiter	Fogarty	Martin J.
Bishop	Folger	Kennedy,
Blackney	Forand	Michael J.
Bloom	Ford, Thomas F.	Keogh
Boland	Gavagan	Kirwan
Bradley, Pa.	Gehrmann	Klein
Buckley, N. Y.	Gerlach	Kopplemann
Burdick	Gillie	Kunkel
Butler	Granger	Landis
Byrne	Grant, Ind.	Larrabee
Byron	Green	Leavy
Canfield	Haines	Ludlow
Cannon, Fla.	Harris, Va.	Lynch
Capozzoli	Hart	McCormack
Celler	Harter	McGranery
Claypool	Hartley	McIntyre
Cochran	Healey	McKeough
Coffee, Wash.	Heffernan	Maciejewski
Crosser	Hendricks	Maciora
Crowther	Hill, Wash.	Manasco
Culkin	Holbrook	Marcantonio
Cullen	Hook	Merritt
D'Alessandro	Houston	Meyer, Md.
Davis, Ohio	Howell	Mills, La.
Day	Hull	Murray
Delaney	Hunter	Myers, Pa.
Dewey	Imhoff	Nichols
Dickstein	Izac	O'Brien, Mich.
Dingell	Jackson	O'Connor
Downs	Jacobsen	O'Toole
Eberhart	Jenkins, Ohio	Patrick
Edmiston	Johns	Peterson, Fla.
Eliot, Mass	Kean	Pfeifer,
Engel	Kee	Joseph L.

Pittenger	Shanley	Thom
Powers	Shannon	Thomas, Tex.
Rabaut	Sheridan	Traynor
Ramsay	Smith, Pa.	Van Zandt
Ramspeck	Smith, Wash.	Voorhis, Calif.
Rankin, Mont.	Smith, W. Va.	Vreeland
Reed, Ill.	Smith, Wis.	Walter
Robison, Ky.	Somers, N. Y.	Weiss
Rolph	Spence	Welch
Sabath	Springer	Wene
Sachs	Stratton	Williams
Sauthoff	Sullivan	Wilson
Scanlon	Sutphin	Wolverton, N. J.
Schuetz	Sweeney	Wright
Schulte	Tenerowicz	Young
Secrest	Thill	

## NOT VOTING—42

Anderson, N. Mex.	Hill, Colo.	Romjue
Baldwin	Johnson, Ind.	Sasser
Bennett	Lesinski	Satterfield
Boehne	Lewis	Schaefer, Ill.
Buckler, Minn.	McArdle	Scrugham
Casey, Mass.	Maas	Snyder
Chenoweth	Magnuson	Sparkman
Cole, N. Y.	Murdock	Stearns, N. H.
Costello	Norton	Stevenson
Douglas	O'Day	Tibbott
Fenton	O'Leary	Tolan
Flannery	Patton	Welch
Ford, Leland M.	Plumley	White
Gale	Robinson, Utah	
	Rogers, Okla.	

So the amendment was agreed to.  
The Clerk announced the following pairs:

Mr. Bennett for, with Mrs. Norton against.  
Mr. Wheelchel for, with Mr. Lesinski against.  
Mr. Leland M. Ford for with Mr. Flannery against.

Mr. Costello for, with Mr. Magnuson against.

## General pairs:

Mr. Casey of Massachusetts with Mr. Douglas.  
Mr. Murdock with Mr. Chenoweth.  
Mr. Satterfield with Mr. Johnson of Indiana.  
Mr. Patton with Mr. Fenton.  
Mr. Boehne with Mr. Maas.  
Mr. Lewis with Mr. Plumley.  
Mr. White with Mr. Stearns of New Hampshire.  
Mr. Sparkman with Mr. Baldwin.  
Mr. Robinson of Utah with Mr. Tibbett.  
Mrs. O'Day with Mr. Gale.  
Mr. Romjue with Mr. Hill of Colorado.  
Mr. Schaefer of Illinois with Mr. Buckler of Minnesota.  
Mr. O'Leary with Mr. Cole of New York.  
Mr. Anderson of New Mexico with Mr. Sasser.  
Mr. Scrugham with Mr. Snyder.

The result of the vote was announced, as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

Mr. RAMSPECK. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. RAMSPECK. I am, Mr. Speaker. The Clerk read as follows:

Mr. RAMSPECK moves to recommit the bill to the Committee on Naval Affairs with instructions that it report the same back to the House forthwith with the following amendment: "Strike out all after the enacting clause and insert the bill known as the Ramspeck bill."

Mr. RANKIN of Mississippi. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. RANKIN of Mississippi. Mr. Speaker, I make the point of order that

that is the amendment which has just been voted on by the House, and therefore is not in order on a motion to recommit. This motion strikes out the very amendment we have just adopted and inserts language that has just been voted upon by the House; therefore it is virtually the same amendment, and is not in order at this time.

The SPEAKER. A motion to recommit cannot contain instructions to amend an amendment which has just been adopted by the House. Therefore the point of order is sustained.

The question is on the passage of the bill.

Mr. MARTIN of Massachusetts, Mr. MARTIN J. KENNEDY, Mr. DINGELL, and Mr. McKEOUGH demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 252, nays 136, not voting 41, as follows:

[Roll No. 127]

## YEAS—252

Allen, Ill.	Duncan	Kilday
Allen, La.	Durham	Kinzer
Andersen.	Dworshak	Kieberg
H. Carl	Eaton	Knutson
Anderson, Calif.	Elliott, Calif.	Kociakowski
Andresen.	Ellis	Kramer
August H.	Elston	Lambertson
Andrews	Engel	Landis
Angell	Englebright	Lanham
Arends	Faddis	Lea
Barden	Fellows	LeCompte
Barnes	Fish	McGehee
Bates, Mass.	Ford, Miss.	McGregor
Baumhart	Fulmer	McLaughlin
Beckworth	Gamble	McLean
Bell	Gathings	McMillan
Bender	Gearhart	Mahon
Blackney	Gerlach	Manasco
Bland	Gibson	Mansfield
Boggs	Gifford	Martin, Iowa
Bolton	Gilchrist	Martin, Mass.
Bonner	Gillie	Mason
Boren	Gore	May
Boykin	Gossett	Michener
Bradley, Mich.	Graham	Mills, Ark.
Brooks	Grant, Ala.	Mills, La.
Brown, Ga.	Green	Mitchell
Brown, Ohio	Gregory	Monroney
Bryson	Guyer	Moser
Buck	Gwynne	Mott
Bulwinkle	Hall	Mundt
Burch	Edwin Arthur	Nelson
Burgin	Hall	Nichols
Camp	Leonard W.	Norrell
Cannon, Fla.	Halleck	O'Brien, N. Y.
Cannon, Mo.	Hancock	O'Hara
Carlson	Hare	Oliver
Carter	Harness	O'Neal
Cartwright	Harrington	Osners
Case, S. Dak.	Harris, Ark.	Pace
Chapman	Harris, Va.	Paddock
Chiperfield	Hartley	Patman
Clark	Hébert	Patrick
Clason	Heldinger	Pearson
Clevenger	Hendricks	Peterson, Fla.
Cluett	Hess	Peterson, Ga.
Coffee, Nebr.	Hinshaw	Pheiffer
Cole, Md.	Hobbs	William T.
Collins	Hoffman	Pierce
Colmer	Holmes	Plauché
Cooley	Hope	Ploeser
Cooper	Jarman	Poage
Copeland	Jarrett	Priest
Courtney	Jenkins, Ohio	F. ndolph
Cox	Jenks, N. H.	Rankin, Miss.
Cravens	Jennings	Reece, Tenn.
Crawford	Jensen	Reed, N. Y.
Creal	Johnson, Calif.	Rees, Kans.
Culkin	Johnson, Ill.	Rich
Cunningham	Johnson, Luther A.	Richards
Curtis	Johnson.	Rivers
Davis, Tenn.	Lyndon B.	Rizley
Dies	Johnson, Okla.	Robertson,
Dirksen	Johnson, W. Va.	N. Dak.
Disney	Jones	Robertson, Va.
Ditter	Jonkman	Rockefeller
Domengeaux	Keefe	Rodgers, Pa.
Dondero	Kerr	Rogers, Mass.
Doughton	Kilburn	Russell
Drewry		Sanders

Scott	Talle	West
Shafer, Mich.	Tarver	Wheat
Sheppard	Terry	Whitten
Short	Thill	Whittington
Sikes	Thomas, N. J.	Wickersham
Simpson	Thomason	Wigglesworth
Smith, Maine	Tinkham	Wilson
Smith, Ohio	Treadway	Winter
Smith, Va.	Van Zandt	Wolcott
South	Vincent, Ky.	Wolfenden, Pa.
Sparkman	Vinson, Ga.	Woodruff, Mich.
Starnes, Ala.	Vorys, Ohio	Woodrum, Va.
Steagall	Vreeland	Worley
Stefan	Wadsworth	Young
Sumner, Ill.	Ward	Youngdahl
Summers, Tex.	Wasielewski	Zimmerman
Taber	Weaver	

## NAYS—136

Arnold	Hart	O'Toole
Barry	Harter	Pfeifer,
Bates, Ky.	Healey	Joseph L.
Beam	Heffernan	Pittenger
Beiter	Hill, Wash.	Powers
Bishop	Holbrook	Rabaut
Bloom	Hook	Ramsay
Boland	Houston	Ramspeck
Bradley, Pa.	Howell	Rankin, Mont.
Buckley, N. Y.	Hull	Reed, Ill.
Burdick	Hunter	Robison, Ky.
Butler	Imhoff	Rolph
Byrne	Izac	Sabath
Byron	Jackson	Sacks
Canfield	Jacobsen	Sauthoff
Capozzoli	Johns	Scanlon
Celler	Kean	Schuetz
Claypool	Kee	Schulte
Cochran	Kefauver	Secrest
Coffee, Wash.	Kelley, Pa.	Shanley
Crosser	Kelly, Ill.	Shannon
Crowther	Kennedy,	Sheridan
Cullen	Martin J.	Smith, Pa.
D'Alesandro	Kennedy,	Smith, Wash.
Davis, Ohio	Michael J.	Smith, W. Va.
Day	Keogh	Smith, Wis.
Delaney	Kirwan	Somers, N. Y.
Dewey	Klein	Spence
Dickstein	Kopplemann	Springer
Dingell	Kunkel	Stratton
Downs	Larrabee	Sullivan
Eberharter	Leavy	Sutphin
Edmiston	Ludlow	Sweeney
Eliot, Mass.	Lynch	Tenerowicz
Fitzgerald	McCormack	Thom
Fitzpatrick	McGranery	Thomas, Tex.
Flaherty	McIntyre	Traynor
Flannagan	McKeough	Voorhis, Calif.
Fogarty	Maciejewski	Walter
Folger	Maciora	Weiss
Forand	Marcantonio	Welch
Ford, Thomas F.	Merritt	Wene
Gavagan	Meyer, Md.	Williams
Gehrmann	Murray	Wolverton, N. J.
Granger	Myers, Pa.	Wright
Grant, Ind.	O'Brien, Mich.	
Haines	O'Connor	

## NOT VOTING—41

Anderson, N. Mex.	Gale	Robinson, Utah
Baldwin	Hill, Colo.	Rogers, Okla.
Bennett	Johnson, Ind.	Romjue
Boehne	Lesinski	Sasser
Buckler, Minn.	Lewis	Satterfield
Casey, Mass.	McArdle	Schaefer, Ill.
Chenoweth	Maas	Scrugham
Cole, N. Y.	Magnuson	Snyder
Costello	Murdock	Stearns, N. H.
Douglas	Norton	Stevenson
Fenton	O'Day	Tibbott
Flannery	O'Leary	Tolan
Ford, Leland M.	Patton	Wheelchel
	Plumley	White

So the bill was passed.

The Clerk announced the following additional pairs:

Mr. Bennett for, with Mrs. Norton against.  
Mr. Wheelchel for, with Mr. Lesinski against.  
Mr. Leland M. Ford for, with Mr. Flannery against.

Mr. Costello for, with Mr. Magnuson against.

## General pairs:

Mr. Casey of Massachusetts with Mr. Douglas.

Mr. Murdock with Mr. Chenoweth.  
Mr. Satterfield with Mr. Johnson of Indiana.

Mr. Patton with Mr. Fenton.



Mr. Boehne with Mr. Maas.  
 Mr. Lewis with Mr. Plumley.  
 Mr. White with Mr. Stearns of New Hampshire.  
 Mr. McArdle with Mr. Baldwin.  
 Mr. Robinson of Utah with Mr. Tibbott.  
 Mrs. O'Day with Mr. Gale.  
 Mr. Romjue with Mr. Hill of Colorado.  
 Mr. Schaefer of Illinois with Mr. Buckler of Minnesota.  
 Mr. O'Leary with Mr. Cole of New York.  
 Mr. Anderson of New Mexico with Mr. Sasser.  
 Mr. Scrugham with Mr. Snyder.

The result of the vote was announced as above recorded.

Mr. VINSON of Georgia. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. VINSON of Georgia: Amend the title to read: "A bill to further expedite the national defense by providing for the investigation and mediation of labor disputes in connection therewith, diminish the cause of labor disputes affecting the national defense, and for other purposes."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### GENERAL LEAVE TO PRINT

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that all Members of the House may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection?  
 There was no objection.

#### EXTENSION OF REMARKS

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to include in the remarks I made this afternoon some extracts from a letter to which I referred to at that time.

The SPEAKER. Is there objection?  
 There was no objection.

Mr. DINGELL. Mr. Speaker, foregoing a request for time, I ask unanimous consent to have inserted in the RECORD at this point my remarks bearing upon the proposed trip of Mr. Bullitt.

The SPEAKER. Is there objection?  
 There was no objection.

Mr. DINGELL. Mr. Speaker, recently it was announced by the President that Mr. William Bullitt would be sent to the Near East as his personal representative. Mr. Roosevelt made the statement that Mr. Bullitt would make his headquarters in a plane.

The plan as announced would have Mr. Bullitt tour the entire sector and act as the eyes and ears of our President, surveying the entire Near East. Much of this war will be decided on the plains of Libya and the mountains of the Caucasus. As usual, Mr. Roosevelt is seeking first-hand information on the subject and is not relying on second-hand facts.

Recently Mr. Churchill declared that by 1942 there will be a shortage of manpower. We here in Congress must be concerned with that statement. We here must also be concerned with another factor.

Tomorrow the Committee for a Jewish Army will convene here in Washington,

and I desire to bring before the House certain aspects to be considered.

The Committee for a Jewish Army is a nonpartisan, nonsectarian group calling upon all of humanity now engaged or supporting those engaged in a great struggle to recognize that the pioneer Jews of Palestine and the stateless Jews of Europe constitute a nation and hence must be allowed to fight as a nation. My colleague the gentleman from New York [Mr. SOMERS] has introduced a bill for the purpose of allowing lend-lease equipment to be utilized for the Jewish army. I trust we shall pass that bill.

Mr. Speaker, I wish to call upon this House to request the President to instruct Mr. Bullitt to go to Palestine to find out and tell us why 100,000 fighting Jews are immobilized and prevented from fighting Hitler. We who have been supporting this movement know full well how anxious these people are to fight. We want the personal representative of our President to tell him that we are supporting something real, powerful, and vital.

Mr. Speaker, there are today in Europe many millions of Jews who have been completely disenfranchised. They have been deprived of the elementary right to eat, to sleep, and to live as normal human beings. It is our bounden duty to see that these people be given a place in the sun.

Mr. Speaker, these people today are wearing a yellow badge, a badge which is supposed to be the symbol of shame, of disgrace, of pariahs. I say to you, Mr. Speaker, that badge is a badge of courage and a badge of honor. Mr. Speaker, when the Jewish army is fighting alongside of the Free French, the Australians, and the Empire troops in the Near East, on the Russian front—invading Europe—that yellow badge will be a symbol. Just as the Victoria Cross, the Pilsudski medal, the Congressional Medal, so will the yellow badge be the symbol of a free Jewish people.

We shall see the day when the yellow badge worn by a Jew will be a badge of a hero.

Mr. Speaker, I should suggest that Congress say to Mr. Churchill, "A shortage of men?" Mr. Churchill, the Jews of Palestine and the Jews of the world are ready to give their right arms and their bodies. Take them, allow them to fight, to die, and to live as a free people in a free world.

Two hundred thousand of them and more will follow. General Wavell had 30,000 men under his command when he swept the Near East of the Axis forces. But all his gains were dissipated and all his brave men fought in vain. A larger, better-equipped force came back and swept the Nazis and Fascists back until once again the land lost to the brave Anzacs and Aussies was regained.

Today we face a threat in the Far East. Today the brave fighting men from down under have to be sent to Singapore and other threatened points in the Far East. Whence will come additional men, asks Mr. Churchill. From the Jews of the world, who seek the privilege to fight not only against Hitler but also for self-respect, for decency, for democracy, for the four freedoms, the Atlantic charter,

humanity, for their own national redemption.

Mr. Speaker, the last war allowed the Jews to fight, and they were given Palestine. It is only moral and right that the Jews should be allowed to fight in this war. Their homes and their families are in mortal danger. To not permit them to have a Jewish army is a disgrace to our democratic civilization.

The United States has an interest in Palestine. We have a stake in this war. Our interests must be protected.

I call upon Mr. Churchill to give to the Jews their army and take strong, brave fighting men into the allied nations. There is additional manpower; it is yours for the asking.

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include some quotations from hearings.

The SPEAKER. Is there objection?

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks and include an article by James R. Young and on another topic to include two newspaper editorials.

The SPEAKER. Is there objection?

There was no objection.

#### THE VOTE TODAY

Mr. COX. Mr. Speaker, I ask unanimous consent to proceed for 10 seconds.

The SPEAKER. Is there objection?

There was no objection.

Mr. COX. Mr. Speaker, this is a great day for America. The vote just stated, thank God, shows that, so far as this House is concerned, Pegler was wrong.

#### LEAVE OF ABSENCE

Mr. PLOESER. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Missouri [Mr. BENNETT] may have indefinite leave of absence on account of the serious illness of his brother.

The SPEAKER. Is there objection?

There was no objection.

#### EXTENSION OF REMARKS

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein four telegrams I have received on the legislation just considered by the House.

The SPEAKER. Is there objection?

There was no objection.

Mr. TINKHAM. Mr. Speaker, by unanimous consent, I desire to include in the Appendix of the RECORD a statement from the Bath County Enterprise.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks and include a brief editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. GERLACH. Mr. Speaker, I ask unanimous consent to extend my remarks and include a speech given by myself.

The SPEAKER. Is there objection?  
There was no objection.

(By unanimous consent Mr. JENSEN and Mr. SABATH were granted permission to extend their own remarks in the RECORD.)

Mr. MCINTYRE. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein an editorial.

The SPEAKER. Is there objection?  
There was no objection.

Mr. McGRANERY. Mr. Speaker, I ask unanimous consent to extend my remarks in two particulars and to include therein two short statements.

The SPEAKER. Is there objection?  
There was no objection.

Mr. TENEROWICZ. Mr. Speaker, I ask unanimous consent to extend my remarks and insert a letter I have received.

The SPEAKER. Is there objection?  
There was no objection.

Mr. HINSHAW. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HINSHAW. Mr. Speaker, is it the ruling of the Chair that in all 1-minute speeches excerpts may not be contained in the body of the RECORD but have to go in the Appendix?

The SPEAKER. The gentleman is correct.

Mr. HINSHAW. I ask unanimous consent to revise and extend my remarks in the Appendix and include therein an excerpt.

The SPEAKER. Is there objection?  
There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my remarks and include two letters and one extract.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### ORDER OF BUSINESS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?  
There was no objection.

Mr. MICHENER. Mr. Speaker, is it possible to be advised what the program is for the balance of the week?

Mr. McCORMACK. It is my understanding that the appropriation bill will be ready for consideration tomorrow. Thereafter the bill extending the Soil Conservation Act and a resolution establishing a special committee in relation to the small businessmen of the country. That legislation will be considered on Thursday and Friday. It is expected the appropriation bill will be ready for consideration tomorrow. I understand from the chairman of that committee that the committee is ready to take up the bill tomorrow.

Mr. CANNON of Missouri. We expect the committee to be ready to commence general debate tomorrow. We will probably consume tomorrow in general debate and begin to read the bill on Friday morning.

Mr. McCORMACK. It is hoped the Soil Conservation Act will be taken up this week and also the resolution estab-

lishing a special committee with reference to small business men.

Mr. MICHENER. That is the Patman bill?

Mr. McCORMACK. That is the Patman bill.

Mr. MICHENER. Is it contemplated that the House will be in session on Saturday?

Mr. McCORMACK. If the appropriation bill takes up Thursday and Friday, I would prefer not to answer that question just now.

Mr. MICHENER. Can the gentleman give us any information about next week?

Mr. McCORMACK. Next week, on Tuesday, is the Private Calendar. If a rule is reported from the Rules Committee, the National Defense Housing Act will be taken up on Wednesday.

Mr. MICHENER. That is the Lanham bill?

Mr. McCORMACK. That is the Lanham bill. Of course, if the Appropriations Committee takes up Thursday and Friday and the other two matters I have spoken of do not come up on Saturday, assuming that we adjourn over Saturday, those two pieces of legislation would be next in order. The probabilities are they will be brought up on Monday. In other words, I do not want to make a definite statement because if we should go over from Friday until Monday—and, personally, unless it is necessary, I would just as soon we would go over from Friday until Monday—but if the Appropriations Committee takes up both Thursday and Friday and these other matters are not taken up this week, they will be in order on Monday and taken up on Monday. They will, however, be the next order of business after the appropriation bill is disposed of.

Mr. MICHENER. And I take it the gentleman hopes that during the following week some kind of recess may be arranged until after Christmas.

Mr. McCORMACK. If an outright adjournment cannot be obtained, we hope at least to arrange for a recess.

#### SUPPLEMENTAL NATIONAL-DEFENSE APPROPRIATION BILL

Mr. CANNON of Missouri, from the Committee on Appropriations, reported the bill (H. R. 6159) making supplemental appropriations for the national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes (Rept. No. 1470) which was read a first and second time, and, with the accompanying papers referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. TABER. Mr. Speaker, I reserve all points of order on the bill.

#### LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. JOHNSON of Indiana, indefinitely, on account of illness.

#### EXTENSION OF REMARKS

Mr. WICKERSHAM asked and was given permission to revise and extend his own remarks.

#### ADJOURNMENT

Mr. COCHRAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 55 minutes p. m.) the House adjourned until tomorrow, Thursday, December 4, 1941, at 12 o'clock noon.

#### COMMITTEE HEARINGS

##### COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Thursday, December 4, 1941.

Business to be considered: Resume hearings on the Securities Act of 1933 and the Securities Exchange Act of 1934.

There will be a meeting of the Subcommittee on Aviation of the Committee on Interstate and Foreign Commerce at 10 a. m., Monday, December 3, 1941.

Business to be considered: Hearings on H. R. 5695, a bill to amend the Civilian Pilot Training Act of 1939 so as to provide for the training of civilian aviation mechanics.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

1113. A letter from the Secretary of War transmitting a letter from the Chief of Engineers, United States Army, dated August 7, 1941, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of Snake River (main stem), Idaho, Washington, and Oregon, with the view to control of its floods, authorized by act of Congress approved March 4, 1937 (H. Doc. No. 452); to the Committee on Flood Control and ordered to be printed, with three illustrations.

1114. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to provide for the rank and title of the Commandant of the Marine Corps; to the Committee on Naval Affairs.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. SABATH: Committee on Rules. House Resolution 294. Resolution authorizing an investigation of the national-defense program in its relation to small business; with amendment (Rept. No. 1461). Referred to the House Calendar.

Mr. KRAMER: Committee on Immigration and Naturalization. H. R. 6109. A bill to amend the Nationality Act of 1940, approved October 14, 1940, to provide for the clarification of the dual nationality of certain persons, and for other purposes; without amendment (Rept. No. 1469). Referred to the Committee of the Whole House on the state of the Union.

Mr. CANNON of Missouri: Committee on Appropriations. H. R. 6159. A bill making supplemental appropriations for the national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes; without amendment (Rept. No. 1470). Referred to the Committee of the Whole House on the state of the Union.



Mr. MAY: Committee on Military Affairs. House Joint Resolution 251. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy, at West Point, Ananta Khittasangka, a citizen of Thailand; without amendment (Rept. No. 1471). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

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

Mr. MEYER of Maryland: Committee on Claims. S. 501. An act for the relief of Lt. Col. Gordon Smith; without amendment (Rept. No. 1462). Referred to the Committee of the Whole House.

Mr. MEYER of Maryland: Committee on Claims. S. 1338. An act for the relief of James Roswell Smith; without amendment (Rept. No. 1463). Referred to the Committee of the Whole House.

Mr. HARRIS of Arkansas: Committee on Claims. H. R. 4626. A bill for the relief of Jane Hawk; with amendment (Rept. No. 1464). Referred to the Committee of the Whole House.

Mr. FENTON: Committee on Claims. H. R. 5331. A bill for the relief of Paul W. Man-kin; without amendment (Rept. No. 1465). Referred to the Committee of the Whole House.

Mr. WEISS: Committee on Claims. H. R. 5573. A bill for the relief of Mrs. Noel Wright and Bunny Wright; with amendment (Rept. No. 1466). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 5984. A bill for the relief of Solomon Brown; without amendment (Rept. No. 1467). Referred to the Committee of the Whole House.

Mr. RAMSAY: Committee on Immigration and Naturalization. H. R. 2419. A bill for the relief of Chan Tsork-ying; with amendment (Rept. No. 1468). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BATES of Kentucky:

H. R. 6160. A bill to amend title 111 of the World War Veterans' Act, 1924, as amended, so as to reduce the number of reexaminations of persons receiving insurance benefits on account of permanent and total disability, and for other purposes; to the Committee on World War Veterans' Legislation.

H. R. 6161. A bill to restore World War service-connection granted by special review boards under Public Law No. 78, Seventy-third Congress, June 16, 1933; to the Committee on World War Veterans' Legislation.

By Mr. CLAYPOOL:

H. R. 6162. A bill to provide death compensation for dependent parents of deceased World War veterans under the act of June 28, 1934, Public Law No. 484, Seventy-third Congress, as amended, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. RANDOLPH:

H. R. 6163. A bill to prohibit parking of vehicles upon public or private property in the District of Columbia without the consent of the owner of such property; to the Committee on the District of Columbia.

By Mr. PAGÁN:

H. R. 6164. A bill to protect democracy in Puerto Rico; and to amend, to that effect, section 37 of the organic act of Puerto Rico; to the Committee on Insular Affairs.

H. R. 6165. A bill preserving the nationality of persons born in Puerto Rico who reside continuously for 5 years in a foreign state in the Western Hemisphere; to the Committee on Immigration and Naturalization.

By Mr. KING:

H. R. 6166. A bill to approve Act No. 70 of the Special Session Laws of Hawaii, 1941, reducing the rate of interest on loans and providing for the reamortization of indebtedness to the Farm Loan Board; to the Committee on the Territories.

By Mr. FLAHERTY:

H. R. 6167. A bill to provide a higher rank on the retired list for certain officers of the Navy; to the Committee on Naval Affairs.

By Mr. KEOGH:

H. J. Res. 252. Joint resolution proposing an amendment to the Constitution of the United States relating to removal of judges; to the Committee on the Judiciary.

By Mr. JOHNSON of Indiana:

H. Res. 370. Resolution to investigate the administration of old-age assistance laws, and for other purposes; to the Committee on Rules.

#### MEMORIALS

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

By the SPEAKER: Memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to consider their Act 69 and Act 96, dated October 18, 1941, and November 10, 1941, relative to the construction of an irrigation and water utilization system on the island of Molokai; to the Committee on the Territories.

#### PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BARRY:

H. R. 6168. A bill for the relief of Bernard Halpern; to the Committee on Naval Affairs.

By Mr. DIRKSEN:

H. R. 6169. A bill for the relief of Yone T. Park; to the Committee on Immigration and Naturalization.

#### PETITIONS, ETC.

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

2110. By Mr. BEITER: Resolution adopted at a meeting of the United Irish-American societies of New York, held at Eighty-sixth Street Garden, New York, on Wednesday evening, November 26, 1941, opposing the St. Lawrence seaway; to the Committee on Rivers and Harbors.

2111. By Mr. KRAMER: Petition of the California State advisory committee for the National Youth Administration, requesting that the National Youth Administration continue as a recognized national youth agency independent of the United States Office of Education; to the Committee on Appropriations.

2112. By the SPEAKER: Petition of the Carpenters' Local Union, No. 33, Boston, Mass., petitioning consideration of their resolution with reference to House bill 1410; to the Committee on Ways and Means.

2113. Also, petition of the City Council of the City of Chicago, Ill., petitioning consideration of their resolution with reference to memorializing Congress to increase the pay of soldiers and to grant them a free-mailing privilege; to the Committee on Military Affairs.

2114. Also, petition of the Texas State Teachers Association (visual instruction section), Houston, Tex., petitioning consideration of their resolution with reference to

audio-visual education and the national-defense program; to the Committee on Education.

2115. Also, petition of the General Welfare Center, No. 58, Hutchinson, Kans., petitioning consideration of their resolution with reference to House bill 1410; to the Committee on Ways and Means.

2116. Also, petition of Asa L. Carter, of Pittsburgh, Pa., attorney for petitioners, petitioning consideration of their resolution with reference to open grade and improve an Erie to Chester hydroelectric canal (straight line and two wings angling at Pittsburgh and Scranton); to the Committee on Rivers and Harbors.

## SENATE

THURSDAY, DECEMBER 4, 1941

Rev. Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O God, our Heavenly Father, who in times past didst behold the wickedness of men whose violence and corruption filled the whole earth so that Thou didst repent Thy creation, yet in loving kindness didst think upon mercy, setting the rainbow in the cloud for a token of Thy covenant with every living creature of all flesh, that there should no more be a flood to destroy the earth: Look upon Thy creation, we beseech Thee, O Lord, with the tender eyes of Thy mercy. Call anew Thy wayward children from the worship of false gods, to find in Thee the consummation of all desires.

Subdue the unhallowed thirst for conquest and vainglory among the nations. Remove all bitterness and hatred from the hearts of men. Set Thy rainbow in the clouds anew, and quench the flames of war that encompass the earth, lest mankind, whom Thou hast spared in mercy, be destroyed by his own devices. And hasten the coming of Thy Kingdom, O Lord, when all mankind may know not our peace only, but Thy peace which passeth all understanding. We ask it in the name and for the sake of Him who is the Prince of Peace, Thy Son our Saviour, Jesus Christ. Amen.

#### THE JOURNAL

On request of Mr. LUCAS, and by unanimous consent, the reading of the Journal of the proceedings of Monday, December 1, was dispensed with, and the Journal was approved.

#### MESSAGE FROM THE PRESIDENT— APPROVAL OF A BILL

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries, who also announced that on December 1, 1941, the President had approved and signed the act (S. 1884) to make provision for the construction activities of the Army.

#### NOMINATION OF WALTER G. RIDDICK— NOTICE OF HEARING

Mr. VAN NUYS, Mr. President, the Committee on the Judiciary has received the nomination of Walter G. Riddick, of Arkansas, to be a judge of the eighth circuit court of appeals. For the Senator from Wyoming [Mr. O'MAHONEY], chair-