ADJOURNMENT

The SPEAKER. The Clerk will report the remainder of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to; accordingly the House (at 3 o'clock and 8 minutes p. m.), pursuant to its order heretofore entered, adjourned until Monday, March 20, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Land Grants Subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. Friday, March 17, 1944.

Business to be considered: To begin hearings on H. R. 4184, entitled "To amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic."

COMMITTEE ON RIVERS AND HARBORS

The Committee on Rivers and Harbors will continue its hearings on House Joint Resolution 148 (joint resolution to permit the diversion of waters from Lake Michigan to safeguard the public health) on March 22, 1944, at 10:30 a. m.

EXECUTIVE COMMUNICATIONS, ETC.

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

1302. A communication from the President of the United States, transmitting the budget for the War Relocation Authority of the Department of the Interior for the fiscal year 1945 containing an estimate of appropriation amounting to $40,100,000 (H. Doc. No. 501); to the Committee on Appropriations and ordered to be printed.

1303. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 14, 1943, submitting a report, together with accompanying papers, on a preliminary examination and survey of Intracoastal Waterway throughout Broward County, Fla., authorized by the Flood Control Act approved on June 22, 1936, and by an act of Congress approved on June 26, 1936; to the Committee on Flood Control.

1304. A letter from the Secretary of War, transmitting a report dated December 10, 1943, from the Chief of Engineers, United States Army, together with accompanying papers, on a preliminary examination and survey of Waimea, Hanapepe, Wailua, and Hanalei Rivers and their tributaries and Kapaa Swamp on the island of Kauai, T. H.; to the Committee on Flood Control.

1305. A letter from the Acting Secretary of the Interior transmitting pursuant to section 16 of the Organic Act of the Virgin Islands of the United States, approved June 22, 1936; one copy each of various legislation passed by the Municipal Council of St. Thomas and St. John; to the Committee on Insular 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. MAY: Committee on Military Affairs. S. 1157. An act to amend section 61 of the National Defense Act of June 3, 1916, as amended, for the purpose of providing such training of State and Territorial military forces as is deemed necessary to enable them to execute their internal security responsibilities within their respective States and Territories; without amendment (Rept. No. 1262). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. S. 1250. An act to repeal section 2 of the act approved May 17, 1926, which provides for the forfeiture of pay of persons in the military and naval service of the United States who are absent from duty on account of the direct effects of venereal disease due to misconduct; without amendment (Rept. No. 1263). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. PATMAN:

H. R. 4420. A bill to amend the Reconstruction Finance Corporation Act by adding a new title thereto relating to the sale or other disposition of surplus property of the United States; to the Committee on Banking and Currency.

By Mr. VINSON of Georgia:

H. R. 4421. A bill authorizing appropriations for the United States Navy for additional ordnance manufacturing and production facilities, and for other purposes; to the Committee on Naval Affairs.

By Mr. NORRELL:

H. R. 4422. A bill relating to certain Japanese residents of the United States and to certain citizens of Japanese descent found to be unfriendly to the United States; to the Committee on the Judiciary.

By Mr. COOLEY:

H. R. 4423. A bill to establish State offices in the Bureau of Mines; to the Committee on Mines and Mining.

By Mr. KEARNEY:

H. R 4424. A bill to amend the Mustering-Out Payment Act of 1944 so as to provide mustering-out payments for certain persons discharged or relieved from active service in the armed forces to accept employment; to the Committee on Military Affairs.

By Mr. SPARKMAN:

H. R. 4425. A bill to incorporate the Regular Veterans Association; to the Committee on the Judiciary.

By Mr. DAWSON:

H. Res. 472. Resolution to create a special committee to make a full and complete study and investigation of race relations in the United States; 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 Puerto Rico, memorializing the President and the Congress of the United States to express to Congress of the United States its respectful and firm opposition to have the people of Puerto Rico deprived of its revenue on rum; to the Committee on Insular Affairs.

Also, memorial of the Legislature of the State of Washington, memorializing the President and the Congress of the United States to take appropriate measures to the end that the doors of Palestine shall be opened for free entry of Jews into that country; to the Committee on Foreign Affairs.

SENATE

MONDAY, MARCH 20, 1944

(Legislative day of Monday, February 7, 1944)

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

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

Our Father God, we turn to Thee, driven by our drained lives, with tension of the present, anxiety about the future, deep concern about ourselves, our dear ones, our Nation, and our world. As we play our part in days of destiny, with all mankind standing in the valley of decision, we seek the sanctuary of prayer. Entering its gates of peace, we bow for this dedicated moment at a shrine of the spirit, apart from the clamor of the world, from the pull of conflicting opinions, and from the rivalry of personal loyalties. In Thy loving kindness and in Thy tender mercy look upon us; empower us, sustain us, as, toiling feverishly, our strength unequal to our task, we turn again to respond to the call of the world's great need.

In the midst of the dismaying circumstances of our times, open for us the crystal fountain whence the healing waters flow. Towering o'er the wrecks of time, may our eyes behold the conquering sign of a rugged cross and our ears, attuned to the infinite, catch the clear accents of the inevitable Christ, declaring, "I will draw all men unto me." We ask it in His ever-blessed name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, March 16, 1944, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

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

On March 16, 1944:

S. 776. An act to confer jurisdiction on the Court of Claims to hear, determine, and render judgment on the claim of Louis H. Pink, superintendent of insurance of the State of New York, or his statutory successor, as statutory liquidator of New York Indemnity Co., against the United States;

S. 1357. An act to extend the time within which the States of Montana, North Dakota, and Wyoming may negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River; and

S. 1549. An act for the relief of Vern M. Stanchfield.

On March 17, 1944:

S. 1146. An act to amend section 31 of the Securities Exchange Act of 1934.

ENROLLED BILL SIGNED

The VICE PRESIDENT affixed his signature to the enrolled bill (S. 1285) to

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facilitate voting, in time of war, by members of the land and naval forces, members of the merchant marine, and others, absent from the place of their residence, and to amend the act of September 16, 1942, and for other purposes, which had been signed previously by the Speaker of the House of Representatives.

ACTION BY VERMONT TO ASSURE VOTING BY SOLDIERS

The VICE PRESIDENT. Under the arrangement arrived at last Friday the Senator from New York [Mr. MEAD] is entitled to the floor.

Mr. AUSTIN. Mr. President, I ask the Senator from New York if he is willing to let me take about 2 minutes in order that I may place certain matter in the RECORD?

Mr. MEAD. I am very glad to yield to the Senator from Vermont, with the understanding that I may resume the floor after he shall have concluded.

Mr. AUSTIN. Mr. President, one of the matters I wish to read: In the Burlington Free Press of March 18 appears the following news item:

Vermont becomes first State authorized by State law to use the Federal ballot.

Governor Wills signs servicemen's vote bill—

Then there are other matters before I come to the following text:

The soldier vote bill provides three methods of voting for service men or women in the regular or auxiliary forces. Application for ballots may be made by a member of the family or household to the town clerk and forwarded to the voter; the service men or women may apply directly for a ballot; or by Federal ballot, if available.

"Vermont has kept the faith."

In signing the soldier ballot bill, Governor Wills issued this statement:

"Final enactment today—

Which was March 17, St. Patrick's Day—

"Final enactment today of amendments to our election laws makes available to Vermonters serving in the armed forces the same advantages that will be available to civilian voters who enter the polling booth on election day.

"The use of the Federal ballot was authorized in Vermont by the bill passed by the Vermont Legislature and signed by me today.

"No Vermonter, therefore, will be denied the full voting opportunity to which he is justly entitled unless the President decides to veto the soldier ballot measure now before him.

"The State ballot will be available, of course, irrespective of the action the President may take.

"I strongly feel that Vermont has kept the faith."

Governor Wills further pointed out that Vermont was the first State to recognize, officially, that "a state of war existed"—this in September of 1941, 3 months before Pearl Harbor and the formal declaration of war by the Congress.

Now, the Governor pointed out, Vermont is the first State in the Union, after passage by the Congress of the Federal ballot law, to authorize the use of the Federal ballot.

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

Mr. AUSTIN. I yield.

Mr. HATCH. From the article which the Senator has just read, as I understand, Vermont has provided a State ballot, but in addition to that Vermont has authorized the use of the Federal ballot if the State ballot is not available to the soldiers.

Mr. AUSTIN. That is correct.

Mr. HATCH. Is the use of the Federal ballot confined to soldiers overseas?

Mr. AUSTIN. No; if I understand correctly the action which has been taken, it is an undertaking by the legislature of the State to recognize the ballot provided by the Congress. It is a matter of recognizing and counting the Federal ballot which the Congress has provided for and which would be available to the soldier under the provisions of that law, as inquired by the Senator from New Mexico, but I understand that there are no additional conditions imposed upon its use.

Mr. HATCH. If I understand the Senator correctly, then, so far as the Federal ballot is concerned, Vermont has made effective title III of the act as it was passed subject only to the conditions pertaining to that title.

Mr. AUSTIN. I think that is all.

EXECUTIVE COMMUNICATIONS, ETC.

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

EXCHANGE STABILIZATION FUND

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report for the fiscal year ended June 30, 1943, of the Exchange Stabilization Fund, including a summary of operations of the fund from its establishment to June 30, 1943 (with an accompanying report); to the Committee on Banking and Currency.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

A letter from the Attorney General, reporting, pursuant to law, all of the facts and pertinent provisions of law in the cases of 131 individuals whose deportation has been suspended for more than 6 months under authority vested in the Attorney General, together with a statement of the reason for such suspension (with accompanying papers); to the Committee on Immigration.

FUTURE STATUS OF FUNCTIONS AND PERSONNEL TRANSFERRED TO THE COAST GUARD

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to provide for the future status of certain functions and personnel transferred to the United States Coast Guard, and for other purposes (with an accompanying paper); to the Committee on Commerce.

PAYMENT FOR CERTAIN ANNUAL LEAVE, INTERIOR DEPARTMENT

A letter from the Secretary of the Interior transmitting a draft of proposed legislation to provide for lump-sum payment of compensation for accumulated annual leave and current accrued annual leave to certain officers and employees, and authorizing the appropriation of funds for that purpose (with an accompanying paper); to the Committee on Civil Service.

PERSONNEL REQUIREMENTS, INTERIOR DEPARTMENT

A letter from the First Assistant Secretary of the Interior, transmitting, pursuant to law, estimates of personnel requirements for the quarter ending March 31, 1944, for several offices under the Interior Department (with accompanying papers); to the Committee on Civil Service.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

A joint resolution of the Legislature of Virginia; to the Committee on Finance;

"House Joint Resolution 44

"House joint resolution memorializing the Congress of the United States to adopt legislation to provide counties, cities, and towns with compensation in lieu of taxes lost by reason of acquisition of property by the Federal Government

"Whereas Virginia counties, cities, and towns are suffering tremendous losses of tax income by reason of acquisition of property by the Federal Government and its removal from the local tax ratables; and

"Whereas a tabulation of tax-exempt property in Virginia made in 1943 shows that the Federal Government had acquired at that time property in various parts of the State aggregating over 2,100,000 acres, and with a total value in excess of $250,000,000; and

"Whereas the costs of war should be borne by the citizens of the Nation as a whole, but in the case of Federal acquisition of real property for war purposes a heavy tax burden is unjustly imposed upon those taxpayers remaining in the community from which taxable areas have been removed by Federal acquisition; and

"Whereas the loss being suffered in Virginia is constantly increasing through Federal acquisition of additional property, and the growing seriousness of the problem calls for speedy action and early solution: Now, therefore, be it

"*Resolved by the House of Delegates of Virginia, the Senate concurring:*

"1. That the Congress of the United States is hereby requested to give its earliest possible attention to the adoption of legislation which will provide counties, cities, and towns with compensation in lieu of taxes lost by reason of Federal Government acquisition of property for war purposes.

"2. That the clerk of the house of delegates is hereby directed to forward a copy of this resolution to the Members of the United States Senate representing Virginia, to the Virginia Members of the House of Representatives, to the Secretary of the United States Senate, and to the Clerk of the House of Representatives."

Senate Resolution No. 3 of the Legislature of Puerto Rico; to the Committee on Agriculture and Forestry:

"Senate Resolution 3

"Resolution to request the President of the United States of America, and the Senate and the House of Representatives of the United States, to prescribe whatever may be necessary for the purpose of continuing the system of food distribution in Puerto Rico during the period of war, under the responsibility of the institution O. D. (formerly F. D. A.) and to continue also the appropriation which was passed by the Senate of the the United States to provide subsidies for the basic food products exported to Puerto Rico under Government responsibility, and for other purposes

"Whereas it has come to the knowledge of the people of Puerto Rico that importing interests of Puerto Rico, and United States exporters of food products for Puerto Rico, are active in the executive and legislative branches in Washington to have the control of the distribution of food during the war returned to Puerto Rican importers;

"Whereas the harm that the consumers of the island would suffer by the return of the control of foods during the war to Puerto Rican importers would be considerable;

"Whereas it is generally known that such interests have secured the attention of sev-

eral Congressmen, of persons influential in the administration, and of executive officials, to the extent that several such persons have made statements favorable to the end sought by the vested interests of Puerto Rico and the United States in regard to foods for Puerto Rico;

"Whereas if the demand of these interests, which concern scarcely several dozen importers, should become a reality, Puerto Rico would run the risk of losing the assistance that it is receiving from the Federal Government—assistance that in Puerto Rico is fully justified by the extremely low level of income of the great majority of the population—which would carry with it a rise in the prices of basic foods, to the prejudice, very especially, of the poor classes of this country, because of the increase in the cost of living in serious disproportion to the earning power of the people;

"Whereas it would be practically impossible for the office of the O. P. A. in Puerto Rico to keep control of prices adequate to the prevailing condition among the poor classes, if the importation and distribution of the basic foods most necessary for the consumption of the island should escape from the reins of the Federal Government while the war emergency lasts, with a very possible threat of the black market;

"Whereas it cannot be guaranteed, upon the Government's giving up of the control of food during the war emergency, that Puerto Rico would be assured a sufficient amount of foodstuffs, since the only security of furnishing foodstuffs in an island like Puerto Rico during the war depends on the control and the facilities of the Federal Government: Now, therefore, be it

"*Resolved, etc.:*

"1. To request the President of the United States of America, the Honorable Franklin Delano Roosevelt, and the Senate and the House of the United States, that the present system of food distribution in Puerto Rico be kept under the control of the Departments of the Interior and of Agriculture in Washington, during the emergency condition caused by the war.

"2. To request that subsidies which up to the present have been given to the basic products for the food of our people be maintained, thus keeping prices at a level compatible with the limited incomes of the poor classes of Puerto Rico.

"3. That a copy of this resolution be transmitted to the President of the United States, to the presiding officers of the House and of the Senate of the United States, to the chairman of the Committee on Territories of the Senate, the chairman of the Committee on Insular Affairs of the House, to the Chavez committee, to the Secretary of the Interior, to the Secretary of Agriculture, to the Governor of Puerto Rico, and to the Resident Commissioner for Puerto Rico in Washington."

A resolution by the City Council of Cambridge, Mass., favoring the enactment of legislation to substantially reduce the cost to policyholders of war-damage insurance; to the Committee on Banking and Currency.

By Mr. TAFT:

The petition of members of the Overseas League and sundry citizens of Cleveland, Ohio, praying for the enactment of legislation to make effective a plan of rotation of troops in foreign service whereby all men who have served abroad for 1 year or more may be returned to the United States for a like period, being replaced in such foreign service by men now stationed in this country; to the Committee on Military Affairs.

RESOLUTION OF VERMONT LEGISLATURE—VETERANS' BENEFITS

Mr. AUSTIN. Mr. President, I ask leave to present and to have printed in the RECORD and appropriately referred a resolution adopted by the General Assembly of the State of Vermont, with the accompanying letter.

There being no objection, the letter and resolution were ordered to lie on the table and to be printed in the RECORD, as follows:

STATE OF VERMONT,
Montpelier, March 17, 1944.

Hon. WARREN R. AUSTIN,
United States Senate,
Washington, D. C.

DEAR SENATOR AUSTIN: Enclosed herewith is a certified copy of House Joint Resolution 10, "Joint resolution relating to Federal legislation providing benefits for veterans of the present war," approved March 16, 1944.

Sincerely yours,

RAWSON C. MYRICK,
Secretary of State.

Whereas there are many and varied bills now before the United States Congress, the object of which is to provide diverse types of benefits for the veterans of the present war; and

Whereas after careful study there has been sponsored by the American Legion and introduced in the Congress a comprehensive bill known as the GI bill of rights, in which are incorporated provisions that will be of immediate benefit and lasting value to the service men and women upon their separation from service: Therefore be it

Resolved by the senate and house of representatives, That the Vermont delegation in the Congress be urged to support the principles incorporated in this particular measure; and be it further

Resolved, That the secretary of state be, and he hereby is, instructed to forward to each Senator and the Representative of this State in the Congress, and to the national commander of the American Legion, a copy of this resolution.

ASA S. BLOOMER,
Speaker of the House of Representatives.

MORTIMER R. PROCTOR,
President of the Senate.

Approved March 16, 1944.

WM. H. WILLS,
Governor.

RESOLUTION OF BATAAN RELIEF ORGANIZATION

Mr. WHEELER. I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a resolution sent to me from Montana on behalf of the Bataan Relief Organization.

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

Whereas Gen. George C. Marshall, Chief of the United States Army, in his report of September 11, 1943, published in Army Time, a daily news bulletin, Washington 5, D. C., stated that on July 1, 1941, the international situation was extremely critical and that menacing preparations of Japan in the Pacific prefaced attacks upon the British and Dutch possessions and the Philippines, and that in view of these potentialities orders had been issued in February 1941, to evacuate dependents of Army personnel stationed there; and

Whereas in the late summer of 1941 troops were ordered to the Philippines; and

Whereas pertinent statements of our Chief of Staff show beyond any doubt that those in authority knew that war with Japan was inevitable and in view of these potentialities and the American-Japanese negotiations in process in the late summer and fall of 1941, the American people naturally assumed that the administration, Army and Navy officials entrusted with the guarding of our Nation's safety would be on the alert sufficiently to prevent any possibility of such an attack as occurred at Pearl Harbor, as was their duty, according to their oaths of office; and

Whereas the removal from active duty of two high-ranking Army and Navy officers entrusted with the defense of Pearl Harbor can obviously be rightfully taken by the American people as an admission of criminal negligence since that negligence jeopardized the life and freedom of our entire Nation and it is beyond question of doubt that their dereliction of duty brought about the extent of the catastrophe at Pearl Harbor and the needless loss of many thousands of American lives and there is a question in the minds of American people as to whether that dereliction of duty ended with the responsibility of those two officers or whether it extends to other military and naval officers or of some civil authorities in high position; and

Whereas the problem of responsibility for the catastrophe at Pearl Harbor must be solved if the Nation is to obtain the highest degree of morale, which is necessary for a complete, all-out war effort; and

Whereas a train crew in charge of a passenger train would at least be charged with manslaughter if it neglected its duty to the extent of the loss of one human life, men under oath of office entrusted with the Nation's safety neglect their rseponsibility to the extent that thousands of lives are lost directly and thousands of others are needlessly sacrificed to the fate of years of imprisonment in Japanese prison camps as a result and yet after 2 years a thorough investigation has not been made or responsibility fixed or the American people advised as to where the responsibility lies; and

Whereas it cannot now be asserted as a reason for not fixing the responsibility as to do so might hamper the war effort and it is most obvious that the removal of the men responsible for the many defeats in the Pacific in the early days of the war emanates from the primary defeat at Pearl Harbor, is imperative if we are to obtain and maintain the most efficient direction of the war effort, and that the removal of those responsible will raise the morale not only on the home front, but also among our fighting forces, who are required to serve under provided leadership; and

Whereas denial of food, medical, and other supplies to our fighting men at Bataan and Corregidor, who were sent to the Pacific to defend the American right and protection of our flag resulted in needless sacrifice and torture at the hands of a known ruthless enemy and the veracity of all statements made at that time and since, that it was impossible to send them aid, is seriously questioned by us; and

Whereas it is our opinion that adherence to the prescribed duties of those charged with the protection of America and in accordance with traditional humanitarian principles of America would have prevented the enormous loss of life before and after the surrender of Bataan, Corregidor, Guam, and Wake, and it is our further opinion that the dereliction of duty of those in authority constitutes the writing of the blackest page in American history and the resulting torture of the mothers, wives, and other relatives of the heroes of Bataan and Corregidor, caused by the diabolical atrocities so heartlessly described in the Army and Navy release of January 28, 1944, is the acknowledged signature of that black page. Now, therefore, be it

Resolved, That the Bataan Relief Organization (B. R. O.) and its affiliates representing the mothers, fathers, wives, and other relatives, sweethearts, and friends of our sacrificed men in our armed forces in the Pacific, who lost their lives and the others who are left and who are suffering the most intense mental and physical anguish, are entitled as free Americans to petition the Congress of the

United States, in accordance with the Constitution, for an immediate and thorough investigation to fix the responsibility and guilt of those in authority in order to bring about the speedy conclusion of this case, regardless of whom it may involve; and be it further

Resolved, That after termination of such investigation that trial by court martial proceedings, impeachment, or any other means necessary to bring about immediate justice and thorough punishment of those found guilty of the dereliction of duty which they accepted when they took their oaths of office, shall be instituted.

BATAAN RELIEF ORGANIZATION,
OPAL I. BARTHOFF, *President*.

Attest:

JOE FAMACHE, Sr.,
Secretary.

RESOLUTION BY WICHITA (KANS.) INDEPENDENT SERVICE STATION OPERATORS' RELIEF ASSOCIATION

Mr. CAPPER. Mr. President, I ask unanimous consent to present and to have printed in the RECORD and appropriately referred a resolution adopted on February 29, 1944, by the Wichita (Kans.) Independent Service Station Operators' Relief Association which protests against action taken by the O. P. A. Commissioner without any right of appeal to the courts.

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

Whereas in wartime it is necessary that good citizens submit cheerfully and patriotically to regulatory laws such as the Price Control Act which is operated by the Office of Price Administration; and

Whereas it is un-American, unnecessary, and unreasonable that such acts be enforced by star-chamber methods and that citizens of the United States be deprived of their constitutional rights, including their day in court; and

Whereas it is unconstitutional, un-American, unpatriotic, and unfair for said act to be enforced by an O. P. A. commissioner who acts as judge, jury, prosecutor, and bailiff all rolled into one without any right to appeal to the courts of the State or Nation; and

Whereas such "kangaroo" courts suspend citizens from business as a penalty for alleged violations of regulations and this suspension without recourse to duly constituted courts denies the citizen his right to his livelihood in violation of the fifth amendment to the Constitution of the United States, providing that no citizen shall be deprived of life, liberty, or property without due process of law—such trials before a hearing commissioner not being due process of law; and

Whereas it is the duty of all good citizens to maintain freedom on the home front while our boys are fighting and dying for it on the battle fronts: Now, therefore, be it hereby

Resolved by the Wichita Independent Service Station Operators' Relief Association:

1. That Congress be petitioned to amend the Price Control Act so that all alleged violations of said law or regulations promulgated thereunder will be prosecuted and tried in the duly constituted courts of our State or Nation.

2. That we enlist the support of all other interested citizens in bringing this matter to the attention of Congress and in attempting to obtain prompt, proper, and effective congressional action; and

3. That we keep faith with our boys who are offering their lives on foreign seas and shores to prevent despotism from being imposed upon us from without by pledging our consecrated efforts, our fortunes, and our sacred honor to prevent tyranny from being imposed upon us from within while they are away.

K. H. BURTON,
President.
PAUL JESSUP,
Vice President.
FRANCES MARKOWITZ,
Secretary-Treasurer.

PROTEST AGAINST THE ENACTMENT OF NATIONAL SERVICE LEGISLATION

Mr. CAPPER. Mr. President, I also ask unanimous consent to present a letter containing a statement which I have received from John D. O'Brien, secretary of the Topeka (Kans.) Federation of Santa Fe Railroad Shop Crafts, informing me of the action of that organization in taking a stand against the national service bill. I request that the letter be printed in the RECORD and appropriately referred.

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

TOPEKA LOCAL FEDERATION OF
SANTA FE RAILROAD SHOP CRAFTS,
Topeka, Kans., March 6, 1944.

Mr. ARTHUR CAPPER,
United States Senator,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: At a well-attended meeting of the above body which, as the name implies, represents the large number of machinists, boilermakers, blacksmiths, sheet-metal workers, carmen, firemen, oilers, and shop laborers, together with their helpers and apprentices, employed in the local shops of the Santa Fe Railway Co. it was decided after mature consideration to communicate with you and express our unanimous opposition to the enactment of the above proposed legislation, and to respectfully request and urge that you oppose it in the Senate by every legitimate means. Thanking you, I remain,

Yours truly,

JOHN D. O'BRIEN,
Secretary.

RESOLUTION BY SENATE OF PUERTO RICO—TAXES FROM SALE OF PUERTO RICAN RUM

Mr. LANGER. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a letter addressed to me by the secretary of the Senate of Puerto Rico, together with a resolution adopted by the Puerto Rican Senate.

There being no objection, the letter and resolution were referred to the Committee on Territories and Insular Affairs and ordered to be printed in the RECORD, as follows:

SENATE OF PUERTO RICO,
March 3, 1944.

Hon. WILLIAM LANGER,
Senate Office Building,
Washington, D. C.

SIR: By direction of the Senate of Puerto Rico, I have the honor to transmit herewith copy of Senate Resolution 2, approved March 3, 1944.

Said resolution was unanimously adopted with the votes of all Senators present from all political parties represented at the Senate of Puerto Rico.

Respectfully yours,

Y. SOLÁ MORALES,
Secretary, Senate of Puerto Rico.

Whereas there is pending in the Congress in Washington, legislation to deprive Puerto Rico of the taxes collected on the sale of Puerto Rican rum in the United States;

Whereas for more than 40 years the people of Puerto Rico have enjoyed the right to use and dispose of these taxes in accordance with the laws of its legislature; and

Whereas the increase in these taxes is practically the only favorable factor caused in Puerto Rico by the war, in the midst of the many sufferings which the war has caused our people and which our people are bearing in a spirit of sacrifice and comprehension in defense of the great democratic principles: Now, therefore, be it

Resolved by the Senate of Puerto Rico, To express to the Congress of the United States its respectful and firm opposition to having the people of Puerto Rico deprived of the right, which it has enjoyed for more than 40 years, to dispose of those taxes through the legislature and for such purposes as the legislature, in representation of the people, believes of the greatest utility and benefit to Puerto Ricans.

RESOLUTIONS BY DISTRICT CONFERENCE OF UNITED PACKINGHOUSE WORKERS OF AMERICA

Mr. LANGER. Mr. President, I also ask unanimous consent to present for appropriate reference and printing in the RECORD a letter addressed to me by the district director of district No. 2, United Packinghouse Workers of America and several resolutions adopted by the conference.

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

To the Committee on Banking and Currency:

UNITED PACKINGHOUSE WORKERS
OF AMERICA,
Chicago, Ill., March 14, 1944.

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

DEAR SIR: Enclosed find copies of the resolutions passed at the district conference of the United Packinghouse Workers of America, C. I. O., on March 12, 1944.

This action was taken by the delegates attending this conference, and I hope that you will give this matter serious consideration.

Sincerely yours,

GLENN CHINANDER,
District Director, District
No. 2, U. P. W. A.–C. I. O.,
South St. Paul, Minn.

Resolution 7

Subsidies for price control

Whereas—

(1) The control of prices and living costs is a basic necessity to keep food and other vital commodities within the reach of the people of the Nation, and to preserve the health and morale of the home front; and

(2) The control and reduction of price levels require that funds be available for subsidies to keep production of food and other cost-of-living commodities at highest levels while protecting the people of the Nation against exorbitant prices; and

(3) Powerful groups in the Halls of Congress, operating in opposition to the best interests of the working farmers, the war workers, and all of the people of the Nation, have been actively engaged in sabotaging and knifing measures which would make funds available in accordance with the request of the President for subsidies to prevent increases in the price of such vital commodities as milk; and

(4) A group of Members of Congress responsive to the needs of the Nation have joined together under the leadership of Con-

gressmen SCANLON, MCMURRAY, and others, to organize effective congressional action in support of real price control, and in apposition to the activities of those Congressmen seeking higher prices: Now, therefore, be it

Resolved—

(1) That district No. 2, U. P. W. A.-C. I. O., hails the activities of those Members of Congress who have rallied together in support of the price-control program; and

(2) We call upon all Members of Congress to join in the fight for effective price control; and

(3) We call upon Congress to reject the efforts of the inflation-bent bloc, and to enact the measures nesessary to assure full control of prices of cost-of-living commodities, including measures to make available adequate funds for subsidies or other payments to prevent any increase in prices and to protect the farmers and the small businessman; and be it further

Resolved, That a copy of this resolution be sent to President Franklin D. Roosevelt, and all Senators and Congressmen in the States of Minnesota, Montana, Wisconsin, North Dakota, and South Dakota.

Ordered to lie on the table:

Resolution 3

Poll tax

Whereas the elimination of the poll-tax requirement, which in eight of our States places a price tag on the right to vote, has long been recognized as a necessary step toward the perfection of our democratic structure. In the war period it becomes more and more apparent that this step is a military necessity, and that our failure to take this step is playing into the hands of our enemies: Therefore be it

Resolved, That District No. 2, U. P. W. A.-C. I. O., calls upon the Senators of the State of Minnesota to discharge their obligation to the people of the Nation, and enact forthwith this legislation eliminating the poll tax, and not to permit or tolerate any unscrupulous filibuster on the part of the clique of poll-tax Senators intent on preserving their personal political position with a callous disregard of the national emergency and popular will; and be it further

Resolved, That a copy of this resolution be sent to the Senators of the States of Minnesota, North Dakota, South Dakota, Montana, and northwest Wisconsin.

Resolution 4

Social security

Whereas—

(1) Bills have been introduced in the Senate and House of Representatives of the United States Congress by Senators WAGNER, MURRAY, and Representative DINGELL which provide for an improved program of social security;

(2) These bills expand the scope of and provide for increased benefits for unemployment compensation which would be placed on a Federal basis, old-age security, permanent disability, and for a program of health insurance which meet immediate needs, in addition to making provision for the postwar period: Now, therefore, be it

Resolved—

(1) This conference of District No. 2, U. P. W. A.-C. I. O., endorses wholeheartedly the benefit program incorporated in the Wagner-Murray-Dingell bill;

(2) It calls upon Congress to incorporate in the presently pending tax legislation, the provisions of the Wagner-Murray-Dingell bill with appropriate changes to provide for an equitable allocation of the increased cost between the employees, the employers, and the Government; and be it further

Resolved, That a copy of this resolution be sent to all Senators and Congressmen in the States of Minnesota, Montana, Wisconsin, North Dakota, and South Dakota.

Resolution 8

Whereas over 11,000,000 men and women serving in the armed forces of which more than 2,000,000 are members of organized labor, having the constitutional right to vote in the 1944 elections.

2. The only adequate assurance that our soldiers will be given the chance to vote is through the passage of a unified simple Federal ballot, as provided in the Green-Lucas bill now before Congress.

3. The Rankin-Eastland bill which throws the problem of the soldiers' vote back on the States, is a fraud and has been so characterized by President Roosevelt, and is supported only by those Members of Congress who admittedly wish to prevent the soldiers' vote from being cast.

4. State action to provide absentee ballots for soldiers such as has recently been provided by a special session of the Minnesota Legislature is commendable, but not adequate: Therefore be it

Resolved, That this conference of district No. 2, U. P. W. A.-C. I. O., meeting in South St. Paul, Minn., March 12, 1944, representing 16 locals and 8,000 members in Minnesota, North Dakota, South Dakota, Montana, and northwest Wisconsin, goes on record emphatically in favor of passage of the Green-Lucas bill providing for a unified Federal ballot for soldiers; be it further

Resolved, That we members of the C. I. O. invite all other groups and individuals in these States, A. F. of L., railroad workers, farmers, businessmen, professional, and other groups to cooperate with us to bring about the passage of this bill, thereby assuring our soldiers the right to vote; be it further

Resolved, We urge delegates of local unions represented at this conference to get their members to write or send suitable letters and telegrams to their Representatives in Congress, to circularize this resolution as a leaflet to the general public, and to use it to secure cooperation of other labor and nonlabor groups in mobilizing support for the Federal soldiers' vote; be it finally

Resolved, Copies of this resolution be sent to all Senators and Representatives in Congress from the five States, and to Senators GREEN and LUCAS, and Representative WORLEY, chairman of the House Elections Committee, and to the appropriate newspapers for publication.

REPORT OF FINANCE COMMITTEE DURING RECESS

Under authority of the order of the 16th instant,

Mr. CLARK of Missouri, from the Committee on Finance, to which was referred the bill (S. 1767) to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans, reported it with amendments on March 18, 1944, and submitted a report (No. 755) thereon.

ENROLLED BILL PRESENTED

Mr. TRUMAN (for Mrs. CARAWAY), from the Committee on Enrolled Bills, reported that on March 17, 1944, that committee presented to the President of the United States the enrolled bill (S. 1589) for the relief of C. Guy Evans, Garland Mineral Springs, Index, Wash.

BILLS INTRODUCED

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

By Mr. BAILEY:

S. 1788. A bill to provide for the future status of certain functions and personnel transferred to the United States Coast Guard, and for other purposes; to the Committee on Commerce.

By Mr. MCKELLAR:

S. 1789. A bill for the relief of the city of Memphis, Tenn., and Memphis Park Commission (with an accompanying paper); to the Committee on Claims.

(Mr. MCCARRAN introduced Senate bill 1790, which was referred to the Committee on Commerce, and appears under a separate heading.)

By Mr. DOWNEY:

S. 1791. A bill to provide a night differential for employees of the Government of the United States and of the government of the District of Columbia; to the Committee on Civil Service.

By Mr. WHEELER:

S. 1792. A bill to extend for 2 additional years the reduced rates of interest on Federal land bank and Land Bank Commissioner loans; to the Committee on Banking and Currency.

By Mr. RADCLIFFE:

S. 1793. A bill to permit the naturalization of foreign seamen who serve on American-owned vessels for a period of at least 3 years while the United States is at war; to the Committee on Immigration.

Mr. CLARK of Missouri. Mr. President, the senior Senator from Illinois [Mr. LUCAS] is necessarily out of the city on important public business. He has asked me in his behalf to request unanimous consent to introduce a bill for disposing of certain lands which have been taken by the Government for public purposes which are about to be disposed of to private ownership. I ask unanimous consent that I may introduce the bill for the Senator from Illinois.

The VICE PRESIDENT. Without objection, the bill will be received and appropriately referred.

By Mr. CLARK of Missouri (for Mr. LUCAS):

S. 1794. A bill to provide that, in disposing of lands which have been acquired by the United States for national defense or war purposes, a preference shall be given to the former owners of such lands or their successors in interest; to the Committee on Military Affairs.

By Mr. REYNOLDS:

S. 1795. A bill to amend that portion of the act approved June 30, 1906 (34 Stat. 697, 750), authorizing the settlement of accounts of deceased officers and enlisted men of the Army (with accompanying papers); to the Committee on Military Affairs.

By Mr. TYDINGS:

S. 1796. A bill for the relief of Ellen R. Riley and Harriot C. Riley; to the Committee on Claims.

By Mr. CLARK of Idaho:

S. 1797. A bill relating to the granting of commissions to members of the armed forces who have had training under the Civil Aeronautics Administration war-training service program; to the Committee on Military Affairs.

Mr. GUFFEY. Mr. President, on behalf of the Senator from Missouri [Mr. CLARK] and myself, I ask consent to introduce for appropriate reference a bill to require that all appointees to positions in the Federal Government shall be qualified voters.

The VICE PRESIDENT. Without objection, the bill will be received and appropriately referred.

By Mr. GUFFEY (for himself and Mr. CLARK of Missouri):

S. 1798. A bill to require that appointees to positions in the Federal Government shall be qualified voters; to the Committee on the Judiciary.

REGULATION OF CIVIL AERONAUTICS

Mr. McCARRAN. Mr. President——

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Nevada?

Mr. MEAD. I yield.

Mr. McCARRAN. I am grateful to the Senator from New York for yielding to me at this time that I may make a few brief preliminary explanatory statements with reference to a bill I am about to introduce.

Mr. President, my first assignment to a committee, after I became a Member of the Senate, was to a special committee known as the Ocean Mail and Air Mail Subsidy Committee. The chairman was Senator Black, of Alabama, who is now distinguishing himself upon the Supreme Court of the United States.

For a year we went into an intensive study of ocean-mail and air-mail subsidies, in the course of which the matter of aviation became a subject exceedingly interesting to the Senator from Nevada.

In 1934 I set about to write what I thought would be a proper law for aviation. Between 1934 and 1938 I prepared and introduced a number of bills in an attempt to write the law of aviation for the United States. Those bills were variously referred. The first went to the Committee on Interstate Commerce. Hearings were held on the bill, and a measure was reported to the Senate. The Senate considered it, but for one reason or another it was not finally adopted.

Again we wrote a measure embodying the law of aviation as we thought it should be. Finally, in 1938, after a long study of the subject, we had the privilege of seeing our bill in part adopted, and it is now, although much changed by Executive order, the law of aviation of the United States.

The conference committee which dealt with that bill engaged in that which is always essential in bringing about legislation, namely, compromise. Many parts of the legislative proposal, when they came to the floor of the Senate by way of report from the conference committee, were not satisfactory to the author of the bill.

From 1938 until the present time, I have given my untiring efforts to a study of the subject of aviation. I have called to my assistance for conference and advice nearly every agency and individual engaged in or interested in aviation. From every standpoint the senior Senator from Nevada has attempted to make a thorough and comprehensive study to determine what should be the law of aviation for a nation which should go forward with that great instrumentality for commerce.

With that in mind, during the last several years, and especially since last August or thereabouts, I have devoted much of my time to an effort to formulate what to my mind would be the best law for aviation for the future, and today I am about to introduce for proper reference the bill I have finally worked out.

Mr. President, I think it is due to my colleagues on the floor of the Senate that a very brief statement be made of the bill and its general policy. The bill would set aside the present arrangement of the Civil Aeronautics Administration anld would abolish the Civil Aeronautics Board as it now exists, and in place of the Civil Aeronautics Administration, as at present constituted by this bill, there would be set up an independent agency, known as the Civil Aeronautics Authority, composed of seven members, to be appointed by the President and confirmed by the Senate. That Civil Aeronautics Authority would be an independent agency, independent of all other departments, and the Administrator, as he now exists, would be appointed as an executive officer by the Civil Aeronautics Authority, and he would assume such duties and responsibilities as the Civil Aeronautics Authority may assign to him.

Mr. President, there is no need for question as to the policy which the author of the bill would establish. The bill defines States' rights in no uncertain terms, both by way of declaration of policy and by way of legislative prescription. The bill would clarify the atmosphere so that the rights, privileges, and immunities which belong to the States and the people thereof, and do not belong to interstate commerce, would be retained by the States insofar as civil aviation is concerned. The rights which by constitutional prescription belong under interstate commerce are assigned to and are recognized to be in the Federal Government.

Many controversies have arisen as to what, under existing law, are the rights of a private flyer. Many who are interested in private flying throughout the country have questioned why they should be curtailed in their activities. So the bill would definitely define a private flyer, and what his rights are under the law. In the bill we write for him a bill of rights so that the private flyer, so long as he abides by the rules and regulations with respect to safety, may, generally speaking, have freedom of activity.

In the bill we again set up an air safety board, independent in its creation and in its action, to be appointed by the President, each member to have certain qualifications fitting him for his position in that great work. The safety board is definitely defined and its powers are definitely set out in the bill.

The bill in clear and distinct language states what the author believes should be the policy for the United States of America. It provides that the United States of America shall retain sovereignty in the air over the continental United States and its waters and Territorial possessions. It sets it forth in language which he who runs may read, so that the people of the United States may know that our policy is to retain in the United States sovereignty in the air over the United States, its waters, and its Territorial possessions.

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

Mr. McCARRAN. I yield.

Mr. VANDENBERG. Then, I understand the Senator is striving for the philosophy of sovereignty of the air as opposed either to the philosophy of freedom of the air or the right of innocent transit?

Mr. McCARRAN. The Senator states it correctly.

Mr. VANDENBERG. I should like to say to the Senator from Nevada that I join him in his position.

Mr. McCARRAN. I am glad to have the Senator's cooperation. I hope the Senator may have time to read the bill, and to read the statement which I hope by unanimous consent may be printed in the RECORD. A reading of the statement would take longer than the amount of time I desire to use in detaining the Senate at this time.

Mr. President, I wish to say one further word. We have been—and I say this without any tinge of criticism of anyone—more or less a laughing stock to foreign countries because we have no defined foreign policy as regards commercial aviation. It is high time that a policy be established. It is high time that we look to the advantages which our country should have in the great industry of air commerce, if we ever hope to have paid to us the debt which is being created by reason of our taking care of, feeding, clothing, and furnishing munitions to those nations which are fighting on the same side with us in this great war. In my judgment, Mr. President, we must not forget the fact that we should send the products of this country into the markets of the world by the swiftest possible agency.

So with that in mind, and in order that something may be before the people and before the Congress which looks to that accomplishment, we have by this bill set up an instrumentality in which every American air carrier doing business at the present time may participate, whether he be an air carrier to foreign countries or a domestic carrier. We propose to set up what we have chosen to term "the all-American-flag air line" in which every carrier now doing business, either domestically or in foreign commerce, may participate, but which will have the sole sanction of the Federal Government and will receive the sole support financially of the Federal Government, and will receive the sole and only sustenance and support from the agencies of the Government. In other words, by the proposed law, we would set up an instrumentality to carry the commerce of this country into the markets of the world with the sanction and approval and backing of the Federal Government.

By the bill we will create no monopoly. We leave the road wide open for those who would venture their own fortunes in foreign commerce by air, but we put behind the proposed instrumentality the power and force of the Government of the United States. In our judgment, speaking after 10 years of study of the subject, the way proposed by the bill is the only way by which the United States of America can hope to enter into competition with the flag lines of other countries. We are not alone in that thought, and experience has given us a wide field to consider. Great Britain had at one time a number of lines, and she found that it was impossible to have certain of

her own lines competing with others of her own lines and at the same time competing with the lines of other governments. So she centered on one line to carry the British flag and to receive the British national support. France before the war had several lines. She also abandoned that policy and centered on one line. Italy also went through that experience. Japan also went through that experience. Germany also went through it. Other nations went through it. We have their experience before us, and it is time that we act, and act affirmatively and positively, so that the world may know and so that the people of the United States may know that we are interested in the commerce of America by that swift and sure agency which in my judgment is destined to go through as many changes and as many progressive steps within the next 10 years as it has in the past 10 years.

Mr. VANDENBERG. Mr. President, if the Senator will yield to me, let me inquire whether it is not true, in line with the Senator's observations, that if in the post-war aviation world we confront chosen governmental instrumentalities by way of competition on behalf of every other great air power, and if we confront them with a divided, competitive, external air power of our own, we shall have simply invited them to apply to us the adage, "Divide and conquer."

Mr. McCARRAN. The Senator expresses the situation splendidly, and expresses my thought on the subject exactly.

Mr. President, we must take an affirmative stand for ourselves in the commercial world of the future. This great instrumentality of commerce has been developed by American industry, by American ingenuity, and by American determination; and we should not fail to persist now in our thought that America should be to the air what other countries have been to the waters of the world in times past.

Mr. President, the one way, if not the only way, by which we can bring encouragement to the people of this country is for Congress to say, "We have a foreign policy, and we are going forward with that policy so that the commerce of this country may reach the markets of the world by the fastest possible means."

In view of the pending business, Mr. President, I do not wish to take up further of the time of the Senate. I have prepared a detailed statement by way of explanation of every provision of the bill. The statement is a little lengthy, but it is very much worth while that those who read the bill may have a view of what the author of the bill is thinking of in the use of the terms found in the bill. The statement is as brief as it could be, in view of the magnitude of the subject and the manner in which we sought to deal with it. I now ask unanimous consent to have this statement, which is explanatory of the bill, printed in the RECORD at this point, as a part of my remarks.

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

NEW CIVIL AERONAUTICS BILL

(Statement by Senator PAT McCARRAN)

GENERAL STATEMENT

I have today introduced a bill which, if enacted at this session, will become the Civil Aeronautics Act of 1944.

This bill has not been written by the Air Transport Industry, the Civil Aeronautics Board, or any other person or group; it was written by me.

No person other than those working for me in my office have ever so much as seen this bill, despite published reports to the contrary.

This bill rests upon the cumulative experience of the aviation industry and the Government, and represents a sincere effort to embody the best of that experience in legislative language.

While short of perfection, as all legislation must be, this bill offers, in my opinion, a sound framework for progressive legislation.

In writing this bill I have attempted to collect and correlate the experience since 1938 of the Federal Government, the air-transport industry, commercial pilots, the aviation manufacturing industry, private flyers, and others who participate in or are affected by aviation in all its phases.

Each State was asked for a copy of its laws and regulations on aviation, and these laws were analyzed carefully to determine what the States have done in aviation. This material was supplemented by an exhaustive study of State experience in the aviation field and by conferences with State aviation officials.

Having conferred at length with leaders in all phases of aeronautics, I wish to express my deep appreciation of the splendid assistance they have rendered in advising me of the legislative needs which their experience has indicated.

On the basis of these studies, which began in 1934, and have been intensified since last August, I determined that the best plan was to work toward a complete rewriting or codification of all Federal legislation for civil aviation so as to incorporate the experience referred to above, and so as to write into basic law the correct interpretations of the Civil Aeronautics Act of 1938 by the Civil Aeronautics Authority and the Civil Aeronautics Board. I have not failed to study the decisions of the courts which have involved or affected aeronautics.

This bill deals with ideas, and certain perfections of language may be necessary to express these ideas clearly. All suggestions for clarification of language, as well as all suggestions of new ideas and new language, will be sincerely welcomed and appreciated.

I want this bill to represent the very best in aviation experience and the best thought and planning for the benefit of this country, its entire aeronautical industry, and all its citizens who will engage in or derive their livelihood from post-war aviation.

Realizing quite well that achievement of this end will require the assistance and constructive criticism of many leaders in the aviation field who have not yet presented their suggestions to me, I bespeak for the bill the most earnest study and consideration, and for its aims and purposes the unselfish and unstinting support and cooperation of all who share with me complete confidence in the limitless future of aviation; unshakable faith in the ability of American ingenuity, courage, and enterprise to achieve for this country, if given an even break with foreign competition, unquestioned leadership in post-war world aeronautics; and an abiding conviction that proper fulfillment of the destiny of the United States of America requires that it shall achieve and maintain such leadership.

EXPLANATION OF THIS STATEMENT

This statement is separated into two parts: (1) A discussion of the major points of this bill and (2) an analysis of the bill, title by title.

Major points

1. International aviation

The bill creates a federally chartered private corporation with potential working capital in excess of $1,000,000,000, to be known as the all American flag line. This corporation will be composed of air carriers now holding certificates under the Civil Aeronautics Act of 1938, except air carriers whose operations are wholly within the Territory of Alaska.

Creation of this corporation will effect a pooling of all the resources, both domestic and foreign, of the air transport industry, to forge a new agency which will make the commerce of the United States first in the air all over the world. This new agency will have back of it not only the full strength of this unity of all factions of the air transport industry of the United States concerned with foreign air transportation, but also all available facilities of the Government of the United States, to enable it to carry out the purpose for which it is being created.

This corporation will, therefore, have active partners operating throughout the United States who will funnel international business into designated points of entry or departure. Likewise, these interstate air carrier partners will pick up and disperse throughout the United States the international air traffic which is brought to our shores by the all American flag line, or by any foreign air carriers. I believe this offers an unbeatable combination.

The bill prohibits the all American flag line, or any foreign air carrier, from engaging in interstate air transportation.

Specific provisions of the bill prevent any one air carrier from owning a controlling interest in the all American flag line.

While the idea of such a corporation as this bill proposes may seem both novel and daring, I am convinced it presents the most sound solution to our national problem of insuring the United States its proper place in world aviation.

The pace of the world is geared to transportation, and aviation is the instrumentality which will set the pace in the foreign trade and passenger field after the war. We cannot afford to come out second best in the race for air commerce in the markets of the world. That is why this bill proposes to put the entire facilities of the air transport industry and the full weight of the Government of the United States back of the all American flag line. It must and it shall be the leading air carrier in foreign air transportation throughout the world.

2. States' rights

Under this bill, States' rights are given the fullest protection consistent with necessary Federal control over interstate traffic and safety in air navigation. Instead of being excluded from all control over aeronautics, the States are given control of intrastate air carriers and intrastate air contractors. With respect to these two types of operations, States can exercise all the traditional powers which they have exercised in the public-utility field. The bill covers this idea specifically both by definition and by declaration of policy, so that the intent of Congress not to interfere with States' rights will be clear.

Before formulating the provisions of this act which assure States of the retention of their legal powers in the aviation field, I made an exhaustive study of all State legislation in this field and the experience thereunder, so that I could understand the problems and viewpoints of State aviation officials.

In the airport and airport zoning fields, the bill provides specifically for a system of cooperation and mutual aid between States and cities on all phases of aviation in which they have mutual interest, so as to bring about a real spirit of mutual helpfulness rather than conflict between these different levels of government, all of which certainly do have a part to play in the development of aviation.

3. Experimental certificates

To open up the whole development of air transportation to new enterprise and keep it open for our returning soldiers, and to assure the greatest possible development of feeder lines for existing trunk-line operators, the bill creates a new type of certificate of public convenience and necessity, known as an experimental certificate.

This new type of certificate will be issued without the requirement of any proof other than of ability, including financial responsibility, to operate the new line and to comply with necessary safety regulations. The bill provides that experimental certificates may be issued on any route which is not already covered by a certificate held by an air carrier.

Language of this section preserves to the holder of an experimental certificate the advantages which may flow from any air traffic which he develops by operations under such certificate at his own financial risk.

4. Private flyers

The bill gives private flyers a new recognition and a "bill of rights" which they have never had under previous Federal legislation.

Private flyers are given specific assurance against interference by the Federal regulatory body which is created under this act through a new section which prohibits the application to them of any provisions of the act other than those relating to safety. For the first time private flyers are by this bill specifically given the right to perform mechanical work on their own planes without securing a separate certificate from the Civil Aeronautics Authority authorizing them to perform this type of work.

5. Civil Aeronautics Authority re-created—Administrator abolished

A Civil Aeronautics Authority composed of seven members is created as an independent agency of the Government, and the office of the Administrator of Civil Aeronautics is abolished, as is the Civil Aeronautics Board.

Having an Administrator of Civil Aeronautics to perform certain functions, with other functions assigned to the Civil Aeronautics Board, and with no clear distinction and definition of the functions which each should exercise, has resulted in endless confusion, duplication of effort, and delay in carrying out proper programs for the benefit of aviation. It is this situation which the bill attempts to cure by setting up an executive officer within the Authority, who, subject to the orders of the Authority, will carry out the executive functions formerly exercised by the Administrator.

Creation of the C. A. A. as an independent agency also eliminates the top-heavy situation under which normal functions of the Administrator of Civil Aeronautics cannot be performed without clearance with the Assistant Secretary of Commerce for Air, as well as with the Secretary of Commerce on important matters.

The idea of splitting the separate functions of a quasi-legislative, quasi-judicial, and executive agency, as originally written into the Civil Aeronautics Act of 1938, looked very good as a theory, but it simply has not worked out in practice. That the President felt it necessary to completely reorganize the C. A. A. and bring it under the jurisdiction of the Department of Commerce is merely one of the indications of this fact.

In abolishing the Civil Aeronautics Board and the Office of Administrator of Civil Aeronautics, the bill takes all civil aviation functions out of the Department of Commerce and vests the Federal Government's civil-aviation activities and regulation in one new agency—a seven-man Civil Aeronautics Authority. This implies no criticism of the splendid work of the Secretary of Commerce and his most able Assistant for Air. They have done much for aviation. But it must be apparent that the endless confusion and bickering which indicated to the President the necessity of reorganizing the original Civil Aeronautics Authority and Air Safety Board by Executive order is a strong argument for a single repository of power to head up all governmental activity in this field. The Secretary of Commerce is a very conscientious man, and since the President directed him to supervise certain civil-aviation functions he of necessity must exercise a substantial amount of supervision and control over the Administrator of Civil Aeronautics. Since there is no clear line of demarcation between the functions of the Civil Aeronautics Board, the Administrator, and the Secretary, a series of conferences between busy high officials is absolutely necessary on all the many important questions and programs which require consideration in such a rapidly developing field as aviation. If the Board, Administrator, and Secretary do not confer, they are not doing their duty; if they do confer, much time of busy high officials is consumed in resolving conflicting ideas or opinions. If no unanimous agreement is reached, a meritorious program may be dropped.

As pointed out above, the idea of separating the quasi-judicial and quasi-legislative functions in the aviation field from the executive functions in this field looked good on paper but has not worked out in practice. The three functions require one boss to assure efficiency in planning, regulation, and execution of aviation programs. Such a boss this bill creates in the Authority; and it gives to this Authority a $10,000-per-year executive officer to carry out the policies which the Authority determines. The bill also contains a section giving the Authority broad discretion in delegating jurisdiction to subordinates. I hope this discretion will be exercised to the utmost degree so that the Authority will not—as it now does—bog itself down with detail of minute importance, but will leave itself free to decide broad objectives and pass upon important cases. This bill makes possible a real streamlining of functions in a field where the most rapid changes are taking place. I feel it is pointed in the right direction.

I sincerely believe that the new authority, as created herein, will make possible: (1) Maximum efficiency in carrying out all aviation programs; (2) the creation of a real sense of public responsibility in members of the new authority as no "buck passing" is possible—they cannot escape responsibility for action or inaction; (3) elimination of duplication of functions, effort, and personnel; (4) clarification of ambiguities and uncertainties to the end that the great amount of war work of the authority can go forward with maximum speed.

6. Independent air safety board

An independent air safety board is created with the sole function of investigating accidents in which aircraft are involved, and making recommendation looking toward prevention of such accidents in the future. This board is to be composed of persons with actual experience in the operation of aircraft so that they will understand fully from their own experience the functions which they are to perform. The board is made absolutely independent, since it may on occasion be required to fix on the Civil Aeronautics Authority or on another governmental agency the blame for accidents involving aircraft.

7. Administrative burdens removed

This bill removes some of the unnecessary administrative burdens under which the aviation industry must now operate. For example, it allows mechanics employed by airplane manufacturers—men who build airplanes—to make necessary repairs to such airplanes without obtaining certificates as airmen. The bill also removes the requirement for unnecessary administrative hearings by the C. A. A., by directing hearings only when there is a request for a hearing from a party in interest.

8. National airport survey

The bill provides for a national airport survey, and for keeping this survey up to date in order that the foundations may be laid for necessary legislation in this field. With the rapid expansion of aviation which everyone anticipates in the post-war period, we will need more and better airports throughout the Nation, and it is certainly one of the responsibilities of the Federal Government to help provide these airports so that the public may enjoy to the fullest the advantages of air transportation, and so that we will have the airports we need from the viewpoint of national defense.

9. Airport zoning

Most accidents involving aircraft occur at or near airports and obstructions to aerial approaches are in many instances responsible for such accidents either directly or indirectly. An airport can be rendered worthless by a high building, tree, or other structure in one of its approaches, so that the millions of dollars invested therein will be lost. In the interest of safety and to protect the millions of dollars which city, State, and Federal Governments are investing in airports, a program of airport zoning is essential.

This bill provides for cooperation between Federal, State, and city governments in formulating and carrying out a Nation-wide program for the clearing and protection of aerial approaches to airports. Zoning is a peculiarly local function and the Federal Government should not seek to usurp such a local function. This bill provides for the use of Federal planning experience and funds, with the actual zoning to be carried out under State and local police powers, to meet local problems. I have no doubt but that such a cooperative program will accomplish the most in this field.

Recent legislative recommendations by the Federal Government for consideration by State legislatures include a model airport zoning act which was drafted by the joint efforts of representatives of the Federal Government, State governments, and municipal governments, and States have shown themselves receptive to this model act, under which States and cities may work with the Federal Government in carrying out an airport zoning program.

Notable by absence

Mention should be made of matters not covered by this bill which have been in the past included in other legislation or proposed legislation in this field.

No provision is included in this bill for a study of the possibilities of post-war aviation. In my opinion this is not a subject for permanent legislation, but should be covered by a separate bill or joint resolution.

This bill makes no provision for a study of the carriage of all first-class mail by aircraft—like the study of post-war aviation possibilities, this is not a matter for permanent legislation.

The Civilian Pilot Training Act and the question of amendment or continuance of that act is left for separate consideration, since legislation on this subject already is pending before the Congress.

This bill does not touch upon the subject of tax exemption of air carriers. My study of the laws and practical experience of the

States, in the field of aviation taxation, has convinced me such taxation places no real burden on commerce. Air lines are no more entitled to a tax haven than any other citizen. I realize that air carriers have particular problems that are arising in the tax field, but I believe that experience will gradually indicate the proper solution to such problems.

DETAILED EXPLANATION

The following is an explanation, title by title and section by section, of the provisions of this act.

Title I

This title contains definitions and a declaration of policy by the Congress.

Section 1 of this title embraces definitions.

At the outset it must be stressed, and it cannot be emphasized too strongly, that definitions are not legislation. In framing this section every effort has been made to preserve definitions already in use which have stood the test of time, and where new definitions have been phrased no effort has been spared to make them clear, unequivocal, and readily comprehensible. No tricks, hidden meanings, or cover-ups are to be found in these definitions, and no hidden meanings should be read into them.

There is no legislation in this section, and the definitions are not to be considered except in connection with the use of the terms defined in the context of the bill. A reading of the definitions alone will not result in any comprehension of the provisions of the bill, and it is entirely improper to attempt to draw any conclusions from the language of the definitions alone. They must be read in connection with the whole of the bill in order to be understood.

Properly used, in legislation, a definition is a tool whose purpose is to avoid unnecessary repetition. The definitions employed in this section have been phrased, and are used in the bill, in the light of that principle.

Concerning individual definitions in section 1, therefore, little need be said; but it appears desirable to identify the source of some of these definitions, and in some cases to explain the reasons for the language used.

Air commerce

In the definition of "air commerce," the reference to "overseas air commerce" which was included in the Civil Aeronautics Act of 1938 has been deleted. This was done because it was desired that the act should make no distinction between overseas and interstate air commerce.

In the 1938 act, the Civil Aeronautics Authority was given the power to fix rates for transportation of persons and property in interstate air commerce, but was given no authority to fix such rates in foreign air commerce. Overseas air commerce, which embraced only air commerce between the mainland and Hawaii, and by the ocean route between the continental United States and Alaska, was a sort of twilight zone to which some provisions applicable to interstate commerce did not apply. The present act gives the Authority power to control the rates of all air carriers, and the need for any distinction between overseas and interstate air commerce has thereby been eliminated.

Air contractor

Because of the expansion of civil aviation, it is necessary that some control be exercised over commercial operations in air commerce other than the operations of air carriers. To facilitate provision for such control, the bill contains a definition of "air contractor."

This definition is set up so as to avoid inclusion of persons engaged in air navigation as noncommercial private flyers, or engaged in wholly intrastate operations not a part of interstate commerce.

Airman

The definition of "airman" is carefully worded so as to except from the control of the Authority individuals employed outside the United States, mechanics employed by manufacturers of aircraft, aircraft engines, propellers and appliances, and private flyers performing mechanic work on their own planes. These are complete exceptions and relieve such persons of unnecessary and burdensome regulation without the slightest relaxing of safety requirements.

Air navigation

"Air navigation," a new definition not found in previous legislation, has been inserted as an aid in delimiting the application of the safety regulations authorized in title VII of the bill.

Air transportation

The definition of "air transportation" splits the whole aviation field into just two parts: Foreign air transportation and interstate transportation.

Appliances

"Appliances" is redefined by slight changes in the definition previously used, in the interest of conciseness.

Citizen of the United States

The definition of "citizen of the United States" has not been changed because a study of the regulations and decisions of the Civil Aeronautics Authority and the Civil Aeronautics Board under this definition reveals that they have properly carried out the intent of Congress as embodied in the 1938 act.

Conditional sale, conveyance

The definitions of "conditional sale" and "conveyance" are taken from the Uniform Conditional Sales Act.

Foreign air carrier, foreign air commerce, foreign air transportation

"Foreign air commerce" is a new definition used in connection with the new regulations of air contract carriers The definition limits the term to foreign business as distinguished from interstate commerce The 1938 act defined separately "interstate air commerce," "overseas air commerce," and "foreign air commerce." In this bill a clear line of demarcation is drawn between foreign and interstate commerce, and overseas air commerce is eliminated, both as a definition and as a separate sphere of operations.

In considering the definitions of "foreign air carrier," on the one hand, and "foreign air commerce" and "foreign air transportation," on the other, it should be noted that the former definition is concerned with the origin of citizenship of the carrier, whereas the latter two definitions rest upon the sphere of service performed.

Interstate air commerce

The definition of "interstate air commerce" should be read carefully prior to a reading of regulatory sections of the bill, and it should be borne in mind that this definition does not include operations in air navigation wholly within any State and not a part of interstate commerce. This definition, and the use in the bill of the phrase defined, constitute one of the means used to preserve to the sovereign States their right to exercise their traditional jurisdiction over the persons and property within their borders. The definition has been so phrased that applicable court decisions will control any disputed jurisdictional questions. States' rights are thus preserved without the necessity of attempting a new and untried definition of what constitutes interstate commerce.

Interstate air transportation

The same considerations just mentioned apply with equal force to the definition of "interstate air transportation."

Private flyer

Because it was desired to make this act explicit as to the rights of private flyers, it was necessary to have a definition of "private flyer." The definition used covers those persons who fly for pleasure and not for profit. This is the first time the term "private flyer" has been defined and the use of this term as defined gives the private flyer, for the first time, a real bill of rights.

Possessions of the United States

The definition "possessions of the United States" is a technical one, necessary because of provisions of other acts, interference with which had to be avoided. This definition is identical with the definition of the same term in the 1938 act.

Underwriter

The term "underwriter" is defined so as to lay the foundation for regulation by the Authority of persons in the financial field who may exercise control over air carriers, but who have up to this time exercised such control outside the sphere of any regulations which the Authority could prescribe under the 1938 act. A careful reading of the definition will show clearly that it bears no relationship to the insurance field.

I am still studying the problem of whether the Authority should have the power to pass upon the issuance of all securities by air carriers and air contractors, in order that overcapitalization, such as has occurred in the railroad field, might be prevented. When my study of this subject has been completed, I may propose an amendment to the bill covering this subject.

DECLARATION OF POLICY

Section 2 of title I is a declaration of policy, painstakingly rewritten so as to embody most clearly the intent and purpose of the legislation. This section of the bill fixes and lays down the policy of the Congress, which the Authority must take into consideration in connection with exercising any of its functions and performing all of its duties. Specific policies are expressed as well as certain general aims desired to be accomplished by this legislation.

In considering the policy laid down with regard to competition, it should be understood that in foreign air transportation, the competition will be between the United States on the one hand, and foreign nations and foreign air carriers on the other; and it will be the duty of the Civil Aeronautics Authority to administer the act so as to strengthen the arm of American aviation and enable it more effectively to meet such foreign competition. In the sphere of interstate air transportation, the competition referred to will be between the several aviation interests engaged in such transportation; and a condition of healthy competition is desirable to the end that internal development of aviation in the United States shall be fostered and speeded.

Subsection (g) of this section expresses one of the major objectives of the bill. It is this objective which underlies creation of the All American Flag Line, Inc., in title V.

Section 3: This section, besides containing the declaration of the public right of transit, contains a new subsection specifically guaranteeing to private flyers the right to operate in air navigation subject only to necessary safety regulations.

Section 4: The declaration of national sovereignty has been amended by insertion of the words "with respect to foreign aircraft," so as to make clear the intent which originally sought expression in the similar declaration included in the Air Commerce Act of 1926. There is no possibility that this declaration can be construed as an attempt to arrogate to the Federal Government any powers properly reserved to the States.

Title II

This title covers creation of the Civil Aeronautics Authority and assignments of its powers and duties.

Qualifications of members

201 (b) covers the qualifications of members of the authority: Citizenship, fitness, a provision that not more than four of the members shall be appointed from the same political party, and a provision against ownership by any member of the authority of any financial interest in any civil air enterprise.

Term and salaries of members

Members of the authority are given 7-year terms but initial appointments are to be made for shorter periods so as to provide for staggered terms.

Executive officer

Subsection 202 (a) creates the job of executive officer of the authority at a salary of $10,000 per year. The executive officer is given power to exercise all of the functions now performed by the Administrator of Civil Aeronautics Authority, but only upon assignment of such functions to him by the authority, and subject at all times to control of the authority.

Condemnation of airports

Subsections 207 (a) and 207 (c) specifically provide that the authority may not condemn airports or air space.

Exclusive rights of airports

Subsection 209 (b) contains clear language prohibiting the granting of any exclusive right for the use of any civil airway or for the use of any airport or other air-navigation facility upon which Federal funds have been spent.

Airport aerial approach protection program

Section 212 covers the formulation of a program for protection of the aerial approaches to airports, and cooperation of States and cities, through the use of their police powers, in carrying out this program. The discussion under "major points" amply explains this section.

Airport-development plan

This section of the bill sets up the basic frame work from which the airport legislation of the future can be formulated by providing for the preparation and yearly revision of a national-airport plan. The explanation of this subject under "major points" covers this section.

Title III

This title covers granting of certificates of convenience and necessity to air carriers. Every attempt has been made to include all of the best of previous legislation, including the 1938 act, and of proposed legislation in this field. Here, as throughout the bill, wherever provisions of previous legislation have stood the test of time and have been properly interpreted, such provisions have been left undisturbed except where changes were necessary to effectuate new purposes; and where provisions of proposed legislation have fully met the intent and purpose of this bill, there has been no hesitancy in adopting them. Some provisions have been carried forward with the minor changes in language which were necessary to clarify certain doubts as to congressional intent which have been raised.

Section 301 (c)

This is the section which provides for hearings only if requested by a party having an interest in an application, thus avoiding unnecessary hearings on purely formal applications and proceedings, such as are required in many instances under the present law. This policy of eliminating unnecessary formality and proceedings has been followed throughout the act.

Section 301 (b) 2

This section is so phrased as to take care of citizenship questions which may suddenly arise, as in the case of the death of a large shareholder in an air carrier whose heirs or legatees are noncitizens.

Section 301 (e)

This is the subsection providing for a grant of experimental certificates as outlined in the discussion of major points.

Section 301 (f)

This subsection provides that the Authority need not specify exact terminal or intermediate points if it is impracticable to do so in the certificate granted any air carriers. This subsection also contains a provision making it clear that an air carrier does not become an air contractor merely by reason of making charter trips. Another provision of this subsection covers the point that an air carrier not directly engaged in air transportation shall not be authorized by implication to operate planes. An example of such a carrier is the Railroad Express Agency.

Section 301 (h) 3

This subparagraph has been included to make certain that the Authority has power to require reasonable extensions of service by air carriers. It has been a point of contention in the past whether the Authority had this power. The subparagraph restricts extensions of service to the continental United States, since under the bill all necessary extensions in foreign air transportation will be provided by All American Flag Line, Inc.

"Grandfather" clauses

It will be noted that provisions of existing law embodying the so-called "grandfather" clauses have been eliminated from this bill. Such provisions are no longer effective.

Section 301 (h) 3

This is the subparagraph authorizing a requirement for any necessary extension of service by All American Flag Line, Inc., and containing provisions for enforcing any such requirement under equitable conditions.

Section 302

Subsection (a) of this section prohibits foreign air carriers from engaging in interstate air transportation and interstate air commerce, thus plugging a "hole" in the 1938 act.

The familiar "grandfather" clauses are not included since more than 5 years have elapsed since enactment of the C. A. A. Act of 1938 and there are now no unasserted rights under such clauses.

Section 302 (d)

Like the comparable section concerning air carrier regulation, this section makes hearings mandatory only upon the filing of a written request by a party to the proceeding. Hearings upon applications for certificates covering foreign air carriers are required under the 1938 act, but the proceedings are purely formal, since all the details have of necessity been worked out in advance by State Department, the President, and the foreign government concerned, under the requirement for Presidential approval of certificates to foreign air carriers.

Section 303 (a)

This subsection relieves air carriers and foreign air carriers from being required to print unnecessary tariff information. The relief is to be granted in the discretion of the Authority and under regulations of the Authority.

Section 303 (b)

This section tightens the provisions of the 1938 act with respect to the persons to whom passes may be issued for air traffic.

Section 304 (a)

This subsection requires all air carriers in interstate and foreign air transportation to furnish just and reasonable fares and to furnish joint through rates.

Section 304 (c)

This subsection expressly authorizes the sale of air-carrier tickets on credit. The so-called Universal air travel plan is not specifically written into this bill, as some of the advocates of the plan have proposed. It seems clear that the plan is a reasonable, nondiscriminatory rate based on a real classification, and section 304 (a) is therefore adequate to cover approval of this plan by the authority.

Transportation of mail

Provisions of this title beginning with section 305, which relate to the transportation of mail, are not changed substantially from the form in which they appear in the existing law. These provisions are working well, and have been the subject of a great deal of sound interpretation which would be upset, with considerable resultant uncertainty, if substantial changes of language should be made.

Section 306

The formula set forth in the 1938 act concerning rates for transportation of mail has worked well and appears here substantially unchanged. It should be noted that the Civil Aeronautics Board has consistently reduced mail pay as the income of air carriers has gone up so that on the whole, mail subsidy as such no longer exists in the interstate commerce field.

Section 307

This section, concerned with acts, records, and reports, is the same as the similar section of the 1938 act

Section 308

This section contains substantially the same language as section 408 of the 1938 act. The Civil Aeronautics Board has properly interpreted this language as an exclusion of surface carriers from the air-transportation field. The air-carrier industry is still in its infancy as compared to surface carriers, and the public interest would best be served by preventing surface carriers from gaining such control that they could stifle air transportation to prevent it from injuring their investment in surface-carrier equipment or property. The Congress expressed this protective policy in the 1938 act, and no good reason has yet been advanced for a change in this policy.

Section 309

This section clarifies and tightens within the intent of existing law, provisions governing interlocking relationships between air carriers, and between air carriers and common carriers. Authority approval of interlocking relationships between air carriers and underwriters is also provided for by this section.

Section 312

This section allows air carriers to escape the burden of unnecessary filing of agreements. The authority will specify the agreements which must be filed so that the public interest will be amply protected.

Section 312 (c)

This subsection puts real teeth in the provision of subsection 312 (a) by making it unlawful to carry out any contract or agreement which has been disapproved by the authority.

Section 313

This section embodies the exact language of the present law. Proposed language purported to clarify this provision was rejected in view of the fact that the United States Supreme Court in the Rochester telephone case has held that the language used covers all types of control which it is intended to reach. Having been judicially interpreted in accordance with the intent of the Congress, the language should not be traded for new language which might, in its turn, require interpretation.

Section 316 (a)

This subsection carries over to the present bill language found in section 416 of the

1938 act. The power to classify carriers, covered by this language, has been used in the past for the protection of smaller carriers and for the relief of such carriers from undue burdens. It is desirable that these provisions remain the law so that they may continue to be so used.

Section 316 (b)

Subparagraph 2 of this subsection carries over into this bill the provision (of particular interest to carriers opeating in Alaska) authorizing an exemption of daylight carriers from some of the wage provisions.

Title IV

This is the title providing for economic regulation of air contractors.

Provisions of this title follow in general the comparable provisions of the title covering the economic regulation of air carriers, but procedure has been streamlined in order to eliminate, so far as possible, all oppressive or unnecessary formalities or regulation which might hamper proper development of air commerce.

To provide for proper development of the carrying of persons and property by contract carriers, and to prevent cutthroat competition, it is necessary to provide for reasonable regulation by the C. A. A. Such regulation will protect those air contractors who build up air contract business from unscrupulous persons who might come in and take it away by cutting charges below cost.

With full knowledge of the necessity of avoiding unnecessary Federal regulation, I considered, including a provision classifying air contractors into groups according to their gross earnings (as the I. C. C. has done for railroads), but abandoned that idea for one vesting broad discretion in C. A. A. to make such classification. If the C. A. A. does not act to prevent unnecessary red tape, I will introduce a resolution to carry out my first idea. Air contractors must not be hampered in their business by unnecessary bureaucratic action or overregulation.

Subsection 401 (c)

This subsection embodies the principle previously referred to of requiring hearings only upon proper request by a party in interest. In the event a hearing is requested upon any application, the Authority is by this subsection directed to dispose of its proceedings in the matter as speedily as possible.

Subsection 401 (d)

It should be noted that this subsection does not require a showing of public convenience and necessity by an air contractor in order to be eligible for a certificate, but requires instead only a showing that the proposed service is not contrary to the public interest. I believe the requirement as written is an eminently proper one, whereas to require an affirmative showing of public necessity for each proposed new operation by an air contractor would be certain to inhibit to a substantial degree the proper and desirable development of air commerce.

Section 402

Consistent with the philosophy already expressed that air contractors should be protected against unfair competition through rate cutting, but should not be hampered by unnecessary regulation, this section provides for approval by the authority of minimum rates and fares and for maintenance of such minimums, but does not prohibit any air contractor from charging more than the approved minimums.

Section 403

This section does not lay any duty upon an air contractor, with respect to tariffs, otherwise than to establish, observe, and enforce reasonable minimum rates and fares and reasonable classifications, rules, regulations, and practices.

Section 404

This is the section which directs the Authority to set up reasonable classifications of air contractors, to relieve them of undue or burdensome regulations.

Title V

This is the title which creates the Corporation to be known as "All American Flag Line, Inc."

Section 501 (b)

This subsection defines the general purposes of the Corporation.

Section 501 (c)

This subsection provides for establishment by the Corporation of branch offices or agencies.

Section 501 (d)

This section sets forth the powers of the Corporation. Included are all of the usual corporate powers necessary to carry out the purposes of this Corporation. Also included, is the power to acquire or control subsidiaries in the furtherance of its corporate purposes without regard to the provisions of the anti-trust laws.

Section 501 (e)

This subsection puts back of the Corporation all of the aid, other than direct financial assistance, available from any department or agency of the United States Government.

Section 502

This section covers issuance of stock by the Corporation.

Capital stock is divided into two classes: Class A stock, which will be issued in the amount of $200,000,000 and which will be the voting stock of the Corporation; and class B stock, which will be issued only in exchange for assets owned by class A stockholders, used in foreign air transportation, and useful to the Corporation.

Class A stock will pay dividends at the rate of between 6 and 8 percent, depending on earnings.

Class B stock will pay reasonable dividends based upon the earnings of the corporation.

Section 502 (e)

This subsection limits the holder of class A stock to licensed air carriers, not including air carriers operating wholly in Alaska.

Section 502 (f)

This subsection sets up a minimum of $5,000,000 and a maximum of $50,000,000 on the amount of class A stock which any eligible air carrier may purchase.

Section 502 (g)

This subsection provides for reallocation of any stock for which an eligible air carrier fails to apply. It also provides that no stockholder shall at any time hold more than $50,000,000 worth of class A stock.

Section 502 (h)

This subsection provides for cash payment of subscriptions to class A stock and prohibits class A stock from being traded on any stock exchange or curb market. It also prohibits sale or transfer of class A stock without approval of the Civil Aeronautics Authority.

Section 502 (i)

This is the subsection limiting issuance of class B stock to the purchase of assets of class A stockholders.

Section 503 (a)

This subsection requires that a subscriber to class A stock must agree to sell to the Corporation upon demand any of its assets used in foreign air transportation, at fair market value, in exchange for class B stock.

Section 503 (b)

This subsection provides for appraisal of the fair market value of properties to be sold under the provisions of the previous subsection.

Section 504

This section provides the board of directors of the corporation shall consist of 1 member designated by each class A stockholder plus 10 additional members to be elected annually by all class A stockholders.

Section 505

This section governs issuance of notes, debentures, bonds, or other obligations by the Corporation, and fixes the limit on such obligations at three times the amount of issued capital stock. It provides that any issue of securities by the Corporation shall require approval of the Civil Aeronautics Authority. It requires that all obligations of the Corporation shall be secured by assets of the Corporation. It authorizes the Secretary of the Treasury to purchase securities issued by the Corporation.

Section 506 (a)

This section provides for organization of the Corporation.

Section 507

This section directs the Authority to issue the Corporation a certificate as an air carrier in foreign air transportation. (It will be recalled that subsection 401 (d) (2) prohibits the Corporation from operating in interstate air transportation.)

Section 508

This section provides for extension of service by the Corporation where required in the Nation's interest. The Authority is empowered to require any such extension upon certification by the Secretary of State that such action is necessary either for the maintenance of cooperative relationships between the United States and any foreign country or in the furtherance of national policy or for the performance of a treaty obligation. Where an extension of service is so required, this section makes provision for direct payments to the Corporation within the limitations of appropriations made by the Congress for such payments so as to guarantee to the Corporation reasonable compensation for the service it is required to perform.

Title VI

This title governs the nationality and ownership of aircraft and is identical with the similar title of the present law, except that a new section has been added. It continues the provisions of existing law which have been working well and which have been interpreted and apply in accordance with the intent of Congress.

Section 602

This is the new section, the purpose of which is to open the door to reciprocal agreements with foreign nations on the subjects covered by this title.

Title VII

This title covers the general safety powers and duties of the authority.

This title has been completely rewritten to incorporate the views of the Civil Aeronautics Board as to desired provisions to make administration of the title easier.

Section 701 (a)

This subsection lists the classifications, rules, regulations, and standards which the authority is to prescribe. Specific provisions is made that such rules, regulations, and standards shall be reasonable and shall be directly concerned with or necessary in the interests of safety.

Section 701 (b)

This subsection directs the authority to make proper distinctions between commercial and noncommercial operations and among the various types of such operations.

Sections 702 and 703

These sections cover the issuance of airman certificates and aircraft certificates.

Section 703 (b)

The language of this subsection has been very carefully drafted so as not to constitute any impediment to progress of invention and improvement in the aviation field. The subsection specifically provides that the authority shall not refuse to grant an experimental certificate solely because it would cover a new or previously unused or unapproved principle or invention

Section 704

This section covers air carrier or air contractor operating certificates.

Section 705

This section follows substantially the language of the existing law in making provision for the rating of air-navigation facilities.

Section 706

This section follows substantially the language of existing law governing the rating of air agencies.

Section 709

This section is carried over from the Air Commerce Act of 1926 as part of the codification of air law which this bill represents.

Section 710 (b)

This is a new subsection to provide relief in special cases where enforcement of some order, rule, regulation, or standard set up by the authority is by reason of unusual circumstances an undue burden and where such enforcement is not required by the public interest

Title VIII

This title creates an air safety board.

It should be stressed that the board as created is completely independent. It is not, as was the case, under the 1938 act, a part of the authority. It will submit its own report directly to the Congress, rather than reporting to the authority.

This air-safety board is to be a panel of air accident investigators and safety experts. These men must accept full public responsibility for their work, and a panel of five is provided so as to let them divide up assignments by sitting in divisions.

Section 802

This section covers qualifications for membership on the air safety board.

Section 803

This section stipulates a 6-year term for members of the air safety board, with a salary of $9,000 per year.

Sections 804 and 805

These sections give the air safety board jurisdiction to appoint and control its own personnel and to control its own expenditures subject to appropriations by the Congress.

Section 806

This section prescribes the duties of the board in detail. Summarized, these duties are to investigate accidents involving aircraft, to report thereon, to make recommendations for prevention of such accidents, to make technical special studies concerning safety in air navigation; and to make recommendations to other Government agencies concerning regulations and practices and other matters looking toward reduction or elimination of accidents involving aircraft.

Section 807

This section removes any possible doubt concerning the complete independence of the safety board.

Title IX

This title includes provisions concerning governmental authorities other than the Civil Aeronautics Authority. It contains, in addition to some completely new material, a rewrite of provisions of the Air Commerce Act of 1926 and of the Civil Aeronautics Act of 1938.

Subsection 901 (a)

This subsection requires Presidential approval for issuance of certificates for foreign air transportation, to foreign air carriers, or to air contractors if authorizing operations outside the continental United States or in Alaska.

Subsection 901 (b)

This section is a provision for air space reservations, carried over from the Air Commerce Act of 1926.

Subsections 902 (b), (c), (d)

These subsections authorize the Secretary of State to negotiate agreements with foreign governments for the benefit of the All American Flag Line; place the full facilities of the State Department at the disposal of the All American Flag Line in connection with its negotiations with foreign governments or foreign nationals; and prohibit the Secretary of State from negotiating agreements for the benefit of any other air carrier engaged in foreign air transportation.

Subsection 902 (e)

This is a very important provision. It is effected to require that any agreement respecting the formation of any international organization for regulation or control of world aviation, or respecting the participation of the United States in such an organization, shall not be entered into by this country except by treaty. This assures that the Senate will be consulted in connection with any such agreement and will have the power to approve or disapprove it.

Subsection 902 (f)

This subsection puts the Authority in on negotiations of any agreements with foreign governments in connection with air commerce or air navigation.

Section 903

This section conforms to the language desired by the Weather Bureau in order to facilitate performance of its duties in connection with air navigation.

Section 904

This section directs the Authority to make recommendations to the National Advisory Committee for Aeronautics, thereby putting the Authority on the same basis as the War and Navy Departments.

Section 905

This section has been brought over from the Air Commerce Act of 1926.

Title X

This title is concerned with both civil and criminal penalties.

Section 1001

This section brings under the civil penalty provision violations of rules or regulations properly issued by the Authority, and provides for compromise of civil penalties, for violation of rules and regulations, by the governmental agency and Authority under which the rules and regulations were issued.

Section 1002

This title brings violations of rules and regulations under criminal penalties in the same manner as the previous title brought such violations under civil penalty provisions.

Section 1003

This section follows substantially the language of the existing law with respect to venue and prosecution of offenses.

Title XI

This title governs conduct of proceedings and assignment of functions by the Authority.

Section 1101 (a)

This subsection is the same as the corresponding provision in existing law except that the direction for conduct of proceedings speedily and fairly is made mandatory rather than permissive.

Section 1101 (b)

This subsection contains provisions for the assignment of work and functions within the Authority. In substance it is the same as similar provisions in the Interstate Commerce Act. Successful experience of the I. C. C. in operating under these provisions has been correlated with difficulties encountered by the Civil Aeronautics Board in operating without any such assigned provisions, and this subsection has been adapted to the specific needs of the civil-aeronautics field. This system of assignment has worked very well for the Interstate Commerce Commission and may be expected to work well here.

Section 1102

Subsections (a), (b), and (c) of this section are carried over from the present law.

Subsection (d) has been rewritten to give the Authority power to fix rates for both interstate and foreign air commerce and air transportation.

Subsection (e) is substantially the same as the provisions of existing law except that a new subparagraph has been added requiring the Authority, in exercising its powers over rates, to recognize "The right of every person, under the American system of free enterprise, other considerations aside, to risk his capital or forego possible profits in an endeavor to build his business or establish, develop, or expand a new enterprise."

Subsections (f), (g), (h), and (i) are substantially the same as the corresponding provisions of existing law. A new subparagraph has been added in subsection (g) to implement the control given the Authority or tariffs of air contractors. While a provision of this nature is necessary to make such control effective, it should always be borne in mind, as previously stated, that the primary purpose of providing for regulation of air contractors is to afford them protection and not to hamper them in the conduct of their business, and the Authority will be expected to exercise its powers under this subsection in accordance with that purpose.

Sections 1103, 1104, and 1105

These sections are carried over from the Civil Aeronautics Act of 1938 substantially unchanged, except that a new subsection (g) has been added to section 1105 to provide for reconsideration by the Authority of any order previously entered, and upon application by a party to the order.

Section 1106

This section grants a right of appeal to the courts from any order of the Authority, excepting only orders relating to foreign air carriers subject to the approval of the President. This right of appeal may be exercised by any person having an actual substantial interest in the order, regardless of whether such person was a party to the original proceeding or is named in the order. Adequate time limitations are provided so that a request for reconsideration by the Authority under the previous section may be filed, if desired, and thereafter appeal may be had to the courts.

Sections 1107, 1108, and 1109

These sections are substantially the same as the provisions of existing law. In section 1109, language has been inserted to require the Authority to permit the intervention in any proceeding of all persons having a substantial interest in the matter under consideration.

Title XII

This title includes miscellaneous provisions.

Section 1201

This section grants to air carriers and air contractors power to take action necessary for safety reasons. In this respect, it puts the commanding officer of an aircraft in substantially the same position as the captain of a ship at sea under the shipping laws.

Sections 1202 to 1205, inclusive

These sections are carried over from the Civil Aeronautics Act of 1938.

Section 1206

This section limits sale of fuel, oil, equipment, and supplies, and the furnishing of mechanical service or other assistance to aircraft, from Federal stores or by Federal personnel, to cases of real emergency.

Title XIII

This title contains necessary provisions for the repeal of prior aviation legislation.

Section 1301

This section replaces the Air Commerce Act of 1926, with a saving clause avoiding abolition of the office of Assistant Secretary of Commerce. Provisions of the 1926 act not previously repealed and desired to be retained have been incorporated in this bill.

This section also replaces section 7 of reorganization plan No. 3 and section 7 of reorganization plan No. 4, and repeals the Civil Aeronautics Act of 1938, which this bill, if enacted, would replace.

Title XIV

This title is concerned with the preservation of provisions of existing legislation and existing rights thereunder.

Section 1401

This section concerns the transfer, from the Secretary of Commerce to the Commissioner of Customs, of functions relating to the entrance and clearance of aircraft.

Section 1402

This section preserves programs previously authorized for construction and improvement of airports.

Section 1403

This section covers necessary transfer to the new Civil Aeronautics Authority created by this bill of personnel and property of the Civil Aeronautics Board, the Civil Aeronautics Administration, and the Department of Commerce; saves unexpended balances of appropriations already made; and provides for continued effectiveness of safety rules and regulations prescribed by the Civil Aeronautics Board until amended, replaced, or superseded under this act, and for completion of safety investigations already commenced.

Section 1404

This section continues in effect orders, regulations, etc., issued or promulgated under existing legislation, until modified, superseded, or otherwise acted upon under this bill.

Subsection (b) of this section provides that this bill shall not affect any pending administrative proceedings; while subsection (c) makes similar provision with regard to pending judicial proceedings. Subsection (d) covers transfer of records.

Section 1405

This section is the usual separability clause.

Section 1406

This section provides for the effective date of the bill, if enacted, and authorizes extension of the applicability of any provision of the act at the discretion of the authority if necessary in the public interest.

SUMMARY OF STATE AVIATION LEGISLATION

State aviation commissions

Seventeen of the 48 States do not have an aviation commission. Regulatory authority in these States is in various State agencies. For example, in Idaho the department of public works makes aeronautical regulations and rules; in North Dakota the railroad commission is empowered to makes rules and regulations and enforce them.

Thirty-one of the States have an aeronautical commission. Only 8 of these commissions serve with compensation. Only 7 of the 31 commissions have a full-time executive head, or director who receives compensation. Five of the State commissions receive a per diem compensation, the provision usually being that compensation shall not be over a certain figure a year. For example, Wisconsin allows $10 per diem, not to exceed $150 per annum, and Illinois allows $15 per diem, not to exceed $500 per annum.

Five of the States have aeronautical advisory boards, three of them without compensation, and in Iowa the department of the adjutant general acts in an advisory capacity.

Administration

The regulatory powers of the State aviation commissions vary in almost every State. A few States have very broad powers with respect to safety and economic regulation, the legislation recently passed in Alabama being an example. The majority of the States have given their aviation commissions a general or somewhat limited power, the emphasis being on safety regulation, but also including the right to make reasonable economic regulations.

In the case of California, authority with respect to aeronautical matters rests with the State legislature, excepting airports, which are under local control. In several other States the power to make rules and regulations is vested in various State agencies, such as in North Dakota, where the railroad commission has that authority.

Over 10 of the States have adopted most or all of the Federal rules and regulations as their own. Ten other States have specific provisions in their aeronautical legislation that rules and regulations must conform as closely as possible to Federal rules and regulations.

Licenses

Thirty-five States require a Federal license for both airmen and aircraft.

Five States require Federal or State license for both airmen and aircraft.

Two States require Federal and State license for both airmen and aircraft.

One State requires only a State license for both airmen and aircraft, although a Federal license is acceptable.

One State requires a Federal license for common-carrier aircraft only.

One State requires a Federal or State license for airmen, and only a Federal license for commercial planes.

One State requires no license for aircraft and a Federal license for airmen.

Two States require only a State license for airmen and aircraft.

Property taxation

The air lines are subject to real property taxes in all States with the exception of Pennsylvania. However, they generally lease rather than own their hangars and traffic solicitation offices, and operate from municipally owned fields, with the result that their direct payments of this type of tax are small in volume.

Personal property taxes are payable on at least the tangible personalty such as planes, offices equipment, spare motors, etc., in all States except, (1) Delaware, New York, and Pennsylvania, where all personal property is tax free, and (2) Idaho, Maryland, Massachusetts, Michigan, and New Hampshire, where planes are exempt, but some or most other tangible personalty is taxable. However, tangible personal property, like other property, is taxable only where it is held to have its tax situs, and few local assessors have asserted jurisdiction over the planes of commercial carriers. As a matter of fact, the tax situs of planes is subject to considerable question and will remain so at least until the Supreme Court decides the case of *Northwestern Airlines* v. *Minnesota*, which is now under deliberation. There are at least three conflicting theories on this subject. Some believe that planes operating in more than one State are taxable only at the corporation's domicile; since most of the air lines are domiciled in one of the States which exempts planes, this is about the equivalent of holding that the planes of the interstate carriers are not taxable. Others believe that planes are taxable only at the head office of the air line, the "commercial domicile." This theory exempts planes of several large companies whose head offices are in New York and Pennsylvania, two of the States which tax no personal property. A third theory holds that a State may tax as property a fractional part of the fleet of any air line using a port within the State, the fraction being computed as the ratio of route miles in the State to total route miles or in some other fashion reasonably designed to divide the fleet fairly among the States of operation.

The last theory of tax situs is the one which is likely to result in the most complete taxation of air-line property. Its standing before the Supreme Court will probably be made clear by the forthcoming decision in the Northwestern Airlines case. Thus far, only eight States have laws providing for this type of taxation on air-line property. These States are: Kentucky, Nevada, North Dakota, Oregon, Utah, Washington, West Virginia, and Wyoming. In these eight States, the property, both real and personal, is assessed by the State tax department rather than by local assessors, although most of the taxes collected on the assessments go to local governments.

Corporations operating air lines are subject to net income tax in 30 States and the District of Columbia. Most of the remaining 18 States do not have corporation net income taxes on any corporation; however, 3 States, New York, Oregon, and West Virginia, tax some corporations on this base but not air lines. There has been some question, however, whether a State could tax the net income of an air line which engaged in no intrastate commerce, with the result that there has been less taxation on this base than might be expected from the above figures. Furthermore, several of the most important air fields in the country are in States which have no corporation net income taxes, such as Florida, Illinois, Michigan, New Jersey, Ohio, Texas, and Washington.

Capital stock taxes are just about as widespread as corporation net income taxes. There is also the same constitutional question concerning an air line which engages in no intrastate commerce. For this reason and for the further reason that capital stock taxes are usually moderate in rate, the States derive very little from this levy on air lines.

Gross earnings taxes are believed to be applicable to air lines in only eight States—Arizona, Indiana, New Mexico, New York, Pennsylvania, Tennessee, Washington, and West Virginia. It has been assumed by all of these States they could not tax receipts from interstate commerce, and only a few of them, notably New York and Pennsylvania, have enough intrastate commerce to derive appreciable revenues from this source.

The air lines are subject to State unemployment compensation taxes on the same basis as other employers of the requisite number of persons. Aside from the fact that this tax accounts for the largest segment of the air

lines' State and local tax bills, there is nothing peculiar about its application to these carriers.

Taxation of privately owned planes follows the general pattern of taxation concerning commercial air lines. However, it is usually more efficient, because there is less confusion as to situs, and the assessment is done by local assessors and not tax commissions, as is the general rule with commercial equipment.

Gasoline taxation

Forty-three States impose a tax on gasoline used in aircraft. However, 29 of those States have provisions granting refunds of the tax paid. Some of the refunds, though, are only partial.

For example, in Kentucky there is a refund on gasoline used in interstate commerce; in Michigan there is a 50-percent refund made for gasoline used in scheduled interstate commerce; Virginia allows a refund for gasoline to be used outside of the State.

Five States have no tax on aviation gasoline; of those five, Kansas and Oklahoma have arrangements for an annual exemption permit which exempts the holder from the tax.

Fourteen States have no provisions for refunds and the money is used in various ways. Alabama, for instance, divides the money derived from gasoline tax equally between the highway department and counties and municipalities. Idaho, Maine, and South Carolina law provides that the money derived from such tax shall go into the State aviation fund.

In a few States—Georgia, Nebraska, and Oklahoma—gasoline used in aircraft that is being used for United States cadet-training purposes is exempt from taxation.

Airports

Every one of the States has legislation authorizing cities to construct and maintain airports. In some few instances an agency of the State itself has been authorized by the State legislature to own, construct, and operate airports. Most of this legislation expressly authorizes cities to accept grants of funds from the Federal Government and to further cooperate with the Federal Government in carrying out airport programs.

Airport zoning

There are now 28 States which have legislation authorizing airport zoning. Most of this legislation is not as comprehensive as the model act referred to under the section of this statement entitled "major points."

Mr. McCARRAN. Mr. President, I send to the desk and ask consent to introduce what I hope will be the aviation law for the United States in the future. The bill is not perfect, but it is, we hope, possessed of certain recommending qualifications and conditions which will finally bring about its approval by the Congress of the United States. We ask that the bill be referred to the Committee on Commerce.

There being no objection, the bill (S. 1790) to create an independent civil aeronautics authority and an independent air safety board, to promote the development and safety, and to provide for the regulation of civil aeronautics, and to assure to the United States world leadership in aviation, introduced by Mr. McCARRAN, was received, read twice by its title, and referred to the Committee on Commerce.

FEDERAL AID FOR READJUSTMENT OF VETERANS IN CIVIL LIFE—AMENDMENTS

Mr. McCARRAN submitted several amendments intended to be proposed by him to the bill (S. 1767) to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans, which were severally ordered to lie on the table and to be printed.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT

Mr. AIKEN. Mr. President, I submit a proposed amendment which I ask to have printed. The amendment would require all agencies and corporations owned or controlled by the Government to be audited by the General Accounting Office.

In accordance with rule XL of the Standing Rules of the Senate I give notice in writing that I intend to move to suspend paragraph 4 of rule XVI for the purpose of proposing the amendment to House bill 4070, in order that the amendment may be taken up and voted upon after the committee amendments to the pending independent offices appropriation bill shall have been disposed of.

The amendment intended to be proposed by Mr. AIKEN to House bill 4070, the independent offices appropriation bill, was ordered to lie on the table and to be printed, as follows:

At the proper place insert the following additional section:

"SEC. —. (a) The financial transactions of every agency or corporation of the Government of the United States, or created under its authority, either directly or indirectly (including any agency or corporation the majority of the capital stock of which is owned by the Government of the United States), except as provided in subdivision (d), for which an appropriation has been or shall hereafter be made by the Congress, shall, beginning with the fiscal year 1945, be audited annually by the General Accounting Office in accordance with the principles applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. A report of such audit shall be made to the Congress, together with such recommendations as the Comptroller General may deem advisable.

(b) The expenses of such audit shall be paid from moneys advanced therefor by each such respective agency or corporation, or from any appropriation for the General Accounting Office; and any such appropriation so used shall be reimbursed promptly by such agency or corporation as billed by the Comptroller. For the purpose of such audit the representatives of the General Accounting Office shall have access to all paper, books, files, accounts, financial records, and property belonging to or under the control of any such agency or corporation and shall be afforded full facilities for verifying transactions with the balances in depositaries and with fiscal agents: *Provided*, That the certified financial reports and schedules of the fiscal agents of any such agency or corporation based on commercial audits in the usual course of business may be accepted by the General Accounting Office in its audit of the financial transactions of any such agency or corporation as final and not subject to further audit or verification.

"(c) Any examination of the corporate records shall be made at the place or places where the records of such agency or corporation are normally kept in the transaction of its business.

"(d) The provisions of this section shall not apply to any agency or corporation of the Government the financial transactions of which are otherwise required to be audited under authority of Congress."

SPECIAL ASSISTANT, COMMITTEE ON MILITARY AFFAIRS

Mr. REYNOLDS submitted the following resolution (S. Res. 273), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Resolution 142, agreed to June 12, 1943, authorizing the Committee on Military Affairs to employ, during the fiscal year begining July 1, 1943, a special assistant to be paid at the rate of $3,300 per annum from the contingent fund of the Senate, hereby is continued in full force and effect during the fiscal year beginning July 1, 1944.

CONSTITUTIONAL AUTHORITY FOR ISSUANCE OF EXECUTIVE ORDERS

Mr. SHIPSTEAD. Mr. President, I observe that the chairman of the Committee on the Judiciary is present. I should like to ask a question of him concerning Senate Resolution 196, which was submitted by me. The resolution has been in the hands of the Committee on the Judiciary for some time. It deals with a request that the Committee on the Judiciary examine and make a determination as to the various Executive orders, for the purpose of determining the force of the authority upon which they are based. The resolution calls for an inquiry by the committee. I have been awaiting a report from the Committee on the Judiciary on the resolution. I should like to ask the Senator from Nevada if he expects to secure some action on the resolution within the near future.

Mr. McCARRAN. Mr. President——

Mr. BARKLEY. Mr. President, if the Senator will permit me to interrupt, I think I probably can answer the question. The resolution was brought up in the Senate a week ago by the Senator from Illinois [Mr. LUCAS], the chairman of the Committee to Audit and Control the Contingent Expenses of the Senate, to which committee the resolution had been referred. When unanimous consent was requested for consideration of the resolution that day, I asked that the resolution go over until I could look into it myself. I did so on my own responsibility. In view of the fact that various newspapers connected that action on my part with a visit I made that morning to the White House, I will say that the President had nothing to do with it. I do not know whether he even knew such a resolution existed. I thought the resolution was of such character that I should be allowed to look into it before it was brought up. My request for an opportunity to do so was granted, and the resolution automatically went to the calendar.

I have no desire at all to delay consideration of the resolution, but I desire to look into it. I think we probably can take it up one day this week, and dispose of it.

Mr. SHIPSTEAD. I thank the Senator.

ST. PATRICK'S DAY ADDRESS BY SENATOR O'MAHONEY

[Mr. AUSTIN asked and obtained leave to have printed in the RECORD the address delivered by Senator O'MAHONEY at the annual dinner of the Friendly Sons of St. Patrick

at Washington, D. C., on March 17, 1944, which appears in the Appendix.]

POST-WAR PROSPECTS—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address entitled "Post-War Prospects" delivered by him in Milwaukee, Wis., March 16, 1944, before the Paint, Varnish, and Lacquer Association, which appears in the Appendix.]

PROTECTION OF SMALL BUSINESS AFTER THE WAR—ADDRESS BY SENATOR BURTON

[Mr. BURTON asked and obtained leave to have printed in the RECORD an address on the subject Must Government Controls Be Continued After the War to Protect Small Business? delivered by him to the American Business Congress in New York City, March 17, 1944, which appears in the Appendix.]

EQUAL JUSTICE UNDER LAW: TOLERANCE ESSENTIAL TO DEMOCRATIC GOVERNMENT—ADDRESS BY SENATOR TAFT

[Mr. TAFT asked and obtained leave to have printed in the RECORD an address entitled "Equal Justice Under Law: Tolerance Essential to Democratic Government" delivered by him before the Akron Chamber of Commerce on March 3, 1944, which appears in the Appendix.]

DEVELOPMENT OF FOREIGN OIL RESOURCES—ADDRESS BY SENATOR MOORE

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address entitled "Should the United States Government Develop Foreign Oil Resources?" delivered by Senator MOORE at America's Town Meeting of the Air on March 16, 1944, which appears in the Appendix.]

ADDRESSES BY PEARL S. BUCK AND ADMIRAL H. E. YARNELL IN COMMEMORATION OF SUN YAT-SEN

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD addresses in commemoration of Sun Yat-sen delivered, respectively, by Pearl S. Buck and Admiral H. E. Yarnell, United States Navy, retired, at the Metropolitan Opera House, New York City, on March 12, 1944, which appear in the Appendix.]

ST. PATRICK'S DAY ADDRESS BY HON. JAMES A. FARLEY

[Mr. CLARK of Missouri asked and obtained leave to have printed in the RECORD an address delivered by Hon. James A. Farley under the auspices of the Catholic Club of St. Louis, at St. Louis, Mo., on the 17th day of March 1944, which appears in the Appendix.]

CHURCHILL AND THE ATLANTIC CHARTER—ARTICLE BY WILLIAM HENRY CHAMBERLIN

[Mr. LANGER asked and obtained leave to have printed in the RECORD an article entitled "Churchill Buries the Atlantic Charter" by William Henry Chamberlin, from the Progressive, La Follette's magazine, for March 13, 1944, which appears in the Appendix.]

BARUCH'S BONUS FOR BIG BUSINESS—ARTICLE BY ADDISON STEELE

[Mr. LANGER asked and obtained leave to have printed in the RECORD an article entitled "Baruch's Bonus for Big Business," by Addison Steele, from the Progressive for March 13, 1944, which appears in the Appendix.]

RUBBER AFTER THE WAR—ARTICLE BY HARVEY S. FIRESTONE, JR.

[Mr. BURTON asked and obtained leave to have printed in the RECORD an article entitled "What About Rubber After the War?" written by Harvey S. Firestone, Jr., and published in the Saturday Evening Post of March 4, 1944, which appears in the Appendix.]

GUARD DUTY IN NAVY YARDS BY EX-SERVICEMEN

[Mr. DAVIS asked and obtained leave to have printed in the RECORD a letter from Earl J. Thomas, commander, Navy Yard Garrison No. 508, Army and Navy Union, to Vice Admiral Adolphus Andrews, member of the Navy Manpower Survey Board, on the subject of guard duty in Navy yards by ex-servicemen, together with the reply thereto, which appear in the Appendix.]

SENATOR McNARY—POEM BY HORACE C. CARLISLE

[Mr. HILL asked and obtained leave to have printed in the RECORD a poem entitled "Senator McNary," written by Horace C. Carlisle, which appears in the Appendix.]

PRODUCTION OF FOOD—ADDRESS BY REPRESENTATIVE HOPE, OF KANSAS

Mr. CAPPER. Mr. President, last Thursday night I had the pleasure and profit of attending the food forum dinner in this city and listening to the food problem discussed from several different angles. There were present some 700 persons.

One of the most interesting speeches of the evening was made by Representative CLIFFORD R. HOPE, of Garden City, Kans., Member of the House of Representatives from the Fifth District of Kansas. When all is said and done, Mr. President, the food problem is basically a problem of production, food has to be produced before it can be distributed and consumed.

During this emergency the farmers of Kansas and of the Nation generally have done a magnificent job. With a serious labor shortage, with inadequate supplies of machinery, with his marketing problems complicated by tire and gasoline shortage, the American farmer nevertheless increased the food production of this country one-fourth in 3 years, measured by volume. Representative HOPE tells the story of the American farmer and the war in his address. I ask unanimous consent that it be printed in the RECORD at this point, as a part of my remarks.

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

Here in America, we are accustomed to taking food for granted. We overlook the fact that in all the history of mankind there has never been a period when a large proportion of the human race did not suffer for lack of food. Recorded history is full of stories of famines, one after another, coming right down to A. D. 1943. For a large part of the human race, life has always been a constant struggle to get enough to eat.

It is only in a time of stress like this, that Americans give much thought to food. Today, the rationing of certain important foods has made us food conscious. This is not because we are suffering from hunger or any possibility of actual hunger in the United States. The American people as a whole have lived better during the past 3 years, as far as food is concerned, than during any period of similar length in our history. That is, in spite of rationing, we have consumed more good, wholesome, nourishing food during that time than ever before. Furthermore, the distribution of this food among the people has been wider and more general than ever before in our history.

In addition to feeding its own people well, this country has produced sufficient food to supply our armed forces with the most generous and adequate food supply ever consumed by any army since time began and has had an excess to export to our allies and those living in occupied territory. For the year 1942, 13.6 percent of our food production went for military purposes and lend-lease; and for 1943, 25 percent went for this purpose.

Since the beginning of the war much publicity has been given industry and labor for our tremendous achievements in war production. This publicity is deserved. Too much credit cannot be given to this miracle of production. Much of it is spectacular and dramatic, and all of it is unsurpassed in the world's history.

The farmer's part in war production has not been dramatic. It has been given little publicity, but everyone familiar with the facts knows that the farmer's achievements in war production have been in many ways more remarkable than those of industry. It must be remembered that our increase in industrial production was possible because of tremendous expansion in plants and plant capacity, because of greatly increased personnel, and because of priorities which made it possible for war industries to secure the materials which they needed. Not so with the farmer. He secured an increase of 21 percent in total farm production between 1939 and 1943 and a 24-percent increase in food production during that time. The significance of this achievement is apparent when it is recalled that this increase was in spite of the fact that the farmer had less labor, less machinery, less fuel, and less transportation equipment in 1943 than he had in 1939. That is the miracle of farm production. It has been possible only because of the patriotic, untiring, everlasting work of the American farmer and every member of his family. Reports by the Department of Agriculture on the length of the farm day in Middle Western States show farm operators working from 12 to 13½ hours per day and hired workers almost as long. In many cases this is a 7-day week. Farmers out in my district jokingly refer to their 8-hour day—8 hours in the forenoon and 8 hours in the afternoon.

Since the war began the number of workers on the farms has declined 4 percent, but this does not begin to tell the story. From the beginning of the national defense program in 1940 to July 1, 1943, 2,600,000 actual or potential farm workers left farms and more than a million others took nonfarm jobs while continuing to live on farms. Those who left, particularly those called into the military service, were the younger workers, highly skilled in the use of farm machinery. All of them were experienced. Their places have been taken by unskilled workers, by women and children, by older men and women, all of whom have patriotically contributed their best to farm production but, of course, they cannot compare in skill and experience and physical strength with those who have been taken away by the war effort.

The same handicap has existed from the standpoint of machinery. The allotment of material for machinery for 1943 was 40 percent of the production for 1940. That doesn't mean, however, that farmers got 40 percent of the machinery they got in 1940. As a matter of fact, it is doubtful if they actually received 20 percent of the 1940 production. Allotments of material in many cases were not made until too late for delivery in 1943. In many other cases the allotments were not for the type of machinery most needed. For 1944

the allotment is 80 percent of the 1940 output, but no one believes that 80 percent will be delivered, and, as a matter of fact, right now several types of machinery needed in planting are unavailable. Prospects for harvesting machinery seem better. With ample labor, the shortage of machinery would not have been such a handicap. With ample machinery, the shortage of labor would not have been so serious. But what was accomplished was done in spite of serious and appalling shortages along both lines.

Attention must be called also to the fact that in many cases the farmer, at the request of his Government, has produced crops with which he had had no experience and for which he did not have suitable machinery. This is because the war effort required important shifts in production. We needed more fats and oils to replace the loss of imports. We needed more dairy products, eggs, pork, and lard to supply our allies. We needed more feed grains to take care of our increased livestock production. From 1939 to 1943 we increased our oilseed crops 145 percent, a considerable part of it produced by farmers who had never grown those crops before. The number of our beef cattle increased 27 percent between 1939 and 1943. Not only did we increase the number of hogs tremendously, but we grew them to greater weights so that pork production for 1943 was 68 percent more than 1939. Never in all our history have we produced anything like the quantity of meat which was made available during 1943. A statistically minded friend tells me that if all the cattle which were slaughtered in this country in 1943 could be represented by one gigantic steer, he could put his hind feet in the Arctic Circle, get a drink out of the Gulf of Mexico, and wrap his tail around the aurora borealis; and that if all the hogs could be made into one enormous hog, he could dig a ditch as big as the Panama Canal in two roots and a half. Then let's take a look at eggs and chickens, because there again is something to crow about. Between 1939 and 1943 egg production increased 39 percent and chickens 53 percent. We've come close to having two chickens in every pot.

Let's not forget that while the weather has a lot to do with the production of crops, when it comes to livestock it is all the result of good hard work. Let's not forget that these long hours of the American farmer were not spent in comfortable factories with all modern conveniences, but that most of them were spent under a broiling summer sun or in the Arctic winds of winter. Also, let's not overlook the fact that when we wanted war production, we not only gave the manufacturer adequate labor and whatever priorities were necessary for plants and machinery, but we arranged to pay whatever price he thought necessary to get production. The fabulous profits of industry are being cut down through taxes and renegotiation but, nevertheless, no manufacturer of war materials took any chance of a loss in his operations, and in many cases a large part of his operations were conducted on Government capital. Not so with the farmer. He has been held to a rigid price structure. In some cases he has had the assurance of support prices, but in all cases he has been limited to fixed ceilings. Along with this he has taken the risks as to weather, insect pests, and plant and livestock diseases, against which there is no insurance. In most cases he hazarded a large part of his capital in his season's operations. Yet few farmers have hesitated at these risks, and in almost all cases the goals set by the War Food Administration have been equaled and in many cases exceeded.

We hope the time will soon come when the war's end will make it possible for us to send some of our bounteous production to the undernourished people of the war-torn countries. The American farmer shares the willingness of all Americans to relieve this distress. He produced the food which fed the children of Belgium, France, and Germany after the other World War and, like all other Americans, he is willing to make whatever sacrifices are necessary to help the people of the occupied countries who have suffered most in this war.

We do not know when that time will come but when it does, the American farmer will be ready. He can be pardoned, however, for feeling some anxiety and uneasiness as to just what will happen when the war ends, especially if it should end suddenly, causing a decline in military and export demands. If this should be followed by widespread unemployment, incident to a change-over from war to peace, thus reducing the buying power of American workers, the problem might be serious. It is true that Congress has passed legislation guaranteeing a support price of 90 percent of parity on the most important agricultural commodities for 2 years after the war. This, however, does not necessarily solve the problem. If we should end that 2-year period with large surpluses, the effect on prices might be disastrous.

In the meantime, and as long as production is needed on a war-time basis, the American farmer is entitled to more assurance than he has had up to date as to his ability to secure labor, machinery, and transportation. Those things can and must be made available in greater amounts than in the past. If food is given the priority which it should have as an essential war requirement, there is still time to do much during this crop year along those lines.

I was asked to discuss the farmer's part in war food production. I cannot refrain in concluding from making a brief reference also to the splendid achievements of the food industry in processing and distributing this great food supply. It has done a magnificent job and the fact that there has been no profiteering by either farmers or the food trade is pretty well attested by the fact that there has never been a time in the history of this country when the American people were spending as small a proportion of their national income for food as they are today, only 21 percent. And, as heretofore mentioned, during the past 3 years our people have consumed more good wholesome nourishing food than ever before. If we were consuming the same quality and quantity of food that we did as a Nation in the period from 1935 to 1939, we would be spending only 16 percent of our national income for food.

One thing that is needed now, by both agricultural producers and processors, is a clear statement of our Government's policy on surplus disposal and on relief and rehabilitation following the war. All Government discussion of post-war programs up to date has failed to include agriculture. The Baruch report, while admirable in many ways, does not even touch upon the problem of agriculture except a brief reference to the disposition of surplus stocks. No post-war program can be considered adequate in any sense which does not take fully into consideration the fact that there will have to be an adjustment in the character and quantity of agricultural production following the war. There will have to be a carefully worked out plan for disposing of surplus stocks in order to protect both the processor and the farmer. The sooner definite programs can be worked out along these lines the better it will be for everyone.

NORWAY PAYS ITS WAY—ARTICLE FROM THE SATURDAY EVENING POST

Mr. WILEY. Mr. President, I ask that there be printed in the RECORD at this point an excerpt I have taken from the Saturday Evening Post entitled "Norway Pays Its Way." This is a short but remarkable article, showing how the little Nation of Norway, which before the war was not only paying its way but was creating a surplus each year, now that the war is on is utilizing its merchant marine, and with that not only maintains the interest charges upon its bonds, but is paying the cost of government, though Norway is occupied by the Nazis.

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

NORWAY PAYS ITS WAY

(By Leslie Roberts)

The check said to pay the Royal Norwegian Air Force $1,000,000, and Director General Erling H. Samuelsen, of the Norwegian Shipping and Trade Mission in Canada, signed with a flourish, as he does for equal or larger amounts whenever the Norse fliers ask for money. More goes from the mission in New York, for its merchant navy has been paying for Norway's war effort ever since German warships steamed up Oslo Fjord on April 9, 1940, and "Quisling" became another name for traitor.

At Little Norway, the airdrome in northern Ontaria where young Norwegian falcons learn to be fighter pilots, the commandant had talked about the war aims of the youngsters who have escaped from the homeland to fight. What they have on their minds, he said in back-of-the-throat English, is to set Norway free, nothing else. That is enough to occupy them for the present, because, to each youngster, freeing Norway means freeing his own family, his own girl, his own village, from the Nazi yoke. Focusing on such an objective leaves no time for abstract speculations. Gripped by an obsession, thousands of young Norwegians have escaped across the North Sea to Britain and Canada, thousands more through the back door into Sweden, thence overland across Siberia to take ship to North America. Before Pearl Harbor, many journeyed down through Japan in search of ocean passage. Others went by way of India, and some even trekked from Sweden to ports on the African coast. Often they took a year to make the base in Canada.

They were training under Norwegian instructors to do a special job for Norway. after polishing off in a Canadian service flying school, they would be shipped to Britain for induction into Norwegian squadrons which retain their national identity from C. O.'s office to cookhouse. They fly with the R. A. F., and up to the late fall of '43 had won 170 awards for bravery while amassing an ominous record in enemy aircraft destroyed, for which circumstance they give full credit to team flying.

EARNING FREEDOM THE HARD WAY

The commandant bristled visibly when asked, "Who pays the bills? Does the Canadian Government provide the air stations, hangars, aircraft, uniforms, food, and pay?" The query prompted the visit to the shipping mission, where the director-general provided answers which every citizen of the United Nations should paste in his hat to remember when judgment day comes and war's accounts are tallied.

At the time of invasion, Norway's merchant fleet tallied almost 5,000,000 tons and was the world's fourth largest. More important, almost 50 percent of the ships were less than 10 years old and many of them were fast Diesel-driven tankers and ships specially designed to carry perishables. Even before invasion, 54 ships, under charter to the British, had been lost by enemy action. Now wireless orders went to every Norse master, instructing him to make for the nearest friendly port and go to work for his own government.

Without one exception, the captains complied. Through 1941 and 1942 they carried half the oil and a third of all the foodstuffs which reached Britain. Throughout the battle of the North Atlantic a ship went down every second day. But the merchant fleet kept on slugging, taking such replacements as it could get and working the whole fleet under forced draft. By such devices less than 30,000 Norwegian sailors have footed the bill for their country's war effort, while the homeland itself has been locked in bondage. The sailor even pays his taxes as he would at home. Every krone of revenue, every öre of compensation, has gone into the government's coffers, alongside the country's gold reserves, which were sneaked out of Norway while the battle was at its height.

Paying for the war effort is not the only job. Other commitments are met on the nail. In 1943, a loan of $20,000,000, floated in 1923 in the United States, was paid in full on maturity. Norway is ready to send its check for a similar loan which will come due this year.

The result is a serious case of hero worship of the merchant seamen on the part of the youngster in a Norwegian uniform. Without them, he says, "we would have been fighting on the charity of our allies." You gather that the last thing any upstanding young Norseman wants is any part of any man's charity. He has a job on his hands—to set his beloved Norway free and to pay the bills as he goes.

EXECUTIVE AND INDEPENDENT OFFICES APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 4070) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1945, and for other purposes.

The VICE PRESIDENT. The pending question is on agreeing to the amendment of the Senator from New York [Mr. MEAD] to the committee amendment on page 13, line 1, inserting in lieu of the figures "$4,191,143", the figures "$6,146,000."

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

Mr. MEAD. I yield.

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

The VICE PRESIDENT. The clerk will call the roll.

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

Aiken	Ellender	Overton
Andrews	Ferguson	Radcliffe
Austin	George	Revercomb
Bailey	Gillette	Reynolds
Ball	Guffey	Robertson
Bankhead	Hatch	Russell
Barkley	Hawkes	Shipstead
Bone	Hayden	Stewart
Brewster	Hill	Taft
Bridges	Holman	Thomas, Idaho
Brooks	Johnson, Colo.	Thomas, Utah
Buck	Kilgore	Truman
Burton	La Follette	Tunnell
Bushfield	Langer	Tydings
Byrd	McCarran	Vandenberg
Capper	McClellan	Walsh, N. J.
Chandler	McFarland	Weeks
Clark, Idaho	McKellar	Wheeler
Clark, Mo.	Maybank	Wherry
Connally	Mead	White
Davis	Millikin	Wiley
Downey	Murray	Willis
Eastland	O'Mahoney	Wilson

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from South Carolina [Mr. SMITH] are absent from the Senate because of illness.

The Senator from Mississippi [Mr. BILBO], the Senator from Arkansas [Mrs. CARAWAY], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Rhode Island [Mr. GREEN], the Senator from Illinois [Mr. LUCAS], the Senator from Connecticut [Mr. MALONEY], the Senator from Florida [Mr. PEPPER], the Senator from Oklahoma [Mr. THOMAS], the Senator from Massachusetts [Mr. WALSH], and the Senator from New York [Mr. WAGNER] are absent on public business.

The Senator from Utah [Mr. MURDOCK], the Senator from Texas [Mr. O'DANIEL], and the Senator from Nevada [Mr. SCRUGHAM] are necessarily absent.

The Senator from Indiana [Mr. JACKSON] and the Senator from Washington [Mr. WALLGREN] are absent on official business.

Mr. WHERRY. The Senator from Nebraska [Mr. BUTLER], the Senator from Oregon [Mr. CORDON], the Senator from South Dakota [Mr. GURNEY], the Senator from Oklahoma [Mr. MOORE], the Senator from North Dakota [Mr. NYE], and the Senator from Kansas [Mr. REED] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent on public matters.

The VICE PRESIDENT. Sixty-nine Senators have answered to their names. A quorum is present.

The Senator from New York.

Mr. MEAD. Mr. President, on Thursday last we were discussing the amendment which I offered with reference to the appropriations for the Federal Communications Commission. I shall not require much time to complete my argument. I merely desire to sum up what I deem to be the essential points in support of my amendment.

The agency for which I plead for reasonable appropriations began the work involved in this appropriation in the early 1920's. It was not only a pioneer in the field of policing the air waves but it was alone in the field, and as a result it developed the only expertness in the field at that time.

There are two essential divisions of the Federal Communications Commission involved in these appropriations. One has to do with policing the industry or the air waves in this country and in our Territorial possessions. Speaking of transfers of activities to the War Department, in my judgment it would be just as reasonable to assume that we should transfer the F. B. I., the Secret Service, and the Postal Inspection Service to the War Department in time of war as to transfer this policing service of the air waves. The policing of the air waves is inherent in the activities of the Federal Communications Commission. It locates illegal stations. It keeps the industry functioning legally and smoothly. It furnishes aid to a dozen or more Federal agencies.

The other activity is that of monitoring—not monitoring the military statements or speeches emanating from enemy countries, but monitoring the propaganda emanating from enemy countries, monitoring the speeches delivered by representatives of lay agencies, not military agencies, and furnishing a report of its monitoring activities and results to many Federal agencies and numerous foreign governments.

If we deny the Federal Communications Commission the right to continue in this field, it is my judgment that duplication and quadruplication will result, and that the appropriations will be increased, not by a few hundred thousand dollars here and there, but by millions of dollars, in order that this work may be carried on by the several agencies to which these services are indispensable.

These two divisions, the monitoring division, having to do with broadcasts emanating from civilian agencies located within enemy countries, and the policing of the air waves to prevent illegal activities, eliminate espionage, and keep the industry within the law, have nothing to do with duplicating the efforts of the military agencies. They have their own services, which deal primarily with the movement of troops, the action of the military forces of the enemy, and such other matters as are primarily military in character.

These two civilian activities of the Federal Communications Commission render invaluable service to the Civil Aeronautics Authority, the Foreign Economic Administration, the Office of Strategic Services, the O. W. I., the State Department, and the new agency now in formation, referred to as U. N. R. R. A., and also in connection with our inter-American activities. In order that those agencies might receive efficient service, the President, after a review of the subject, created what may be termed a "policy board", a board on which all these agencies, including the Army and Navy, enjoy representation. This board has to do with the matter of the delegation, dissemination, and distribution of the services performed by this pioneering agency, the Federal Communications Commission.

On Thursday the statement was made in the debate that the President was interfering with the war effort, and that he should respect the letter received at the White House from the Secretary of War and the Secretary of the Navy. Mr. President, there is no politics involved in this activity, because, after all, it was the President who appointed Secretary Stimson and Secretary Knox. It was the President who assigned all the leaders having to do both with our military and our civilian agencies. When he appointed Secretaries Knox and Stimson, the cry went up that their appointments were political in character. Opposition among members of their own party was heard throughout the Nation. How can the President be consistently charged with political interference, at the same time that Knox and Stimson, who were criticized by members of their own party for taking these important assignments, are suddenly to be considered above and beyond all partisan influence and considerations? For my part, I am willing to believe that the President, as well as

the Secretaries, is above partisan considerations so far as the war effort is concerned.

Of course, the military agencies should have all the services they require, and they are provided for in their own appropriations. The military should have—and it does have it—all the cooperation this agency can give. But, Mr. President, the military may at times make mistakes. If I may cite but two, let me say that in the Truman committee report there was some meritorious criticism of the activity of the military in connection with the Canol project in Canada. If I were to cite another error which was probably made by one or the other of the military agencies, let me say, again referring to the Truman committee report, that a long controversy raged with respect to the construction of small boats. For months the Navy insisted on the design and production of its own small landing boats. Finally, after long delay, it joined the Army and followed the example of foreign countries by adopting the small landing craft built in this country by private enterprise.

Mr. President, in summation, allow me to say that the long history of the Federal Communications Commission in these particular fields, namely, the policing of the air waves, and the monitoring services, as well as their expertness as the result of long experience, should lead us, I believe, to the support of this agency and the appropriations which they require to carry out the functions to which I have referred.

Mr. President, it occurs to me that unless we provide them with adequate appropriations we will provide the military and civilian agencies with enlarged appropriations entirely out of proportion to the appropriations contained in the amendment which I have offered. Therefore, Mr. President, I trust that the appropriations for the Federal Communications Commission will be restored.

That is all I have to say on the subject except to ask permission to add to my remarks at this point in the RECORD a statement on the subject which I have prepared.

Mr. WHITE. Mr. President, reserving the right to object, is the statement which the Senator from New York has asked to have incorporated in the RECORD a statement which he himself prepared?

Mr. MEAD. Yes; it is a statement with reference to what I said in the debate last Thursday.

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

SOME OF THE THINGS RADIO INTELLIGENCE DIVISION HAS DONE DURING THE PAST 3½ YEARS

ILLEGAL AND ESPIONAGE RADIO OPERATIONS

1. It has uncovered more than 360 cases of unlicensed radio operations—some of these were serious—one was in the German Embassy 2 days after Pearl Harbor—others have been Japs in internment camps.

2. It has been called upon by other agencies to clear up tens of thousands of cases—9,000 of these required field investigations by mobile units equipped with special detection devices, about half of these cases were referred to F. C. C. by Army, Navy, and F. B. I. and about one-third were reported as subversive operations.

3. It helped convict the spies in the Brooklyn trial a couple of years ago by showing that the station which the spies were communicating with was in Germany.

4. It first uncovered Axis espionage radio operations in Latin America, intercepted the traffic thereby informing our Government of the vital information Germany was getting by this means and enabling our Government to make representations to South American governments, fixed general locations of espionage stations in South America from its direction-finding stations in this country, at request of State Department sent engineers to South America who determined exact location of the transmitters. As a result many powerful transmitters have been closed out and hundreds of Nazi spies rounded up.

5. Has located hundreds of Axis espionage circuits throughout the world.

6. Right after war began when Army reported every unidentified radio signal it heard on the west coast as a Jap spy, R. I. D. men were called and brought order out of chaos.

7. Cooperates fully with F. B. I., British, and Canadians, as well as other agencies of United States Government in work in this field.

INTERFERENCE

1. Has kept order in spectrum by keeping stations licensed by F. C. C. to their proper frequency, power, etc.

2. Many complaints are received every day by police, industry, commercial, safety, and governmental radio services that there is some signal interfering with important communications. Same facilities R. I. D. needs for work on espionage and illegal operations are used to track down the interfering signals and eliminate them.

3. Army and Navy rely on R. I. D. to do this work and are constantly calling on it to determine the signal interfering with one of their circuits. Not only are Navy transmitters repeatedly found to interfere with Army circuits and vice versa, but Navy transmitters with other Navy stations and Army stations with other Army stations. This work of R. I. D. constantly receives the highest commendation of armed services and others.

4. Two thousand cases involving interference to some circuit have required investigations by mobile units. Other tens of thousands have been handled by R. I. D. experts, who from experience can identify most any signal on the air merely by hearing it and by taking bearings over long distances from fixed R. I. D. direction-finding stations.

LOST AIRCRAFT

1. R. I. D., on request, has given emergency bearings to more than 400 lost aircraft—requests now come in to help military aircraft at a rate of at least 2 a day. Same service is also rendered Civil Aeronautics Authority and air lines.

2. R. I. D. appropriations over last 3½ years have been about $2,000,000. Lost aircraft saved by R. I. D. much more than make up for this, when it is considered a big bomber and crew in terms of investment run to $750,000 apiece.

INTERCEPTS

Other Government agencies including State Department, Federal Economic Administration, Office of Strategic Service, Federal Bureau of Investigation, Weather Bureau, Office of Censorship, and even Army and Navy rely on the Radio Intelligence Division to intercept much foreign radio and telegraphic traffic for the very important intelligence it includes.

TRAINING

R. I. D. men are recognized as the experts in the field and they have trained personnel in the armed services, men from South American countries as part of a hemispheric plan to combat Axis espionage, and men from other Government agencies.

MILITARY

On specific request, and only on specific request, R. I. D. has helped Army and Navy do jobs which they have not been able to do or which R. I. D. men can do better. Quantitatively this work has been rather small.

Mr. MEAD. If there is to be no further discussion, Mr. President, I ask for favorable action on the amendment.

The VICE PRESIDENT. Has the Senator from New York concluded?

Mr. MEAD. I have concluded. I now yield the floor.

Mr. McKELLAR. Mr. President, one of the provisions contained in this amendment was gone into very fully by the other House and also by our committee. I refer to the item of approximately a million and a half dollars for conducting the Radio Intelligence Division and the Foreign Broadcast Intelligence Service. It was found by the House and by the Senate committee as well, that this service was a duplication of what the Army and Navy is doing today. It seems that some time ago the authorities of the War Department and of the Navy Department got together and said that this activity should all be under the Army and the Navy. Unquestionably, in my judgment, that is true. In the judgment of the committee it was true. The committee was overwhelmingly of the opinion that there was a duplication of service which was not warranted by the facts presented.

It is true that Mr. Fly, the very energetic and able Director of the Federal Communications Commission, has been exceedingly active. He testified before our committee, and the committee heard his testimony for a day or two. During his testimony he pleaded very earnestly for the continuation of this service the appropriation for which the House left out, amounting to more than a million and a half dollars. After hearing him with the greatest of care, and with every consideration, the committee determined that there was almost entirely a duplication of effort, and that it was not necessary in the war effort. As we are in a very expensive war the committee agreed with the House of Representatives that this item should be eliminated.

As to the item of $300,000, the committee felt that during the war, during a time when it is very necessary to conserve our resources, this activity could get along with $300,000 less. There was a provision on page 12 of the bill to purchase "not to exceed 20 passenger-carrying automobiles." We thought that that would be extravagant at this time, and it was stricken out. After going into the matter very thoroughly we felt that of the House item of approximately $4,491,000 about a million and a half dollars should be eliminated and the amount of approximately $300,000 in the general appropriations should be cut down. The amendment of the Senator from New York is to restore both items. He has put them both together—the $300,000, which our committee cut out, and the item of $1,500,000 which the

House cut out. I think the amendment should be defeated.

We heard the testimony on behalf of the Federal Communications Commission. It has a very interesting activity. In times of peace we might well afford to be liberal with the people's money and give the Commission more money with which to experiment. Many of its activities comprise experimental work in the field of radio. Under other circumstances it might be proper to give the Commission these extravagant appropriations, but under the present circumstances it seems to me to be almost a willful waste of the people's money to grant these large appropriations. I am very hopeful that the Senate will vote down the amendment of the Senator from New York.

Mr. LA FOLLETTE. Mr. President, I am sorry to find myself in disagreement with the able chairman of the committee and with the majority of the committee insofar as the issues involved in the amendment offered by the junior Senator from New York [Mr. MEAD] are concerned. As I understand, the House struck from the Budget estimate $1,000,000 for the Radio Intelligence Division, $500,000 for the Foreign Broadcast Intelligence Service, $113,607 for new positions requested, $21,897 for the Personnel Division, and $19,353 for the Budget and Planning Division, making a total of $1,654,857.

Reading from the letter of the chairman of the Federal Communications Commission to the committee:

> The Commission is impelled to request the restoration of (1) the $1,000,000 cut off the estimate of the Radio Intelligence Division; (2) The $500,000 cut off the estimate of the Foreign Broadcast Intelligence Service; $46,369 for 15 new positions in the Foreign Broadcast Intelligence Service for expanding the coverage of Japanase broadcasts; and (3) $52,965 for 14 new positions in the Engineering and Accounting Department for rate and integration work required principally because of the recent merger of the domestic wire-telegraph carriers.

Mr. President, as I see it, the activities carried on by the Foreign Broadcast Intelligence Service and the Radio Intelligence Division are of vital importance. The Foreign Broadcast Intelligence Service monitors the broadcasts of enemy radio stations. Every Senator within the sound of my voice knows that propaganda is one of the new and modern weapons of war. It is new and modern because of the development of short-wave radio transmission, which permits the enemy to broadcast directly into the countries that are alined against them and every Senator knows full well that our enemies have made very important use of this new technique in attempting to reach the countries of the Allied Nations in an effort to create dissension within those countries and, insofar as possible, to break down the morale of the home front in the Allied Nations.

So far as I am able to ascertain, the Federal Communications Commission is simply a service agency insofar as its Foreign Broadcast Intelligence Division is concerned. It was set up at the specific request and suggestion of the State Department; and, if we pause a moment for consideration, it seems quite natural that the State Department should be the one Department which would primarily be interested in the propaganda which is filling the air waves 24 hours a day from innumerable radio stations located in the Axis countries and beamed directly to the Allied Nations. After this service was established other agencies of the Government became interested in it. Originally, the Board of Economic Warfare, because it was endeavoring to utilize the moneys made available to it to buy up strategic materials in the neutral countries of the world in an effort to prevent our enemies from obtaining them, naturally became vitally interested in enemy propaganda. I do not know how many Axis stations there are that beam propaganda to South and Central America, speaking in the language of the countries to which the broadcasts are beamed, but I should say that there are numerous stations which are on the air 24 hours a day trying to create dissension and to undermine the effort and unity of the nations in this hemisphere in their war effort. Naturally, any agency such as the Bureau of Economic Warfare, now, under the new Executive order, the Foreign Economic Administration, would be concerned to have the essential portions of the various Axis propaganda broadcasts monitored, that is, listened to, translated, and furnished to them at the earliest possible moment.

This service is also furnished to a large number of other agencies of the Federal Government now engaged in the war effort. I assert that there is no duplication whatever insofar as the monitoring of foreign propaganda broadcasts is concerned, and, if the amendment of the Senator from New York is not adopted, this service will be either crippled or completely eliminated. Mr. President, if we want to be an ostrich, if we want to take the position that we are not going to recognize the importance of enemy propaganda insofar as this war is concerned, then let the Senate vote down the amendment.

Furthermore, I wish to point out that since the war has progressed this work of the Foreign Broadcast Intelligence Service has been integrated with that of our allies, because, obviously, for geographical reasons, in a global war it is not possible to monitor all enemy stations from any one country, and, therefore, our activity in this field, having been commenced, as I have said, at the request of the State Department, has been integrated with that of the British and other allies and this information is merged each day by cable. The British have no good listening stations, for example, so far as the Japanese propaganda is concerned. Do Senators think it is unimportant to know what the Japanese propaganda short-wave stations are saying to the people of Burma when our troops are making some effort, feeble though it may be, to attack through Burma.

Mr. President, every person who knows anything about the war must be aware that the enemy propaganda had softened up the native population, so to speak, so that in the early stages of the war against Japan they were at least indifferent, if they were not hostile, to the British military operations.

The foreign propaganda is synchronized; it is a part of the common whole of our enemy's war effort; and yet we are now confronted with such a situation that if this amendment is not agreed to the one agency of this country which is prepared to carry on and has been carrying on this work, will find its work crippled or completely eliminated.

We will then either have to furnish more money to set up another agency in the Government to carry on this monitoring service, or we will have to be without the benefit of it, and I unhesitatingly assert that for us to take any such action as that proposed would be the height of stupidity, for our ears would then be closed to the propaganda efforts of the enemy being carried on by a myriad of high-powered short-wave radio stations which are a network in the Axis propaganda efforts. I cannot believe that the Senate of the United States would want to take any such action at this time.

Mr. President, the Radio Intelligence Division is another activity of the Federal Communications Commission. It was set up when the Commission was organized. It is the police arm of the Federal Communications Commission, insofar as the regulation and control of domestic broadcasting is concerned. Every Senator who is at all familiar with the subject of radio must know that, because of the way in which original licenses were granted, they were issued very freely. Under the Department of Commerce procedure in the early days, licenses were issued in the order in which they were filed, and while I do not know whether it was a facetious story or not, I was told about a man years ago who wanted a radio station in his home town who came to Washington and kept the taxi waiting while he went into the Department of Commerce, got his license, put it in his pocket, went back to the train, and returned home to establish his station. That is not in criticism of the Department of Commerce. First of all, we were in the early years of this art, and, secondly, the courts had rendered a decision which indicated that applicants were entitled to licenses.

As a result, the broadcast band of the radio spectrum is jammed, and every Senator who listens to the radio must know that to be a fact.

The only way by which the ether can be kept in a condition so that the listener may get fairly decent service will be as a result of the Radio Intelligence Division activity in keeping the domestic broadcasters within the terms of their licenses so far as wave bands, power, and other operating features are concerned. The only way that can be accomplished is by having a network of monitoring stations, as well as portable monitoring outfits which can go into the various areas and make certain that the broadcaster has not expanded his band, is not broadcasting on a broader

band than he is entitled to use, or that he is not feeding more power into his broadcasting equipment, thus creating more interference than would otherwise be the case.

Furthermore, the Radio Intelligence Division polices the ether to prevent unnecessary interference because of faulty electrical equipment, such as X-ray equipment, diathermic machines, faulty transformers, leaky high transmission lines, and other things not related to radio which cause electrical disturbances, but because of the high frequency with which those electrical devices throw off their interference they destroy the effectiveness of any particular radio broadcast band.

Mr. President, if we reduce the appropriation as drastically as the House has reduced it, and as the Senate committee has recommended that it be reduced, we will be crippling the police arm of the Federal Communications Commission, which it has established in order that it may discharge the responsibility which it has to discharge as the result of an act of Congress.

I do not make any invidious charge, so far as broadcasters are concerned, that they will take advantage of this situation if they know that the Senate and the House have decided to impair this police service, but I do say that we all know that in every line of business—in every activity in the country—there are those who will take advantage of such a situation, and in the crowded condition which exists in the broadcast band or segment of the radio spectrum I say that such violations might seriously impair the service rendered to the people of the United States by the radio broadcasters. Certainly in time of war we should not do anything to impair that service. It is of vital importance that the people of the United States shall have the best possible reception from their broadcast stations in time of war.

Mr. BURTON. Mr. President, will the Senator from Wisconsin yield?

Mr. LA FOLLETTE. I yield.

Mr. BURTON. The Senator has been dealing with two separate subjects.

Mr. LA FOLLETTE. Yes.

Mr. BURTON. The appropriation for the Foreign Broadcast Intelligence Service, amounting to half a million dollars, and the appropriation for the Radio Intelligence Division, involving a million dollars. As I understand, the proposal before the Senate will require that we act on both subjects at the same time. Does the Senator intend to afford us opportunity to act on each separately?

Mr. LA FOLLETTE. I have not any control of that. The pending amendment is sponsored by the Senator from New York [Mr. MEAD]. I have merely been seeking, since there are not many Senators present, to make it plain for the RECORD that there is a fixed responsibility in this matter, and I merely took up and discussed those two separate divisions, so that I could attempt to eliminate what I fear is some confusion in the thinking of Senators who are not on the committee, and who have not had opportunity to go into this matter.

I may say as an aside, that I think that in all probability, in view of our subsequent involvement in war, the Commission probably chose bad names for both these divisions by incorporating the word "Intelligence" into them, because that immediately arouses in the minds of Senators and other interested parties the idea that they have something to do with military or naval intelligence. I shall show, as I proceed, that it is only incidentally, and only as they are specifically requested to do so by the Army or Navy, or divisions thereof, that any military or naval intelligence service is rendered by either one of these divisions of the Federal Communications Commission.

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

Mr. LA FOLLETTE. I am glad to yield.

Mr. BURTON. Am I to understand that there is any necessary relationship between these two items? Might it not be possible that Senators who wish to preserve the Foreign Broadcast Intelligence Service with an appropriation of $500,000 would like to vote to do so, and yet be opposed to using $1,000,000 against the recommendations of the War and Navy Departments? Yet the pending question requires us to approve the $1,000,000 as well as the $500,000 in order to save the $500,000 item.

Mr. LA FOLLETTE. Of course, Senators may have a feeling about either one of these services. So far as I am personally concerned, I think they should both be continued in operation. But Senators may differ about that. As I say, however, the amendment is sponsored by the Senator from New York [Mr. MEAD] and is not in my control.

Mr. BURTON. I thank the Senator.

Mr. LA FOLLETTE. Mr. President, with that brief statement in a preliminary way I wish to discuss this matter in a little more detail. I listened to the entire debate on Thursday, and the only basis that I understood to be advanced for the proposal to cut $2,163,857 from the appropriation for the Federal Communications Commission was that its war activities duplicated the work of the Army and the Navy. I have been unable to find any evidence in either the record of the House committee or in the record of the Senate committee, or in the debate on last Thursday, to support that contention, unless it be the letter made public by the Cox committee of the House, from Admiral Leahy addressed to the Secretary of the Navy, and before I conclude I shall make further reference to that letter. But there is no other evidence that I am able to find in either the testimony taken by the House committee or the testimony taken by the Appropriations Committee of the Senate.

As to $1,163,857 of the amount proposed to be cut, it has not even been suggested by anyone that any duplication is involved. The House reduced, as I have said, by $500,000, the amount which is necessary for the work of the Commission's Foreign Broadcast Intelligence Service. That is a purely war activity, and one established at the request of the Secretary of State.

The Commission is engaged 24 hours a day in listening to and recording foreign radio broadcasts and reporting on them to several hundred offices throughout the Federal Government—in the Office of War Information, in the State Department, in the Foreign Economic Administration, in the Office of Strategic Services, in the Army, in the Navy, and others. The Army and Navy do not do this work. No other agency in the Government does this work. The Foreign Broadcast Intelligence Service is the only agency which we have for finding out what the enemy is saying over the radio to its home population, and, what is more important, Mr. President, what it is saying to our population and to the populations of every other country in the world, Allied or neutral, outside the Axis.

The Army and Navy have not asked that this work be transferred from the Commission, and so far as I am able to ascertain—and I have gone to the trouble of making some inquiries—they are completely satisfied with the service which they receive from the Commission.

The Senator from New York [Mr. MEAD], during his discussion on last Thursday, put in the RECORD letters from various Army and Navy officials indicating complete satisfaction and in many instances enthusiastic approval of the work being done by the Federal Communications Commission. I heard it whispered around the Senate off the record that those letters had been solicited by Mr. Fly or by someone in the Federal Communications Commission. I do not believe that to be a fact, and if Senators will read Dr. Leigh's testimony they will see that he pled with the chairman of the committee to make a genuine effort to find out on the initiative of the Appropriations Committee what the various branches of the Army and Navy felt about its work. But the chairman did not feel that that was in his province. However, I will digress long enough to say that in my opinion, before striking down or crippling these two Divisions, it would have been better if the Appropriations Committee had made a thorough investigation of the matter. The blind swinging of the appropriations ax, Mr. President, may turn out to be of benefit to our enemies rather than to that of the taxpayers of the United States.

The balance of this $1,163,587 portion is taken from the Commission's regulatory functions which no other agencies perform. Therefore we can eliminate any question of duplication in connection with the work covered by that amount.

That leaves $1,000,000 as to which even a question of duplication has been raised. This concerns the work of the Commission's Radio Intelligence Division. Even here we have been given only general and unsupported statements. No facts whatever are cited in support of it, so far as my reading of the House and Senate committee hearings and the debate on last Thursday are concerned. The Radio Intelligence Division monitors the radio spectrum.

Mr. BRIDGES. Mr. President——

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Does the Senator

from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. I yield.

Mr. BRIDGES. I was not in the Chamber when the Senator from Wisconsin began to speak, but I should like to ask him how he divides the increase called for by the so-called amendment offered by the Senator from New York [Mr. MEAD]?

Mr. LA FOLLETTE. As I understand, the House cut out $1,000,000 from the Radio Intelligence Division. The House cut $500,000 from the Foreign Broadcast Intelligence Service. I am now reading the figures from Mr. Fly's formal letter requesting restoration of funds cut by the House. New positions requested, $113,607. Personnel Division, $21,897. Budget and Planning Division, $19,353. Which makes a total of $1,654,857 cut by the House below the Budget estimates.

In his letter the Chairman asked for the restoration of the $1,000,000 cut off the estimate of the Radio Intelligence Division. He asked for restoration of the $500,000 cut off the estimate of the Foreign Broadcast Intelligence Service, $46,369 for 15 new positions in the Foreign Broadcast Intelligence Service for expanding the coverage of Japanese broadcasts, and $52,965 for 14 new positions in the Engineering and Accounting Departments for rate and integration work required principally because of the recent merger of domestic wire telegraph carriers.

Then, as I understand, the Appropriations Committee of the Senate, instead of restoring any of these items, made a further cut. I hope the Senator from New York will correct me if I am mistaken, but my understanding is that his amendment provides for the restoration of the amounts asked for by Mr. Fly in his letter, insofar as the cuts of the House are concerned, and the restoration of the cut of the Senate Appropriations Committee. Is that correct?

Mr. MEAD. Mr. President, will my colleague yield?

Mr. LA FOLLETTE. I yield.

Mr. MEAD. That is correct, except on page 12, line 2, there is one amendment which is not included in the amendment I sent to the desk. That can be restored by merely eliminating the figure recommended by the Senate committee, and by accepting the figure "$2,209,000" which came from the House. But other than that, I have restored in my amendment the five items the Senator has set forth, except the one item on page 12, line 2, which can be restored, as I have said, by merely eliminating the Senate committee's figure, and accepting the figure "$2,209,000."

Mr. LA FOLLETTE. In other words, except for the amendment on page 12, my statement was correct, and the net effect would be as I stated, if the Senate committee's amendment on page 12 were rejected.

Mr. BRIDGES. Mr. President, what I was referring to, if the Senator will permit me to say so, was the amount of the so-called Mead amendment which would be applied to the regular functions, as segregated from the special functions referred to.

Mr. LA FOLLETTE. It is my understanding that $1,163,587 is the portion taken from the Commission's regulatory functions—namely, the functions of the Radio Intelligence Division. I previously said, before the Senator entered the Chamber, I think, that the Commission made a mistake when it selected that name, because during war it immediately creates in the minds of people the impression that military and naval intelligence activities are referred to. However, the record shows, and my personal checking also shows, that the Radio Intelligence Division does no military or naval intelligence work unless it is specifically requested to do so by someone in the Army or in the Navy.

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

Mr. LA FOLLETTE. I yield.

Mr. BRIDGES. Is it the Senator's thought that the Radio Intelligence Division, so-called, is a permanent function of the Commission, and would continue, regardless of the emergency period through which we are now passing?

Mr. LA FOLLETTE. I think that in response to some requests from the Army and Navy the Federal Communications Commission has expanded that service as a part of the wartime activity. But according to my understanding of the subject, the Commission had a Radio Intelligence Division—it may not have been called by that name, but performed the functions of the Radio Intelligence Division—practically from the time when the Congress passed the Federal Communications Commission Act. That Division is the police arm of the Commission. It is the branch of the Commission which keeps broadcasters within the terms of their licenses, insofar as their wavelength bands, their antenna systems, and the amounts of power used are concerned.

Mr. BRIDGES. Mr. President, can the Senator cite evidence or authority as to who requested the Commission to expand that service in wartime?

Mr. LA FOLLETTE. The only evidence I have is that contained in the hearings. The Foreign Broadcast Intelligence Service, as distinguished from the Radio Intelligence Division, was set up at the request of the Secretary of State. The wartime activity of the Radio Intelligence Division, as I understand it, was undertaken at the request of various sections of the War Department, the Navy Department, and the Coast Guard.

Mr. BRIDGES. Can the Senator refer to any specific statements in that connection? I have heard that statement made on many occasions but I have not been able to locate any authority for the statement to that effect which the Senator and others have made.

Mr. LA FOLLETTE. The statement was made by Chairman Fly and by Commissioner Jett, and was not contradicted by any other person or by any testimony or by any documents or letters in the hearings of the Senate Appropriations Committee.

Mr. BRIDGES. If the Senator from Wisconsin, able and searching as he is, is unable to find any evidence of a direct request for the service, or if there is none in the record, would it not be fair to assume that none existed?

Mr. LA FOLLETTE. No; I do not think that would be fair at all, in the face of the uncontradicted testimony by the Chairman of the Commission and by Mr. Jett, a member thereof.

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

Mr. LA FOLLETTE. I am glad to yield.

Mr. McKELLAR. In a moment I shall read from the testimony of the heads of the Army and the Navy as to this point; I shall read from the House committee report. I understood the Senator to say a while ago that the military intelligence service was to be for the use of the Army and the Navy, when the Commission was called upon by them. I believe Mr. Fly so testified, and I think the Senator is correct in that statement.

I desire to call the Senator's attention to the following language by the Secretary of War and the Secretary of the Navy:

> Since radio intelligence develops information as to the movements and dispositions of the enemy, it is essential, for reasons of coordination and security, that there be full military control.
>
> Since the responsibility for military action rests with the armed forces, the responsibility for obtaining the technical information governing that action must also be in the armed forces.
>
> Military activities have been hampered by severe shortages of trained personnel and critical equipment essential to radio intelligence.

And so forth. So, Mr. President, we have the head of the Army and the head of the Navy saying that this military intelligence must be under the control of the Army and the Navy. Certainly, that should meet with the approval of Mr. Fly. Then, who in the Army or the Navy will call upon Mr. Fly or the Federal Communications Commission for military intelligence?

Mr. LA FOLLETTE. Mr. President, I think we are again confused because of the unfortunate name which has been attached to this Division. It is called Radio Intelligence; and, naturally, many persons jumped to the conclusion that the activity of the Division was in the field of military and naval intelligence. Such is not the case. The main activity of the Radio Intelligence Division has been to discharge the responsibility, fixed upon it by statute, to police the domestic radio wave bands. Incidentally in the course of that activity—for, as every Senator knows, broadcasting stations are operating all over the Nation, and in our Territories—it is necessary for the Commission to monitor radio stations; and for many years the Commission has had set up fixed monitoring stations, as well as portable monitoring stations which go from place to place, to make certain that the broadcasters are keeping within the terms of their respective licenses, as I have said before, insofar as their power, their antenna systems, their equipment, and the use of their particular kilocycle assignments on the radio wave-bands are concerned. When the attack on Pearl Harbor occurred, the Army and the Navy had

no such system. In monitoring the broadcast spectrum and the short-wave broadcasting stations—Senators must bear in mind that there are private concerns which are licensed short-wave broadcasters—it is true that the Commission has picked up military information. In listening to what came over the air the Commission inevitably obtained such information. For instance, the Senator knows that the Commission obtained a "fix" on a radio station located in the German Embassy in Washington, which it was successful in locating, fortunately, so that the station never had an opportunity to communicate with Germany. But, Mr. President, I think the evidence shows, as I previously stated—with the exception of Admiral Leahy's letter, which I shall come to—so far as the testimony before the House committee or the Senate committee is concerned, that there is not one scintilla of either oral or written testimony, or documents, to contradict Mr. Fly's unequivocal statement, supported by that of Commissioner Jett, that the Radio Intelligence Division does not perform any military or naval intelligence work unless requested to do so; and it has been requested to do so.

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

Mr. LA FOLLETTE. I will be glad to yield in just a moment.

One other thing which this agency must do is to make certain that merchant ships at sea have proper radio equipment, and to make certain that when it is desired to use it for emergency purposes, any interfering broadcasts which are taking place from our private broadcasters in the United States shall be discontinued.

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

Mr. LA FOLLETTE. I yield.

Mr. McKELLAR. I wish the Senator would let us know what military leader has asked for this service. The Secretary of War has not asked for it. The Secretary of the Navy has not asked for it. The commanding generals of the Army have not asked for it. We had no evidence before us to show that anybody was asking for it. I believe Mr. Fly said that some general said he wanted it, and some colonel said he wanted it; but I believe that was only a casual conversation. Those gentlemen are under the control of the military leaders, and our military leaders have certainly not asked for it. Indeed, they have signed a statement to the effect that they have all the military intelligence service that is necessary. They think that such activities ought to be under their control. They are now under their control, and this other service is not needed. That is the reason why the committee acted as it did.

Mr. LA FOLLETTE. I recall the statement that they were specifically requested to monitor ship traffic for the Coast Guard since the beginning of the war. I remember specifically that they have been asked to assist the Air Corps in the location of lost aircraft. According to my recollection of the testimony, more than 400 lost aircraft have been located at the specific request of the particular branch of the service under whose direction those planes were flying, in order that they might get what is called a fix by taking the waves from transmitters from different angles. The statement was made in the record that, entirely aside from the personnel saved, the value of the equipment saved for the various armed services and for the Coast Guard is more than the amount of this appropriation.

Mr. McKELLAR. No Army officer or Navy officer testified to that effect.

Mr. LA FOLLETTE. Mr. President, that does not disturb me at all. This testimony was given by Mr. Fly. It was given by Mr. Jett, and there was no evidence introduced into the record before either the House committee or the Senate committee to refute that testimony. So far as I am concerned, I think that under any proper rules of evidence the burden of proof should be upon the committee, or upon someone else, to show that this service should be crippled or stricken down.

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

Mr. LA FOLLETTE. I yield?

Mr. BRIDGES. The Senator from Wisconsin always assumes a fair attitude in debate. Does he not believe that if Mr. Fly, Mr. Jett, or anyone else made the statements which he attributes to them, such statements should be substantiated by a showing that someone in authority in the Army or Navy requested the service? I have not been able to find such a request in the evidence, and I should like very much to have the Senator from Wisconsin point out anything in the record which shows that someone in authority formally requested the service. I mean by that the Secretary of War, the Secretary of the Navy, the combined Chiefs of Staff, Admiral King, General Marshall, or someone with like authority.

Mr. LA FOLLETTE. On the second day that Mr. Fly appeared before the committee, he testified that on the previous day, while his testimony was in progress, the Radio Intelligence Division had been asked to take a bearing on a plane lost at sea. In the record there are several letters mentioning specific instances of planes which have been thus discovered, at the request of some branch of the military service. Without such a request, the Federal Communications Commission might not even know that the plane was lost. It is obvious that it must be requested to take this action, because as the Senator knows, the flight of military, naval, and Coast Guard aircraft is a matter of the highest military secrecy. The Federal Communications Commission could not be brought into the picture unless a request were made for its assistance.

So far as I am concerned, I am assuming that Mr. Fly and Mr. Jett were telling the truth before the House committee and the Senate committee, there being no substantive evidence to disprove their statements.

Mr. BRIDGES. The Senator is proceeding on the assumption that the testimony which they gave was correct. It is fair to assume, then, that he knows, from reading the testimony, that there are certain informal examples, but that he knows of no formal request from the Army or Navy for this specific service of the Federal Communications Commission.

Mr. LA FOLLETTE. Let me refer to one letter which is in the record. It reads as follows:

HEADQUARTERS, SEVENTH AIR FORCE,
OFFICE OF THE AIR FORCE COMMANDER,
A. P. O. No. 953, May 15, 1943.

Subject: Assistance rendered by Federal Communications Commission in locating lost airplanes:

To: Federal Communications Commission, Supervisor Radio Security Center, P. O. Box 3886, Honolulu, T. H.

1. In the past months numerous calls have been made upon the Federal Communications Commission radio facilities to obtain bearings and fixes upon lost airplanes. These bearings and fixes have proven accurate and most helpful. In one palticular instance on March 5, 1943, the assistance rendered by the Federal Communications Commission resulted in the prompt locating and rescuing of the crew of a bomber forced to land at sea.

So far as I am concerned, that one instance is enough to justify every dollar of the appropriation. If Senators are not interested in saving flyers for the sake of their wives and families, they certainly ought to be interested in them from a monetary standpoint, because we have spent thousands of dollars in training every one of them.

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

Mr. LA FOLLETTE. Not at the moment. I wish to finish reading the letter:

On another occasion, March 19, 1943, bearings received from the Federal Communications Commission assisted in locating a plane which was in imminent danger of being forced to land at sea. Largely as a result of these bearings this forced landing was averted.

2. Other instances too numerous to mention have occurred in which the assistance given by the Federal Communications Commission has been of inestimable value. The facilities of Federal Communications Commission have been, and still are, absolutely necessary to the successful operation of the Army's lost-plane procedure in the Hawaiian area.

3. I wish to commend the Federal Communications Commission and its men responsible for this assistance. It has been of great value and in numerous cases directly responsible for the saving of lives and valuable equipment.

WM. J. FLOOD,
Brigadier General,
United States Army, Chief of Staff.

Mr. President, as I stated while I was reading the letter, if the Commission's activities in this field were carried on as a result of its own necessary duty in monitoring the radio spectrum, and it found these lost planes as an incident to such activities without a request of the Army or Navy, so far as I am concerned, I am glad to see those men and that equipment saved. This letter clearly shows that the Seventh Air Force in Hawaii has been making requests, in the general's own language, "too numerous to mention."

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

Mr. LA FOLLETTE. I yield.

Mr. BRIDGES. The Senator does not mean to infer that anyone who is against

this appropriation wishes to see American flyers killed or American planes lost, does he?

Mr. LA FOLLETTE. Of course not, but I wish to bring the facts before the Senate, and I should like to have this matter considered, if possible, on its merits. I do not believe it is being considered on its merits. I want the RECORD to show, before Senators vote, exactly what the facts are insofar as I have been able to obtain them. Thereafter, of course, any Senator who votes another way I shall assume is voting because of his judgment and his belief that it is the wise thing to do. However, with regard to the important phase of the activities of the Federal Communications Commission in policing the domestic radio spectrum, in the service they are performing in assisting in locating lost planes and in eliminating and preventing the activities of enemy agents utilizing short-wave transmission, I want to see them continued. I do not wish to see them struck down for reasons other than those which are here in the record.

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

Mr. LA FOLLETTE. I yield.

Mr. McKELLAR. I do not know what other reasons the Senator could have. We were told by Chairman Fly, when he came before our committee, that he wanted to be heard, and I think we heard him with fairness and consideration.

Mr. LA FOLLETTE. I am not making any complaint about the hearings.

Mr. McKELLAR. We gave him every consideration.

Mr. LA FOLLETTE. I have made no complaints about the hearings.

Mr. McKELLAR. I thought perhaps the Senator was complaining.

Mr. LA FOLLETTE. The Senator from New Hampshire [Mr. BRIDGES] asked me whether I thought Senators would not be interested in the saving of lives, and I simply wanted to say that I was putting the facts in the RECORD so that every Senator would at least be presumed to know what he was doing when he voted on this amendment, and that I did not want to see the amendment defeated for reasons which are not in the public record.

Mr. McKELLAR. Mr. President, the Senator refers to a lone instance in which a plane cracked up.

Mr. LA FOLLETTE. No; I quoted the general's letter in which he said, among other things, that in addition to these specific instances—

> Other instances too numerous to mention have occurred in which the assistance given by the Federal Communications Commission has been of inestimable value. The facilities of the Federal Communications Commission have been, and still are, absolutely necessary to the successful operation of the Army's lost-plane procedure in the Hawaiian area.

Mr. President, I do not wish to divulge anything which by direction or indirection might be considered to be military information, but I do wish to say that all any Senator needs to do is to look at a map of the Pacific in order to realize that in the operations in the Pacific there lies the greatest hazard from the loss of planes and equipment.

Mr. McKELLAR. Mr. President, if the Senator will permit me, I wish to say that many times private radio companies have saved lives in exactly the same way, but I should doubt the wisdom of subsidizing private radio companies under such circumstances, just as I am opposed to subsidizing this particular civilian activity of the Government.

Mr. LA FOLLETTE. Mr. President, this is not a subsidy. This is an appropriation to carry out the statutory functions of the Federal Communications Commission. They are charged with the responsibility of seeing that all licensed broadcasters in the United States, and in all the Territories of the United States, operate in accordance with their licenses so far as radio frequency, their antenna system, their equipment, and the amount of power fed into the system is concerned. Every Senator who listens at all to the radio in the United States, especially if he is located near a metropolitan center, knows that it is absolutely essential to keep every broadcaster within the terms of his license lest the already confused situation in the broadcasting spectrum be made more so by unauthorized utilization of power or of frequency.

Mr. MEAD. Mr. President, will my colleague yield to me?

Mr. LA FOLLETTE. I yield.

Mr. MEAD. In addition, the Federal Communications Commission have the second duty, namely, to protect the broadcasting system of the country from illegal interference.

Mr. LA FOLLETTE. Certainly. I have mentioned that. For instance, if a transformer at a subpower station near Philadelphia on the Pennsylvania Railroad System begins to leak it may upset the entire reception of radio signals for miles around, because of the leak being of a high-frequency character. It is the duty of the Commission, under the law, to locate that leak and have it corrected. They do that all the time. I have before me a map which shows where these stations are located. I shall be glad to show the map to any Senator who desires to look at it. It will be seen that the stations are scattered at strategic places all over the United States, and are located at those places for the reason that broadcasting extends all over the United States. It is necessary for the Commission constantly to monitor those stations in order to make certain they are operating according to their licenses. It is also necessary to locate unnecessary interference as a result of transmission lines, and transformer or power-station leaks. It is also necessary to locate the use of equipment of a high-frequency character such as X-ray, diathermy, and other machines of a similar nature.

Mr. MEAD. Mr. President, will my colleague yield to me?

Mr. LA FOLLETTE. I yield.

Mr. MEAD. The statement has been made that military experts have casually made mention of this service, and the Senator has just touched upon a very vital area. I hold in my hand a letter which is not in the record or in the hearings, and, because of its confidential nature, I cannot quote it in its entirety, but it bears on the activities indicated on the mapped area which the Senator has just mentioned. It commends the Federal Communications Commission for their services in the west coast-Hawaiian areas. It concludes by saying:

> Insofar as it will not interfere with the continued functioning of this service, the Army Air Forces are pleased to have the opportunity to make emergency use of your present direction-finding facilities.

The letter is signed by H. H. Arnold, lieutenant general, commanding general of the Army Air Forces.

Mr. McCARRAN. Mr. President, will the Senator from Wisconsin yield in order that I may propound a question to the Senator from New York?

Mr. LA FOLLETTE. I yield.

Mr. McCARRAN. Are we to understand from the excerpt which was read by the Senator from New York that neither the Army nor the Navy deems this service to be essential?

Mr. MEAD. We are to construe it, if I may say so, as a commendation by the Army and Navy of the Federal Communications Commission for its cooperation in the past, and as an expression of their desire to make continued use of these direction-finding facilities.

Mr. McCARRAN. But nothing in the excerpt read by the Senator from New York is to be construed as an expression of the Army or the Navy that this service is not essential.

Mr. MEAD. Nor is it to be construed in any way to take issue with the findings of the Commander in Chief, who took issue with the Secretary of War and the Secretary of the Navy.

Mr. LA FOLLETTE. Mr. President, the Radio Intelligence Division monitors the radio spectrum to detect any unlicensed radio activity; and it is engaged in running down and eliminating radio signals from the improper operation of authorized transmitters and many medical, commercial, and industrial devices which interfere with our essential radio circuits. This work has been lodged by the Congress in the civilian agency charged with regulation of radio since the first Radio Act of 1910—the Department of Commerce until 1927, the Federal Radio Commission from 1927 to 1933, and the Federal Communications Commission since 1934. Through the years in the past and through the years to come it has been and will be the duty of the Commission to license stations, to see that they are operated so as to avoid interfering with other stations, and to patrol the ether to detect any unlicensed operations. This is the necessary and continuing function of this regulatory Commission.

Yet if the action of the House and the recommendation of the Senate Appropriations Committee shall be accepted, the activities of the Radio Intelligence Division will be crippled and rendered practically ineffective.

Even if the question were presented here, which clearly it is not, it would be wholly unwise to turn this Commission's regulatory work over to the military agencies and have them carrying on this regulatory work throughout the length and breadth of this land. As the Senator from New York suggested this morning, because we are engaged in war and

because the Interstate Commerce Commission, in its control of the railroads, regulates an essential war activity, we might just as well, and for the same lack of reason, turn over the activities and the regulatory functions of the Interstate Commerce Commission to the armed services. When the F. C. C. has the job of running down the unlicensed transmitters, necessarily it has the job of running down the unlicensed transmitters which are operated by spies—in other words, the clandestine stations. There is not only no other feasible way to do this job, but the fact of the matter is, there is no other way to do it.

In other words, if the Commission monitors the ether from this network of stations [indicating on map] established over the United States for the purpose of policing the ether so far as the domestic broadcasters are concerned, both on the broadcast band and on the short-wave band, of necessity the F. C. C. has to and should pick up any activity by any unlicensed espionage agent who may be trying to communicate with his principal in an Axis country. The record shows that 360 unlicensed activities have been found; one was found by this service in the German Embassy here, immediately after Pearl Harbor.

I firmly believe that it is because of this efficient activity that there has been so little effort made by the Axis to establish unlicensed and illegal operations of an espionage character. If we cripple the activities of the Commission in this field, we will invite the Axis agents to set up such stations.

No other agency of the Government does this work. The Army and Navy make no claim to doing it. The trial of the large group of spies in New York City a couple of years ago, which was so effectively prosecuted by the Department of Justice, was largely a radio trial. And it was the Radio Intelligence Division men who did the radio-location work involved and who monitored the circuits to pick up and record the traffic, and who testified at the trial leading to the conviction of those spies. Does the Senate want to vote to make that service less efficient; does the Senate want to vote to cripple it so that spies can more freely communicate with their principals in the Axis enemy countries?

I have referred to the transmitter in the German Embassy on Massachusetts Avenue in this very city, but I want the Senate to know that the Radio Intelligence Division had that transmitter located before it had even succeeded in establishing contact with Germany.

Mr. President, I cannot find any contention in the record that the armed services have done a single thing about closing out the espionage nests in Central and South America. The record is very clear, and it shows that the very same radio-location stations on United States territory were utilized to "fix"—that is a technical term—the approximate location of each one of those stations. Commission representatives went to those neighboring countries under the general direction of Secretary Hull and there, cooperating with the local governments, effectively assisted in closing out the espionage radio operations in Central and South America. I may say, Mr. President, that more important than eliminating and preventing the reopening of any illicit, illegal radio communications in Central and South America with our enemies, is preventing their reopening here in the United States and elsewhere in our territory.

In fact, the Army and Navy have continuously in the past recognized and today recognize that this work is the responsibility of the Commission. When in 1940 it was found advisable to expand the facilities for doing this work to meet the needs of national defense, the Commission was furnished a large amount of key equipment by the Navy and sites for 40 secondary stations at Army posts throughout the country by the Army. At that time Rear Admiral Ingersoll, Acting Chief of Naval Operations, recognized the Commission's responsibility in this field when on August 31, 1940, he informed all naval ships and stations:

> The Federal Communications Commission is generally responsible for the surveillance of unlicensed radio stations. * * * The Navy should accord the greatest cooperation to the Commission in this surveillance which is of great importance to national defense.

And when war came, the responsibility of the Commission for this work was specifically confirmed. On December 31, 1941, Rear Admiral Noyes, Director of Naval Communications, wrote the Commission's Chief Engineer as follows:

> The Federal Communications Commission has a very important assignment in detecting, locating, and suppressing clandestine radio stations in the United States.

Similarly General Arnold wrote the Commission on October 21, 1942:

> The Federal Communications Commission has performed an excellent service in preventing or detecting unlicensed radio operation and subversive communications.

The Army and Navy, like the other Government agencies, including the F. B. I., rely on the Commission to run down illegal and clandestine operations and to eliminate signals interfering with their radio circuits in this country.

That is the point I should like to drive home, Mr. President. It is entirely possible that if faulty electrical equipment throws out interference, it not only will interfere with domestic broadcasters in this country, in their particular areas or localities, but it may very well interrupt the most important military traffic being carried through the ether by the Army or the Navy or the Coast Guard. Do Senators want to curtail and injure and reduce the efficiency of this division, and have that happen?

Would the Army and Navy report these cases to the Federal Communications Commission for investigation if they were already doing the work themselves? Of course not; yet in the past few years thousands of such cases have come to the Federal Communications Commission from the military services. Just a few days ago Senators may have noticed the news account of the arrest of three Japanese internees who were operating a transmitter at a prison camp. Had the Army been able to cover this, it is passing strange that it relied upon the Commission to do the job.

The simple fact is that the Federal Communications Commission is the only agency doing this work in this country, and if we want it done—and it must be done—we must make the necessary funds available to the Commission for doing it.

One other point I want to stress is that the same stations which are necessary to running down unlicensed and clandestine operations and to eliminating interference are used most effectively in carrying on other related work. In other words, the Commission must have these stations to fulfill the duties we have explicitly placed upon it. But at the same time, these same Commission facilities—as I have shown them on the map, scattered over the United States and located in our Territories—are used extensively by other Government departments, including the Department of State, the Foreign Economic Administration, the Weather Bureau, the F. B. I., the Office of Censorship, and others. For example, the Army and Navy, as well as the Civil Aeronautics Administration, have found these facilities most valuable in helping to save aircraft which have lost their way. The Civil Aeronautics Administration and the Army Air Forces have even asked to have special procedure set up for invoking the aid of the Commission's facilities.

On May 29, 1943, after one particularly spectacular case, Major General Giles, Acting Chief of the Air Staff, wrote Chairman Fly:

> General Arnold wishes me to tell you that he genuinely appreciates the splendid assistance which the Radio Intelligence Division of the engineering department of your Commission gave to the Air Transport Command in connection with the rescue and recovery of the marooned flyers and their planes from northern Quebec. The emergency direction-finding service rendered by the Radio Intelligence Division is an excellent example of the direct aid which a civilian agency may give to the Army in the prosecution of this total war.

In all, the record shows the Commission has rendered emergency direction-finding services to more than 400 lost aircraft. It is now being called upon at least twice every day to give aid to Army aircraft which have lost their bearings. It takes the saving of but one or two planes to get back for the Government the million dollars which the Radio Intelligence Division needs to carry on its present work.

Mr. President, that does not even bring into consideration our urgent responsibility to save every one of these young men who can be saved. We owe it to their families, we owe it to their friends, we owe it to the United States. It takes a long time to train these men for combat, bomber, and transport flying.

Mr. TRUMAN. Will the Senator from Wisconsin yield?

Mr. LA FOLLETTE. I yield.

Mr. TRUMAN. I approve what the able senior Senator from Wisconsin has said. It seems absurd to train these young men and to build these planes, and

then, in case of emergency, take away a chance to save not only the young men, but the planes, and contribute to the welfare of the whole country.

Mr. LA FOLLETTE. I thank the Senator; I knew he would feel that way about it.

For the life of me I cannot understand why an effort should be made to cripple this service, which is required by statute, which must be carried on if the broadcasting spectrum is to be policed, and there is to be any order in it whatsoever; and God knows there is not enough order in it now, because of the multiplicity of stations, and their close proximity on the wave bands.

As a part of its general activity, the Commission is able to render this service. Senators can ignore a statement such as that contained in Brig. Gen. William J. Flood's letter if they wish to, but, so far as I am concerned, it would be worth every dollar involved in the amendment if only one bomber and its crew, or even just the crew, were saved. I go further; it would be worth more than a hundred times this appropriation if we could save only one of these fine young men, who represent the cream of America's youth.

I say again, Mr. President, that the burden of proof is upon those who wish to strike down this service, and there is not a scintilla of evidence in the record, aside from Admiral Leahy's letter, to which I am coming, upon which to predicate and to justify this action.

Mr. HATCH. Will the Senator yield?

Mr. LA FOLLETTE. For what purpose?

Mr. HATCH. I desire to suggest the absence of a quorum, because the Senator from Wisconsin is making a very able argument on this all-important matter.

Mr. LA FOLLETTE. I desire to be entirely frank with the Senator. I shall not yield for that purpose, because the Senate is not interested in this subject. The votes have already been lined up to kill this amendment. But I want the record made here, so that when some one of these planes, or more, go down at sea, and the crews are not rescued, those who are primarily concerned may be able to turn to the roll call on this amendment and find out who is responsible for it.

I also wish to say, Mr. President, that, in my humble opinion, the defeat of this amendment is not going to build up political sentiment for any group that takes part in such action.

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

Mr. LA FOLLETTE. Not for the purpose of suggesting the absence of a quorum.

Mr. HATCH. I am not going to make that suggestion now. The Senator has said that the Senate is not interested in the question he is discussing. I am afraid the Senator is wrong in that statement. I think Senators would be interested if they could be present and hear the discussion which the Senator from Wisconsin is making. For that reason I should like to suggest the absence of a quorum.

Mr. LA FOLLETTE. Mr. President, I must decline to yield for that purpose.

I believe that not only one or two lost planes but many planes will be saved if this money is made available. There will be many planes lost if it is not made available. In the brief time the debate on the floor proceeded last Thursday the Radio Intelligence Division was giving emergency aid to two B-24 bombers.

As I have said, the facilities necessary to track down the radio spy and an interfering signal are most effectively used in related work for other Government agencies. If the Senate should kill these very related uses of these same facilities, it not only would not be eliminating duplication but it would be requiring duplication; for in this respect, I repeat what I said in the beginning, the Federal Communications Radio Intelligence Division and its Foreign Broadcast Division are simply operating as service agencies, in addition, so far as the Federal Radio Intelligence Division is concerned, to complying with the statutory requirements that it police the ether.

Suppose the Senate kills this service. Is it not obvious that General Arnold will be forced to duplicate these stations and these operations? In the name of economy are Senators going to vote to build up a new set of these stations all over the United States, perhaps two or three sets of them, one to serve the Army, and one to serve the Navy? Is that economy? Senators cannot deny that the Commission must continue carrying on as best it can the business of policing the broadcast bands.

Mr. WILEY. Mr. President, will my colleague yield to me?

Mr. LA FOLLETTE. Yes; I yield.

Mr. WILEY. I am very much interested in what my colleague has said. He is a member of the Appropriations Committee——

Mr. LA FOLLETTE. No; I wish to disabuse the Senator's mind. I do not have that honor.

Mr. WILEY. I beg the Senator's pardon. I should like to ask my colleague one question. Apparently the House has taken action differing from what he suggests should be done. The Senate committee has also taken action different from what my colleague suggests. Could the Senator briefly enlighten me as to what were the reasons for the action thus taken by the House and by the Senate committee? In other words, how would they answer the argument which my colleague has made?

Mr. LA FOLLETTE. Mr. President, in all fairness I do not think the Senator should call on me to make an argument in support of the committee's position, to which I am opposed. As the Senator knows, I am not a lawyer, but I believe even a good lawyer would be embarrassed if he were asked to change clients in the midst of his argument and instead of being for the defense, go over to the prosecution. But I will say to my colleague that a diligent search of the House committee testimony and a diligent search of the Senate committee testimony does not show one scintilla of evidence to justify the action of the House or of the Senate committee, with the exception of Admiral Leahy's letter to the Secretary of the Navy, which I shall discuss before I take my seat. I wish again to emphasize that, although that letter was marked "Highly Secret," it was made public by a committee of the other House, and therefore is a matter of public property and I feel at liberty to discuss it.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER (Mr. McFARLAND in the chair). Does the Senator from Wisconsin yield to the Senator from Kentucky?

Mr. LA FOLLETTE. I yield.

Mr. BARKLEY. Was that letter written before or after the President's reply?

Mr. LA FOLLETTE. It was written before the President's reply. It was written back in the spring of 1943. It was written February 1, 1943, the Senator from Maine [Mr. WHITE] tells me.

Mr. BARKLEY. Undoubtedly, of course, the President not only took into consideration all that Secretary Stimson and Secretary Knox said to him, but also what Admiral Leahy had said.

Mr. LA FOLLETTE. Of course. There was an exhaustive investigation made. The charge was made here last Thursday in the form of a question by the Senator from New Hampshire [Mr. BRIDGES], that this proved that the President was running the war on a political basis and interfering with the military and the naval authorities, but Mr. President, this letter and the action of the President in this regard, so far as a civilian agency is concerned, certainly do not prove that contention. I do not want to go into that letter now, but I shall digress long enough to say that although I have the highest admiration for Admiral Leahy, it is my firm conviction that he did not personally make the investigation and that the person who made it was not sufficiently informed concerning the situation. The subsequent investigation and study of the situation ordered by the President after he received the letter from the Secretary of War and the Secretary of the Navy lasted for many months. He did not reply until some time in September of 1943. In his letter he denied Admiral Leahy's contentions, and then created an agency better to coordinate the activities of the various agencies in the radio field. But I do not want to go into that at the moment. I have nearly concluded.

Mr. President, I want to iterate what I have said before, that the Commission has not rendered any of these services to the military—and that includes the Army, the Navy, and Coast Guard—except by specific request in each and every instance. It does not make sense to me that the military authorities would request these services in these hundreds of instances, accept the services, and express their gratitude for the result attained, and then continue to call for additional services, if in fact they had their own duplicating facilities to do this work. I do not believe that the Senate will believe that when it comes to consider the question.

The Federal Communications Commission has worked in cooperation with all the departments of Government which rely upon its services. The inevitable effect, as I suggested a few moments ago,

of accepting the action of the House and the recommendations of the Senate committee will be to invite these agencies to set up duplicating services which in the end will cost many millions of dollars more than is involved in the amendment of the Senator from New York. At the same time it should be pointed out that in connection with this initial action we are not supplying the money to provide these services anywhere else. So the net effect of our action, if the Senate rejects the amendment of the Senator from New York and adopts the committee amendment, will be to cripple or to destroy this service, and not set up anything in its place. That is why I want to emphasize that if we take such action the majority of the Senate must accept responsibility for the consequences, including the failure to rescue military planes lost at sea. These operations will die, and the ether will be thrown open to the enemies of this country. Mr. President, I submit that we could ill afford to indulge in such folly at the most critical and crucial period in our history.

I now wish to refer to the letter of Admiral Leahy, which apparently is the only authority which could be obtained by appropriations committees; at least, it is the only authority I have been able to find in the record of either the House committee or the Senate committee. The letter is dated February 1, 1943. As I have said, the responsibility for releasing it was assumed by the House committee, so I feel free to discuss it. It reads as follows:

MY DEAR MR. SECRETARY: In response to your memorandum to the Joint Chiefs of Staff, dated September 11, 1942, on the subject of responsibility for the conduct of security of military communications activities, the Joint Chiefs of Staff have had made a thorough and comprehensive study of the problems referred to therein in which full consideration has been given to the views of the military and naval commanders in the field who are charged with responsibility for military action based on radio intelligence. A summary of the findings is given in the following paragraphs—

Mr. President, I wish to digress from the reading of the letter long enough to say that I am informed that no member of the Federal Communications Commission or, insofar as the Commission could ascertain, none of the Commission's employees engaged in either one of these two activities, namely, the Radio Intelligence Division and the Foreign Broadcast Intelligence Division, was ever contacted by anyone representing either the Army or the Navy, and no examination was made of the Commission's facilities, except for a survey of the Commission's security methods, namely, its methods of preventing its information from "leaking" out to unauthorized persons. That record has already been read into the CONGRESSIONAL RECORD. But the report of the inspecting officer was that the security methods of the Commission were excellent. If I can put my hand on the report, perhaps I should make it a part of my own remarks at this point. The report is to be found on page 111 of the Senate committee record. It is directed to the Secretary, Joint Chiefs of Staff, Washington, D. C., through Commander G. B. Myers, and is signed by Earle F. Cook, lieutenant colonel, Signal Corps. It reads as follows:

1. In compliance with J. C. S. 138/3, dated December 1, 1942, subject: Security of Ciphers, and in accordance with the allocation of Government agencies made to the Army and Navy Security Sections, respectively, the following summary of findings at the Federal Communications Commission is submitted:

(a) Cryptographic security—excellent.

(b) Physical security (cryptographic systems)—excellent.

(c) Documentary and information security—excellent.

(d) Qualification of personnel—excellent.

(e) Cooperation was given fully and willingly.

2. In view of the above, it is considered that no concern need be felt over communications originating or passed in the Federal Communications Commission organization at this time.

3. The established contact between Signal Security Service and the Federal Communications Commission will be continued.

For the Chief Signal Officer:

EARLE F. COOK,
Lieutenant Colonel, Signal Corps.

Mr. WILEY. Mr. President, if the Senator will yield to me, let me inquire what is the date of that communication?

Mr. LA FOLLETTE. April 6, 1943. That was 2 months after Admiral Leahy's letter was written. I read further from the admiral's letter:

In general, radio intelligence is the method of determining the enemy's plans and dispositions through observation of his radio communications. The facilities used for this are also used to assist our own forces through monitoring of communications channels to enforce security standards and to render assistance to our own craft.

Mr. President, in that paragraph Admiral Leahy was referring clearly to military and naval intelligence in the narrow sense of the expression. Neither the Federal Communications Commission nor any of its divisions does any military or naval intelligence work, unless it is specifically requested to do so by someone in the armed forces of the United States.

I read further from Admiral Leahy's letter:

Both the Army and Navy are engaged in radio intelligence and related activities. In addition, the Federal Communications Commission has set up an elaborate system of its own which is engaged in—

(a) The location of enemy units at sea and abroad.

I repeat that the Federal Communications Division does not do such work, except in isolated cases, and then only at the specific request of the Army or the Navy.

The admiral's letter continues:

(b) The interception of enemy army, navy, and diplomatic traffic.

The Federal Communications Commission does not intercept enemy army and navy traffic.

The letter continues:

(c) The location of clandestine stations.

The Federal Communications Commission does locate espionage stations, and has done this job efficiently and well, as I believe the record shows. That work is a responsibility, Mr. President, I reiterate, of the Federal Communications Commission, under the organic act creating it.

The letter continues:

(d) The giving of bearing aids to lost planes.

Mr. President, I wish to state at this point, as I have stated before, that that work is done only at the request of the Army or the Navy, insofar as military aircraft are concerned; and I cited the letter of Brigadier General Giles, the Chief of the Air Corps Staff in the Hawaiian area, saying that this service in helping to locate lost planes in that area is indispensable.

I read further from Admiral Leahy's letter:

(e) The maintenance of a "marine watch" at distress frequencies.

Mr. President, that is a responsibility of the Federal Communications Commission, under the organic act creating it. It has to maintain these marine watches, because if some ship at sea sends out a distress signal, it is the responsibility of the Federal Communications Commission to clear off the air all other traffic in the broadcast band, so that it cannot interfere with efforts to secure aid. Does the Senate wish to cripple that work? The Senator from Maine [Mr. WHITE] suggests that it is also an international obligation under our treaties with other nations.

Continuing to read from Admiral Leahy's letter:

(f) The monitoring of military radio circuits.

Any monitoring of the United States military radio circuits has been done at the request of the Army; and a letter was placed in the RECORD on Thursday by the Senator from New York [Mr. MEAD] commending the Federal Communications Commission for having done this work, thanking it, and saying that it had helped to suppress some obscene matter going over the air from military stations, and that in each and every instance those who were responsible and who could be proved guilty had been disciplined.

These activities of the Federal Communications Commission are constantly expanding and are a substantial drain upon available material and personnel.

Mr. President, the expansion was coordinated with and approved by the Army and Navy at every step. There was no drain on personnel. The Radio Intelligence Division has only 700 men, compared to the thousands of men in the Signal Corps. There is no drain on material, as the Radio Intelligence Division equipment is a mere drop in the bucket compared to that of the Signal Corps, and is not designed to military specifications.

Admiral Leahy's letter continues:

Radio-intelligence activities of the Federal Communications Commission tend to be less and less useful as the art progresses. This is due to integration into proper radio-

intelligence systems of large quantities of secret military information accumulated through special processes by the armed forces, including exchanges of military information with our allies, knowledge of present and proposed disposition of forces, and other special information which for obvious reasons cannot be disseminated to an agency such as the Federal Communications Commission.

Mr. President, it is my judgment that the portion of the paragraph which I have just read is based upon the erroneous assumption that the Radio Intelligence Division of the Federal Communications Commission is engaged in military radio intelligence work. It is not, and the record shows that it is not. It does not perform such work.

Continuing to read from Admiral Leahy's letter:

Moreover, information obtained by the Federal Communications Commission through its own radio-intelligence activities is not, in the military sense, secure, due to inherent tendencies toward publicity of Federal Communications Commission activities, the use of nonsecure methods of reporting and correlation, and the necessarily close relationship of the Federal Communications Commission military intelligence activity with other phases of the agency's work.

Mr. President, I have already read from Lieutenant Cook's letter, written to the Joint Chiefs of Staff after Admiral Leahy's letter was written. On every score, the Colonel found the Commission's security methods, in the narrow military sense, to be excellent, and commended the Commission for its cooperation in that respect.

Coming back to the Admiral's letter:

Because of the essential differences between military and Federal Communications Commission standards and methods, it has not been possible to integrate their information, with the result that the attempted duplication by the Federal Communications Commission of work that is being more effectively done by the military has in fact endangered the effectiveness and security of military radio intelligence.

Mr. President, I repeat that the Federal Communications Commission does not engage in military radio intelligence, and therefore there is neither opportunity nor occasion for the integration of its work.

Furthermore, Mr. President, the record is replete with letters from men in important positions in the military, attesting to the effective and valuable service rendered by the Radio Intelligence Division. As the record shows, General Strong, who is at the head of G-2 of the Army, has commended the work of the Commission in regard to its other activities.

Continuing to quote from Admiral Leahy's letter:

In view of the foregoing it is concluded that the better prosecution of the war will be served by terminating all military and quasi-military radio intelligence activities of the Federal Communications Commisison and confining such activities to the Army and Navy.

As I have said, Mr. President—and I repeat—there is nothing to terminate, because there is no radio intelligence service, in the narrow military sense of the word, being carried on by the Federal Communications Commission, unless and except in those rare instances in which the assistance of the Commission is requested by responsible personnel in the Army or Navy.

Quoting further from Admiral Leahy's letter:

Since the Army's present need for personnel and equipment in the field of radio intelligence is greater than that of the Navy, all of the radio-intelligence facilities of the Federal Communications Commission should forthwith be transferred to the Army entirely. The personnel of the Federal Communications Commission heretofore engaged in radio intelligence should be made available initially as civilian employees of the Army, pending decision by the Army as to which shall be placed in military status, which replaced by military personnel, and which would be best retained in the Army as civilian employees.

The chief of the Signal Corps of the Army does not want the facilities of the Federal Communications Commission transferred to the Signal Corps. Senators will find his letter in the hearings.

Continuing to quote from Admiral Leahy's letter:

The foregoing conclusions are supported by the views of the Army and Navy commanders in the field who are charged with responsibility for military action based on radio intelligence.

The Joint Chiefs of Staff therefore request the Secretaries of War and Navy to join in a recommendation to the President that he transfer to the Army personnel and equipment now used by the Federal Communications Commission in the field of radio intelligence. A proposed Executive order is enclosed.

From the standpoint of the present problem, the promulgation of this Executive order would leave the Federal Communications Commission in the radio field, with the responsibility for monitoring, processing, and disseminating foreign voice news, and propaganda broadcasts (its Foreign Broadcast Intelligence Service), the monitoring and inspection of stations licensed under the Communications Act of 1934, all necessary licensing procedures, including revocation and suspension, and the institution of prosecutions of licensed stations and operators for violations of treaty, statute, or regulations.

Mr. President, if I correctly understand it, that was a recommendation made by Admiral Leahy that the entire civil functions of the Federal Communications Commission, so far as licensing of radio and its policing, and all the rest of it is concerned, should be turned over to the armed forces. I submit, Mr. President, that I do not believe any Senator would be in favor of such a proposal. As I stated a moment ago, we might as well transfer to the Army all the activities of the Federal Power Commission and of the Interstate Commerce Commission merely because electric power and railroad transportation are vitally important activities in our war effort. Yet I am sure there would be no proposal to cripple those agencies or to turn their machinery over to the armed forces. Yet that is what, in effect, the admiral recommends. If that action were to be taken, we might just as well abolish the Federal Communications Commission.

The remainder of the letter is as follows:

The Army and Navy—in accordance with divisions of function between themselves—would have full and exclusive responsibility for the conduct of military radio intelligence as described in the present report.

Mr. President, after that letter was sent to the respective Secretaries of War and of the Navy they sent a joint letter to the President of the United States asking him to carry out this recommendation, and also asking that an Executive order be issued which would effectuate the recommendations contained in the letters of the Secretary of War and of the Secretary of the Navy. When their letter was received, the President of the United States caused an investigation to be made of this entire question. Following the usual procedure in the Executive Office when conflicting questions of an administrative character arise, the President called upon and utilized the Bureau of the Budget to make the inquiry. I noticed in reading the hearings that there was some criticism of the Bureau of the Budget indulging in this activity. It may be that the Bureau of the Budget has gone outside of the field which was contemplated when it was created, but every Senator familiar with the development of administrative procedure in the executive arm of the Government knows that the Bureau of the Budget had become the operating arm of the Executive Office insofar as the organization of governmental agencies and structures is concerned. Be that as it may, I assume no Senator questions the right of the President to utilize the Bureau of the Budget to conduct this inquiry. But in any case a very thorough study was made of the whole question by the Bureau of the Budget. The investigation presumably continued for some time.

The President then wrote a letter to the Secretary of the Navy, dated September 7, 1943. Senators will bear in mind that Admiral Leahy's letter was dated February 1, 1943. After having this investigation made, and after having received the recommendation from the Bureau of the Budget, the President wrote the following letter:

SEPTEMBER 7, 1943.

The honorable the SECRETARY OF THE NAVY.

DEAR MR. SECRETARY: This is in response to your letter of February 8, 1943, signed by you and Secretary Stimson, proposing an Executive order transferring the radio intelligence functions of the Federal Communications Commission to the War and Navy Departments. Your suggestion has been given careful study by the staff of the Executive offices. After full consideration I have determined that the transfer should not be made.

The work of the Radio Intelligence Division of the Commission was founded upon the long existing radio-monitoring functions carried on by the Commission as a part of its essential peacetime work.

I interrupt the reading of the President's letter long enough to say that it is a statutory obligation which the Congress has placed on the Commission.

The need for the expansion of these functions was brought to my attention prior to our entry into the war and I approved the

general set-up. Expansion has been made to meet the wartime needs of the Commission itself and of other agencies of the Government.

The Radio Intelligence Division serves important wartime needs of several of the civilian Government agencies in the radio intelligence field, including the State Department, the Federal Bureau of Investigation, the Office of Censorship, the Bureau of Economic Warfare—

Which has since become the Foreign Economic Administration—

the Weather Bureau, the Coordinator of Inter-American Affairs, and others. In addition, I understand that the Commission stands ready to perform for the Army and Navy such services as are expressly requested by them. The Commission and its Chairman have expressed to me their desire to cooperate with the Army and Navy in every possible way.

It is my desire that matters of the kind presented by the present proposal be dealt with at the outset by conferences between the interested agencies. If differences should occur, the matter should be reviewed by the Board of War Communications, which is the responsible interdepartmental body I have charged with the responsibility in the field of wartime communications.

Very sincerely yours.

FRANKLIN D. ROOSEVELT.

Mr. President, in conclusion, I wish to say that the service which is being performed, insofar as it is outside the field of actual Commission's statutory responsibility in policing the ether, is performed for a large number of agencies and departments of Government solely upon their specific request. Therefore, it seems to me that the President was correct in his conclusion that the entire regulatory functions of the Federal Communications Commission should not be turned over to the armed services, because, with all due respect to the armed services, it must be obvious to anyone that if that were done they would be solely concerned with the matters directly related to the military, and that they would not render the service which the Federal Communications Commission is now rendering to other agencies and departments of Government.

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

Mr. LA FOLLETTE. I yield.

Mr. AIKEN. I noted the date of the letter from the President was September 7, 1943.

Mr. LA FOLLETTE. Yes.

Mr. AIKEN. Can the Senator refresh my memory by stating the date of the letter from the Secretary of the Navy, Mr. Knox, and the Secretary of War, Mr. Stimson, in which they stated that they did not need this service?

Mr. LA FOLLETTE. It was dated February 8, 1943, and was based on the letter of Admiral Leahy dated February 1, 1943, which I read paragraph by paragraph, and answered paragraph by paragraph.

Mr. AIKEN. I note that there was a difference in time of about 8 months between the letter from the President and that from the Secretary of War and the Secretary of the Navy.

Mr. LA FOLLETTE. Yes. The Bureau of the Budget made a thorough investigation of the matter. If the Senator has had any contact with the Bureau of the Budget, he knows that whatever else they may be charged with, they are extremely thorough.

Mr. AIKEN. Then the Senator's argument is that the Federal Communications Commission has far better facilities for doing this work than the Army and the Navy have.

Mr. LA FOLLETTE. There is not any question about it. It is quite natural that, so far as the Radio Intelligence Division was concerned, they should have been brought into the consideration through helping to find lost planes, helping to prevent espionage stations from being set up in this country, and helping to eliminate them in Central and South America, because they had this monitoring system scattered all over the United States which had already been set up. It was their duty to have it, and they had to have it in order to police the ether, insofar as the domestic broadcasters were concerned.

Mr. AIKEN. Does the Senator know whether any testimony on this subject has been given by the Secretary of the Navy, Mr. Knox, and by the Secretary of War, Mr. Stimson, since last February?

Mr. LA FOLLETTE. There is not one scintilla of evidence in either the House or the Senate hearings to justify the action, except the letter of Admiral Leahy. Concerning that letter, I submit that it was written on an erroneous assumption that the Federal Communications Commission was dealing with military radio intelligence in the narrow sense of the word, whereas the record and the facts show that they were doing no such thing. As I have already said, I have great respect for Admiral Leahy, but I feel convinced, after making a study of this matter myself, that he did not make the investigation himself, and that the person who submitted the material in the draft of the letter for Admiral Leahy's signature was laboring under a misapprehension, largely due, probably, to the fact that the Commission made the mistake of labeling these two divisions, one the "Foreign Broadcast Intelligence Service," and the other the "Radio Intelligence Division."

Mr. AIKEN. Was there any testimony from either the Army or the Navy on this particular appropriation bill in regard to this item?

Mr. LA FOLLETTE. There is no direct testimony. The only testimony that was adduced, as I say, was the letter of Admiral Leahy which the House committee had made public and letters submitted by Mr. Fly from various generals, colonels, and other officers of the armed forces, commending specifically the activities which the Radio Intelligence Division or the Foreign Broadcast Intelligence Service had undertaken at the request of the Army or the Navy or particular branches of those services, or the Coast Guard.

Mr. AIKEN. Then, there was no direct testimony?

Mr. LA FOLLETTE. There was none whatever. Remember that the letter upon which the House committee relied, namely the letter of Admiral Leahy, was written more than a year ago, in fact, it was written a year ago last February.

Now, Mr. President, to sum up, there are two items involved here. One is the Foreign Broadcast Intelligence Service, which is the division which is monitoring the foreign propaganda of our enemies, the propaganda which is beamed over the air not only to their own people, but to the people in this country and in every other Allied or neutral nation on earth in their own language, respectively.

Propaganda has become one of the most important weapons of war. Its objective is to mislead, to confuse, to divide, to break down the morale of the enemy or of neutrals. This is the only agency in the Government that is monitoring this foreign propaganda of our enemies and the ether is full of it, Mr. President, night and day, 24 hours a day; the Axis stations are never silent.

Now, because this is a global war, it is impossible for any one of our allies to set up listening or monitoring services which can hear all the stations of our enemies. They, too, are scattered around the world. Since this service was inaugurated—and it was inaugurated at the request of Secretary Hull—it has been integrated into the monitoring systems of our allies, and daily information picked up by the British monitoring service for example is sent here by cable, so that it may be interlarded with information obtained by our service, and similarly the information which we gather is cabled abroad, since the British do not have access and cannot listen as well as we can to the broadcasts of Japan.

One of the items involved in this matter is an increase in the appropriation for the Foreign Broadcast Intelligence Service so that it may send agents to Hawaii, which, of course, is closer to the Orient, and set up a monitoring service there, which would be less liable to static or other interference than are the stations located along the Pacific coast.

Mr. President, the House cut $500,000 from that item and the Senate committee has confirmed the action of the House. Do we want to stick our fingers in our ears and fail to know what the propaganda line of the Axis is? Do you think, Mr. President, it is unimportant to know what is being beamed to North America from Germany and Japan? Do you think it is unimportant to know what is being beamed to Central and South America by our enemies? Do you not think it is important to know what the Japanese are saying to the Burmese in their propaganda broadcasts? Do you not think it is important to know what the Japanese are saying to the people of China?

Mr. President, we might as well say that we will have no tanks in our Army; it would be just as retrogressive, just as unjustified for us to refuse to recognize the effectiveness of enemy propaganda as a military weapon as it would be to fail to recognize the contribution of the German staff to the use of mechanized forces in warfare. Yet if the Senate shall vote against the amendment of the Senator from New York, it

will be voting to cripple the Service, if not to destroy it.

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

Mr. LA FOLLETTE. I yield.

Mr. HILL. Is it not true that Hitler has won more victories and far greater victories with his propaganda than he has won with his mechanized troops or his air power or any of his lethal weapons? His greatest victories have been won by propaganda; have they not?

Mr. LA FOLLETTE. I am not able to answer that question, but I am able to say that a man must be deaf, dumb, and blind if he does not know that enemy propaganda is a part and parcel of their military strategy, and that it changes from day to day and from week to week as the exigencies of the military situation require. If anyone does not believe it is effective, let him recall what happened to the British in Singapore and in Burma, and to the Dutch in Java. If there is anyone who thinks that foreign propaganda and the cry of the Japanese of "Asia for the Asiatics" had not softened up the civilian populations of areas in Asia and the south seas, then he has not read the story of Singapore and Burma and the Javanese campaigns.

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

Mr. LA FOLLETTE. I yield.

Mr. HILL. In Norway, Denmark, Belgium, France, and other countries that Hitler overran he first softened them up, as the Senator so well has expressed it, by his propaganda, and thus made it easier for his air forces and army.

Mr. LA FOLLETTE. They have tried to soften up the American people. I do not think they will do that; but if you knew, Mr. President, that there were 200,000 Axis agents in the United States distributing pamphlets to the American people 24 hours a day, would you not be concerned about knowing what the pamphlets were and trying to answer them? The enemy do not have to do it with pamphlets, they do not have to do it with the printed word any more; they do it with the short-wave radio beamed to this country, beamed to Central America, beamed to South America, beamed to every one of the Allied Nations and to every neutral nation of the world, trying to create dissension, trying to appeal to the emotions of people, trying to divide, trying to mislead. Yet it is proposed, Mr. President, that we stick our fingers in our ears and refuse to know or to ascertain what they are doing.

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

Mr. LA FOLLETTE. I yield.

Mr. HATCH. The Senator from Alabama and the Senator from Wisconsin have been talking about things that are in the past. I am thinking about things that are to come in the immediate future; I am thinking of the time when the second front starts, when the invasion begins, when the loss of life is going to be extremely heavy and the propaganda is going to emanate, God knows to what extent and where it will reach. Why should we cripple ourselves in the face of the things that we know are coming?

Mr. LA FOLLETTE. Mr. President, I appreciate what the Senator has said. I hasten to add that I am interested in what will happen in the future. We will not be able to intercept any foreign propaganda such as went over the air last night, when this service is crippled. I was only citing what had happened in the past in the hope I could cause Senators to consider this situation on its merits.

I appreciate the contribution of the Senator from New Mexico. It leads me to go one step further. There are, I do not know how many young men and women from the United States, who will be involved in the great military operation now impending. There will be scarcely an area in the United States which will not have a flesh-and-blood interest in it. Do not Senators think it is important to know what the Berlin radio may be saying about those operations, and about the casualties, so that we may give out all the facts, and whatever may be necessary to meet any of those statements?

Mr. HATCH. Will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. HATCH. I wish to add that I did not want the Senator from Wisconsin or the Senator from Alabama to think that I was finding fault with them for giving instances from the past.

Mr. LA FOLLETTE. No; I felt sure of that.

Mr. HATCH. I do not want to be misunderstood.

Mr. LA FOLLETTE. So much for the Foreign Broadcast Intelligence Service.

Mr. HILL. Mr. President, the Senator is making such an able speech that I apologize for interrupting him.

Mr. LA FOLLETTE. That is all right.

Mr. HILL. I am sure the Senator has emphasized the fact that the Japs and Nazis record every broadcast they can pick up anywhere from our country, or from any of the other Allied countries.

Mr. LA FOLLETTE. Certainly. Now one more word on the foreign-broadcast situation. Monitoring helps to pick up a certain amount of information which may be invaluable in other respects, aside from the standpoint of propaganda.

Mr. McKELLAR. Will the Senator from Wisconsin yield.

Mr. LA FOLLETTE. I yield.

Mr. McKELLAR. The Senator from Alabama just asked a question as to what Germany was doing. I wonder what the Senator from Alabama or the Senator from Wisconsin would say as to what the Signal Service of the United States is doing. We have the grandest system of communication by radio among all the nations in the world today, and we are spending more money on it. I shall give the figures in a few moments.

Mr. LA FOLLETTE. Mr. President, if the Senator has any figures or any information to show that the work the Foreign Broadcast Intelligence Service of the F. C. C. is being performed by any other agency of the Government, it is not to be found in either the House or the Senate committee hearings, and that is all I have to go on.

So far as the Radio Intelligence Division is concerned, as distinguished from the Foreign Broadcast Intelligence Service, the Radio Intelligence Division is the Division which is discharging a statutory responsibility which Congress has laid upon the Federal Communications Commission, namely, to police the ether here at home, to make certain that there is no interference caused by either inadvertent or deliberate violation of the broadcaster's license through the broadening of his kilocycle band, through the use of imperfect or defective equipment, or some faulty utilization of his antenna system.

Likewise the Commission is charged with locating, and constantly, through the Radio Intelligence Division, it has located and has corrected the interference created by commercial, industrial, or physiotherapy apparatus. That portion of their work is important to the Army and Navy, because it can interfere with their communications just as much as it can with the domestic broadcasters' service.

In connection with carrying out its work, and because the Commission already has this system of monitoring stations, the Commission, through the Radio Intelligence Division, has been effective in suppressing and in preventing enemy agents from utilizing radio as a means of communication with their principals in the Axis countries. It likewise has been very effective through the Department of State in helping to eliminate and to suppress and to prevent future establishment of espionage stations in Central and South America operated by Axis agents.

Thirdly, it has rendered invaluable assistance to the armed forces in obtaining radio "fix," as they call it, upon lost planes at sea or planes which are lost in the air and, because they send out from their own equipment a message, it is possible, through these stations, to take bearings on them and practically to locate them. The testimony shows that there have been more than 400 instances of the Radio Intelligence Division rendering such assistance.

The Chief of Staff of our Air Corps in the Hawaiian Islands has stated that this service is indispensable in the Army Air Corps lost-plane activity. Therefore, if this service is crippled or if it is destroyed, it will be more difficult to find such planes and to find the pilots when they have had the misfortune to go down at sea.

Mr. President, I want no part of any such responsibility. So far as I am concerned I shall vote for the amendment offered by the Senator from New York, because I believe that these activities are of vital importance in relation to the war and in relation to the discharge of the statutory obligation by the Federal Communications Commission.

Mr. McKELLAR. Mr. President, I have listened with a great deal of interest to the remarks of the distinguished Senator from Wisconsin. He always makes a good speech on any subject he undertakes to discuss, and he made a good one on the subject now before the Senate.

The Senator says there is no evidence that the Army uses this radio service. Dr. Leigh so testified, as appears on page 121

of the record, and Dr. Leigh is a member of the Foreign Broadcast Intelligence Service.

Furthermore, I wish to call attention, in a few moments, to a quotation from a letter to the Secretary of the Navy from the Joint Chiefs of Staff. If there is anyone in the world interested in foreign radio it is the Army and the Navy of the United States. The Army and the Navy are not in favor of the continuance of this service, and they believe it is a duplicating service.

The Senator from Wisconsin had much to say about the lack of proof. There is a woeful lack of proof that this service is necessary or essential at this time. There is no proof to that effect. The evidence is of the most shadowy kind. I believe the proof shows that Chairman Fly at one time rather invited the committee to send out and obtain evidence from the Army and the Navy. There was some trouble about getting that evidence, it seemed, or he could not have gotten it, because no Army or Navy officer testified before our committee. On the other hand, it is shown indisputably by the record that the Army and Navy do not want this service. They regard it is an interference with their services. The Army and the Navy have the best radio services, monitoring and intelligence services of every kind, in the world today. I will show the appropriations we have made for those services in the past. The Army and the Navy do not want other services. In view of the fact that the Chairman of the Federal Communications Commission himself says that he does not furnish the service except upon the application of the Army or the Navy, why should we provide that it be furnished, when it appears by the record that no request has been made by the Army or the Navy for the service? Why should we do it? If we were to do it it would simply be to accommodate a friend.

I read from a letter to the Secretary of the Navy from the Joint Chiefs of Staff, dated February 1, 1943, a little over a year ago:

> Radio intelligence activities of the Federal Communications Commission tend to be less and less useful as the art progresses.

Does that indicate that they want the radio service of the Federal Communications Commission?

> This is due to integration into proper radio-intelligence systems of large quantities of secret military information accumulated through special processes by the armed forces, including exchanges of military information with our allies, knowledge of present and proposed disposition of forces, and other special information which for obvious reasons cannot be disseminated to an agency such as the Federal Communications Commission.

Is that good sense or is it not? That letter comes from the Joint Chiefs of Staff, from the leaders of the Army and the Navy. They have the best kind of service, up-to-date service, they are using the latest in radio, and they say they do not need the more or less out-of-date service of the Federal Communications Commission. Then they proceed:

> Moreover, information obtained by the Federal Communications Commission through its own radio-intelligence activities is not, in the military sense, secure, due to inherent tendencies toward publicity of Federal Communications Commission activities, use of nonsecure methods of reporting and correlation, and the necessarily close relationship of Federal Communications Commission military-intelligence activity with other phases of the agency's work.

Is that an idle statement? Remember this—and the distinguished Senator from Wisconsin reiterated it a half dozen times—that the Federal Communications Commission was not to furnish any information except upon application of the Army and Navy. Here we have a letter from the Army and the Navy, speaking through their highest officers, saying that it is not necessary for the Federal Communications Commission to perform this service at all. As a matter of fact, as I have previously said, the Army and the Navy have the best radio service in the world today.

The letter continues:

> Because of the essential differences between military and Federal Communications Commission standards and methods it has not been possible to integrate their information, with the result that the attempted duplication by the Federal Communications Commission of work that is being more effectively done by the military has in fact endangered the effectiveness and security of military radio intelligence.

Not only is the Commission not a help to them, but it is an actual hindrance to them. Are we to proceed and disregard what the heads of our Army and Navy say about this matter? Shall we say, "We are going to give you this information whether you want it or not"? We cannot make them take it. I continue to read:

> The foregoing conclusions are supported by the views of the Army and Navy commanders in the field who are charged with responsibility for military action based on radio intelligence.

Are we to go against the military commanders in the field and give them this service which they say only interferes with the service they already receive? Why should we do that? I should like any Senator who feels that we should do that to rise and give us a reason why it should be done. Why should we insist upon giving them this service when they say they do not want it?

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

Mr. McKELLAR. I yield.

Mr. VANDENBERG. There is only one question which perplexes me. I should say that the Senator was on incontestable ground if the letter were dated February 1944. The thing that puzzles me is why in this one city of ours we are so far apart that we have to have information 13 months old?

Mr. McKELLAR. If the Senator will read the different letters of the Secretary of War, the Secretary of the Navy, and the President he will find the answer.

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

Mr. McKELLAR. I yield.

Mr. WHITE. It is true, I take it, that there is not in the record, from its beginning to its end, any evidence that Admiral Leahy and the Joint Chiefs of Staff of the officers in the field have ever changed their minds about this matter.

Mr. McKELLAR. Not a scintilla of evidence. On the other hand, every indirect bit of evidence there is shows that they still entertain the same view. They say they have already built up the best system of radio that can be devised.

Mr. VANDENBERG. Then it is the Senator's opinion, is it not, that the statement made 13 months ago still stands as current so far as the opinion of the War and Navy Departments is concerned?

Mr. McKELLAR. Entirely so. The House has so determined, and our committee, after hearing very extended testimony, so determined. I simply wish to show the Senator the character of the evidence.

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

Mr. McKELLAR. I yield.

Mr. WHITE. I call to the attention of the Senator from Tennessee as well as the Senator from Michigan that these views of the Chiefs of Staff, of Admiral Leahy, and of the Secretaries of War and Navy, were transmitted to the President only in September of 1943.

Mr. McKELLAR. That is entirely correct.

Mr. President, I asked Mr. Fly to give me the instances in which he could help the Army and the Navy. I asked him why the private radio companies could not give all the information necessary. Everyday we read in the newspapers information furnished by them. The newspapers publish what the private radio companies transmit from all over the world. The Army permits the publication of only what it wants published; and what it wants published is released. I asked Chairman Fly why we should have another service. He said his service was fuller and more complete. I asked him if he would give me an illustration of the fuller and more complete service. I shall read what I asked him and what his replies were:

> Senator McKELLAR. We are at war, and we want to show some substantial contribution to winning the war. You talk about Hitler's speeches, and some of these other speeches. That information is not worth a tinker's hurrah. That is all given out for the purposes of getting as wide circulation as possible. It is all printed and the radio carries it. So why duplicate things in that way?
>
> Mr. FLY. Let me say there is really no duplication of even that simple work, in the sense that anyone gets those speeches completely. For example, you take Hitler's speech.

This is the argument in favor of carrying on this service:

> The newspapers generally come out promptly with what purports to be quotations and comments on Hitler's speeches; but almost invariably they are not only partial excerpts, but they are inaccurate in the various quotations they give—and the most responsible newspapers have those inaccuracies. The American Government wants Hitler's speech, and wants it accurately.
>
> Senator McKELLAR. I don't see how it makes a particle of difference to the American Government what Mr. Hitler says. We are fighting Mr. Hitler and we are going to lick him. What he says or doesn't say is a matter of very small interest in the United States.

Dr. LEIGH. The main interest, I would say, aside from the text of the speech, has to do with changes in Hitler's line, and that is what the Office of War Information wants, being engaged in propaganda all the time. What they want to know is what the other side is saying.

Senator MCKELLAR. We would know that if there were no radio service.

Dr. LEIGH. Yes; in part, but we are set up to do the complete job.

Senator MCKELLAR. So what good does it do? We have radio concerns in this country who can furnish that by radio. We have the telegraph and other agencies that give it in the newspapers. We have gotten used to that. This is a semiprivate thing, sent to certain governmental agencies that may or may not be reading it.

Mr. FLY. I think, Senator, the regular press and radio do not give one-fourth of 1 percent of this material.

Senator MCKELLAR. If they don't give one-fourth of 1 percent of it, it must be as big as all the world.

Mr. FLY. It is. It runs to a couple of million words a day. They don't scratch the surface on it.

* * * * *

Senator MCKELLAR. I was just wondering if you could give us one subject that was of benefit to our Government by reason of your fuller reports of that which the other radio companies get and distribute.

Dr. LEIGH. We are doing what? We are doing what the Military Intelligence, what the State Department, want us to do. For just one thing, there is the request for biographical data on the Japanese Army and Navy personnel, as something they have asked us for. No newspaper would think of getting that.

Senator MCKELLAR. What good would that do? Suppose you have the fullest data as to Hirohito himself, or Tojo, or any other man; what good would it do?

Finally they got around to saying that they had given a fuller detail as to what Hitler had said in a speech, evidently for the purpose of having it repeated in America, and what Ramirez, of Argentina, I believe, had said for the same purpose. How it can benefit the American people to have more propaganda provided for them is simply a mystery to me; I cannot understand it. I do not think the committee understood it. It was for that reason, among other reasons, that the committee reported as it did.

My good friend the senior Senator from Wisconsin [Mr. LA FOLLETTE] said that no other activity of government had this responsibility, and that we would have to place it in the hands of some other agency or activity of government. Mr. President, the Senator from Wisconsin is mistaken about that. That responsibility is already in the hands of the Army and the Navy, the War Department and the Navy Department. As I have said, they already have a complete system which is up to date, modern, and the last word in radio, in radio monitoring, and in radio intelligence· and this work on the part of the Federal Communications Commission is declared by the Army and the Navy to be antiquated to some extent, and to be not useful to them in any event.

Under those circumstances, Mr. President, why should we appropriate this money to enable the Commission to maintain at work a large force to provide a service which the Army and the Navy do not want? The Army and the Navy say it is their work and their responsibility, and we know that to be so. Under such circumstances, why should we undertake to put it in the hands of a civilian commission?

Mr. President, it is simply plain, good, hard, common sense to ask why we should spend all this money for a service which the Army and the Navy not only admitted but declared to be useful only if the Army and the Navy want it, and when there has been no evidence that the Army and the Navy want it. Why should we insist on providing it regardless of whether the Army and the Navy want it, when they declare it is an interference with the work they already are doing? It seems to me that it would be sheer nonsense to recommend an appropriation for that purpose.

Mr. VANDENBERG rose.

Mr. MCKELLAR. I yield to the Senator from Michigan.

Mr. VANDENBERG. Mr. President, I come back to my question, for I think the whole matter, instead of taking 3 hours, could be settled in 3 minutes on the basis of the single question whether the Army and the Navy, the War Department and the Navy Department, would say today what they said 13 months ago. I shall vote with the Senator on the theory that he is correct in believing that they have not changed their minds. If they have changed their minds they can come in within the next 90 days and have a deficiency appropriation with my approval. The sole question is, Do they still hold today the opinion they asserted 13 months ago?

Mr. MCKELLAR. Mr. President, they have not asserted any other opinion, and their opinion was very positively asserted at that time. Since that time they have built up one of the best services in the world. I think there can be no doubt that they still hold that opinion.

I wish to say to my distinguished friend the Senator from Michigan, whom I admire very extravagantly, that I have not taken anything like 3 hours. I have taken only approximately 15 minutes; and I am afraid I have now taken more time than the matter deserves, because it is contended by some that none of this appropriation should be made. In the committee we cut it down. We did so because when we cut off the funds for a million and a half dollars' worth of work, we realized that there should be some lessening of the personnel of the authority or agency. For that reason we cut out $300,000 from the $4,491,000. I think that is a very small amount by which to reduce the appropriation because of the lessening of the responsibilities and work the Commission will have.

Mr. President, I very much hope that all Senators will vote against the amendment, and will let the matter be thus settled. I know it is in the interest of the people of America. I know it is in the interest of the Army and the Navy and of all other agencies involved in our military effort.

Mr. WHITE. Mr. President, I wish to say a brief word about this situation. I wish to let it be known, first of all, that I shall vote against the amendment of the Senator from New York [Mr. MEAD] and shall vote to sustain the committee, which has brought the result of its study and deliberations before the Senate.

The amendment is a single amendment, but it deals with four subject matters. First, it undertakes to increase by $209,000 the amount to which the Senate committee reduced the appropriation of the House for certain purposes. I think the action of the committee in reducing that appropriation by that amount is wholly justified. We had previously eliminated from the bill the provision for approximately seven passenger-carrying automobiles, the expense of which would come out of the $209,000.

Mr. MCKELLAR. We eliminated 20 passenger cars.

Mr. WHITE. I think that was in a later provision.

Mr. MCKELLAR. No. It is on page 12—"not to exceed 20 passenger-carrying automobiles." What they could be used for I do not know.

Mr. WHITE. I was referring to the item on page 11, line 18.

Mr. MCKELLAR. This item is on page 12.

Mr. WHITE. The item on page 11 says "purchase (not to exceed seven)" passenger-carrying vehicles. The Senate committee cut that out of the House provision, as I understand; but it is relatively unimportant.

Mr. MCKELLAR. There is another provision on the next page, for 20 more.

Mr. WHITE. I will come to that in a moment.

So we reduced the appropriation by whatever seven passenger automobiles would cost. It is to be borne in mind that notwithstanding this reduction of $209,000, the Commission is being given the amount to which it is currently entitled under a previous act of Congress.

So with the purchase and maintenance of seven automobiles eliminated, and with the certainty that the Senate provision gives the Commission the same amount which it currently has, I feel compelled to support the action of the Appropriations Committee in reducing the appropriation.

The second particular reduction is the $300,000 item. Here again we confront very much the same situation. Twenty passenger-carrying automobiles, the purchase of which had been authorized by the House language, have been eliminated from the bill. That certainly accounts for a substantial part of the $300,000 by which the committee reduced the appropriation.

Beyond that is the firm belief on the part of the committee that economies in personnel and in other particulars can be put into effect. Quite beyond the question of these two particular items, I think the great motivating force upon the committee was its conviction that it faces a stern obligation to exercise every possible economy if the fiscal affairs of this Nation are to be kept upon a sound basis. I know how easy it is for departments to ask for money, and I know how difficult it is to raise the money by the processes of taxation, and how

unfortunate it is to raise it by means of borrowing. So what the committee has done with respect to these first two items is a challenge to the Senate to stand by its Appropriations Committee in its effort to force governmental bureaus to effect economies. It sometimes seems that governmental agencies entirely lose sight of the cumulative effects of resistance to appropriation cuts, when spread over the entire organization of the Government. So I ask Senators to support the committee in this small effort in behalf of economy.

There are two other items which have been discussed at some length. I wish to refer to them briefly. There is a provision in the House language, in which the Senate committee has concurred, for a reduction by $500,000 of the amount provided for the Foreign Broadcast Intelligence Service. There is a reduction of $1,000,000 made by the House, in which the Senate committee has concurred, with respect to the other activity about which we have heard so much today.

Personally I have a very substantial respect for the character of work carried on in the monitoring field. It is an activity which is necessary if radio is to be maintained at a high state of efficiency. But when the whole reduction is put into effect, the Federal Communications Commission will still have $4,491,000 out of which the cut can be absorbed. In my opinion that is adequate for its essential services.

We must never lose sight of the fact that the Commission is rendering a service, to be sure. It is rendering a service today to ships of the sea and surface craft over the world; it is rendering a service to our airplanes of the Army and Navy; it is rendering a service to many forms of governmental transportation and communication, but it is not doing it in its own behalf. It is doing it with facilities and agencies very largely under the control of the Army and Navy.

Today the Army and Navy have broadcasting on a short-wave system of communications which reaches to every part of the world. I have a firm belief that the Army and Navy are adequately prepared to carry on their monitoring service as to all matters and things which have to do with national defense. I think for the time being we can put aside every consideration other than national defense. I firmly believe that the Army and Navy are qualified to carry on, to locate their planes which may be threatened with disaster, to locate ships, and to perform every other service in the field of monitoring which may be performed by the Federal Communications Commission.

The other subject has to do with radio broadcasting. The service which the Federal Communications Commission renders is really a listening service. It listens to probably several thousand broadcasts a day, coming from 50 or 60 political units scattered over the world. It has a force of translators, who translate all this material. It is then printed. Let me tell the Senate what use is made of it. Before I do so, I wish Senators to have in mind that what the monitors listen to may be as much that which the alien enemy wants us to hear as what we ourselves may be interested in knowing.

What is done with all this information? Is it sent to the Army and Navy? Is it surrounded by a wall of secrecy? Not at all. Every day the Commission publishes in mimeographed form from 160,000 to 170,000 words, and that material is sent out to whom? It is sent to three or four hundred departments of the Government, and hundreds of persons within those departments. It is sent to representatives of foreign governments in the United States. It is sent to the Chief Justice of the Supreme Court. It is sent to columnists, commentators, and newspapermen throughout the country. Some of this material is civilian in character and some military. It is publicized to all America and to all the world. That is the thing which so greatly disturbs the Army and Navy. They say that they are better qualified to judge of the significance of broadcasts coming in from enemy countries or from Allied countries. They feel that when a broadcast has to do with the disposition of our troops in the field or the movement of our troops, such material should be gathered together and should be within the control of the Army and Navy, and not made a matter of public record for the possible embarrassment of our military forces.

There is no question as to where the Army and Navy stand on this question. Admiral Leahy, speaking for the Joint Chiefs of Staff, wrote a letter to the Secretary of the Navy, which has been read, in which he urged, on military grounds, that this service should be rendered by the Army and Navy, and not by the Federal Communications Commission. The Secretary of War and the Secretary of the Navy concurred in that recommendation. They said that not only did our military authorities here believe in it but that the commanders in the field concurred in it. They sent a letter to the President of the United States asking that those functions be transferred. What happened? Whom did the President consult? He did not consult the military authorities of the Government or those who are making the plans for the prosecution of this war. But he turned to that meddling organization, the Bureau of the Budget. The Bureau of the Budget advised the President of the United States as to who should have this responsibility and should carry on this service. The Bureau of the Budget prevailed over all our military authorities charged with the responsibility of conducting and winning the war. One cannot help asking the question, Has the Bureau of the Budget mapped out the war in Italy? Has the Bureau of the Budget, notwithstanding the views of our Army and Navy officials, determined when, where, and how the invasion of Europe shall be undertaken? If the Bureau of the Budget is to be substituted for the military officers of this country, then I say, God help this Government in the prosecution of the war. It is beyond me.

Mr. President, that is all that is involved in this whole situation. I want the Army and the Navy, because of their responsibilities in the prosecution of the war, to have control over all information which comes from the battlefields and areas of military activity. I want them to determine what the significance of such information may be. I want them to determine and make known what part of it may be given to the people of this country, and what part of it must remain a military secret.

Mr. President, to me that sums up the whole situation. I think the Army and the Navy, with their services scattered over the whole world, are competent to do this work. I think that in a military matter Congress should give heed to the Army and Navy officials, and should let the Bureau of the Budget concern itself with the things with which it is primarily charged.

So, Mr. President, I shall vote against the Mead amendment, and I shall vote to sustain the committee in the action which it has taken.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York [Mr. MEAD] on page 13, line 1.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

Aiken	Ferguson	Radcliffe
Andrews	George	Revercomb
Austin	Gillette	Robertson
Bailey	Guffey	Russell
Ball	Hatch	Shipstead
Bankhead	Hawkes	Stewart
Barkley	Hayden	Taft
Brewster	Hill	Thomas, Idaho
Bridges	Holman	Thomas, Utah
Brooks	Johnson, Colo.	Truman
Buck	Kilgore	Tunnell
Burton	La Follette	Tydings
Bushfield	Langer	Vandenberg
Byrd	McCarran	Walsh, N. J.
Capper	McClellan	Weeks
Chandler	McFarland	Wheeler
Clark, Idaho	McKellar	Wherry
Clark, Mo.	Maybank	White
Connally	Mead	Wiley
Davis	Millikin	Willis
Downey	Murray	Wilson
Eastland	O'Mahoney	
Ellender	Overton	

The PRESIDING OFFICER. Sixty-seven Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment of the Senator from New York [Mr. MEAD], on page 13, line 1.

Mr. McKELLAR. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MEAD. Mr. President, during the course of the debate the action of the Federal Communications Commission in counter-espionage work and in locating spies and illegal radio stations outside the United States was brought to the attention of the Senate. I have before me, in an annual report submitted to the governments of the American republics, some interesting information on that very same subject. On page 86 of the report, under the heading "German espionage agents in Chile—Memorandum dated June 30, 1942, submitted by

the United States of America," there appears the following:

The existence of a clandestine radio station in Chile has been known for some time to the Federal Communications Commission of the United States Government and, through use of directional finding equipment, this station has been located in Valparaiso. Through these same tests—

That is, tests made by the Federal Communications Commission—

the corresponding station has been definitely located in Hamburg in Germany.

Mr. President, on page 95 of the same report, I read the following:

At the request of the Chilean Government, the Federal Communications Commission of the United States dispatched an agent with the necessary equipment for definitely determining the location of PYL. This technician has made several tests which have indicated rather conclusively that at the present time one of the transmitters over which the information is being sent to Germany is located in the house of Guillermo Zeller, Avenida Alemana 5508, Cerro Alegre, Valparaiso. It is known that Zeller is an expert radio technician and a licensed amateur operator. He has in his possession a modern transmitting set absolutely capable of communicating with Germany, and it has been observed that the antennas used by him are specially adapted and directed for such transmission. Observations have further revealed that Zeller has often been seen in the company of Hans Blume, heretofore mentioned in this memorandum.

Mr. President, in the same report submitted to the governments of the American republics I read the following:

After the sudden arrest of most of the German agents operating in Brazil during the month of March the intercepts indicated that Germany was very concerned over the safety of its agents, as well as assuring itself of a possible means of having radio communication with its agents in Chile. To afford the latter, the intercepts indicate that the PYL organization has employed the service of another transmitting station which was to be operated by an individual referred to as "Pedro." PYL told Germany that "Pedro" would be ready for transmission on March 11, 1941. A report was received by the Embassy from the United States Government that a new clandestine station had been heard operating in Chile on March 11 and that directional findings by the Federal Communications Commission indicated that this station was located in or around Antofagasta. It is believed that this station heard in the United States is the new station employed by the PYL organization and is being operated by this individual referred to as "Pedro."

Mr. President, as the able Senator from Wisconsin pointed out, there are two important services of the Federal Communications Commission involved in this discussion. One of them relates to its Foreign Broadcast Intelligence Service, whose work is primarily that of monitoring. The other is its Radio Intelligence Division, and the nature of its work is primarily that of policing the airwaves. There exists no duplication. The military has its own military functions to perform. The military does not monitor the speeches and propaganda emanating from Nazi countries. The military is not held responsible by statute for either the protection of broadcasting in this country or for compelling broadcasters in this country to operate within the law.

If we are going to set up these services in the military, which we would have to do if there exists no duplication, then we ought to set them up, and we ought to provide an appropriation for them. If all we do is to reduce and refuse, and reduce appropriations, we eliminate and eliminate and eliminate services. I hate to contemplate the awful, the terrifying consequences as a prelude to the invasion by our forces of the continent of Europe of any action that may be taken which has for its effect the diminution or the reduction or elimination of any services which, in my judgment, are essential.

Mr. BRIDGES. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from New Hampshire?

Mr. MEAD. I shall yield in a moment.

So, Mr. President, I reiterate what the able Senator from Wisconsin has already well said that there is no duplication; there are two essential services involved; one has to do with the monitoring of foreign broadcasts emanating from civilian agencies, not military agencies, abroad; and the other has to do, as the able Senator from Wisconsin well said, with the enforcement of the statute and policing the airways of this country and those in the Territories of this country.

Now I yield to the Senator from New Hampshire.

Mr. BRIDGES. Would the Senator put his judgment and the judgment of Mr. Fly ahead of that of the Army and Navy? That is the issue.

Mr. MEAD. Is that the question in its entirety?

Mr. BRIDGES. That is the first question.

Mr. MEAD. That question was asked before.

Mr. BRIDGES. But it has not been answered.

Mr. MEAD. That question was answered before, Mr. President, I think to the satisfaction of many Members of the Senate. But to answer it again, let me say, Mr. President, as was said by the able Senator from Wisconsin, there is not a scintilla of evidence in the report or in the hearings of the House committee or the Senate committee to indicate that there is any objection to the services which are being rendered or that the services which are being rendered are not eminently satisfactory to all the agencies of the Government receiving and depending upon such services.

With reference to the attitude of the Army and Navy, there is a rich amount of evidence from military leaders, from the Office of Strategic Services, from Signal Corps officers, from the commanding general of the Hawaiian division, commending the services of the Federal Communications Commission. There is over and above that, to offset what the opposition may say in its reliance upon the letter of the Secretary of War and the Secretary of the Navy, the letter of the Commander in Chief, the President of the United States. While those who oppose the amendment may offer as support the argument, the letter from the Secretary of War and the Secretary of the Navy, those of us who are on the other side of this argument believe in fortifying the Federal Communications Commission with all the appropriations they may reasonably need. I say the letter of the President is, in my judgment, an unanswerable argument that a system has been set up and a board has been created whereby to the very maximum all the services can be dispensed to each of the agencies which require such services.

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

Mr. MEAD. I am glad to yield.

Mr. BRIDGES. Can the Senator produce a letter or any communication from the Secretary of War, the Secretary of the Navy, the Combined Chiefs of Staff, from Admiral King or General Marshall, asking for these services or asking to have the Federal Communications Commission do this work? The Senator has dodged around this issue and so has every other proponent of the amendment.

Mr. MEAD. The Senator has asked for a great many letters.

Mr. BRIDGES. And I have not received them.

Mr. MEAD. As I said before, the Senator has asked for a great many letters and for a great deal of evidence but the Senator to this moment has not taken on himself the responsibility of presenting any evidence. I have submitted one letter after another, but the Senator continues to ask for more and more letters without feeling in the least the obligation that he ought to present something of a constructive nature before this debate is concluded.

Mr. BREWSTER. Mr. President, I shall not undertake to resolve the conflict of opinion, but I do think the record should be made clear, since there is a certain implication in the remarks of my colleague from New York that we are not desirous of intelligence in the conduct of our services. I am sure that, so far as this side of the aisle is concerned, that is what we have been very earnestly desiring very much more of for a long time. Anything that would insure our getting more intelligence into the conduct of the operations of the entire Government would be entirely in accord with our views.

As to the specific issue before the Senate, I cannot furnish the evidence for which the Senator from New York asks, but I think it appropriate to call attention, before we conclude, to one additional fact.

Mr. MEAD. Will my distinguished colleague yield?

Mr. BREWSTER. I yield.

Mr. MEAD. I am not asking for the submission of any letters or added information. That request came after I had submitted, in the debate last week, all the evidence and all the letters which I thought ample to support my argument. So I am not asking for any additional information.

Mr. BREWSTER. I thought there was a suggestion that the Senator was making such a request. I merely call attention to the fact that there is a conflict of opinion, and that this body has the benefit of the opinion in this matter of the one who was selected by the President of the United States as presumably the most competent man in the field of communications, namely, my own colleague, the senior Senator from the State of Maine [Mr. WHITE], who was chosen by the President to be chairman of the last international radio delegation from America to the world conference held at Cairo a few years ago. Recognizing the long service in this field of my colleague, the senior Senator from Maine, on the committees of the House and the Senate dealing with this matter from its inception, he was chosen for this distinction by the President of the United States. With all deference to the President, and the very great responsibilities he is obliged to carry, I am somewhat more inclined to accept the conclusion of the senior Senator from Maine as to whether or not this service may be adequately performed with the appropriations provided, with due regard to all the responsibilities of the war, than for the opinion of the President, on the basis of an opinion from the Bureau of the Budget, in conflict, apparently, with his own military and naval advisers. At any rate, I shall resolve my action on the basis of the opinion of my colleague, believing that it is as competent and as disinterested as any we should be able to secure.

Mr. BARKLEY. Mr. President, I do not intend to delay the Senate on this question, but I wish to utter just a brief word as to my position in regard to the amendment offered by the Senator from New York. The Senator from New York and the Senator from Wisconsin have gone into the whole question in detail; they have covered it exhaustively, from the standpoint of those who favor the amendment, and it would be merely a repetition if I were to attempt to cover that field, and I shall not do so.

I merely wish to say that it seems to me unfortunate that the affairs of the Federal Communications Commission have gotten into the posture of controversy and criticism back and forth on account of matters which have nothing to do with the pending amendment or the pending appropriation, and nothing to do with the war, as a matter of fact. I do not know to what extent the long-existing controversy between the Federal Communications Commission and a portion of the Congress had anything to do with the action of the House in reducing the appropriation by a million and a half dollars. It may be that it had nothing to do with it, and was not thought of in that connection. Nevertheless, it is difficult to dissociate the two things altogether, in view of what seems to me to be the drastic cut made by the House, and the even more drastic cut made by the Senate committee.

I shall not go into the question of the controversy among the services as to the desirability of having the War Department and the Navy Department take over the functions of the Federal Communications Commission, so far as concerns its intelligence divisions, either in Europe or in the United States. The Secretary of War and the Secretary of the Navy recommended, in a letter which they wrote to the President, that there be a certain transfer of authority in matters of investigation pertaining to the war, from the Federal Communications Commission to the War and Navy Departments. After due consideration and long preparation, and after what I understand was a thorough investigation from all sides, the President felt that it was wise not to make the transfer, and said so in a letter which he transmitted to the heads of the two Departments.

It may be that there are Senators and Members of the other body of the Congress who prefer to take the judgment of the Secretary of War and the Secretary of the Navy to that of the President, but they certainly cannot indulge in that preference on the ground that either one of these officers is a high military or naval officer, any more than the President is. Neither of them is a military or naval officer.

Mr. BRIDGES. Will the Senator yield?

Mr. BARKLEY. I do not wish to take much time, but I yield.

Mr. BRIDGES. Would the Senator consider Admiral Leahy a military or naval authority?

Mr. BARKLEY. Yes; I am coming to that, if the Senator will permit me. Of course Admiral Leahy is a very high-ranking naval officer, enjoys the confidence of the country, and has had an outstanding record as a naval authority. But from the standpoint of the command of the Navy, the President of the United States outranks Admiral Leahy, of course.

Mr. BRIDGES. Will the Senator yield further?

Mr. BARKLEY. I think the President's judgment in that matter is entitled to the same consideration to which it would be entitled in any other matter where the decision must be made by the Commander in Chief of the Army and Navy.

Mr. BRIDGES. Does the Senator believe that in the Combined Chiefs of Staff of the various Allied countries which are waging this war we have able men, possibly the outstanding men among the United Nations?

Mr. BARKLEY. I presume they are the best naval and military men available in the various nations.

Mr. BRIDGES. Then the Senator puts the word of Franklin D. Roosevelt, as a military leader and naval leader, ahead of the combined judgment of the Combined Chiefs of Staff?

Mr. BARKLEY. The transfer of these facilities from the Federal Communications Commission to the War and Navy Departments of the United States has nothing to do with interallied command. It is purely a matter for the United States, and certainly the President of the United States, as Commander in Chief of the Army and Navy, stands higher in authority and in responsibility, under the Constitution, than even Admiral Leahy, or the Secretary of War, or the Secretary of the Navy.

Mr. President, in view of all that has been said about this matter it seems to me to be unwise to reduce the appropriation. I myself do not propose to take the responsibility of voting to reduce it in view of all the situations which exist around the world which require the most meticulous information to be obtained, even if it is expensive, as the Senator from Wisconsin said a while ago. I am unwilling to weigh dollars against the lives of our men and women in the service, no matter whether it is a million and a half or two million dollars, the total reduction now carried in the bill.

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

Mr. BARKLEY. I yield, but I must catch a train in a few minutes.

Mr. BREWSTER. This will take only a minute. Do I understand that we are being urged now to support the proposal upon the basis of the fact that it is the opinion of the President of the United States which is involved?

Mr. BARKLEY. No; I am not urging the Senator——

Mr. BREWSTER. The Senator does not urge support for the proposal on that ground?

Mr. BARKLEY. I am not urging the Senator from Maine or any other Senator to vote for the amendment offered by the Senator from New York on the ground that it is the judgment of the President that the activity ought not to be transferred. That is his judgment. I respect that judgment.

Mr. BREWSTER. The Senator does not always follow that judgment. [Laughter.]

Mr. BARKLEY. Well, I follow it much more frequently than does the Senator from Maine. I hope the Senator from Maine accords to me the right to differ even from the President of the United States whenever I feel that it is my duty to do so.

Mr. BREWSTER. And I am sure the Senator from Kentucky will accord us the right to do so.

Mr. BARKLEY. In this particular instance my judgment coincides with that of the President, and I am just as happy or more happy to say so, than I am to say so when I disagree with him.

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

Mr. BARKLEY. For only one question.

Mr. BRIDGES. Very well. Am I to understand the Senator from Kentucky to infer that those who oppose the amendment are placing dollars ahead of lives?

Mr. BARKLEY. No; I am not saying that at all. But I say that I am not willing to economize even to the extent of $2,000,000 if by doing so I think I am jeopardizing the lives of any of our men anywhere in the world. The Senator may have his own judgment about that. I know how the Senator from New Hampshire is going to vote. I know he is going to vote to reduce the appropriation. He is going to vote against the amend-

ment offered by the Senator from New York. Nothing I can say would change the Senator's opinion on that matter, and if I undertook to persuade him about any other matter I have great doubt whether I could do so.

Mr. President, that is all I wish to say, but I am going to vote in favor of the amendment offered by the Senator from New York.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York [Mr. MEAD], on page 13, line 1, in lieu of the committee amendment to insert "$6,146,000." The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DAVIS (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER], who, I understand, if present, would vote "yea." I transfer my pair to the senior Senator from Nebraska [Mr. BUTLER], who, I understand, would vote "nay" if present. I am therefore free to vote, and I vote "nay."

Mr. MEAD (when Mr. WAGNER's name was called). My colleague the senior Senator from New York, is necessarily absent. If he were present, he would vote "yea." The senior Senator from New York has a general pair with the Senator from Kansas [Mr. REED].

The roll call was concluded.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from South Carolina [Mr. SMITH] are absent from the Senate because of illness.

The Senator from Indiana [Mr. JACKSON], the Senator from Missouri [Mr. TRUMAN], and the Senator from Washington [Mr. WALLGREN] are absent on official business. I am advised that if present and voting, the Senator from Indiana and the Senator from Washington would vote "yea."

The Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from Arkansas [Mrs. CARAWAY], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. CONNALLY], the Senator from Rhode Island [Mr. GREEN], the Senator from Illinois [Mr. LUCAS], the Senator from Connecticut [Mr. MALONEY], the Senator from Florida [Mr. PEPPER], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Massachusetts [Mr. WALSH] are detained on public business. I am advised that if present and voting, the Senator from Rhode Island [Mr. GREEN], the Senator from Illinois [Mr. LUCAS], and the Senator from Florida [Mr. PEPPER] would vote "yea."

The Senator from Washington [Mr. BONE], the Senator from Kentucky [Mr. CHANDLER], the Senator from Rhode Island [Mr. GERRY], the Senator from Utah [Mr. MURDOCK], the Senator from Texas [Mr. O'DANIEL], the Senator from North Carolina [Mr. REYNOLDS], and the Senator from Nevada [Mr. SCRUGHAM] are necessarily absent. I am advised that if present and voting, the Senator from Washington [Mr. BONE] and the Senator from Kentucky [Mr. CHANDLER] would vote "yea."

The Senator from Arizona [Mr. HAYDEN], who is detained in a Government department, has a general pair with the Senator from North Dakota [Mr. NYE]. I am not advised how either Senator would vote if present.

The Senator from West Virginia [Mr. KILGORE] is detained in one of the Government departments on matters pertaining to the State of West Virginia. I am advised that if present and voting, he would vote "yea."

The Senator from Arkansas [Mr. McCLELLAN] has been called from the Senate to attend a conference on matters pertaining to the State of Arkansas. I am advised that if present and voting, he would vote "nay."

Mr. WHERRY. The Senator from Nebraska [Mr. BUTLER] is necessarily absent. I am advised that if present he would vote "nay."

The Senator from Oregon [Mr. CORDON] is paired on this question with the Senator from Florida [Mr. PEPPER]. I am advised that if present the Senator from Oregon would vote "nay," and the Senator from Florida would vote "yea."

The Senator from South Dakota [Mr. GURNEY] is paired on this question with the Senator from Rhode Island [Mr. GREEN]. I am advised that if present the Senator from South Dakota would vote "nay," and the Senator from Rhode Island would vote "yea."

The Senator from North Dakota [Mr. NYE] has a general pair with the Senator from Arizona [Mr. HAYDEN].

The Senator from Kansas [Mr. REED] has a general pair with the Senator from New York [Mr. WAGNER].

The Senator from New Hampshire [Mr. TOBEY] is absent on public matters.

The Senator from Oklahoma [Mr. MOORE] is necessarily absent.

The result was announced—yeas 22, nays 38, as follows:

YEAS—22

Andrews	Hill	O'Mahoney
Barkley	Johnson, Colo.	Radcliffe
Capper	La Follette	Shipstead
Clark, Idaho	Langer	Thomas, Utah
Downey	McFarland	Tunnell
Ellender	Maybank	Wheeler
Guffey	Mead	
Hatch	Murray	

NAYS—38

Aiken	Eastland	Stewart
Austin	Ferguson	Taft
Ball	George	Thomas, Idaho
Bankhead	Gillette	Tydings
Brewster	Hawkes	Vandenberg
Bridges	Holman	Walsh, N. J.
Brooks	McCarran	Weeks
Buck	McKellar	Wherry
Burton	Millikin	White
Bushfield	Overton	Wiley
Byrd	Revercomb	Willis
Clark, Mo.	Robertson	Wilson
Davis	Russell	

NOT VOTING—36

Bailey	Green	O'Daniel
Bilbo	Gurney	Pepper
Bone	Hayden	Reed
Butler	Jackson	Reynolds
Caraway	Johnson, Calif.	Scrugham
Chandler	Kilgore	Smith
Chavez	Lucas	Thomas, Okla.
Connally	McClellan	Tobey
Cordon	Maloney	Truman
Danaher	Moore	Wagner
Gerry	Murdock	Wallgren
Glass	Nye	Walsh, Mass.

So Mr. MEAD's amendment to the committee amendment on page 13, line 1, was rejected.

Mr. McKELLAR. Mr. President, I move that the vote which has just been taken be reconsidered.

Mr. McCARRAN. I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. BARKLEY. Mr. President, I think it is generally agreeable that the Senate suspend its session at this point until tomorrow.

Mr. McCARRAN. Mr. President, will the Chair announce the action on the motion to lay on the table.

The PRESIDING OFFICER. Without objection, the motion was agreed to.

Mr. MEAD. Mr. President, I have another amendment to offer. I believe I am correct in saying that as a result of the debate, at least in my opinion, this amendment will be more generally acceptable. Therefore, I shall ask the acting chairman of the Appropriations Committee if he will consider taking the amendment to conference. The amendment would restore item No. 2, providing $500,000 for the Foreign Broadcast Intelligence Service, which merely performs the work of monitoring foreign broadcasts. I think the Service is a very important one. I should like to know whether the acting chairman of the Appropriations Committee will consider taking the amendment to conference.

The PRESIDING OFFICER. The amendment offered by the Senator from New York is not in order until the committee amendment at the top of page 13 is disposed of.

Mr. MEAD. Then I shall ask that my amendment be withheld until the other committee amendment is disposed of.

The PRESIDING OFFICER. The amendment of the Senator from New York may lie on the table.

The Chair finds that in reading the amendment offered by the Senator from New York the Chair was in error, and that the amendment proposed by the Senator from New York is an amendment to the committee amendment at the top of page 13, and is in order.

Mr. BARKLEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BARKLEY. What is the status of the amendment on page 12, line 2?

The PRESIDING OFFICER. It is still open.

Mr. MEAD. Mr. President, action on it, if I may answer the question of the majority leader, was postponed until the disposition of the amendment on page 13, line 1.

Since my amendment is in order, I send it to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

Mr. McKELLAR. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McKELLAR. Has the amendment on page 13 been agreed to?

Mr. BARKLEY. I understand that it has not.

The PRESIDING OFFICER. The Chair will state that the amendment to the committee amendment, on page 13, was rejected, and the committee amendment has never been agreed to.

Mr. McKELLAR. I understood the Chair to rule a while ago——

The PRESIDING OFFICER. The Chair's announcement was with respect to the amendment of the Senator from New York to the committee amendment. The amendment to the committee amendment has been rejected, but the committee amendment has not been agreed to.

Mr. McKELLAR. Very well.

The PRESIDING OFFICER. The amendment of the Senator from New York to the committee amendment at the top of page 13 will be stated.

The CHIEF CLERK. On page 13, line 1, it is proposed to strike out "$4,191,143" and insert "$4,691,143."

Mr. MEAD. Mr. President, my amendment to the committee amendment is for the purpose of restoring the $500,000 cut made by the House in the appropriation for the Foreign Broadcast Intelligence Service, only. I ask for a vote on my amendment to the committee amendment.

Mr. McKELLAR. Mr. President, I wish to say to the Senate that I hope the amendment to the committee amendment will be rejected. We have spent all afternoon on another amendment which provided for a larger amount. The pending amendment to the committee amendment affects a smaller amount. I certainly hope the amendment to the committee amendment will be rejected. I ask for the yeas and nays on the question of agreeing to the amendment to the committee amendment.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. DAVIS. Announcing again my general pair with the junior Senator from Kentucky [Mr. CHANDLER], I transfer that pair to the senior Senator from Nebraska [Mr. BUTLER], who I am advised would, if present, vote "nay." I am, therefore, at liberty to vote. I vote "nay."

Mr. MEAD. My colleague the senior Senator from New York [Mr. WAGNER] is necessarily absent. If present, he would vote "yea." He has a general pair with the Senator from Kansas [Mr. REED].

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from South Carolina [Mr. SMITH] are absent from the Senate because of illness.

The Senator from Georgia [Mr. GEORGE], the Senator from Iowa [Mr. GILLETTE], and the Senator from Montana [Mr. MURRAY] are detained in committee meetings. I am advised that if present and voting, the Senator from Montana [Mr. MURRAY] would vote "yea."

The Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from Arkansas [Mrs. CARAWAY], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. CONNALLY], the Senator from Rhode Island [Mr. GREEN], the Senator from Colorado [Mr. JOHNSON], the Senator from Illinois [Mr. LUCAS], the Senator from Connecticut [Mr. MALONEY], the Senator from Florida [Mr. PEPPER], and the Senator from Massachusetts [Mr. WALSH] are detained on public business. I am advised that if present and voting, the Senator from Rhode Island [Mr. GREEN], the Senator from Colorado [Mr. JOHNSON], the Senator from Illinois [Mr. LUCAS], and the Senator from Florida [Mr. PEPPER] would vote "yea."

The Senator from Washington [Mr. BONE], the Senator from Kentucky [Mr. CHANDLER], the Senator from Rhode Island [Mr. GERRY], the Senator from Utah [Mr. MURDOCK], the Senator from Texas [Mr. O'DANIEL], the Senator from North Carolina [Mr. REYNOLDS], and the Senator from Nevada [Mr. SCRUGHAM] are necessarily absent. I am advised that if present and voting, the Senator from Washington [Mr. BONE], and the Senator from Kentucky [Mr. CHANDLER] would vote "yea."

The Senator from Indiana [Mr. JACKSON], the Senator from Missouri [Mr. TRUMAN], and the Senator from Washington [Mr. WALLGREN] are absent on official business. I am advised that if present and voting, the Senator from Indiana [Mr. JACKSON] and the Senator from Washington [Mr. WALLGREN] would vote "yea."

The Senator from Arizona [Mr. HAYDEN], who is detained in one of the Government departments, has a general pair with the Senator from North Dakota [Mr. NYE]. I am not advised how either Senator would vote if present and voting.

Mr. WHERRY. The Senator from Nebraska [Mr. BUTLER] is necessarily absent. I am advised that if present he would vote "nay."

The Senator from Oregon [Mr. CORDON] is paired on this question with the Senator from Florida [Mr. PEPPER]. I am advised that if present the Senator from Oregon would vote "nay," and the Senator from Florida would vote "yea."

The Senator from South Dakota [Mr. GURNEY] is paired on this question with the Senator from Rhode Island [Mr. GREEN]. I am advised that if present the Senator from South Dakota would vote "nay," and the Senator from Rhode Island would vote "yea."

The Senator from North Dakota [Mr. NYE] has a general pair with the Senator from Arizona [Mr. HAYDEN].

The Senator from Kansas [Mr. REED] has a general pair with the Senator from New York [Mr. WAGNER].

The Senator from New Hampshire [Mr. TOBEY] is absent on public matters.

The Senator from Oklahoma [Mr. MOORE] is necessarily absent.

The result was announced—yeas 24, nays 32, as follows:

YEAS—24

Aiken	Ellender	Maybank
Andrews	Guffey	Mead
Austin	Hatch	Radcliffe
Ball	Hill	Shipstead
Barkley	Kilgore	Thomas, Utah
Burton	La Follette	Tunnell
Clark, Idaho	Langer	Wheeler
Downey	McFarland	Wiley

NAYS—32

Bankhead	Hawkes	Taft
Brewster	Holman	Thomas, Idaho
Bridges	McCarran	Tydings
Brooks	McClellan	Vandenberg
Buck	McKellar	Walsh, N. J.
Bushfield	Millikin	Weeks
Byrd	Overton	Wherry
Clark, Mo.	Revercomb	White
Davis	Robertson	Willis
Eastland	Russell	Wilson
Ferguson	Stewart	

NOT VOTING—40

Bailey	Glass	O'Mahoney
Bilbo	Green	Pepper
Bone	Gurney	Reed
Butler	Hayden	Reynolds
Capper	Jackson	Scrugham
Caraway	Johnson, Calif.	Smith
Chandler	Johnson, Colo.	Thomas, Okla.
Chavez	Lucas	Tobey
Connally	Maloney	Truman
Cordon	Moore	Wagner
Danaher	Murdock	Wallgren
George	Murray	Walsh, Mass.
Gerry	Nye	
Gillette	O'Daniel	

So Mr. MEAD's amendment to the committee amendment was rejected.

The VICE PRESIDENT. The question recurs on agreeing to the committee amendment at the top of page 13.

The amendment was agreed to.

The VICE PRESIDENT. The question now recurs on agreeing to the committee amendment on page 12, line 2.

Mr. MEAD. Mr. President, I offer another amendment which I send to the desk and ask to have stated. I realize that the Senate has already been very patient with me, and I appreciate the futility of offering successive amendments. This amendment would merely give the conferees an opportunity to restore $209,000 to the regular appropriation, which might be applied to emergency or unspecified activities. In view of the fact that such activities may be needed with the forthcoming invasion, I hope the acting chairman of the committee will take it to conference. If he will not, I shall not ask for a yea-and-nay vote.

Mr. McKELLAR. Mr. President, following the directions of the committee, I am obliged to object to the amendment. I ask that it be rejected.

The VICE PRESIDENT. The amendment offered by the Senator from New York will be stated.

The CHIEF CLERK. On page 12, line 2, after the word "amended", in lieu of the committee amendment to strike out "$2,209,000" and insert "$2,000,000", it is proposed to insert "$2,209,000."

The VICE PRESIDENT. The question is on agreeing to the committee amendment on page 12, line 2. The purpose of the Senator from New York would be served by disagreeing to the committee amendment.

The committee amendment was agreed to.

Mr. MEAD. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The VICE PRESIDENT. The amendment offered by the Senator from New York will be stated.

The CHIEF CLERK. On page 13, line 1, in lieu of the committee amendment, it is proposed to insert "$4,491,143."

The VICE PRESIDENT. The Senator's amendment is the same as the House text.

Mr. McKELLAR. Mr. President, this question has already been voted upon.

The VICE PRESIDENT. Is there objection to reconsideration of the committee amendment on page 13, line 1?

Mr. RUSSELL. Mr. President, has not that amendment already been reconsidered on one occasion?

The VICE PRESIDENT. The committee amendment was agreed to.

Mr. RUSSELL. I object to its reconsideration.

Mr. MEAD. Mr. President, it occurs to me that that question was disposed of. So far as I am concerned, I am satisfied.

The VICE PRESIDENT. Does the Senator from New York wish to press his second amendment?

Mr. MEAD. No. I think the question was thoroughly disposed of.

SOCIAL-SECURITY PAY-ROLL TAXES—LETTER FROM SENATOR VANDENBERG TO THE EDITOR OF THE WASHINGTON STAR

Mr. VANDENBERG. Mr. President, the statement which I made a few days ago regarding social-security pay-roll taxes has been misinterpreted in some quarters. In order to make the record entirely clear, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a letter which I have written to the editor of the Washington Star on this subject.

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

MARCH 20, 1944.

EDITOR, THE STAR,
Washington, D. C.

DEAR SIR: To keep the record straight, I respectfully make a correction in one of your Sunday feature stories regarding social security. In discussing my persistent 3-year effort to keep pay-roll taxes at their present 1-percent level (on employers and employees) it is stated that I have now reversed my position taken as recently as last February when I was successfully arguing "that it's ridiculous to pile up a huge fund in the Treasury when Secretary Morgenthau himself has estimated that a safe margin to have on hand is three times the amount that will be needed at any time during the next 5 years."

I have not reversed my position. Your writer's mistake, however, quite understandably flows from another recent news story which may have unwittingly invited this erroneous conclusion. At that time I was asked whether the social-security law should be amended to make the present 1-percent tax permanent, thus wiping out for keeps the progressive pay-roll tax increase contemplated by the statute for future years. I replied that the present 1-percent rate cannot be permanent because the time will come when heavily accumulating benefit payments will then require the statutory increases to take effect. This has been construed in several quarters, including your excellent Sunday feature story, as meaning that I believe we have already reached the point where increased benefit payments already require increased pay-roll taxes—although I successfully argued to the contrary in Congress within the last few weeks and have not in any degree changed my mind.

My position is and will continue to be precisely as heretofore urged in the Congress. I stand for whatever social-security pay-roll taxes are necessary to maintain adequate reserves for the old-age and survivors benefit payments. I would not for an instant deprive these reserves of 1 essential penny. On the other hand, I would not burden 40,000,000 workers and all of their employers with any needless increase in pay-roll taxes to build up needless reserves. The yardstick for measuring the adequacy of these reserves has been laid down by Secretary of the Treasury Morgenthau himself—namely, a reserve which is 3 times the highest drain contemplated in 5 subsequent years. The reserve at present is at least twice adequate under this rule. Therefore, I have opposed a 100-percent increase in pay-roll taxes in 1944. By the same token, whenever the reserve in future years does become inadequate, I shall, for identically the same reason, favor an increase in pay-roll taxes. Only subsequent events in subsequent years can indicate when this will be.

In a word, I have not reversed my position. On the contrary, I stand squarely upon it as always. You will understand that I am not writing in any spirit of complaint. I fully realize how the error occurred. I simply deem it vitally important to keep the record unassailably straight.

Cordially and faithfully,

A. H. VANDENBERG.

EXECUTIVE SESSION

Mr. McKELLAR. I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

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

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

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

Henry N. Graven, of Iowa, to be United States district judge for the northern district of Iowa, vice George C. Scott, retired;

John J. Morris, Jr., of Delaware, to be United States attorney for the district of Delaware, vice Charles Stewart Lynch, term expired;

Harry H. Holt, Jr., of Virginia, to be United States attorney for the eastern district of Virginia, vice Sterling Hutcheson;

Raymond E. Thomason, of Alabama, to be United States marshal for the northern district of Alabama. (Mr. Thomason is now serving in this office under an appointment which expired March 2, 1944);

Roulhac Gewin, of Alabama, to be United States marshal for the southern district of Alabama. (Mr. Gewin is now serving in this office under an appointment which expires March 29, 1944); and

Robert W. Rabb, of Pennsylvania, to be United States marshal for the middle district of Pennsylvania. (Mr. Rabb is now serving in this office under an appointment which expired July 25, 1943.)

By Mr. REYNOLDS, from the Committee on Military Affairs:

Sundry officers for promotion in the Regular Army;

Sundry officers for appointment, by transfer, in the Regular Army; and

Col. Stanhope Bayne-Jones (lieutenant colonel, Medical Reserve), Army of the United States, for temporary appointment as brigadier general in the Army of the United States, under the provisions of law.

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

Sundry postmasters.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the calendar.

FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the Foreign Service.

Mr. McKELLAR. Mr. President, I ask that the nominations in the Foreign Service be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Foreign Service are confirmed en bloc.

GEN. THOMAS HOLCOMB

Mr. BUCK. Mr. President, the nomination of Gen. Thomas Holcomb, of Delaware, to be Envoy Extraordinary and Minister Plenipotentiary of the United States to the Union of South Africa has just been confirmed. He is a native son of my State, and his ancestors for generations were citizens of Delaware. It is a privilege to be present to witness his confirmation as Envoy Extraordinary and Minister Plenipotentiary of the United States to the Union of South Africa.

The record of General Holcomb's career is a lifetime of distinguished service as a member of the United States Marine Corps; it is a record of efficiency and valor that has reflected credit to his country and his State.

Thomas Holcomb was born in New Castle, Del., August 5, 1879. He entered the United States Marine Corps in 1900 and was promoted through grades to brigadier general. He commanded the Second Battalion, Sixth Marines, A. E. F., in 1918, and participated in the Chateau Thierry-Soissons offensives. He advanced to second in command of the Sixth Marines in the same year, and participated in St. Mihiel, Meuse-Argonne offensives.

For meritorious service and valor he holds the Navy Cross, Chevalier French Legion of Honor, Croix de Guerre with three palms, Purple Heart, Silver Star Medal with three oak-leaf clusters, and last month was awarded a Distinguished Service Medal by the Seventy-eighth Congress.

General Holcomb is the first man in the history of the Republic to acquire the rank of a four-star general in the United States Marine Corps.

As one of Delaware's representatives in this august body, it is an honor to attest to the high regard and deep esteem in which Gen. Thomas Holcomb is held by the citizens of his State. God willing, may he devote many more useful years to the service of his country.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc.

That completes the calendar.

NOMINATION OF COL. STANHOPE BAYNE-JONES TO BE A BRIGADIER GENERAL IN THE ARMY OF THE UNITED STATES

Mr. TAFT. Mr. President, earlier in the day there was reported from the Committee on Military Affairs the nomination of Col. Stanhope Bayne-Jones, now a lieutenant-colonel in the Medical Reserve, to be a brigadier general in the Army of the United States. I ask unanimous consent for the immediate consideration of the nomination.

The reason I do so is that this nomination was held up for an undue length of time by an objection, which has been completely withdrawn and satisfied. There are important reasons why Colonel Bayne-Jones, who is connected with the Typhus Commission and is one of the principal aides of the Surgeon General, should receive this promotion as soon as possible.

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

Mr. BRIDGES. Mr. President, I was one of those who asked for more time, and I objected to confirming the nomination of Col. Stanhope Bayne-Jones to be brigadier general. The objections have now been satisfied, and I join with the Senator from Ohio in asking unanimous consent that the nomination be confirmed.

The VICE PRESIDENT. The nomination will be stated.

The legislative clerk read the nomination of Col. Stanhope Bayne-Jones to be a brigadier general in the Army of the United States.

The VICE PRESIDENT. Is there objection to the present consideration of the nomination? The Chair hears none. Without objection, the nomination is confirmed.

Mr. McKELLAR. I ask unanimous consent that the President be notified of all nominations confirmed today.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

RECESS

Mr. McKELLAR. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 50 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, March 21, 1944, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 20 (legislative day of February 7), 1944:

DIPLOMATIC AND FOREIGN SERVICE

Francis L. Spalding, of Massachusetts, now a Foreign Service officer of class 7 and a secretary in the Diplomatic Service, to be also a consul of the United States of America.

THE JUDICIARY

UNITED STATES ATTORNEY

Harry O. Arend, of Alaska, to be United States attorney for division No. 4 of Alaska, vice Ralph J. Rivers, resigned.

DEPARTMENT OF THE INTERIOR

GRAZING SERVICE

Clarence L. Forsling, of Utah, to be Director of Grazing; vice Richard H. Rutledge, resigned.

UNITED STATES PUBLIC HEALTH SERVICE

The following-named officers for promotion in the regular corps of the United States Public Health Service:

Assistant Surgeon Harry F. White, Jr., to be passed assistant surgeon effective November 23, 1943.

Assistant Sanitary Engineer John S. Wiley, to be passed assistant sanitary engineer effective February 21, 1944.

Assistant Surgeon H. Charles Franklin, to temporary passed assistant surgeon effective March 1, 1944.

Assistant Surgeon Robert S. McClintock, to be temporary passed assistant surgeon effective March 1, 1944.

Surgeon Erwin W. Blatter, to be temporary senior surgeon effective March 1, 1944.

Passed Assistant Surgeon William H. Stimson, to be temporary surgeon effective March 1, 1944.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 20 (legislative day of February 7), 1944:

FOREIGN SERVICE

AMBASSADORS EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COUNTRIES PLACED OPPOSITE THEIR RESPECTIVE NAMES

Avra M. Warren; to Panama.
Leland B. Morris; to Iran.
Orme Wilson; to Haiti.
Willard L. Beaulac; to Paraguay.
Ellis O. Briggs; to the Dominican Republic.

ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COUNTRIES PLACED OPPOSITE THEIR RESPECTIVE NAMES

Louis G. Dreyfus, Jr.; to Iceland.

Gen. Thomas Holcomb; to the Union of South Africa.

Kenneth S. Patton; to New Zealand.

CHARGÉ D'AFFAIRES OF UNITED STATES OF AMERICA

Rudolph E. Schoenfeld; near the Government of Luxemburg now established in London.

IN THE ARMY

TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

Col. Stanhope Bayne-Jones to be brigadier general.

POSTMASTERS

DELAWARE

Alton L. Brittingham, Lewes.
John E. Mayhew, Milford.

FLORIDA

S. Gary Turnley, Fort Meade.
Howard M. Daniels, Havana.
Robert Neil Durrance, Sebring.

KANSAS

Dale Graves, Healy.

LOUISIANA

Harry R. Mock, Baskin.
Lillian Causey, Bonita.
Annie M. Pyron, Collinston.

MAINE

Lizzie J. Chase, Mount Vernon.
Emma T. Allen, New Gloucester.
Henry G. Swett, Weld.
J. Vinal Hunnewell, Woolwich.

MARYLAND

John W. Hager, Damascus.
Mary K. Sharpless, Kitzmiller.
Marjorie H. Pearce, Monkton.

MASSACHUSETTS

Charles L. Bevans, Harwich Port.
Carl O. F. Swanson, Rehoboth.

MICHIGAN

N. Kenneth Zeigler, Brimley.
Harry Keithan, Ceresco.
Elmer Brogan, Emmett.
Reatha M. Linke, Filer City.
Charles B. Jenkins, Fostoria.
Emma R. A. Stevenson, Gaines.
Guy H. Fowler, Goodells.
Stella B. Paul, Gulliver.
Ernest Belville, Mesick.

MISSOURI

Etha M. Word, Amoret.
Calvin Clay, Augusta.
Hazel Quick, Camden.
John C. Goodwin, Fair Grove.
Raymond L. Whited, Flemington.
Florence B. Browning, Hermitage.
Harry L. Epperson, Hurdland.
Miles M. O'Neal, Jamestown.
Dwight E. Whitten, Peculiar.
Velda G. Guidicy, Pevely.
Brownlee E. Rainey, South Kinloch Park.

NEW HAMPSHIRE

Iona A. Jenness, Rye.

NEW YORK

Joseph A. McKenna, Albion.
William H. Porter, Jr., Ancram.
Katherine L. Downs, Aquebogue.
Hanna A. Williams, Belleville.
Samuel E. G. Harris, Brushton.
Laurence E. Clark, Chenango Bridge.
Charles F. Driscoll, Clay.
Edward J. Drumb, Ebenezer.
James T. Hunter, Galway.
Margaret C. Flood, Gorham.
Matilda Whitney, Henderson.
Hattie R. Ballard, Holmes.
Henry B. Goodell, Irving.
Charles E. Denison, Niskayuna.
Claude L. Wright, Painted Post.
Colletta W. Potter, Port Crane.
Beatrice F. Skinner, Portland.
Hope C. Conneely, Richburg.
Thomas J. Riley, Seneca Falls.
Jay W. Cook, Verona.
McIntyre P. Sampson, Yorkshire.

OHIO

Ella B. Morgan, Fairpoint.
Oscar D. Binkley, Gettysburg.
Neil E. Smith, Nobles.

OREGON

Maude H. Sitter, Myrtle Creek.

PUERTO RICO

Juan Figueroa, Ceiba.
Saulo M. Giminez, Orocovis.
Elias Almeda Aponte, San Lorenzo.

TENNESSEE

Marvin M. McKnight, Bemis.

WYOMING

Harley G. Murphy, Thermopolis.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 20, 1944

The House met at 12 o'clock noon.

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

Most merciful Father of all the earth, in this life, the scene of victory and failure, of joy and sorrow, we beseech Thee to enlarge our conception of Thee and of Thy plan and purpose for us. Humble us in the sense of our own attainments and grant that we by faith may rest in the consciousness that wherein we are defi-

cient Thou wilt make it up through the merits of Jesus Christ the righteous. O Thou who wert a true Man, the truest the world has ever known, a great Man, the greatest among the sons of men, inspire in us the purest and the noblest thoughts, turning us toward the everlasting verities of our most holy faith.

Dear Lord, our hearts are filled with sympathy for all who are heavy laden and burdened with care. A deep, harsh-toned grief has come to one of our homes. O God, there are so many open spaces in the music of this world; be lovingly near the stricken family and enable them to hide their sorrow in the rest of Thy promise: "Fear thou not, for I am with thee; neither be thou dismayed." Loving Father, Thou art near all who call upon Thee; may they be possessed with the strength of an inner calm, as they look forward with imperishable hope, through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of Thursday, March 16, 1944, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had adopted the following resolution (S. Res. 272):

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. JAMES A. O'LEARY, late a Representative from the State of New York.

Resolved, That a committee of two Senators be appointed by the President of the Senate to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now take a recess until 12 o'clock noon on Monday next.

The message also announced that pursuant to the provisions of the above resolution, the Vice President had appointed Mr. WAGNER and Mr. MEAD members of said committee on the part of the Senate.

The message also announced that the Vice President has appointed Mr. BARKLEY and Mr. BREWSTER members of the Joint Select Committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agency:

1. Department of Agriculture.
2. Department of the Interior.
3. Department of the Navy.
4. Department of the Treasury.
5. National Archives.

ST. PATRICK'S DAY

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. O'BRIEN of New York. Mr. Speaker, I did not rise to a point of personal privilege because of the fact that many sarcastic and insinuating remarks were cast at me, for I have no need to defend myself. I do, however, have something I wish to read, something I prepared to read last Friday. Although today is not St. Patrick's Day, with your kind indulgence I will give it precisely as I would have given it on Friday had the House been in session.

Mr. Speaker, I consider myself singularly privileged this 17th day of March to salute my colleagues and fellow Americans—so here goes. The top o' the morning to youse all! Erin go bragh! Be off with youse, you and your blarney.

You do know, my friends, that my congratulations to you on this glorious morning are shared with me by every Member of this House of Irish extraction, and may divine Providence shower on you His choicest blessings.

Never in the history of our great country have the Americans of Irish extraction been so thankful for the numerous and bountiful blessings which have been given them by these great and glorious United States. No nationalistic extraction has ever been given greater privileges, consideration, and protection than the two-fisted, red-blooded, fighting Irish. Yes, the pages of history have been glorified by their heroic deeds in every war and the service they have rendered on the home front cannot in any way be computed on a cold, hard basis of dollars and cents. This great love of country is motivated by a feeling of appreciation and devotion for their land of adoption.

Now let us just take a look. At my left we find a descendant of the great Welches. We have an offspring of the Kearneys, and who would want to overlook the Gavins and the Horans.

It is with profound modesty and with great reluctance that I inform you that we O'Briens were the noblest of all Irish. We were the kings—yes, we were the kings of the fighting Irish and not neutral Ireland.

We have plenty of reasons to omit this year those Deep in the Heart of Texas Irish, but because of our generosity and love of mankind we feel we would be doing a great injustice to ourselves and not to the individuals to whom I am about to allude, namely, "Lariat Slinging, Black Cattle" DICK O'KLEBERG, long, lean, rangy "Pistol Packin" MILTON MICHAEL O'WEST, and the vociferous and flamboyant "Don't Draft Them Fathers" O'KILDAY.

Now for saluting the Irish on my right. If you will give me your undivided attention, I will mention them by name, and do not by any means conclude that I am reciting a charter of the choicest names coming from the list of the Ancient Order of Hibernians. Let's start with the Merritts, the Lynches and the Curleys. Then we have the Fitzpatricks, the Keoghs, the Fays and the Barrys. To be sure there are the Kennedys, the Harts, the Flannagans, the Cochrans, and the great Fogartys, the Maddens and the Kirwins. And glory be to St. Patrick! do not omit the Bradleys, the Kellys, the Murphys, and the Delaneys; and, bless my soul, we have the Nortons, the Sullivans, and the Mansfields. I want to grasp this opportunity to give my personal salute to the one and only PAT CANNON of Florida, the only man in Congress who has his clothes made by the Cincinnati Tent Co. and who carries his constituency and voters either in the palm of his hand or in his vest pocket. The former a pair of loaded dice and the latter a deck of marked cards. If you know what I mean, and I think you do.

At this point you have a perfect right to ask if I have purposely neglected to mention the names of TOM O'BRIEN, of Chicago, and GEORGE O'BRIEN, of Detroit. Positively no, but I want no confusion. They are just O'Briens and by no means can they lay any claim to any relationship to me or my ancestors. We were the O'Briens who were the fighting kings.

My colleagues, there are many distinguished names of Irish ancestry in our great country. Did you ever hear of the name of McCormack? Is that name familiar to you? Well, according to JOE O'HARA, EMMET O'NEAL, and DON O'TOOLE it was a McCormack who was partially responsible for bringing on the Irish famine. These men tell me with all sincerity that it was a McCormack who threw the overalls in Mrs. Murphy's chowder and then they immediately emigrated to South Boston.

The McCormacks are deeply indebted to the O'Briens, but they will never be able to show their gratitude. Were it not for the inventive genius of one of my ancestors, the McCormacks would still be on all fours, because it was an O'Brien who invented the wheelbarrow. This McCormack tribe was of rock-slinging, brick-throwing, cave-dwelling origin and only after their expulsion from Ireland did they achieve prominence and fame. I might add, that it was a McCormack who twisted the tail of Mrs. O'Leary's cow that kicked over the lantern and started the Chicago fire.

It has been the extreme and distinguished pleasure of the Irish each year to honor men who have made valuable contributions to the Irish cause and in 1944 after the utmost deliberation, I wish to mention for your approval the names of BILL MONKIEWICZ, THAD WASIELEWSKI, and JOHN LESINSKI. We want these men to know we appreciate their efforts in behalf of the Irish and let me salute them in this manner:

Polski narod upiekszal stronice historyi;
Polske postanowienie i Polskie rycerskie
czyny beda zyc na wieki;
Z Boga wola, Polska zawsze bedzie zyc.

In conclusion, again, top o' the morning, God bless you, Mr. Speaker, and God bless you all.

THE LATE LT. ROBERT T. BROWN

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. VINSON of Georgia. Mr. Speaker, for the first time in his 10 years' service in the House, our distinguished colleague the gentleman from Georgia, PAUL BROWN, is absent from the session today. He is overcome with grief on account of his son, Lt. Robert T. Brown, United States Navy, who has been reported missing in action. Last Saturday the

gentleman from Georgia [Mr. BROWN] was notified by the Navy Department to this effect.

Lieutenant Brown was the only son of Mr. and Mrs. Brown, and was 24 years of age. It was my privilege to know Lieutenant Brown personally and intimately. He was a brilliant, fearless, and courageous communications officer on a submarine operating in the Pacific. He had distinguished himself by an outstanding record and career in the Navy, which he entered 2 years ago after graduating from the University of Georgia with high honors.

While attending the university, Lieutenant Brown was editor of the university magazine and president of the Chi Phi fraternity and was also a member of the Phi Beta Kappa chapter.

In their hour of great sorrow, the entire membership of the House extends to Mr. and Mrs. Brown their deepest and most sincere sympathy.

COMMEMORATION OF THE CENTENNIAL OF THE TELEGRAPH

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Concurrent Resolution 72.

The Clerk read the resolution, as follows:

Whereas Samuel F. B. Morse, a distinguished American artist, invented the first practical electromagnetic telegraph in the winter of 1835–36, and obtained an appropriation from the Congress of the United States in 1843 for the construction of an experimental telegraph line between Baltimore, Md., and Washington, D. C.; and

Whereas the first telegram, "What hath God wrought" was sent over this line from the old Supreme Court room in the Capitol to Baltimore on May 24, 1844; and

Whereas the sending of the first telegram marked the beginning of the telegraph industry, which has been indispensable to the country in four wars and, by linking all sections, has implemented the traditional motto, "E pluribus unum"; and

Whereas the telegraph was the first speedy means of communication connecting the nations of the world, bringing all peoples closer together, and promoting the dissemination of ideas as well as international trade; and

Whereas the telegraph was the first great electrical discovery and was the forerunner of our entire system of electrical communications, including the telephone, the radio, and television: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That there is hereby created a joint congressional committee to be composed of five Members of the Senate, to be appointed by the President of the Senate, and five Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. Such committee shall secure an appropriate plaque or other suitable memorial to be placed in or near the room in the Capitol from which the first telegraph message was dispatched, and shall arrange for appropriate exercises, to be held on May 24, 1944, for the purpose of placing such plaque or other memorial and commemorating the centennial of the telegraph. The cost of carrying out the provisions of this concurrent resolution, including the cost of such plaque or other memorial, not to exceed $4,000, shall be paid one-half from the contingent fund of the House and one-half from the contingent fund of the Senate.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. BULWINKLE]?

There was no objection.

The House concurrent resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. BULWINKLE]?

There was no objection.

Mr. BULWINKLE. Mr. Speaker, May 24, 1944, will mark the one hundredth anniversary of the discovery, and the use of, the first great electrical invention. It was on that day 100 years ago that Professor Samuel F. B. Morse sent the first official message over the wires from a telegraph instrument which had been placed in the then Supreme Court room, now the law library, in the Capitol in Washington.

To commemorate that event and to do honor to the memory of the great inventor, Professor Morse, I introduced in the House, Concurrent Resolution 72. A similar resolution has been introduced in the Senate by Senator BURTON K. WHEELER. The resolution provides for a committee of 10, 5 of whom shall be appointed by the President of the Senate, and 5 by the Speaker of the House, who shall arrange for appropriate exercises to be held on the coming 24th day of May and the placing of an appropriate plaque, or memorial, to Professor Morse.

On December 30, 1842, the Committee on Commerce of the House of Representatives reported a bill which I shall within a short time read to you. This report was written by Mr. Ferris. The first two paragraphs of that report are clear and convincing as to the needs of a system of communication for the Nation:

Be it enacted, etc., That the sum of $30,000 be, and is hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, for testing the capacity and usefulness of the system of electromagnetic telegraphs invented by Samuel F. B. Morse, of New York, for the use of the Government of the United States, by constructing a line of said electromagnetic telegraphs, under the superintendence of Prof. Samuel F. B. Morse, of such length, and between such points, as shall fully test its practicability and utility, and that the same shall be expended, under the direction of the Postmaster General, upon the application of said Morse.

SEC. 2. *And be it further enacted*, That the Postmaster General be, and he is hereby, authorized to pay, out of the aforesaid $30,000, to the said Samuel F. B. Morse, and the persons employed under him, such sums of money as he may deem to be a fair compensation for the services of the said Samuel F. B. Morse, and the persons employed under him, in constructing and in superintending the construction of the said line of telegraphs authorized by this act.

It may be of interest to the House for me to give you an idea of what happened to this bill. Toward the close of the session—to be exact, on February 21, 1843—Mr. John P. Kennedy, a Representative from the State of Maryland, who was interested in the electromagnetic telegraph, moved that the Committee take up and dispose of a bill to test the practicability of an electromagnetic telegraph in the United States.

The Committee of the Whole considered the bill, and—quoting from the Congressional Globe—these proceedings were had:

ELECTRO AND ANIMAL MAGNETISM

On motion of Mr. Kennedy, of Maryland, the Committee took up the bill to authorize a series of experiments to be made, in order to test the merits of Morse's electromagnetic telegraph. The bill appropriates $30,000 to be expended under the direction of the Postmaster General.

On motion of Mr. K., the words "Postmaster General" were stricken out and "Secretary of the Treasury" inserted.

Mr. Cave Johnson wished to have a word to say upon the bill. As the present Congress had done much to encourage science, he did not wish to see the science of mesmerism neglected and overlooked. He therefore proposed that one-half of the appropriation be given to Mr. Fisk to enable him to carry on experiments, as well as Professor Morse.

Mr. Houston thought that Millerism should also be included in the benefits of the appropriation.

Mr. Stanly said he should have no objection to the appropriation for mesmeric experiments, provided the gentleman from Tennessee [Mr. Cave Johnson] was the subject. [A laugh.]

Mr. Cave Johnson said he should have no objection, provided the gentleman from North Carolina [Mr. Stanly] was the operator. [Great laughter.]

Several gentlemen called for the reading of the amendment; and it was read by the Clerk, as follows:

"Provided, That one-half of the said sum shall be appropriated for trying mesmeric experiments, under the direction of the Secretary of the Treasury."

Mr. S. Mason rose to a question of order. He maintained that the amendment was not bona fide, and that such amendments were calculated to injure the character of the House. He appealed to the Chair to rule the amendment out of order.

The Chairman said it was not for him to judge the motives of Members in offering amendments; and he could not, therefore, undertake to pronounce the amendment not bona fide. Objections might be raised to it on the ground that it was not sufficiently analogous in character to the bill under consideration; but, in the opinion of the Chair, it would require a scientific analysis to determine how far the magnetism of mesmerism was analogous to that to be employed in telegraphs. [Laughter.] He therefore ruled the amendment in order.

On taking the vote, the amendment was rejected—ayes 22, noes not counted.

The bill was then laid aside to be reported (p. 323, vol. 12, 27th Cong., 3d sess.).

The bill came up for final consideration in the House on February 23, 1843, and the proceedings of that date, as recorded in the Globe, are as follows:

ELECTRO-MAGNETIC TELEGRAPH

On motion of Mr. J. P. Kennedy, the bill making appropriations to test the value of Morse's electro-magnetic telegraph was taken up, and, under the operation of the previous question, passed—ayes 89, noes 83. (P. 339, vol. 12, 27th Cong., 3d sess.)

The bill passed the Senate on the closing day of the session, March 3, 1843, and was signed by the President on that date. From this time on Professor Morse started and completed the building of the line from Washington to Baltimore.

Mr. Will P. Kennedy, Litt. D., of Washington, has spent some time collecting the facts and the data of the sending of the first message, and I shall quote from Mr. Kennedy's manuscript:

Dr. Prime, a long-time associate of Professor Morse and his brothers, was chosen by the family and executors of Morse to carry out a provision in his last will and testament "to place his manuscripts in the hands of some suitable person for the purpose of examining and using the same in preparing a biographical or historic note." Dr. Prime wrote in 1874: "On the 24th day of May, 1844, Professor Morse was prepared to put to the test the great experiment on which his mind had been laboring for 12 anxious, weary years. Mr. Vail, his assistant, was at the Baltimore terminus in the Mount Clare depot. Professor Morse had invited his friends to assemble in the chamber of the United States Supreme Court, where he had his instrument, from which the wires extended to Baltimore."

The eye-witness account is by a venerable citizen of Charleston, as follows: "My brother, Isaac Edward Holmes, warmly supported Mr. Morse's application to Congress for an appropriation which enabled him to erect the first telegraph wires between Washington and Baltimore. These first erected wires were operated by Morse in person. I stood with him in his room under the Senate Chamber at Washington, saw him operate by dipping into a phial of quicksilver the end of one wire from the battery in the corner of the room, while the same phial held, immersed in the quicksilver, the end of the other wire from the same battery. A reel held, wound up, a paper ribbon which, as it was unwound, passed over a roller having three grooves corresponding to three prongs of a dull-pointed fork which was passed upon the paper, and according to the time, made dots or lines, which was the alphabet invented by Morse. Morse dismissed us (the spectators) that, as he said, he might assist Lieutenant (afterward Commodore) Wilkes in determining by the telegraph the relative longitude in time of Washington and Baltimore. I attempted after the exhibition to explain to one of the Senators of South Carolina, McDuffie, the mode of operation. I failed, for, though he listened, I am sure he did not heed, since at the conclusion he exclaimed, 'I don't understand one word you've said.' Which produced an explosive laugh from our other Senator, Hunger, who was quietly smoking his cigar, expecting just such a result."

An account of the occasion, in a book published by Morse's son, Edward Lynd Morse, in 1914, follows: "And now at last the supreme moment had arrived. The line from Washington to Baltimore was completed and on the 24th of May, 1844, the company invited by the inventor assembled in the chamber of the United States Supreme Court to witness the triumph. True to his promise to Miss Annie Ellsworth, he had asked her to indite the first public message which should be flashed over the completed line, and she, in consultation with her good mother, chose the now historic words from the twenty-third verse of the twenty-third chapter of Numbers. To Morse, with his strong religious bent and his belief that he was but a chosen vessel, every word seemed singularly appropriate. Calmly (all authorities emphasize his calmness) he seated himself at the instrument and ticked off the inspired words in the dots and dashes of the Morse alphabet. Alfred Vail, at the other end of the line in Baltimore, received the message without an error, and immediately flashed it back again, and the electro-magnetic telegraph was no longer the wild dream of a visionary, but an accomplished fact.

In reading of what happened on that occasion 100 years ago, I wish to call to your attention what one of the Senators from North Carolina had to say. Senator Willie P. Mangum was President pro tempore of the Senate. Upon the death of President Harrison, the Vice President, Mr. Tyler, became President and Senator Mangum was President pro tempore and occupied the Vice President's office, which was above the old Supreme Court room on the first floor. The Vice President's office later became part of the offices assigned to the Supreme Court and was occupied by the Supreme Court from 1859 until it was removed to the new Supreme Court Building. Senator Mangum said in his manuscript on the 29th day of May 1844:

Senator Willie P. Mangum, the Whig Senator from North Carolina, wrote, May 29, 1844: "The telegraph is in a room in the north end of the Capitol and under my room. Every new turn at Baltimore comes here in less than a twentieth part of a second—absolutely a miraculous triumph of science. Yesterday evening from 4 to 7 o'clock more than a thousand people were in attendance at the window, at which placards in large letters were exhibited upon the receipt of each item of news. Today from 700 to 900 were attending when the news came that Polk was unanimously nominated. I was out of my seat at a window above, observing and ready to enquire. Someone cried out "Three cheers for Clay." The air resounded with the outpourings of 500 pairs of strong lungs in three hearty cheers. A call was made for three cheers for Polk, and the feeblest wail of some 20 or 30 voices was heard in modest, subdued, and conquered strains, and they were in literal truth, a majority of them, boys who had cheered with equal zeal for Clay. (Willie P. Mangum Papers, Manuscripts.)

On the 19th day of June 1844 the National Intelligencer stated:

The magnetic telegraph continues to work wonders. Among these reports of its marvels in the Patriot of June 17 is that at 12 o'clock Chief Justice Taney, being at the Electric Register in Baltimore, sent his respects to the President (then at the Capitol) with the hope that he was well. The President (Tyler) returned his compliments immediately, stating that he enjoyed good health and felt much better since Congress had finally adjourned.

The exact place from which this message was sent is described in a book by Roland Williamson, assistant in charge, from the Law Library in the Capitol, Washington, D. C., on pages 172–173:

If the reader can picture the east front of the United States Capitol, he will see, to the right of the main steps, on the ground level, the five windows of the Law Library. The central window is interesting for the reason that through it passed the wire carrying the first telegraph message, "What hath God wrought!" Near this window Marshall sat as Chief Justice of the United States Supreme Court. The room is semicircular and its high ceiling is supported by fluted columns connected with graceful arches.

"What hath God wrought!"—this was the message which was sent from Washington to Baltimore and repeated from Baltimore to Washington. It was the first official message. The message which Professor Morse sent was written by Miss Ellsworth, the daughter of the Commissioner of Patents. Professor Morse had made the promise to Miss Ellsworth that she could indite the first message. Governor Seymour of Connecticut, then a Member of the House, claimed the slip of paper on which the telegraph characters were printed, on the grounds that Miss Ellsworth was a native of Hartford. It was delivered to him by Miss Ellsworth and this message is now preserved in the Archives of the Hartford Museum.

I do not have the time to speak to you fully on the successes and failures of telegraphy, but the difficulties were overcome and within a few years messages were being sent to San Francisco. A company and other companies were formed because the Government, under direction of the Postmaster General, after a few years of trial in operations, turned it over to private interests. These and other facts connected with this wonderful invention should be printed as a public document after the exercises are held on the coming 24th day of May and thereby preserved for the future, and it will be my suggestion that Mr. Will P. Kennedy's manuscript be then printed as a public document.

There are many sources from which one could gather material—the reports to Congress, the reports of committees, the newspapers of that day, and the writing of men of that time all contribute to an accurate and complete knowledge of this invention and of Professor Morse and what he accomplished.

Mr. Speaker, in conclusion, I know that the Congress will deem it fitting to recognize the outstanding achievement of Professor Morse and his life and character because he did a great work. He spent his money and he gave his time in giving to the world a new system of communications and it is fitting that the Congress place a suitable memorial in the Capitol because the Congress of that day, 100 years ago, made this discovery a part and a product in this Capitol in which we now assemble.

This invention was a forerunner of all electric communications and today whether we use the telegraph, the cable, the telephone, the teletype, the radio, or television, we must recognize that all of these are due to the efforts of one man who toiled and worked for years to perfect an instrument over which messages could be sent.

It is my understanding that all companies engaged in electric communications will on May 24 pay tribute to Professor Morse and acknowledge the greatness of his invention a century after it was first completed, and every person, no matter where he lives, must realize that Professor Morse very largely contributed to the benefits which we are now enjoying whether those benefits are of pleasure or for business. He started to make communication easy not only in

this country which was joined together but it was only a few short years, some 17 or 18, until communication could be had within a few minutes between Washington and San Francisco and other parts of the country. Even as this country is united by this means of communication so today we can know what is happening within a short time from any corner of the globe.

EXTENSION OF REMARKS

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial.

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

There was no objection.

Mr. STEWART. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from the secretary of the Oklahoma Bar Association as well as a resolution relative to Oklahoma attorneys appearing before commissions and bureaus.

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

There was no objection.

Mr. SULLIVAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech I delivered on St. Patrick's Day at Franklin Square, the site of the monument to Commodore John Barry, as the Irish war veterans placed a wreath on the monument.

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

There was no objection.

Mr. BOYKIN. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein two letters about the Tennessee Valley Authority.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. OUTLAND. Mr. Speaker, I ask unanimous consent that after disposition of business on the Speaker's table this afternoon and at the conclusion of any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

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

There was no objection.

EXTENSION OF REMARKS

Mr. DILWEG. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address recently made by Mr. Marvin Jones, War Food Administrator.

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

There was no objection.

LEAVE OF ABSENCE

Mr. EATON. Mr. Speaker, I ask unanimous consent that my colleague, the gentleman from New Jersey [Mr. THOMAS], may be granted leave of absence on account of illness.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

TIME FOR A DEFINITE POLICY

Mr. MURRAY of Wisconsin. Mr. Speaker, the time has come when some people somewhere in public office should decide as to the need for food in connection with the war.

We will soon have the agricultural appropriations bill up for consideration and it should be apparent to anyone that it is useless to subsidize food production if there is no one there to produce the food.

If dairy products are needed for the war effort it should be realized that milk production is a double manpower problem and it is important to give proper consideration to the manpower involved. First the crop must be raised and then additional manpower is required to convert these crops into food products to say nothing of the manpower involved in processing and packing the products into final and acceptable form so it can be shipped in the necessary channels.

I have no desire to be critical of what has been or is being done in connection with the rural manpower problem. However, I do know that the time has come when some definite understanding should be reached as to the importance of food in the war effort. We should not expect to follow the policy of pounding these elderly people and children on the back in the rural sections where the food is produced. We can subsidize milk $5 per hundredweight but it will bring no results if there is no one there to milk the cow.

No one should be criticized for asking for a definite policy as regards the importance of food production. Some definite conclusion should be reached and some announcement made as to what products are needed in the war effort.

As an indication of the seriousness of this situation and the need for a definite policy is indicated by a telegram which I have received from on of the counties in the district which I have the honor to represent. Excerpts of the telegram are as follows:

It is a known fact that one industry in the country that has produced more with less men is agriculture. Why should the men be taken off the farm and away from the only industry which as a whole has proven itself efficient during the war? The signers of this are citizen members of the local draft board, members of the country agricultural committee and chairman of the Green Lake County U. S. D. A. War Board.

FRANK D. CHAPMAN.
WALTER A. SMITH.
FRANK L. GIESEE.
Dr. GEORGE N. STEPHENS.
CHARLES F. SCHRAEDER.
BLAINE A. DILLIE.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOWELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

[Mr. HOWELL addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of the A B C's of post-war taxation, and to include a short editorial on the same subject.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent that after disposition of business on the Speaker's desk today and at the conclusion of any special orders heretofore entered I may be permitted to address the House for 5 minutes.

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

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent that on Thursday next, after disposition of business on the Speaker's desk and after any special orders heretofore entered, I may be permitted to address the House for 25 minutes.

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

There was no objection.

EXTENSION OF REMARKS

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article by H. C. Langer, Jr.

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

There was no objection.

UNDEVELOPED TERRITORY IN THE UNITED STATES

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

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

There was no objection.

Mr. WHITE. I do not know whether the Members have noticed it or not, but there has been prepared and placed in the Speaker's lobby at the entrance to this Chamber a map of one of the greatest undeveloped sections of the United States. It is the great storehouse of min-

erals and timber and a great deal of wealth now owned by the Federal Government.

I hope the Members will take occasion to inspect the map and look carefully at this great new frontier out there in the Columbia River Basin, where many of our soldiers may find homes when they return from the war. There are out there 1,200,000 acres. Water will be delivered from the Coulee Dam. The project has already been constructed and is ready to be used for the irrigation of these lands for which it was constructed.

In the discussion on the rivers and harbors bill to be taken up today plans for this great development will be under consideration, and I hope that every Member of the House will go out and inspect this map.

The SPEAKER. The time of the gentleman has expired.

AGRICULTURAL APPROPRIATION BILL, 1945

Mr. TARVER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. TARVER. Mr. Speaker, on tomorrow the agricultural appropriation bill for 1945 will be reported to the House. The Members of the House are familiar with the rule which has been observed not to release copies of the hearings on appropriation bills until after the bills are reported, nor copies of the bills.

However, there appears to be no good reason why the report of the committee, the hearings had before the committee, and the bill, which is available, should not be furnished to Members of the House for their inspection today. Of course, the information therein is to be treated as confidential.

The gentleman from Illinois [Mr. DIRKSEN] and myself have presented that plan to the chairman of the committee, the gentleman from Missouri [Mr. CANNON], and he has agreed that it may be done, so that any Member of the House who now desires to procure copies of the agricultural appropriation bill for 1945, the hearings had in connection therewith, and the report of the committee, may obtain them from the offices of the Appropriations Committee.

COMMITTEE ON NAVAL AFFAIRS

Mr. McCORMACK. Mr. Speaker, I offer a resolution (H. Res. 475), and ask for its immediate consideration:

Resolved, That during the remainder of the Seventy-eighth Congress the Committee on Naval Affairs shall be composed of 29 members.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. IZAC. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from the F. W. A.

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

There was no objection.

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in two instances, in one to include an editorial, and in the other a short poem.

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

There was no objection.

FOOD PRODUCTION IN 1944

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include therein a short newspaper article.

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

There was no objection.

[Mr. GROSS addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein correspondence between my office and the Office of the Administrator of O. P. A., Chester Bowles, on the subject of the restrictions upon the sale of butter.

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

There was no objection.

SOLDIER-VOTE BILL

Mr. AUCHINCLOSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. AUCHINCLOSS. Mr. Speaker, I have asked for this opportunity to address the House to explain my absence on Wednesday last, March 15, when the conference report on the soldier-vote bill was considered. I was back in my district in New Jersey preparing for a hearing before the Engineer Corps of the Army about the serious matter of beach erosion and the construction of a canal connecting the present intracoastal canal along New Jersey with Sandy Hook Bay. The construction of this canal would complete the last link of this all-important system from Florida to New England and indeed to Canada.

If I had been present I would have voted for the conference report, and I hope the President will delay action no longer on this important matter. New Jersey is ready and eager to see that her soldier and sailor sons and daughters have the right to vote legally the same ballot as those of us back home. Governor Edge, of New Jersey, replied promptly as follows to the President's telegram which asked for his views on the bill as passed by Congress:

Re your telegram received March 15, 7 p. m., New Jersey has enacted a comprehensive soldier-voting law. It provides opportunity for our service men and women, those in the merchant marine, Red Cross, and representatives of other recognized organizations engaged in absentee war responsibilities to vote for all officers from President to county officials.

All we need to make the law effective is the cooperation of the Federal Government in the distribution and return of the ballots.

New Jersey will assume all the expense of printing and mailing these ballots in ample time to permit every eligible Jersey man and woman to exercise their right of suffrage as required by our Constitution.

We only ask Federal assistance in securing military post-office addresses as of August 15, when all nominations will have been made, with ample time remaining for delivery of ballots to service addresses and their return from sectors at home or abroad.

It seems reasonable that if the United States Government can deliver Federal ballots and have them returned to the respective States, that it would be equally possible for it to deliver our State ballots to those in the armed forces and assure their return.

Answering your direct queries:

1. Supplementary ballots are not, in my judgment, authorized at present by the laws of New Jersey.

2. I am positive New Jersey will take any consistent steps which would increase the opportunity for absentee service voting. If the Federal bill becomes law, New Jersey undoubtedly will regard it as a supplement to our present absentee voting law, despite the confusion and possibilities of fraud the two types of ballots would entail.

EXTENSION OF REMARKS

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a report I have just received from the chief of the Army Chaplains, Gen. William R. Arnold, as to the activities of the chaplains throughout our Army.

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

There was no objection.

(Mr. CURTIS and Mr. GATHINGS asked and were given permission to extend their own remarks in the RECORD.)

EXEMPTIONS FROM WITHHOLDING TAX

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. CURTIS. Mr. Speaker, I think the Nation is pleased by the fact that the Committee on Ways and Means have taken some very definite steps to simplify the taxes. I am very much disappointed that the matter of taking care of religious and charitable gifts in connection with the withholding tax was not met and disposed of fairly. Any law that taxes the individual who gives generously to the U. S. O., the Red Cross, hospitals, orphanages, churches, and colleges, the same as one who does not give a cent, cannot be defended, and that part of the withholding law must have some further changes.

Individuals of wealth whose income comes from many sources can reduce the

amount of their tax obligation by reason of their gifts to religion and charity. Individuals whose only income is from wages, subject to the withholding tax, are denied that privilege. In order for an individual whose entire income is subject to the withholding tax to get any credit for contributions over and above what is given to the individual who contributes nothing, he must pay a tax on that exempt income and then file a claim for a refund at the end of the year. This discrimination against the wage earner is class legislation and is unfair, both to the taxpayers and the splendid institutions dependent upon the voluntary contributions of the American people.

The Government of the United States makes the dues paid to a labor union exempt from taxation as a business expense, but they go further—they compel the employer to deduct these union dues from the employee's paycheck and remit the same to the union.

The religious and charitable institutions do not ask that the employers collect their contributions, but they do ask that the individual who supports religion and charity have his taxes lessened in an appropriate amount.

I trust that the Ways and Means Committee will insist that the technical experts assisting them with the simplification of taxes make provision in the proposed amendments to the withholding tax for giving credit for religious and charitable contributions before the withholding tax is applied. A blanket provision providing for an average credit for contributions to all individuals, including those who give nothing, as well as those who contribute generously, is morally unfair and it fails to treat the taxpayers as individuals.

EXTENSION OF REMARKS

Mr. NORMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief letter.

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

There was no objection.

Mr. WELCH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD with reference to our late colleague, the Honorable James A. O'Leary, of New York.

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

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a message of Governor Wills to the General Assembly of the State of Vermont; and, further, to revise and extend the remarks I expect to make later in Committee of the Whole with respect to the bill H. R. 3961.

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

There was no objection.

Mr. COX. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a speech that I made in my district last week.

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

There was no objection.

Mr. BREHM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in order to clarify the extension of my remarks on March 14.

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

There was no objection.

Mr. MONKIEWICZ. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter received by me from Mr. Chester Bowles, Administrator of O. P. A.

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

There was no objection.

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. BENNETT of Michigan. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

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

There was no objection.

EXTENSION OF REMARKS

(Mr. LANDIS asked and was given permission to extend his own remarks in the RECORD.)

Mr. DWORSHAK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from the Governor of Idaho.

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

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a newspaper reprint in connection with the Missouri River development program.

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

There was no objection.

EXEMPTION FROM TAXATION OF DONATIONS TO CHARITABLE, RELIGIOUS, AND EDUCATIONAL INSTITUTIONS

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. GEARHART. Mr. Speaker, all efforts of the Ways and Means Committee to simplify the payment of income taxes are doomed to ignominious failure unless steps are taken to prevent the taxing of exempted incomes.

Fifteen percent of the income of individuals, if donated to charitable, religious, and educational institutions is exempt from taxation. If we adopt a formula which compels the levying of a tax upon that exempt income it will become necessary for every taxpayer who donates to any of those worthy causes to come in at the end of the year and claim an adjustment, an adjustment which can only be accomplished by filing a detailed return, a return that will have to be handled by human hands, a return that will have to be calculated by human brains, a return which, when recalculated, will make necessary the refunding of the taxes paid on that portion of the taxpayer's income which, by law, is exempt.

Though this be but a sketchy outline of what is bound to follow a refusal to deal intelligently with this problem, it ought to be quite clear even to the most obtuse that there can be no real simplification of the tax program until those millions of income-tax payers who habitually donate to church and charity are relieved of the necessity of filing complicated returns in order to recover taxes illegally collected from them.

Unless a proper provision is made to relieve this situation in the bill which the Ways and Means Committee is now preparing, fully half of the 30,000,000 taxpayers, the ones whom the committee hopes to relieve entirely of the necessity of filing any returns whatsoever, will find themselves right back where they started from, all tangled up in the red tape, hopelessly enmeshed in a morass of technicalities.

If something is not done to protect those who habitually donate to church and charity, tithe payers, who number millions, the source of income, under our system of withholding, of many a most worthy institution will be, I am afraid, all but wiped out.

Rather than incur the necessity of figuring another return many a taxpayer will withhold his donations, throw up his hands in disgust. There must not be another ides of March.

EXTENSION OF REMARKS

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. RANDOLPH] may extend his remarks in the RECORD and include a statement from the War Department.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent that tomorrow, after the conclusion of legislative business and any other special orders, I be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection?

There was no objection.

CONSENT DAY

The SPEAKER. This is Consent Calendar Day, and the Clerk will call the first bill on the calendar.

EXPEDITING PAYMENT FOR LAND ACQUIRED DURING WAR

The Clerk called the bill (S. 919) to expedite the payment for land acquired during the war period.

The SPEAKER. Is there objection?

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

REQUIRING THAT POLITICAL STATEMENTS CONTAIN THE NAME OF PERSONS DISTRIBUTING SAME

The Clerk called the bill (H. R. 2973) to provide that no person shall publish or distribute any political statement relating to a candidate for election to any Federal office which does not contain the name of the person responsible for its publication or distribution.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That no person, association, organization, committee, or corporation shall publish or distribute, or cause to be published or distributed, any printed, multigraphed, photographed, typewritten, or written pamphlet, circular, card, dodger, poster, advertisement, or any other statement, relating to or concerning any candidate or prospective candidate for election as President or Vice President of the United States, or as Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States, unless such pamphlet, circular, card, dodger, poster, advertisement, or statement contains the name or names of the person or persons, association, committee, or corporation responsible for the publication or distribution of the same, and if an association, committee, or corporation is responsible for the publication or distribution of the same, there shall be attached the names of the officers of such association, committee, or corporation.

SEC. 2. Any person who willfully violates the provisions of section 1 of this act, or aids and abets in a violation thereof, shall, upon conviction, be fined not more than $1,000, or imprisoned for not more than 1 year, or both.

SEC. 3. When used in this act the term "election" shall include a general or special election, and in the case of a Resident Commissioner from the Philippine Islands, an election by the Philippine Legislature, and shall also include a primary election or convention of a political party.

With the following committee amendments:

Page 1, line 8, strike out the words "or prospective candidate."

Page 2, at the end of line 20, insert the following:

"The term 'candidate' means any person who has publicly declared his intention to seek election to any of the offices named in section 1 of this act or who has caused or permitted his intention to do so to be publicly declared."

The committee amendments were agreed to.

Mr. COLE of New York. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 2, line 17, after the word "election", strike out the remainder of line 17, lines 18 and line 19, through the word "legislature."

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

REGULATIONS CONCERNING FERTILIZERS, FEEDS, ETC.

The Clerk called the bill (H. R. 3405) making certain regulations with reference to fertilizers, feeds, nursery stock, or seeds that may be distributed by agencies of the United States.

The SPEAKER pro tempore (Mr. COOPER). Is there objection?

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

COOPERATIVE SUSTAINED-YIELD UNIT AGREEMENTS WITH FOREST OWNERS, ETC.

The Clerk called the bill (S. 250) to promote sustained-yield forest management in order thereby (a) to stabilize communities, forest industries, employment, and taxable forest wealth; (b) to assure a continuous and ample supply of forest products; and (c) to secure the benefits of forests in regulation of water supply and stream flow, prevention of soil erosion, amelioration of climate, and preservation of wildlife.

Mr. CASE. Mr. Speaker, I reserve the right to object.

When the Consent Calendar was called 2 weeks ago, I asked unanimous consent to have this bill go over without prejudice, in order that I might send copies of the bill to certain persons who will be affected if the bill becomes law. From replies received, it seems that at three points, at least, the bill should be amended before it passes. One is to make clear that notice be given to the individual owner within the area before his land is placed in a proposed unit. This notice should be in ample time for him to ask for a hearing if he desires one.

Another objection raised is that on page 7, lines 7 to 18, the Secretary is given authority to modify the proposed conditions for a unit without further hearings, while on page 9 of the bill it is provided that "each Secretary may delegate any of his powers and duties under this act to other officers or employees of this Department."

This means that a clerk could modify the proposals made or the conditions for the sale of timber without competitive bidding, and without any further hearings in the matter. That, it seems to me, is objectionable.

Another change that should be made is to provide that where Indian lands are included, the consent of the Indians concerned should be obtained.

The language of the bill would place Indian forest lands, either tribal or individually allotted, into the hands of the Secretary, to be included in units without the consent of the Indians.

The bill should be amended to provide that wherever Indian lands are to be included, it shall be done only with the consent of the tribe or the individual Indians concerned.

Therefore, I ask unanimous consent that the bill go over without prejudice, in order that amendments may be prepared to meet these objections.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

Mr. ELLSWORTH. Mr. Speaker, I believe the gentleman's objections can be answered, and I shall discuss the matter with him between now and the end of the call of the calendar. I think this bill has been somewhat misunderstood. It permits private owners of timber to make agreements with the Federal Forest Service, so that private timber may be taken with Federal timber on a sustained basis. If we do not protect the sale of Federal timber in some such manner, the sales policy now existing will continue to the detriment of the future yield of timber. I am hopeful that on further explanation of the bill we may take it up for consideration before the end of the call of the calendar.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

CREDITING DISBURSING OFFICER FOR PAYMENT FOR SERVICES RENDERED

The Clerk called the bill (H. R. 2908) to amend Public Law 537, Seventy-seventh Congress, approved May 2, 1942.

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

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

WAR SHIPPING FIELD SERVICE

The Clerk called House Joint Resolution 182, to create the war shipping field service.

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

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the joint resolution go over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

BOARD OF VISITORS TO UNITED STATES MERCHANT MARINE ACADEMY

The Clerk called Senate Joint Resolution 77, to establish a Board of Visitors for the United States Merchant Marine Academy.

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

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the joint resolution go over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

CONVEYING CERTAIN LANDS IN BROOKLYN NAVY YARD TO CITY OF NEW YORK

The Clerk called the bill (S. 1349) to authorize the Secretary of the Navy to convey to the city of New York certain lands within the Brooklyn Navy Yard in the city of New York.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized to transfer, under such conditions as may be approved by the said Secretary, to the city of New York, all right, title, and interest of the United States in and to a parcel of land containing three-tenths of an acre, more or less, located on the westerly side of a new street between Kent Avenue and Flushing Avenue, and in and to a strip of land 27 feet wide, located on the southerly side of Kent Avenue between Washington Avenue and Hewes Street, in the Borough of Brooklyn, city and State of New York, both of said parcels being within the boundaries of lands acquired for the expansion of the Brooklyn Navy Yard, and metes and bounds descriptions of which are on file in the Navy Department.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAYMENT OF 6 MONTHS' DEATH GRATUITY TO WIDOW OF OFFICERS, ETC.

The Clerk called the bill (S. 1428) to amend the provisions of the act authorizing payment of 6 months' death gratuity to widow, child, or dependent relative of officers, enlisted men, or nurses of the Navy or Marine Corps, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provision contained in the act approved June 4, 1920 (41 Stat. 824), as amended (45 Stat. 710; 56 Stat. 146; 34 U. S. C., Supp. 943), is hereby further amended to read as follows: "Immediately upon official notification of the death from wounds or disease, not the result of his or her own misconduct, of any officer, enlisted man, or nurse on the active list of the Regular Navy or Regular Marine Corps, or on the retired list when on active duty, the Paymaster General of the Navy shall cause to be paid to the widow, and if there be no widow, to the child or children, and if there be no widow or child, to any other dependent relative of such officer, enlisted man, or nurse previously designated by him or her, an amount equal to 6 months' pay at the rate received by such officer, enlisted man, or nurse at the date of his or her death. The Secretary of the Navy shall establish regulations requiring each officer and enlisted man or nurse having no wife or child to designate the proper dependent relative to whom this amount shall be paid in case of his or her death. Said amount shall be paid from funds appropriated for the pay of the Navy and pay of the Marine Corps, respectively: *Provided*, That if there be no widow, child, or previously designated dependent relative, the Secretary of the Navy shall cause the amount herein provided to be paid to any grandchild, parent, brother, or sister, or grandparent shown to have been dependent upon such officer, enlisted man, or nurse prior to his or her death, and the determination of such fact by the Secretary of the Navy shall be final and conclusive upon the accounting officers of the Government: *Provided further*, That nothing in this section or in other existing legislation shall be construed as making the provisions of this section applicable to officers, enlisted men, or nurses of any forces of the Navy of the United States other than those of the Regular Navy and Marine Corps, and nothing in this section shall be construed to apply in commissioned grades to any officers except those holding permanent or probationary appointments in the Regular Navy or Marine Corps: *Provided further*, That the provisions of this section shall apply to the officers and enlisted men of the Coast Guard, and the Secretary of the Treasury will cause payment to be made accordingly: *And provided further*, That in the event of the death of any beneficiary before payment to and collection by such beneficiary of the amount authorized herein, such amount shall be paid to the next living beneficiary in the order of succession above stated."

SEC. 2. Nothing contained in section 1 of this act shall be construed to invalidate or in any manner affect any payments of the 6-month death gratuity made prior to the date of approval of this act, but no payment of such gratuity shall hereafter be made to the representative of the estate of a beneficiary who died prior to such approval.

SEC. 3. The act approved March 17, 1941, entitled "An act extending the provisions of the act approved August 27, 1940, entitled 'An act increasing the number of naval aviators in the line of the Regular Navy and Marine Corps, and for other purposes'" (55 Stat. 43; 34 U. S. C., Supp. 855c-2), is hereby amended by inserting before the period at the end of section 1 thereof the following words: "or as hereafter amended."

SEC. 4. The act approved January 19, 1942, entitled "An act to regulate the distribution and promotion of commissioned officers of the Coast and Geodetic Survey, and for other purposes" (56 Stat. 6; 33 U. S. C., Supp. 870), is hereby amended by inserting after the words "Marine Corps" in the sixth line of section 9 thereof, the words "or as hereafter amended."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING SECRETARY OF NAVY TO ACCEPT GIFTS

The Clerk called the bill (S. 1640) to authorize the Secretary of the Navy to accept gifts and bequests for the United States Naval Academy, and for other purposes.

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

Mr. KEAN. Mr. Speaker, I reserve the right to object. Section 3 of this bill provides that gifts and bequests accepted by the Secretary of the Navy shall be exempt from the Federal tax. I approve of the purpose of the bill, but I do not like the language. I have discussed the matter with the chairman of the Naval Affairs Committee and he has no objection to an amendment which I am going to offer, putting the language more in accordance with language which should be used.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized in his discretion to accept, receive, hold, administer, and expend gifts and bequests of personal property, from individuals or others, for the benefit of, or for use in connection with, the United States Naval Academy.

SEC. 2. Gifts or bequests of money or the proceeds from sales of other property received as gifts shall be deposited in the Treasury of the United States under the title "United States Naval Academy general gift fund," and any funds so deposited shall be subject to disbursement by the Secretary of the Navy for the benefit or use of the United States Naval Academy subject to the terms and conditions of the acceptance of any particular gift or bequest.

SEC. 3. Gifts and bequests accepted by the Secretary of the Navy under authority of this act shall be exempt from all Federal taxes.

SEC. 4. The Secretary of the Treasury is authorized, upon request of the Secretary of the Navy, to invest, reinvest, or retain investments of the money or securities composing the United States Naval Academy general gift fund, or any part thereof, deposited in the Treasury pursuant to section 2 of this act, in securities of the United States Government or in securities guaranteed as to principal and interest by the United States Government. The interest and profits accruing from such securities may be deposited to the credit of the United States Naval Academy general gift fund, and will be available for disbursement as provided in section 2 of this act.

Mr. KEAN. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. KEAN: Page 2, line 6, strike out section 3 and insert a new section 3, as follows:

"For the purpose of Federal income, estate, and gift taxes, gifts and bequests accepted by the Secretary of the Navy under the authority of this act shall be deemed to be gift or bequest to or for the use of the United States."

The amendment was agreed to, and the bill, as amended, was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE ACT APPROVED MARCH 2, 1895, AS AMENDED

The Clerk called the next bill, S. 1647, to amend the act approved March 2, 1895, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 5 of the act of Congress approved March 2, 1895 (28 Stat. 807), as amended by an act approved March 8, 1928 (45 Stat. 247), is further amended by inserting in the third line of the proviso as it appears on page 247 of volume 45 of the United States Statutes at Large, after the word "employees" the following: "and bonded officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard."

With the following committee amendment:

Strike out all of the bill after the word "following:" in line 8 and substitute therefor the following: "officers and employees of other civilian agencies of the United States and bonded officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO PROVIDE TITLES FOR HEADS OF STAFF DEPARTMENTS OF THE UNITED STATES MARINE CORPS

The Clerk called the next bill, S. 1653, to provide titles for the heads of staff departments of the United States Marine Corps, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That hereafter officers serving as heads of the Paymaster's Department and the Quartermaster's Department of the United States Marine Corps shall have the title of "The Paymaster General of the Marine Corps" and "The Quartermaster General of the Marine Corps", respectively.

SEC. 2. All laws or parts of laws now in force relating to the staff departments of the United States Marine Corps, except as provided in section 1 of this act, shall remain in full force and effect.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTION 9 OF THE PAY READJUSTMENT ACT OF 1942

The Clerk called the next bill, H. R. 1675, to amend section 9 of the Pay Readjustment Act of 1942 (Public Law 607) by providing for the computation of double-time credits awarded between 1898 and 1912 in determining retired pay.

The Clerk read the title of the bill.

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

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

TO ELIMINATE A PAY DISCRIMINATION AGAINST THE TEACHER OF MUSIC AT THE UNITED STATES MILITARY ACADEMY

The Clerk called the next bill, H. R. 3943, to eliminate a pay discrimination against the teacher of music at the United States Military Academy.

The Clerk read the title of the bill.

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

There was no objection.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that a similar Senate bill be substituted for the House bill.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Clerk read the Senate bill (S. 1635), as follows:

Be it enacted, etc., That the act entitled "An act to make better provision for the teacher of music, the leader of the Military Academy Band," approved May 27, 1940 (54 Stat. 223), is amended by striking out the words "third pay period," wherever they occur in such act, and inserting in lieu thereof the words "grade of captain."

The bill was ordered to be read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

A similar bill (H. R. 3943) was laid on the table.

TO CODIFY AND ENACT INTO ABSOLUTE LAW, TITLE 1 OF THE UNITED STATES CODE, ENTITLED "GENERAL PROVISIONS"

The Clerk called the next bill, H. R. 2040, to codify and enact into absolute law title 1 of the United States Code, entitled "General Provisions."

The Clerk read the title of the bill.

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

Mr. PRIEST. Mr. Speaker, reserving the right to object, and I shall not object, I understand this bill and three other bills on the consent calendar today are from the Committee on Revision of the Laws previously passed the House. They are codification bills and do not propose to enact any new substantive law. The gentleman from Texas is present and is familiar with that. I would like to yield to him for a brief statement.

Mr. GOSSETT. Mr. Speaker, this bill does exactly what the title states. It is a bill to codify and reenact into positive law title 1 of the United States Code entitled "General Provisions." It makes no change whatsoever in any substantive law. A bill identical with this bill passed the Seventy-seventh Congress and the Senate failed to act on it. The bill was reintroduced and has been again reported unanimously from the Committee on Revision of the Laws. The importance of this and similar bills was explained by Chairman EUGENE KEOGH of the Revision of the Laws Committee at the time of the original passage of this bill in the Seventy-seventh Congress.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. GOSSETT. I yield.

Mr. COLE of New York. Will the gentleman from Texas advise the House what steps were taken by the committee to make certain that whatever provisions of existing substantive law may have been dropped by this codification, should have been dropped? In other words, that this codification is an exact reenactment of existing law? How particular was the committee?

Mr. GOSSETT. Mr. Speaker, this bill was carefully gone over by several of the leading lawbook companies, and also by an expert employed by the committee. Every precaution was taken to make sure that no substantive provisions were changed in any particular, or deleted.

Mr. COLE of New York. Has the committee's own staff checked to make sure that the findings of the lawbook publishing companies have been correct?

Mr. GOSSETT. Yes; the committee has carefully checked these bills.

Mr. PRIEST. Mr. Speaker, I withdraw my reservation of objection.

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

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title I of the United States Code entitled "General Provisions," is codified and enacted into absolute law as follows:

"TITLE I—GENERAL PROVISIONS

"Chap.	Sec.
"1. Rules of construction	1
"2. Acts and resolutions; formalities of enactment; repeals; sealing of instruments	101
"3. Code of Laws of United States and Supplements; District of Columbia Code and Supplements	201

"CHAPTER 1—RULES OF CONSTRUCTION

"Sec. 1. Words denoting number, gender, etc.
"Sec. 2. 'County' as including 'parish,' etc.
"Sec. 3. 'Vessel' as including all means of water transportation.
"Sec. 4. 'Vehicle' as including all means of land transportation.
"Sec. 5. 'Company' or 'association' as including successors and assigns.
"Sec. 6. Limitation of term 'products of American fisheries.'

"Words denoting number, gender, and so forth

"Section 1. In determining the meaning of any Act or resolution of Congress words importing the singular number may extend and be applied to several persons or things; words importing the plural number may include the singular; words importing the masculine gender may be applied to females; the words 'insane person' and 'lunatic' shall include every idiot, non compos, lunatic, and insane person; the word 'person' may extend and be applied to partnerships and corporations, and the reference to any officer shall include any person authorized by law to perform the duties of such office, unless the context shows that such words were intended to be used in a more limited sense; and a requirement of an 'oath' shall be deemed complied with by making affirmation in judicial form.

"'County' as including 'parish,' and so forth

"SEC. 2. The word 'county' includes a parish, or any other equivalent subdivision of a State or Territory of the United States.

"'Vessel' as including all means of water transportation

"SEC. 3. The word 'vessel' includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water.

"'Vehicle' as including all means of land transportation

"SEC. 4. The word 'vehicle' includes every description of carriage or other artificial contrivance used, or capable of being used, as a means of transportation on land.

"'Company' or 'association' as including successors and assigns

"SEC. 5. The word 'company' or 'association,' when used in reference to a corporation, shall be deemed to embrace the words 'successors and assigns of such company or association,' in like manner as if these last-named words, or words of similar import, were expressed.

"Limitation of term 'products of American fisheries'

"SEC. 6. Wherever, in the statutes of the United States or in the rulings, regulations, or interpretations of various administrative bureaus and agencies of the United States there appears or may appear the term 'products of American fisheries' said term shall not include fresh or frozen fish fillets, fresh or frozen fish steaks, or fresh or frozen slices of fish substantially free of bone (including any of the foregoing divided into sections), produced in a foreign country or its territorial waters, in whole or in part with the use of the

labor of persons who are not residents of the United States.

"CHAPTER 2—ACTS AND RESOLUTIONS; FORMALITIES OF ENACTMENT; REPEALS; SEALING OF INSTRUMENTS

"Sec. 101. Enacting clause.
"Sec. 102. Resolving clause.
"Sec. 103. Enacting or resolving words after first section.
"Sec. 104. Numbering of sections; single proposition.
"Sec. 105. Title of appropriation acts.
"Sec. 106. Printing bills and joint resolutions.
"Sec. 107. Parchment or paper for printing enrolled bills or resolutions.
"Sec. 108. Repeal of repealing act.
"Sec. 109. Repeal of statutes as affecting existing liabilities.
"Sec. 110. Saving clause of Revised Statutes.
"Sec. 111. Repeals as evidence of prior effectiveness.
"Sec. 112. Statutes at Large; contents; admissibility in evidence.
"Sec. 113. 'Little and Brown's' edition of laws and treaties; admissibility in evidence.
"Sec. 114. Sealing of instruments.

"Enacting clause

"SEC. 101. The enacting clause of all acts of Congress shall be in the following form: 'Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.'

"Resolving clause

"SEC. 102. The resolving clause of all joint resolutions shall be in the following form: 'Resolved by the Senate and House of Representatives of the United States of America in Congress assembled.'

"Enacting or resolving words after first section

"SEC. 103. No enacting or resolving words shall be used in any section of an act or resolution of Congress except in the first.

"Numbering of sections; single proposition

"SEC. 104. Each section shall be numbered, and shall contain, as nearly as may be, a single proposition of enactment.

"Title of appropriation acts

"SEC. 105. The style and title of all acts making appropriations for the support of Government shall be as follows: 'An act making appropriations (here insert the object) for the year ending June 30 (here insert the calendar year).'

"Printing bills and joint resolutions

"SEC. 106. Every bill or joint resolution in each House of Congress shall, when such bill or resolution passes either House, be printed, and such printed copy shall be called the engrossed bill or resolution as the case may be. Said engrossed bill or resolution shall be signed by the Clerk of the House or the Secretary of the Senate, and shall be sent to the other House, and in that form shall be dealt with by that House and its officers, and, if passed, returned signed by said Clerk or Secretary. When such bill, or joint resolution shall have passed both Houses, it shall be printed and shall then be called the enrolled bill, or joint resolution, as the case may be, and shall be signed by the presiding officers of both Houses and sent to the President of the United States. During the last of a session such engrossing and enrolling of bills and joint resolutions may be done otherwise than as above prescribed, upon the order of Congress by concurrent resolution.

"Parchment or paper for printing enrolled bills or resolutions

"SEC. 107. Enrolled bills and resolutions of either House of Congress shall be printed on parchment or paper of suitable quality as shall be determined by the Joint Committee on Printing.

"Repeal of repealing act

"SEC. 108. Whenever an act is repealed, which repealed a former act, such former act shall not thereby be revived, unless it shall be expressly so provided.

"Repeal of statutes as affecting existing liabilities

"SEC. 109. The repeal of any statute shall not have the effect to release or extinguish any penalty, forfeiture, or liability incurred under such statute, unless the repealing act shall so expressly provide, and such statute shall be treated as still remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of such penalty, forfeiture, or liability.

"Saving clause of revised statutes

"SEC. 110. All acts of limitation, whether applicable to civil causes and proceedings, or to the prosecution of offenses, or for the recovery of penalties or forfeitures, embraced in the Revised Statutes and covered by the repeal contained therein, shall not be affected thereby, but all suits, proceedings, or prosecutions, whether civil or criminal, for causes arising, or acts done or committed prior to said repeal, may be commenced and prosecuted within the same time as if said repeal had not been made.

"Repeals as evidence of prior effectiveness

"SEC. 111. No inference shall be raised by the enactment of the act of March 3, 1933 (ch. 202, 47 Stat. 1431), that the sections of the Revised Statutes repealed by such act were in force or effect at the time of such enactment: *Provided, however,* That any rights or liabilities existing under such repealed sections shall not be affected by their repeal.

"Statutes at large; contents; admissibility in evidence

"SEC. 112. The Secretary of State shall cause to be compiled, edited, indexed, and published, the United States Statutes at Large, which shall contain all the laws and concurrent resolutions enacted during each regular session of Congress; all treaties to which the United States is a party that have been proclaimed since the date of the adjournment of the regular session of Congress next preceding; all international agreements other than treaties to which the United States is a party that have been signed, proclaimed, or with reference to which any other final formality has been executed, since that date; all proclamations by the President in the numbered series issued since that date; and also any amendments to the Constitution of the United States proposed or ratified pursuant to article V thereof since that date, together with the certificate of the Secretary of State issued in compliance with the provision contained in section 160 of title 5. In the event of an extra session of Congress, the Secretary of State shall cause all the laws and concurrent resolutions enacted during said extra session to be consolidated with, and published as part of, the contents of the volume for the next regular session. The United States Statutes at Large shall be legal evidence of laws, concurrent resolutions, treaties, international agreements other than treaties, proclamations by the President, and proposed or ratified amendments to the Constitution of the United States therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States.

"Little and Brown's edition of laws and treaties; admissibility in evidence

"SEC. 113. The edition of the laws and treaties of the United States, published by Little and Brown, shall be competent evidence of the several public and private acts of Congress, and of the several treaties therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public officers of the United States, and of the several States, without any further proof or authentication thereof.

"Sealing of instruments

"SEC. 114. In all cases where a seal is necessary by law to any commission, process, or other instrument provided for by the laws of Congress, it shall be lawful to affix the proper seal by making an impression therewith directly on the paper to which such seal is necessary; which shall be as valid as if made on wax or other adhesive substance.

"CHAPTER 3—CODE OF LAWS OF UNITED STATES AND SUPPLEMENTS; DISTRICT OF COLUMBIA CODE AND SUPPLEMENTS

"Sec. 201. Publication and distribution of Code of Laws of United States and Supplements and District of Columbia Code and Supplements.
"(a) Publishing in slip or pamphlet form or in Statutes at Large.
"(b) Curtailing number of copies published.
"(c) Dispensing with publication of more than one Supplement for each Congress.
"Sec. 202. Preparation and publication of Codes and Supplements.
"(a) Cumulative Supplements to Code of Laws of United States for each session of Congress.
"(b) Cumulative Supplement to District of Columbia Code for each session of Congress.
"(c) New editions of Codes and Supplements.
"Sec. 203. District of Columbia Code; preparation and publication; cumulative supplements.
"Sec. 204. Codes and Supplements as evidence of the Laws of United States and District of Columbia; citation of Codes and Supplements.
"(a) United States Code.
"(b) District of Columbia Code.
"(c) District of Columbia Code; citation.
"(d) Supplements to Codes; citation.
"(e) New edition of Codes; citation.
"Sec. 205. Codes and Supplements; where printed; form and style; ancillaries.
"Sec. 206. Bills and resolutions of Committee on Revision of Laws of House of Representatives; form and style; ancillaries; curtailment of copies.
"Sec. 207. Copies of acts and resolutions in slip form; additional number printed for Committee on Revision of Laws of House of Representatives.
"Sec. 208. Delegation of function of Committee on Revision of the Laws to other agencies; printing, etc., under direction of Joint Committee on Printing.
"Sec. 209. Copies of Supplements to Code of Laws of United States and of District of Columbia Code and Supplements; conclusive evidence of original.
"Sec. 210. Distribution of Supplements to Code of Laws of United States and of District of Columbia Code and Supplements; slip and pamphlet copies.
"Sec. 211. Copies to Members of Congress.
"Sec. 212. Additional distribution at each new Congress.
"Sec. 213. Appropriation for preparing and editing supplements.

"Publication and distribution of Code of Laws of United States and Supplements and District of Columbia Code and Supplements

"SEC. 201. In order to avoid duplication and waste—

"(a) Publishing in slip or pamphlet form or in Statutes at Large: Publication in slip or pamphlet form or in the Statutes at Large of any of the volumes or publications enumerated in sections 202, 203 of this title, shall, in event of enactment, be dispensed with whenever the Committee on Revision of the Laws of the House of Representatives so directs the Secretary of State;

"(b) Curtailing number of copies published: Curtailment of the number provided by law to be printed and distributed of the volumes or publications enumerated in sections 202, 203 of this title may be directed by such committee, except that the Public Printer shall print such numbers as are necessary for depository library distribution and for sale; and

"(c) Dispensing with publication of more than one supplement for each Congress: Such committee may direct that the printing and distribution of any supplement to the Code of Laws of the United States or to the Code of the District of Columbia be dispensed with entirely, except that there shall be printed and distributed for each Congress at least one supplement to each such code, containing the legislation of such Congress.

"Preparation and publication of codes and supplements

"SEC. 202. There shall be prepared and published under the supervision of the Committee on Revision of the Laws of the House of Representatives—

"(a) Cumulative Supplements to Code of Laws of United States for each session of Congress: A supplement for each session of the Congress to the then current edition of the Code of Laws of the United States, cumulatively embracing the legislation of the then current supplement, and correcting errors in such edition and supplement;

"(b) Cumulative Supplements to District of Columbia Code for each session of Congress: A supplement for each session of the Congress to the then current edition of the Code of the District of Columbia, cumulatively embracing the legislation of the then current supplement, and correcting errors in such edition and supplement;

"(c) New editions of codes and supplements: New editions of the Code of Laws of the United States and of the Code of the District of Columbia, correcting errors and incorporating the then current supplement. In the case of each code new editions shall not be published oftener than once in each 5 years. Copies of each such edition shall be distributed in the same manner as provided in the case of supplements to the code of which it is a new edtion. Supplements published after any new edition shall not contain the legislation of supplements published before such new edition.

"District of Columbia Code; preparation and publication; cumulative supplements

"SEC. 203. The Committee on Revision of the Laws of the House of Representatives is authorized to print bills to codify, revise, and reenact the general and permanent laws relating to the District of Columbia and cumulative supplements thereto, similar in style, respectively, to the Code of Laws of the United States, and supplements thereto, and to so continue until final enactment thereof in both Houses of the Congress of the United States.

"Codes and supplements as evidence of the laws of United States and District of Columbia; citation of codes and supplements

"SEC. 204. In all courts, tribunals, and public offices of the United States, at home or abroad, of the District of Columbia, and of each State, Territory, or insular possession of the United States—

"(a) United States Code: The matter set forth in the edition of the Code of Laws of the United States current at any time shall, together with the then current supplement, if any, establish prima facie the laws of the United States, general and permanent in their nature, in force on the day preceding the commencement of the session following the last session the legislation of which is included: *Provided, however,* That whenever titles of such Code shall have been enacted into positive law the text thereof shall be legal evidence of the laws therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States.

"(b) District of Columbia Code: The matter set forth in the edition of the Code of the District of Columbia current at any time shall, together with the then current supplement, if any, establish prima facie the laws, general and permanent in their nature, relating to or in force in the District of Columbia on the day preceding the commencement of the session following the last session the legislation of which is included, except such laws as are of application in the District of Columbia by reason of being laws of the United States general and permanent in their nature.

"(c) District of Columbia Code; citation: The Code of the District of Columbia may be cited as 'D. C. Code.'

"(d) Supplements to Codes; citation: Supplements to the Code of Laws of the United States and to the Code of the District of Columbia may be cited, respectively, as 'U. S. C., Sup. —', and 'D. C. Code, Sup. —', the blank in each case being filled with Roman figures denoting the number of the supplement.

"(e) New edition of Codes; citation: New editions of each of such codes may be cited, respectively, as 'U. S. C., — ed.', and 'D. C. Code, — ed.', the blank in each case being filled with figures denoting the last year the legislation of which is included in whole or in part.

"Codes and supplement; where printed; form and style; ancillaries

"SEC. 205. The publications provided for in sections 202, 203 of this title shall be printed at the Government Printing Office and shall be in such form and style and with such ancillaries as may be prescribed by the Committee on Revision of the Laws of the House of Representatives. The Librarian of Congress is directed to cooperate with such committee in the preparation of such ancillaries. Such publications shall be furnished with such thumb insets and other devices to distinguish parts, with such facilities for the insertion of additional matter, and with such explanatory and advertising slips, and shall be printed on such paper and bound in such material, as may be prescribed by such committee.

"Bills and resolutions of Committee on Revision of Laws of House of Representatives; form and style; ancillaries; curtailment of copies

"SEC. 206. All bills and resolutions referred to or reported by the Committee on Revision of the Laws of the House of Representatives shall be printed in such form and style, and with such ancillaries, as such committee may prescribe as being economical and suitable, to so continue until final enactment thereof in both Houses of Congress; and such committee may also curtail the number of copies of such bills to be printed in the various parliamentary stages in the House of Representatives.

"Copies of acts and resolutions in slip form; additional number printed for Committee on Revision of Laws of House of Representatives

"SEC. 207. The Public Printer is directed to print, in addition to the number provided by existing law, and, as soon as printed, to distribute in such manner as the Committee on Revision of the Laws of the House of Representatives shall determine, 20 copies in slip form of each public act and joint resolution.

"Delegation of function of Committee on Revision of the Laws to other agencies; printing, and so forth, under direction of Joint Committee on Printing

"SEC. 208. The functions vested by sections 201, 202, 204–207 of this title in the Committee on Revision of the Laws of the House of Representatives may from time to time be vested in such other agency as the Congress may by concurrent resolution provide: *Provided,* That the printing, binding, and distribution of the volumes and publications enumerated in sections 202, 203 of this title shall be done under the direction of the Joint Committee on Printing.

"Copies of Supplements to Code of Laws of United States and of District of Columbia Code and Supplements; conclusive evidence of original

"SEC. 209. Copies of the Code of Laws relating to the District of Columbia and copies of the supplements provided for by sections 202, 203 of this title printed at the Government Printing Office and bearing its imprint, shall be conclusive evidence of the original of such code and supplements in the custody of the Secretary of State.

"Distribution of Supplements to Code of Laws of United States and of District of Columbia Code and Supplements; slip and pamphlet copies

"SEC. 210. Copies of the Code of Laws relating to the District of Columbia, and of the supplements provided for by sections 202, 203 of this title shall be distributed by the Superintendent of Documents in the same manner as bound volumes of the Statutes at Large: *Provided,* That no slip or pamphlet copies of the Code of Laws relating to the District of Columbia, and of the supplements provided for by sections 202, 203 of this title need be printed or distributed.

"Copies to Members of Congress

"SEC. 211. In addition to quotas provided for by section 210 of this title there shall be printed, published, and distributed of the Code of Laws relating to the District of Columbia with tables, index, and other ancillaries, suitably bound and with thumb inserts and other convenient devices to distinguish the parts, and of the supplements to both codes as provided for by sections 202, 203 of this title, 10 copies of each for each Member of the Senate and House of Representatives of the Congress in which the original authorized publication is made, for his use and distribution, and in addition for the Committee on Revision of the Laws of the House of Representatives and the Committee on the Judiciary of the Senate a number of bound copies of each equal to 10 times the number of members of such committees, and one bound copy of each for the use of each committee of the Senate and House of Representatives.

"Additional distribution at each new Congress

"SEC. 212. In addition the Superintendent of Documents shall, at the beginning of the first session of each Congress, supply to each Senator and Representative in such Congress, who may in writing apply for the same, one copy each of the Code of Laws of the United States, the Code of Laws relating to the District of Columbia, and the latest supplement to each code: *Provided,* That such applicant shall certify in his written application for the same that the volume or volumes for which he applies is intended for his personal use exclusively: *And provided further,* That no Senator or Representative during his term of service shall receive under this section

more than one copy each of the volumes enumerated herein.

"Appropriation for preparing and editing supplements

"SEC. 213. For preparation and editing, an annual appropriation of $6,500 is authorized to carry out the purposes of sections 202 and 203 of this title."

SEC. 2. The sections or parts thereof of the Statutes at Large or the Revised Statutes covering provisions codified in this act are hereby repealed insofar as such provisions appeared in title I, United States Code, 1940 edition, as shown by the appended table: *Provided*, That any rights or liabilities now existing under such repealed sections or parts thereof shall not be affected by such repeal.

"Statutes at Large or Revised Statutes	*Title I, United States Code, 1940 edition, section*
R. S., sec. 1	1
R. S., sec. 2	2
R. S., sec. 3	3
R. S., sec. 4	4
R. S., sec. 5	5
Act June 11, 1940, ch. 325, sec. 1, 54 Stat. 305	6
R. S., sec. 7	21
R. S., sec. 8	22
R. S., sec. 9	23
R. S., sec. 10	24
R. S., sec. 11	25
Res. Nov. 1, 1893, 28 Stat. Appendix 5; act Mar. 2, 1895, ch. 177, sec. 1, 28 Stat. 769	26
Act Mar. 6, 1920, ch. 94, sec. 1, 41 Stat. 520	27
R. S., sec. 12	28
R. S., sec. 13	29
R. S., sec. 5599	29a
Act Mar. 3, 1933, ch. 202, sec. 3, 47 Stat. 1431	29b
Act Jan. 12, 1895, ch. 23, sec. 73, 28 Stat. 615; June 20, 1936, ch. 630, sec. 9, 49 Stat. 1551; June 16, 1938, ch. 477, sec. 1, 52 Stat. 760	30
R. S., sec. 908	30a
R. S., sec. 6	31
Res. Mar. 2, 1929, ch. 586, sec. 1, 45 Stat. 1540	51a
Act May 29, 1928, ch. 910, sec. 2, 45 Stat. 1007; Res. Mar. 2, 1929, ch. 586, sec. 2, 45 Stat. 1541	52
Act May 29, 1928, ch. 910, sec. 3, 45 Stat. 1007	53
Act May 29, 1928, ch. 910, sec. 4, 45 Stat. 1007; Res. Mar. 2, 1929, ch. 586, sec. 3, 45 Stat. 1541	54
Res. Mar. 2, 1929, ch. 586, sec. 4, 45 Stat. 1542; act Mar. 4, 1933, ch. 282, sec. 1, 47 Stat. 1603; June 13, 1934, ch. 483, secs. 1, 2, 48 Stat. 948	54a
Res. Mar. 2, 1929, ch. 586, sec. 5, 45 Stat. 1542; act Mar. 4, 1933, ch. 282, sec. 1, 47 Stat. 1603; June 13, 1934, ch. 483, secs. 1, 2, 48 Stat. 948	54b
Res. Mar. 2, 1929, ch. 586, sec. 6, 45 Stat. 1542	54c
Res. Mar. 2, 1929, ch. 586, sec. 7, 45 Stat. 1542	54d
Act May 29, 1928, ch. 910, sec. 5, 45 Stat. 1007	55
Act May 29, 1928, ch. 910, sec. 6, 45 Stat. 1007	56
Act May 29, 1928, ch. 910, sec. 7, 45 Stat. 1008	57
Act May 29, 1928, ch. 910, sec. 8, 45 Stat. 1008	58
Act May 29, 1928, ch. 910, sec. 10, 45 Stat. 1008	59
Act Mar. 3, 1933, ch. 202, sec. 2, 47 Stat. 1431	60

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO CODIFY AND ENACT INTO ABSOLUTE LAW TITLE 4 OF THE UNITED STATES CODE ENTITLED "FLAG AND SEAL, SEAT OF GOVERNMENT, AND THE STATES"

The Clerk called the next bill, H. R. 2038, to codify and enact into absolute law title 4 of the United States Code, entitled "Flag and Seal, Seat of Government, and the States."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title 4 of the United States Code, entitled "Flag and Seal, Seat of Government, and the States," is codified and enacted into absolute law, as follows:

"TITLE 4—FLAG AND SEAL, SEAT OF GOVERNMENT, AND THE STATES

"Sec. 1. Flag; stripes and stars on.
"Sec. 2. Same; additional stars.
"Sec. 3. Use of flag for advertising purposes; mutilation of flag.
"Sec. 4. Seal of United States.
"Sec. 5. Same; custody and use of.
"Sec. 6. Permanent seat of government.
"Sec. 7. Public offices; at seat of government.
"Sec. 8. Same; removal from seat of government.
"Sec. 9. Oath by members of legislatures and officers.
"Sec. 10. Same; by whom administered.
"Sec. 11. Assent to purchase of lands for forts.
"Sec. 12. Tax on motor fuel sold on military or other reservation; reports to State taxing authority.
"Sec. 13. State, etc., taxation affecting Federal areas; sales or use tax.
"Sec. 14. Same; income tax.
"Sec. 15. Same; exception of United States, its instrumentalities, and authorized purchasers therefrom.
"Sec. 16. Same; jurisdiction of United States over Federal areas unaffected.
"Sec. 17. Same; exception of Indians.
"Sec. 18. Same; definitions.

"FLAG; STRIPES AND STARS ON

"SEC. 1. The flag of the United States shall be 13 horizontal stripes, alternate red and white; and the union of the flag shall be 48 stars, white in a blue field.

"SAME; ADDITIONAL STARS

"SEC. 2. On the admission of a new State into the Union one star shall be added to the union of the flag; and such addition shall take effect on the 4th day of July then next succeeding such admission.

"USE OF FLAG FOR ADVERTISING PURPOSES; MUTILATION OF FLAG

"SEC. 3. Any person who, within the District of Columbia, in any manner, for exhibition or display, shall place or cause to be placed any word, figure, mark, picture, design, drawing, or any advertisement of any nature upon any flag, standard, colors, or ensign of the United States of America; or shall expose or cause to be exposed to public view any such flag, standard, colors, or ensign upon which shall have been printed, painted, or otherwise placed, or to which shall be attached, appended, affixed, or annexed any word, figure, mark, picture, design, or drawing, or any advertisement of any nature; or who, within the District of Columbia, shall manufacture, sell, expose for sale, or to public view, or give away or have in possession for sale, or to be given away or for use for any purpose, any article or substance being an article of merchandise, or a receptacle for merchandise or article or thing for carrying or transporting merchandise, upon which shall have been printed, painted, attached, or otherwise placed a representation of any such flag, standard, colors, or ensign, to advertise, call attention to, decorate, mark, or distinguish the article or substance on which so placed; or who, within the District of Columbia, shall publicly mutilate, deface, defile, or defy, trample upon, or cast contempt, either by word or act, upon any such flag, standard, colors, or ensign, shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding $100 or by imprisonment for not more than 30 days, or both, in the discretion of the court. The words 'flag, standard, colors, or ensign,' as used herein, shall include any flag, standard, colors, ensign, or any picture or representation of either, or of any part or parts of either, made of any substance or represented on any substance, of any size evidently purporting to be either of said flag, standard, colors, or ensign of the United States of America or a picture or a representation of either, upon which shall be shown the colors, the stars and the stripes, in any number of either thereof, or of any part or parts of either, by which the average person seeing the same without deliberation may believe the same to represent the flag, colors, standard, or ensign of the United States of America.

"SEAL OF THE UNITED STATES

"SEC. 4. The seal heretofore used by the United States in Congress assembled is declared to be the seal of the United States.

"SAME; CUSTODY AND USE OF

"SEC. 5. The Secretary of State shall have the custody and charge of such seal, and shall make out and record, and shall affix the same to, all civil commissions for officers of the United States, to be appointed by the President, by and with the advice and consent of the Senate, or by the President alone. But the seal shall not be affixed to any commission before the same has been signed by the President of the United States, nor to any other instrument, without the special warrant of the President therefor.

"PERMANENT SEAT OF GOVERNMENT

"SEC. 6. All that part of the territory of the United States included within the present limits of the District of Columbia shall be the permanent seat of government of the United States.

"PUBLIC OFFICES; AT SEAT OF GOVERNMENT

"SEC. 7. All offices attached to the seat of government shall be exercised in the District of Columbia, and not elsewhere, except as otherwise expressly provided by law.

"SAME; REMOVAL FROM SEAT OF GOVERNMENT

"SEC. 8. In case of the prevalence of a contagious or epidemic disease at the seat of government, the President may permit and direct the removal of any or all the public offices to such other place or places as he shall deem most safe and convenient for conducting the public business.

"OATH BY MEMBERS OF LEGISLATURES AND OFFICERS

"SEC. 9. Every member of a State legislature, and every executive and judicial officer of a State, shall, before he proceeds to execute the duties of his office, take an oath in the following form, to wit: 'I, A B, do solemnly swear that I will support the Constitution of the United States.'

"SAME; BY WHOM ADMINISTERED

"SEC. 10. Such oath may be administered by any person who, by the law of the State, is authorized to administer the oath of office; and the person so administering such oath shall cause a record or certificate thereof to be made in the same manner, as by the law of the State, he is directed to record or certify the oath of office.

"ASSENT TO PURCHASE OF LANDS FOR FORTS

"SEC. 11. The President of the United States is authorized to procure the assent of the legislature of any State, within which any purchase of land has been made for the erection of forts, magazines, arsenals, dockyards,

and other needful buildings, without such consent having been obtained.

"TAX ON MOTOR FUEL SOLD ON MILITARY OR OTHER RESERVATION; REPORTS TO STATE TAXING AUTHORITY

"SEC. 12. (a) All taxes levied by any State, Territory, or the District of Columbia upon, with respect to, or measured by, sales, purchases, storage, or use of gasoline or other motor vehicle fuels may be levied, in the same manner and to the same extent, with respect to such fuels when sold by or through post exchanges, ship stores, ship service stores, commissaries, filling stations, licensed traders, and other similar agencies, located on United States military or other reservations, when such fuels are not for the exclusive use of the United States. Such taxes, so levied, shall be paid to the proper taxing authority of the State, Territory, or the District of Columbia, within whose borders the reservation affected may be located.

"(b) The officer in charge of such reservation shall, on or before the 15th day of each month, submit a written statement to the proper taxing authorities of the State, Territory, or the District of Columbia within whose borders the reservation is located, showing the amount of such motor fuel with respect to which taxes are payable under subsection (a) for the preceding month.

"STATE, ETC., TAXATION AFFECTING FEDERAL AREAS; SALES OR USE TAX

"SEC. 13. (a) No person shall be relieved from liability for payment of, collection of, or accounting for any sales or use tax levied by any State, or by any duly constituted taxing authority therein, having jurisdiction to levy such a tax, on the ground that the sale or use, with respect to which such tax is levied, occurred in whole or in part within a Federal area; and such State or taxing authority shall have full jurisdiction and power to levy and collect any such tax in any Federal area within such State to the same extent and with the same effect as though such area was not a Federal area.

"(b) The provisions of subsection (a) shall be applicable only with respect to sales or purchases made, receipts from sales received, or storage or use occurring, after December 31, 1940.

"SAME; INCOME TAX

"SEC. 14. (a) No person shall be relieved from liability for any income tax levied by any State, or by any duly constituted taxing authority therein, having jurisdiction to levy such a tax, by reason of his residing within a Federal area or receiving income from transactions occurring or services performed in such area; and such State or taxing authority shall have full jurisdiction and power to levy and collect such tax in any Federal area within such State to the same extent and with the same effect as though such area was not a Federal area.

"(b) The provisions of subsection (a) shall be applicable only with respect to income or receipts received after December 31, 1940.

"SAME; EXCEPTION OF UNITED STATES, ITS INSTRUMENTALITIES, AND AUTHORIZED PURCHASES THEREFROM

"SEC. 15. (a) The provisions of sections 13 and 14 of this title shall not be deemed to authorize the levy or collection of any tax on or from the United States or any instrumentality thereof, or the levy or collection of any tax with respect to sale, purchase, storage, or use of tangible personal property sold by the United States or any instrumentality thereof to any authorized purchaser.

"(b) A person shall be deemed to be an authorized purchaser under this section only with respect to purchases which he is permitted to make from commissaries, ship's stores, or voluntary unincorporated organizations of Army or Navy personnel, under regulations promulgated by the Secretary of War or the Secretary of the Navy.

"SAME; JURISDICTION OF UNITED STATES OVER FEDERAL AREAS UNAFFECTED

"SEC. 16. The provisions of sections 13 to 18 of this title shall not for the purposes of any other provision of law be deemed to deprive the United States of exclusive jurisdiction over any Federal area over which it would otherwise have exclusive jurisdiction or to limit the jurisdiction of the United States over any Federal area.

"SAME; EXCEPTION OF INDIANS

"SEC. 17. Nothing in sections 13 and 14 of this title shall be deemed to authorize the levy or collection of any tax on or from any Indian not otherwise taxed.

"SAME; DEFINITIONS

"SEC. 18. As used in sections 13–17 of this title—

"(a) The term 'person' shall have the meaning assigned to it in section 3797 of title 26.

"(b) The term 'sales or use tax' means any tax levied on, with respect to, or measured by, sales, receipts from sales, purchases, storage, or use of tangible personal property, except a tax with respect to which the provisions of section 12 of this article are applicable.

"(c) The term 'income tax' means any tax levied on, with respect to, or measured by, net income, gross income, or gross receipts.

"(d) The term 'State' includes any Territory or possession of the United States.

"(e) The term 'Federal area' means any lands or premises held or acquired by or for the use of the United States or any department, establishment, or agency of the United States; and any Federal area, or any part thereof, which is located within the exterior boundaries of any State, shall be deemed to be a Federal area located within such State."

SEC. 2. The sections or parts thereof of the Statutes at Large or the Revised Statutes covering provisions codified in this act are hereby repealed insofar as such provisions appear in title 4, United States Code, 1940 edition, and supplements thereto, as shown by the appended table: *Provided*, That any rights or liabilities now existing under such repealed sections or parts thereof shall not be affected by such repeal.

STATUTES AT LARGE OR REVISED STATUTES

	Title 4, United States Code, section
R. S., secs. 1791, 1792	1
R. S., sec. 1792	2
Feb. 8, 1917, ch. 34, 39 Stat. 900	3
R. S., sec. 1793	4
R. S., secs. 203 (first clause), 1794	5
R. S., sec. 1795	6
R. S., sec. 1796	7
R. S., sec. 4798	8
R. S., sec. 1836	9
R. S., sec. 1837	10
R. S., sec. 1838	11
June 16, 1936, ch. 582, sec. 10, 49 Stat. 1521; Oct. 9, 1940, ch. 787, sec. 7, 54 Stat. 1060	12
Oct. 9, 1940, ch. 787, sec. 1, 54 Stat. 1059	13
Oct. 9, 1940, ch. 787, sec. 2, 54 Stat. 1060	14
Oct. 9, 1940, ch. 787, sec. 3, 54 Stat. 1060	15
Oct. 9, 1940, ch. 787, sec. 4, 54 Stat. 1060	16
Oct. 9, 1940, ch. 787, sec. 5, 54 Stat. 1060	17
Oct. 9, 1940, ch. 787, sec. 6, 54 Stat. 1060	18

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO CODIFY AND ENACT INTO ABSOLUTE LAW TITLE 6 OF THE UNITED STATES CODE, ENTITLED "OFFICIAL AND PENAL BONDS"

The Clerk called the next bill, H. R. 2039, to codify and enact into absolute law title 6 of the United States Code, entitled "Official and Penal Bonds."

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title 6 of the United States Code, entitled "Official and Penal Bonds," is codified and enacted into absolute law, as follows:

"TITLE 6—OFFICIAL AND PENAL BONDS

"Sec. 1. Custory.
"Sec. 2. Examination as to sufficiency of sureties.
"Sec. 3. Renewal; continuance of liability.
"Sec. 4. Notice of delinquency of principal.
"Sec. 5. Limitation of actions against sureties.
"Sec. 6. Surety companies as sureties.
"Sec. 7. Same; appointment of agents, service of process.
"Sec. 8. Same; deposit of copy of charter.
"Sec. 9. Same; quarterly statements.
"Sec. 10. Same; jurisdiction of suits on bonds.
"Sec. 11. Same; nonpayment of judgment.
"Sec. 12. Same; estoppel to deny corporate powers.
"Sec. 13. Same; failure to comply with the law.
"Sec. 14. Rate of premium on bond; premiums not to be paid by United States.
"Sec. 15. Bonds or notes of United States in lieu of recognizance, stipulation, bond, guaranty, or undertaking; place of deposit; return to depositor; contractors' bonds.

"CUSTODY

"SEC. 1. All bonds of the Treasurer of the United States, collectors of internal revenue, collectors, comptrollers of customs, surveyors, and other officers of the customs, either as such officers or as disbursing officers of the Treasury, bonds of the Secretary of the Senate, Clerk of the House of Representatives, and the Sergeant at Arms of the House of Representatives, shall be placed in the custody of the Secretary of the Treasury and filed as he may direct; and the duties required by law on March 2, 1895, of the Comptroller of the Treasury in regard to such bonds, as the successor of the Commissioner of Customs and First Comptroller of the Treasury, shall be performed by the Secretary of the Treasury.

"EXAMINATION AS TO SUFFICIENCY OF SURETIES

"SEC. 2. Every officer required by law to take and approve official bonds shall cause the same to be examined at least once every 2 years for the purpose of ascertaining the sufficiency of the sureties thereon; and every officer having power to fix the amount of an official bond shall examine it to ascertain the sufficiency of the amount thereof and approve or fix said amount at least once in 2 years and as much oftener as he may deem it necessary.

"RENEWAL; CONTINUANCE OF LIABILITY

"SEC. 3. Every officer whose duty it is to take and approve official bonds shall cause all such bonds to be renewed every 4 years after their dates, but he may require such bonds to be renewed or strengthened oftener if he deem such action necessary. In the discretion of such officer the requirement of a new bond may be waived for the period of service of a bonded officer after the expiration of a

4-year term of service pending the appointment and qualification of his successor. The nonperformance of any requirement of the provisions of sections 1 to 3 of this title, or of that part of section 27 of title 19 relating to transmitting copies of oaths to the Secretary of the Treasury, on the part of any official of the Government shall not be held to affect in any respect the liability of principal or sureties on any bond made or to be made to the United States. The liability of the principal and sureties on all official bonds shall continue and cover the period of service ensuing until the appointment and qualification of the successor of the principal. Nothing in said sections shall be construed to repeal or modify section 38 of title 39: *Provided*, That the payment and acceptance of the annual premium on corporate surety bonds furnished by postal officers and employees shall be a compliance with the requirement for the renewal of such bonds within the meaning of sections 1 to 3 of this title.

"NOTICE OF DELINQUENCY OF PRINCIPAL

"SEC. 4. Whenever any deficiency shall be discovered in the accounts of any official of the United States, or of any officer disbursing or chargeable with public money, it shall be the duty of the accounting officers making such discovery to at once notify the head of the department having control over the affairs of said officer of the nature and amount of said deficiency, and it shall be the immediate duty of said head of department to at once notify all obligors upon the bond or bonds of such official of the nature of such deficiency and the amount thereof. Said notification shall be deemed sufficient if mailed at the post office in the city of Washington, D. C., addressed to said sureties respectively and directed to the respective post offices where said obligors may reside, if known; but a failure to give or mail such notice shall not discharge the surety or sureties upon such bond.

"LIMITATION OF ACTIONS AGAINST SURETIES

"SEC. 5. If, upon the statement of the account of any official of the United States, or of any officer disbursing or chargeable with public money, by the accounting officers, it shall thereby appear that he is indebted to the United States, and suit therefor shall not be instituted within 5 years after such statement of said account, the sureties on his bond shall not be liable for such indebtedness.

"SURETY COMPANIES AS SURETIES

"SEC. 6. Whenever any recognizance, stipulation, bond, or undertaking conditioned for the faithful performance of any duty, or for doing or refraining from doing anything in such recognizance, stipulation, bond, or undertaking specified, is by the laws of the United States required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by a corporation incorporated under the laws of the United States or of any State having power to guarantee the fidelity of persons holding positions of public or private trust, and to execute and guarantee bonds and undertakings in judicial proceedings. Such recognizance, stipulation, bond, or undertaking shall be approved by the head of department, court, judge, officer, board, or body executive, legislative, or judicial required to approve or accept the same. No officer or person having the approval of any bond shall exact that it shall be furnished by a guaranty company or by any particular guaranty company.

"SAME; APPOINTMENT OF AGENTS; SERVICE OF PROCESS

"SEC. 7. No such company shall do business under the provisions of sections 6 to 13 of this title beyond the limits of the State or Territory under whose laws it was incorporated and in which its principal office is located, nor beyond the limits of the District of Columbia, when such company was incorporated under its laws or the laws of the United States and its principal office is located in said District, until it shall by a written power of attorney appoint some person residing within the jurisdiction of the court for the judicial district wherein such suretyship is to be undertaken, who shall be a citizen of the State, Territory, or District of Columbia, wherein such court is held, as its agent, upon whom may be served all lawful process against such company, and who shall be authorized to enter an appearance in its behalf. A copy of such power of attorney, duly certified and authenticated, shall be filed with the clerk of the district court of the United States for such district at each place where a term of such court is or may be held, which copy, or a certified copy thereof, shall be legal evidence in all controversies arising under sections 6 to 13 of this title. If any such agent shall be removed, resign, or die, become insane, or otherwise incapable of acting, it shall be the duty of such company to appoint another agent in his place as hereinbefore prescribed, and until such appointment shall have been made, or during the absence of any agent of such company from such district, service of process may be upon the clerk of the court wherein such suit is brought, with like effect as upon an agent appointed by the company. The officer executing such process upon such clerk shall immediately transmit a copy thereof by mail to the company, and state such fact in his return. A judgment, decree, or order of a court entered or made after service of process as aforesaid shall be as valid and binding on such company as if served with process in said district.

"SAME; DEPOSIT OF COPY OF CHARTER

"SEC. 8. Every company, before transacting any business under sections 6 to 13 of this title, shall deposit with the Secretary of the Treasury of the United States a copy of its charter or articles of incorporation, and a statement, signed and sworn to by its president and secretary, showing its assets and liabilities. If the said Secretary of the Treasury shall be satisfied that such company has authority under its charter to do the business provided for in sections 6 to 13 of this title, and that it has a paid-up capital of not less than $250,000, in cash or its equivalent, and is able to keep and perform its contracts, he shall grant authority in writing to such company to do business under sections 6 to 13 of this title.

"SAME; QUARTERLY STATEMENTS

"SEC. 9. Every such company shall, in the months of January, April, July, and October of each year, file with the said Secretary of the Treasury a statement, signed and sworn to by its president and secretary, showing its assets and liabilities, as is required by section 8 of this title. The said Secretary of the Treasury shall have the power, and it shall be his duty, to revoke the authority of any such company to transact any new business under sections 6 to 13 of this title whenever in his judgment such company is not solvent or is conducting its business in violation of sections 6 to 13 of this title. He may institute inquiry at any time into the solvency of said company and may require that additional security be given at any time by any principal when he deems such company no longer sufficient security.

"SAME; JURISDICTION OF SUITS ON BONDS

"SEC. 10. Any surety company doing business under the provision of sections 6 to 13 of this title may be sued in respect thereof in any court of the United States which has or may have jurisdiction of actions or suits upon such recognizance, stipulation, bond, or undertaking, in the district in which such recognizance, stipulation, bond or undertaking was made or guaranteed, or in the district in which the principal office of such company is located. For the purposes of sections 6 to 13 of this title such recognizance, stipulation, bond, or undertaking shall be treated as made or guaranteed in the district in which the office is located, to which it is returnable, or in which it is filed, or in the district in which the principal in such recognizance, stipulation, bond, or undertaking resided when it was made or guaranteed.

"SAME; NONPAYMENT OF JUDGMENT

"SEC. 11. If any such company shall neglect or refuse to pay any final judgment or decree rendered against it upon any such recognizance, stipulation, bond, or undertaking made or guaranteed by it under the provisions of sections 6 to 13 of this title, from which no appeal or supersedeas has been taken, for 30 days after the rendition of such judgment or decree, it shall forfeit all right to do business under sections 6 to 13 of this title.

"SAME; ESTOPPEL TO DENY CORPORATE POWERS

"SEC. 12. Any company which shall execute or guarantee any recognizance, stipulation, bond, or undertaking under the provisions of sections 6 to 13 of this title shall be estopped in any proceeding to enforce the liability which it shall have assumed to incur, to deny its corporate power to execute or guarantee such instrument or assume such liability.

"SAME; FAILURE TO COMPLY WITH LAW

"SEC. 13. Any company doing business under the provisions of sections 6 to 13 of this title which shall fail to comply with any of its provisions shall forfeit to the United States for every such failure not less than $500 nor more than $5,000, to be recovered by suit in the name of the United States in the same courts in which suit may be brought against such company under the provisions of sections 6 to 13 of this title, and such failure shall not affect the validity of any contract entered into by such company.

"RATE OF PREMIUM ON BOND; PREMIUMS NOT TO BE PAID BY UNITED STATES

"SEC. 14. Until otherwise provided by law no bond shall be accepted from any surety or bonding company for any officer or employee of the United States which shall cost more than 35 percent in excess of the rate of premium charged for a like bond during the calendar year 1908. The United States shall not pay any part of the premium or other cost of furnishing a bond required by law or otherwise of any officer or employee of the United States.

"BONDS OR NOTES OF UNITED STATES IN LIEU OF RECOGNIZANCE, STIPULATION, BOND, GUARANTY, OR UNDERTAKING; PLACE OF DEPOSIT; RETURN TO DEPOSITOR; CONTRACTORS' BONDS

"SEC. 15. Wherever by the laws of the United States or regulations made pursuant thereto, any person is required to furnish any recognizance, stipulation, bond, guaranty, or undertaking, hereinafter called 'penal bond,' with surety or sureties, such person may, in lieu of such surety or sureties, deposit as security with the official having authority to approve such penal bond, United States Liberty bonds or other bonds or notes of the United States in a sum equal at their par value to the amount of such penal bond required to be furnished, together with an agreement authorizing such official to collect or sell such bonds or notes so deposited in case of any default in the performance of any of the conditions or stipulations of such penal bond. The acceptance of such United States bonds or notes in lieu of surety or sureties required by law shall have the same force and effect as individual or corporate sureties, or certified checks, bank drafts, postoffice money orders, or cash, for the penalty or amount of such penal bond. The bonds

or notes deposited hereunder, and such other United States bonds or notes as may be substituted therefor from time to time as such security, may be deposited with the Treasurer of the United States, a Federal Reserve bank, or other depositary duly designated for that purpose by the Secretary, which shall issue receipt therefor, describing such bonds or notes so deposited. As soon as security for the performance of such penal bond is no longer necessary, such bonds or notes so deposited shall be returned to the depositor. In case a person or persons supplying a contractor with labor or material as provided by section 270 of title 40 shall file with the obligee, at any time after a default in the performance of any contract subject to said section 270, the application and affidavit therein provided, the obligee shall not deliver to the obligor the deposited bonds or notes nor any surplus proceeds thereof until the expiration of the time limited by said section 270 for the institution of suit by such person or persons, and, in case suit shall be instituted within such time, shall hold said bonds or notes or proceeds subject to the order of the court having jurisdiction thereof. Nothing herein contained shall affect or impair the priority of the claim of the United States against the bonds or notes deposited or any right or remedy granted by said section 270 or by this section to the United States for default upon any obligation of said penal bond. All laws inconsistent with this section are hereby so modified as to conform to the provisions hereof. Nothing contained herein shall affect the authority of courts over the security, where such bonds are taken as security in judicial proceedings, or the authority of any administrative officer of the United States to receive United States bonds for security in cases authorized by existing laws. The Secretary may prescribe rules and regulations necessary and proper for carrying this section into effect. The term 'person' in this section means an individual, a trust or estate, a partnership, or a corporation; the term 'Secretary' means the Secretary of the Treasury. In order to avoid the frequent substitution of securities such rules and regulations may limit the effect of this section, in appropriate classes of cases, to bonds and notes of the United States maturing more than a year after the date of deposit of such bonds as security. The phrase 'bonds or notes of the United States' shall be deemed, for the purposes of this section, to mean any public-debt obligations of the United States and any bonds, notes, or other obligations which are unconditionally guaranteed as to both interest and principal by the United States."

SEC. 2. The sections or parts thereof of the Statutes at Large covering provisions codified in this act, insofar as such provisions appear in title 6, United States Code, 1940 edition, and supplements thereto, as shown by the appended table, are hereby repealed: *Provided*, That any rights or liabilities now existing under such repeated sections or parts thereof shall not be affected by such repeal.

STATUTES AT LARGE	*Title 6, United States Code, Section*
Mar. 2, 1895, ch. 177, sec. 5, second paragraph, 28 Stat. 807; June 17, 1930, ch. 497, sec. 523 first paragraph (1), 46 Stat. 740	1
Mar. 2, 1895, ch. 177, sec. 5, third paragraph, 28 Stat. 807	2
Mar. 2, 1895 ch. 177, sec. 5, fourth paragraph, 28 Stat. 807; Mar. 8, 1928, ch. 148, 45 Stat. 247	3
Aug. 8, 1888, ch. 787, sec. 1, 25 Stat. 387	4
Aug. 8, 1888, ch. 787, sec. 2, 25 Stat. 387; as modified by June 10, 1921, ch. 18, sec. 301, 42 Stat. 23	5

STATUTES AT LARGE—continued	
Aug. 13, 1894, ch. 282, sec. 1, 28 Stat. 279	6
Aug. 13, 1894, ch. 282, sec. 2, 28 Stat. 279	7
Aug. 13, 1894, ch. 282, sec. 3, 28 Stat. 279; Mar. 23, 1910, ch. 109, 36 Stat. 241	8
Aug. 13, 1894, ch. 282, sec. 4, 28 Stat. 279; Mar. 23, 1910, ch. 109, 36 Stat. 241	9
Aug. 13, 1894, ch. 282, sec. 5, 28 Stat. 280	10
Aug. 13, 1894, ch. 282, sec. 6, 28 Stat. 280; as modified Jan. 31, 1928, ch. 14, sec. 1, 45 Stat. 54	11
Aug. 13, 1894, ch. 282, sec. 7, 28 Stat. 280	12
Aug 13, 1894, ch. 282, sec. 8, 28 Stat. 280	13
Aug. 5, 1909, ch. 7, 36 Stat. 125, first paragraph under "Department of Commerce and Labor"	14
Feb. 24, 1919, ch. 18, sec. 1320, 40 Stat. 1148; Nov. 23, 1921, ch. 136, sec. 1329, 42 Stat. 318; Feb. 26, 1926, ch. 27, secs. 2, 1126 (a) (1) (6), 44 Stat. 9, 122; Feb. 4, 1935, ch. 5, sec. 7, 49 Stat. 22	15

With the following committee amendment:

Page 14, line 4:

(Line 2 of tabulation) strike out "(1)" after "paragraph".

(Line 23 of tabulation) strike out "349;", "1200", and "125"; and insert between "2" and "1126"—"(a) (1), (6),"; and strike out "(a) (1) (6)" at end of line.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO CODIFY AND ENACT INTO ABSOLUTE LAW, TITLE 9 OF THE UNITED STATES CODE, ENTITLED "ARBITRATION"

The Clerk called the next bill, H. R. 2037, to codify and enact into absolute law title 9 of the United States Code, entitled "Arbitration."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title 9 of the United States Code, entitled "Arbitration", is codified and enacted into absolute law, as follows:

"TITLE 9—ARBITRATION

"Sec. 1. Maritime transactions and commerce defined; exceptions to operation of title.
"Sec. 2. Validity, irrevocability, and enforcement of agreements to arbitrate.
"Sec. 3. Stay of proceedings where issue therein referable to arbitration.
"Sec. 4. Failure, and so forth, to arbitrate under agreement; petition to United States court having jurisdiction for order to compel arbitration; notice and service thereof; hearing and determination.
"Sec. 5. Appointment of arbitrators or umpire.
"Sec. 6. Application heard as motion.
"Sec. 7. Witnesses before arbitrators; fees; compelling attendance.
"Sec. 8. Proceedings begun by libel in admiralty and seizure of vessel or property.
"Sec. 9. Award of arbitrators; confirmation; jurisdiction; procedure.
"Sec. 10. Same; vacation; grounds; rehearing.
"Sec. 11. Same; modification or correction; grounds; order.
"Sec. 12. Notice of motions to vacate or modify; service; stay of proceedings.
"Sec. 13. Papers filed with order on motions; judgment; docketing; force and effect; enforcement.
"Sec. 14. Contracts not affected.

"'MARITIME TRANSACTIONS' AND 'COMMERCE' DEFINED; EXCEPTIONS TO OPERATION OF TITLE

"SEC. 1. 'Maritime transactions', as herein defined, means charter parties, bills of lading of water carriers, agreements relating to wharfage, supplies furnished vessels or repairs to vessels, collisions, or any other matters in foreign commerce which, if the subject of controversy, would be embraced within admiralty jurisdiction; 'commerce', as herein defined, means commerce among the several States or with foreign nations, or in any Territory of the United States or in the District of Columbia, or between any such Territory and another, or between any such Territory and any State or foreign nation, or between the District of Columbia and any State or Territory or foreign nation, but nothing herein contained shall apply to contracts of employment of seamen, railroad employees, or any other class of workers engaged in foreign or interstate commerce.

"VALIDITY, IRREVOCABILITY, AND ENFORCEMENT OF AGREEMENTS TO ARBITRATE

"SEC. 2. A written provision in any maritime transaction or a contract evidencing a transaction involving commerce to settle by arbitration a controversy thereafter arising out of such contract or transaction, or the refusal to perform the whole or any part thereof, or an agreement in writing to submit to arbitration an existing controversy arising out of such a contract, transaction, or refusal, shall be valid, irrevocable, and enforceable, save upon such grounds as exist at law or in equity for the revocation of any contract.

"STAY OF PROCEEDINGS WHERE ISSUE THEREIN REFERABLE TO ARBITRATION

"SEC. 3. If any suit or proceeding be brought in any of the courts of the United States upon any issue referable to arbitration under an agreement in writing for such arbitration, the court in which such suit is pending, upon being satisfied that the issue involved in such suit or proceeding is referable to arbitration under such an agreement, shall on application of one of the parties stay the trial of the action until such arbitration has been had in accordance with the terms of the agreement, providing the applicant for the stay is not in default in proceeding with such arbitration.

"FAILURE, AND SO FORTH, TO ARBITRATE UNDER AGREEMENT; PETITION TO UNITED STATES COURT HAVING JURISDICTION FOR ORDER TO COMPEL ARBITRATION; NOTICE AND SERVICE THEREOF; HEARING AND DETERMINATION

"SEC. 4. A party aggrieved by the alleged failure, neglect, or refusal of another to arbitrate under a written agreement for arbitration may petition any court of the United States which, save for such agreement, would have jurisdiction under the judicial code at law, in equity, or in admiralty of the subject matter of a suit arising out of the controversy between the parties, for an order directing that such arbitration proceed in the manner provided for in such agreement. Five days' notice in writing of such application shall be served upon the party in default. Service thereof shall be made in the manner provided by law for the service of summons in the jurisdiction in which the proceeding is brought. The court shall hear the parties, and upon being satisfied that the making of the agreement for arbitration or the failure to comply therewith is not in issue, the court shall make an order directing the parties to proceed to arbitration in accordance with the terms of the agreement. The hearing and proceedings, under such agreement, shall be within the district in which the petition for an order directing such arbitration is filed. If the making of the arbitration agreement or the failure, neglect, or refusal to perform the

same be in issue, the court shall proceed summarily to the trial thereof. If no jury trial be demanded by the party alleged to be in default, or if the matter in dispute is within admiralty jurisdiction, the court shall hear and determine such issue. Where such an issue is raised, the party alleged to be in default may, except in cases of admiralty, on or before the return day of the notice of application, demand a jury trial of such issue, and upon such demand the court shall make an order referring the issue or issues to a jury in the manner provided by law for referring to a jury issues in an equity action, or may specially call a jury for that purpose. If the jury find that no agreement in writing for arbitration was made or that there is no default in proceeding thereunder, the proceeding shall be dismissed. If the jury find that an agreement for arbitration was made in writing and that there is a default in proceeding thereunder, the court shall make an order summarily directing the parties to proceed with the arbitration in accordance with the terms thereof.

"APPOINTMENT OF ARBITRATORS OR UMPIRE

"SEC. 5. If in the agreement provision be made for a method of naming or appointing an arbitrator or arbitrators or an umpire, such method shall be followed; but if no method be provided therein, or if a method be provided and any party thereto shall fail to avail himself of such method, or if for any other reason there shall be a lapse in the naming of an arbitrator or arbitrators or umpire, or in filling a vacancy, then upon the application of either party to the controversy the court shall designate and appoint an arbitrator or arbitrators or umpire, as the case may require, who shall act under the said agreement with the same force and effect as if he or they had been specifically named therein; and unless otherwise provided in the agreement the arbitration shall be by a single arbitrator.

"APPLICATION HEARD AS MOTION

"SEC. 6. Any application to the court hereunder shall be made and heard in the manner provided by law for the making and hearing of motions, except as otherwise herein expressly provided.

"WITNESSES BEFORE ARBITRATORS; FEES; COMPELLING ATTENDANCE

"SEC. 7. The arbitrators selected either as prescribed in this title or otherwise, or a majority of them, may summon in writing any person to attend before them or any of them as a witness and in a proper case to bring with him or them any book, record, document, or paper which may be deemed material as evidence in the case. The fees for such attendance shall be the same as the fees of witnesses before masters of the United States courts. Said summons shall issue in the name of the arbitrator or arbitrators, or a majority of them, and shall be signed by the arbitrators, or a majority of them, and shall be directed to the said person and shall be served in the same manner as subpenas to appear and testify before the court; if any person or persons so summoned to testify shall refuse or neglect to obey said summons, upon petition the United States court in and for the district in which such arbitrators, or a majority of them, are sitting may compel the attendance of such person or persons before said arbtitrator or arbitrators, or punish said person or persons for contempt in the same manner provided on February 12, 1925, for securing the attendance of witnesses or their punishment for neglect or refusal to attend in the courts of the United States.

"PROCEEDINGS BEGUN BY LIBEL IN ADMIRALTY AND SEIZURE OF VESSEL OR PROPERTY

"SEC. 8. If the basis of jurisdiction be a cause of action otherwise justiciable in admiralty, then, notwithstanding anything herein to the contrary, the party claiming to be aggrieved may begin his proceeding hereunder by libel and seizure of the vessel or other property of the other party according to the usual course of admiralty proceedings, and the court shall then have jurisdiction to direct the parties to proceed with the arbitration and shall retain jurisdiction to enter its decree upon the award.

"AWARD OF ARBITRATORS; CONFIRMATION; JURISDICTION; PROCEDURE

"SEC. 9. If the parties in their agreement have agreed that a judgment of the court shall be entered upon the award made pursuant to the arbitration, and shall specify the court, then at any time within 1 year after the award is made any party to the arbitration may apply to the court so specified for an order confirming the award, and thereupon the court must grant such an order unless the award is vacated, modified, or corrected as prescribed in sections 10 and 11 of this title. If no court is specified in the agreement of the parties, then such application may be made to the United States court in and for the district within which such award was made. Notice of the application shall be served upon the adverse party, and thereupon the court shall have jurisdiction of such party as though he had appeared generally in the proceeding. If the adverse party is a resident of the district within which the award was made, such service shall be made upon the adverse party or his attorney as prescribed by law for service of notice of motion in an action in the same court. If the adverse party shall be a nonresident, then the notice of the application shall be served by the marshal of any district within which the adverse party may be found in like manner as other process of the court.

"SAME; VACATION; GROUNDS; REHEARING

"SEC. 10. In either of the following cases the United States court in and for the district wherein the award was made may make an order vacating the award upon the application of any party to the arbitration—

"(a) Where the award was procured by corruption, fraud, or undue means.

"(b) Where there was evident partiality or corruption in the arbitrators, or either of them.

"(c) Where the arbitrators were guilty of misconduct in refusing to postpone the hearing, upon sufficient cause shown, or in refusing to hear evidence pertinent and material to the controversy; or of any other misbehavior by which the rights of any party have been prejudiced.

"(d) Where the arbitrators exceeded their powers, or so imperfectly executed them that a mutual, final, and definite award upon the subject matter submitted was not made.

"(e) Where an award is vacated and the time within which the agreement required the award to be made has not expired the court may, in its discretion, direct a rehearing by the arbitrators.

"SAME; MODIFICATION OR CORRECTION; GROUNDS; ORDER

"SEC. 11. In either of the following cases the United States court in and for the district wherein the award was made may make an order modifying or correcting the award upon the application of any party to the arbitration—

"(a) Where there was an evident material miscalculation of figures or an evident material mistake in the description of any person, thing, or property referred to in the award.

"(b) Where the arbitrators have awarded upon a matter not submitted to them, unless it is a matter not affecting the merits of the decision upon the matter submitted.

"(c) Where the award is imperfect in matter of form not affecting the merits of the controversy.

"The order may modify and correct the award, so as to effect the intent thereof and promote justice between the parties.

"NOTICE OF MOTIONS TO VACATE OR MODIFY; SERVICE; STAY OF PROCEEDINGS

"SEC. 12. Notice of a motion to vacate, modify, or correct an award must be served upon the adverse party or his attorney within 3 months after the award is filed or delivered. If the adverse party is a resident of the district within which the award was made, such service shall be made upon the adverse party or his attorney as prescribed by law for service of notice of motion in an action in the same court. If the adverse party shall be a nonresident then the notice of the application shall be served by the marshal of any district within which the adverse party may be found in like manner as other process of the court. For the purposes of the motion any judge who might make an order to stay the proceedings in an action brought in the same court may make an order, to be served with the notice of motion, staying the proceedings of the adverse party to enforce the award.

"PAPERS FILED WITH ORDER ON MOTIONS; JUDGMENT; DOCKETING; FORCE AND EFFECT; ENFORCEMENT

"SEC. 13. The party moving for an order confirming, modifying, or correcting an award shall, at the time such order is filed with the clerk for the entry of judgment thereon, also file the following papers with the clerk:

"(a) The agreement; the selection or appointment, if any, of an additional arbitrator or umpire; and each written extension of the time, if any, within which to make the award.

"(b) The award.

"(c) Each notice, affidavit, or other paper used upon an application to confirm, modify, or correct the award, and a copy of each order of the court upon such an application.

"The judgment shall be docketed as if it was rendered in an action.

"The judgment so entered shall have the same force and effect, in all respects, as, and be subject to all the provisions of law relating to, a judgment in an action; and it may be enforced as if it had been rendered in an action in the court in which it is entered.

"CONTRACTS NOT AFFECTED

"SEC. 14. This title shall not apply to contracts made prior to January 1, 1926."

SEC. 2. The sections or parts thereof of the statutes at large covering provisions codified in this act, insofar as such provisions appear in title 9, United States Code and supplements thereto, as shown by the appended table, are hereby repealed: *Provided*, That any rights or liabilities now existing under such repealed sections or parts thereof shall not be affected by such repeal.

STATUTES AT LARGE

	Title 9, United States Code, Section
Feb. 12, 1925, ch. 213, sec. 1, 43 Stat. 883	1
Feb. 12, 1925, ch. 213, sec. 2, 43 Stat. 883	2
Feb. 12, 1925, ch. 213, sec. 3, 43 Stat. 883	3
Feb. 12, 1925, ch. 213, sec. 4, 43 Stat. 883	4
Feb. 12, 1925, ch. 213, sec. 5, 43 Stat. 884	5
Feb. 12, 1925, ch. 213, sec. 6, 43 Stat. 884	6
Feb. 12, 1925, ch. 213, sec. 7, 43 Stat. 884	7
Feb. 12, 1925, ch. 213, sec. 8, 43 Stat. 884	8
Feb. 12, 1925, ch. 213, sec. 9, 43 Stat. 885	9
Feb. 12, 1925, ch. 213, sec. 10, 43 Stat. 885	10
Feb. 12, 1925, ch. 213, sec. 11, 43 Stat. 885	11
Feb. 12, 1925, ch. 213, sec. 12, 43 Stat. 885	12
Feb. 12, 1925, ch. 213, sec. 13, 43 Stat. 886	13
Feb. 12, 1925, ch. 213, sec. 14, 43 Stat. 886	14
Feb. 12, 1925, ch. 213, sec. 15, 43 Stat. 886	15

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXPATRIATING OR EXCLUDING CERTAIN PERSONS FOR EVADING MILITARY AND NAVAL SERVICE

The Clerk called the next bill, H. R. 4257, to expatriate or exclude certain

persons for evading military and naval service.

The Clerk read the title of the bill.

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

Mr. COLE of New York. Mr. Speaker, reserving the right to object, in order that the full membership might be advised of the provisions of this bill, I suggest that some member of the Committee on Immigration and Naturalization undertake to explain it, since the operation of the bill would result in depriving certain citizens of their citizenship.

Mr. Speaker, I yield to the gentleman from Illinois.

Mr. MASON. Mr. Speaker, I shall be very glad to explain what this bill does. The bill simply would denaturalize any citizen who for purposes of evading military service left the country and went to some other country. It would prevent any more Bergdolls, for instance. It also would remove the right to reenter from any alien who did such a thing during time of war. Those are the two things that the bill does.

Mr. COLE of New York. Is the gentleman from Illinois absolutely correct when he says that the provisions of the bill are limited to wartime only?

Mr. MASON. Yes, it is.

Mr. COLE of New York. Reading on line 10, it says:

Departing from or remaining outside of the jurisdiction of the United States in time of war or during a period declared by the President to be a period of national emergency.

Mr. MASON. That is true, but when the President declares a period of national emergency, then you are leading to war, and our Selective Service Act was put into effect during that period and before we were at war. Anyone who left the country during the period of national emergency when the Selective Service Act was in effect would lose his right to reenter if he was an alien, and would lose his citizenship if he was a natural-born citizen.

Mr. COLE of New York. The gentleman has said that a proclamation by the President establishing a national emergency leads up to war. I am sure the gentleman is aware of the innumerable proclamations of national emergency that have been issued by the President within the past 8 or 10 years. I am curious to get his view, if the gentleman thinks all those proclamations have followed inevitably the path to the present conflict.

Mr. MASON. All we can judge by is past history. Every single one of those proclamations of national emergency which were issued did lead up to this war.

Mr. LESINSKI. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield.

Mr. LESINSKI. In the testimony we found that in the city of El Paso alone over 800 Mexicans escaped to Mexico to evade service. We feel that as long as they want to evade service, they should not have the right to come back as citizens of this country.

Mr. COLE of New York. I should like to inquire further of some member of the committee if the provisions of the selective-service law do not cover situations like this where a citizen leaves the country for the sole purpose of evading responsibility under that act.

Mr. MASON. It only covers that in the same way that we took care of Bergdoll for doing the same thing. They can be punished, but his citizenship could not be taken away from him under the old law.

Mr. COLE of New York. Does not that punishment operate to deprive him of his citizenship, if he is found guilty?

Mr. MASON. I do not believe it does.

Mr. COLE of New York. Would the gentleman care to explain what judicial proceedings are preserved to the person accused of having left the country in order to evade the draft? What protection has he got? Who says he is guilty or not—the courts or the Secretary of State?

Mr. MASON. I think it is the Attorney General, under his powers in the Department of Justice, who decides this.

Mr. COLE of New York. Does the interested party have a right to appeal to the courts to review the decision of the Attorney General?

Mr. MASON. I do not believe so.

Mr. COLE of New York. If the gentleman is sure of that, then I think the bill should go over without prejudice, because certainly we should not put into the hands of any administrative officer the power to arbitrarily deny citizenship to any individual, without giving that individual the right to have the decision reviewed in the courts.

Mr. MASON. I do not believe that it does preserve to him the right to appeal to the courts.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMENDING THE NATIONALITY ACT OF 1940

The Clerk called the next bill, H. R. 4271, to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PRIEST. Mr. Speaker, reserving the right to object, I do so in order to ask the gentleman from Illinois [Mr. MASON] to make a brief explanation of this bill.

Mr. MASON. Mr. Speaker, under our present law, a naturalized citizen who is living abroad in the employ of a foreign government or in any other employ must, under the law, preserve his citizenship by appearing before an official of the Federal Government and stating his reasons for living abroad, and therefore have his time extended, before his naturalization can be taken from him.

During wartimes that has been found to be impossible in many, many instances in those countries that are occupied by Germany. So this preserves that right to them. It does not do away with the law that requires it, but it does hold it during wartimes, and this 6-year period is allowed him.

Mr. PRIEST. If I understand it correctly, the time is extended to 1946. Is that correct?

Mr. MASON. That is correct.

Mr. PRIEST. I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That chapter IV of the Nationality Act of 1940, section 409, is amended to read as follows:

"SEC. 409. Nationality shall not be lost under the provisions of section 404 or 407 of this Act until the expiration of 6 years following the date of the approval of this Act: *Provided, however*, That a naturalized person who shall have become subject to the presumption that he has ceased to be an American citizen as provided for in the second paragraph of section 2 of the act of March 2, 1907 (34 Stat. 1228), and who shall not have overcome it under the rules in effect immediately preceding the date of the approval of this act, shall continue to be subject to such presumption for the period of 6 years following the date of the approval of this act unless it is overcome during such period."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTION 334 (c) OF THE NATIONALITY ACT OF 1940

The Clerk called the next bill, H. R. 4140, to amend Section 334 (c) of the Nationality Act of 1940, approved October 14, 1940 (54 Stat. 1156–1157; 8 U. S. C. 734).

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 334 (c) of the Nationality Act of 1940, approved October 14, 1940 (54 Stat. 1156–1157; 8 U. S. C. 734), is hereby amended to read as follows:

"(c) Except as otherwise specifically provided in this chapter, no final hearing shall be held on any petition for naturalization nor shall any person be naturalized nor shall any certificate of naturalization be issued by any court within 30 days after the filing of the petition for naturalization. This period may be waived by the Commissioner in his discretion."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. PRIEST. Mr. Speaker, that concludes the calling of the bills on the Consent Calendar today.

Mr. COLE of New York. Mr. Speaker, I should like to direct the attention of the Clerk to the first bill on the calendar which carries the No. 3 on the calendar. Actually that number should be 193.

The SPEAKER. Without objection, the calendar will be corrected accordingly in the next printing.

There was no objection.

HON. GEORGE W. ANDREWS, REPRESENTATIVE-ELECT FROM THIRD CONGRESSIONAL DISTRICT OF ALABAMA

The SPEAKER laid before the House the following communication from the Clerk of the House, which was read:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D. C., March 20, 1944.

The honorable the SPEAKER,
House of Representatives.

SIR: The certificate of election in due form of law of Hon. GEORGE W. ANDREWS as a Representative-elect to the Seventy-eighth Congress from the Third Congressional District of the State of Alabama, to fill a vacancy in that district, is on file in this office.

Very truly yours,
SOUTH TRIMBLE,
Clerk of the House of Representatives.

Mr. GEORGE W. ANDREWS presented himself at the bar of the House and took the oath of office.

RIVERS AND HARBORS ACT

Mr. DIES. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 464), and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 3961) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 3 hours to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Rivers and Harbors, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. DIES. Mr. Speaker, I yield 30 minutes of the time to the gentleman from Michigan [Mr. MICHENER].

I now yield myself 10 minutes, Mr. Speaker.

The SPEAKER. The gentleman from Texas is recognized.

Mr. DIES. Mr. Speaker, this is a rule to make in order the consideration of the bill H. R. 3961, which is a general authorization bill for river and harbor projects. This is the first general authorization bill which has been presented to the House in 6 years. It contains a provision which I desire to read to the House:

That the projects are to be prosecuted as speedily as may be consistent with budgetary requirements, no project to be appropriated for until 6 months after termination of the present wars unless necessary in the interests of the national defense and security.

This bill, as I said, is the first general authorization bill in 6 years. It provides for authorizations totaling approximately $450,000,000 as compared with $600,000,000 plus, carried in the last general authorization bill.

As the excerpt from the report says, it is not contemplated that money will be made available at the present time to carry on these projects unless some project is necessary for national defense.

Mr. MICHENER. Will the gentleman yield?

Mr. DIES. I yield.

Mr. MICHENER. Who determines whether a project is necessary for the national defense?

Mr. DIES. I presume that will be determined by our War Department and by the Appropriations Committee. Is that not the gentleman's understanding?

Mr. MICHENER. I do not have any understanding. The Appropriations Committee certainly would have no jurisdiction to determine whether or not national defense required the authorization of the appropriation.

Mr. DIES. I assume, however, that the appropriate agencies in charge of national defense would make their recommendations to the Appropriations Committee and that this committee would have to hear the facts, and then if they determined that a given project was necessary for national defense they would make an appropriation and the House would have an opportunity to pass upon it.

Mr. MICHENER. The language in the bill is uncertain and nebulous. My own thought would be that it would pretty nearly require an Executive order by the President or a statement by the President that the project was in the interest of national defense, in which case the Committee on Appropriations would then have jurisdiction to appropriate the money so that the decision, if I am correct, would really rest with the President.

Mr. DIES. I think the gentleman's conclusion perhaps is not justified, because the Appropriations Committee and the House would finally have to pass upon whether or not the projects should be undertaken.

Mr. PITTENGER. Mr. Speaker, will the gentleman yield?

Mr. DIES. I yield.

Mr. PITTENGER. I want to say as a member of the Committee on Rivers and Harbors that this bill, as I understand it, is in the same form as other bills that have come before this body and in no way interferes with the jurisdiction of the Committee on Appropriations; it is an authorization bill.

Mr. DIES. I thank the gentleman for his contribution. We of course understand, Mr. Speaker, that every project in this bill has been carefully surveyed by the Corps of Engineers, a nonpartisan and very efficient organization of our Government, that the Committee on Rivers and Harbors has considered the merits of each project and reported the projects in the bill.

I want to take occasion, Mr. Speaker, to compliment very much the Committee on Rivers and Harbors and especially the chairman of this committee, my colleague the gentleman from Texas. We in Texas call him "the grand old man of our delegation," but he resents the inclusion of the adjective "old," so I should strike that from my remarks. I believe this committee has demonstrated to the Congress that it is truly a nonpartisan, efficient committee of this House interested only in meritorious projects; in fact, under the leadership of my beloved colleague from Texas this committee has earned and retained the respect and the confidence of the Congress of the United States and of the American people by placing the committee and its work upon such a high, nonpartisan plane of efficiency. The chairman of that committee has rendered a great service not only to the development of waterways in the United States but to the American people.

Mr. PITTENGER. Mr. Speaker, will the gentleman yield further?

Mr. DIES. I yield.

Mr. PITTENGER. The gentleman is absolutely correct in what he has just said in reference to the chairman of this committee and in reference to the work of the Committee on Rivers and Harbors. On every bill that comes before this committee representatives of the War Department Corps of Engineers appear before us. The work of that committee is as nonpartisan as the work of any committee can be. The gentleman is correct in his statement.

Mr. MASON. Mr. Speaker, will the gentleman yield for a correction?

Mr. DIES. I yield to the gentleman from Illinois.

Mr. MASON. I understood the gentleman to say that this Committee on Rivers and Harbors was a nonpartisan committee. This is not true; it is a bipartisan committee made up of high-grade Democrats and Republicans who work and act in a nonpartisan manner.

Mr. DIES. I thank the gentleman for his correction. The purpose, of course, Mr. Speaker, in reporting this bill to the House is to provide in advance for post-war planning. It is believed, and properly so, by the committee that now is the time to plan for improvements and construction and development of our waterways in the United States so that when the war is over the engineers will have before them a well-developed and carefully considered plan under which they can furnish employment to people who need employment and can continue to improve our waterways. The report of the committee shows what a tremendous part our waterways are playing in the war effort. It shows the tremendous increase in tonnage on many of our waterways.

Mr. SMITH of Ohio. Mr. Speaker, will the gentleman yield?

Mr. DIES. I yield.

Mr. SMITH of Ohio. Do I understand that one of the purposes of this authorization is to provide employment in the post-war period?

Mr. DIES. I will say that is one of the purposes, probably secondary, but it is certainly one of the purposes.

Mr. SMITH of Ohio. Where will the funds come from to provide this employment? Is it not a fact they will have to be taken from private sources?

Mr. DIES. All public funds come from private sources. The point is that these projects are meritorious, that it has been demonstrated that by the improvement of our waterways we increase the efficiency of our transportation system and we do something that is constructive and worth while. I am sure the gentleman

will agree with me that it is far better for the Congress to spend money upon constructive, worth-while projects than it is to spend that money on certain other types of projects that are of no such benefit to the country.

Mr. SMITH of Ohio. But there will be no income from this development for a long time; is not that correct?

Mr. DIES. No direct income, but a great deal of indirect income. For instance, let me give the gentleman one illustration: In my congressional district probably 70 percent of all the oil that is moved from the area of Oklahoma, Louisiana, Texas, and New Mexico is moved through our ports. The tonnage in that waterway has increased tremendously.

Mr. WHITE. Mr. Speaker, will the gentleman yield?

Mr. DIES. I yield.

Mr. WHITE. As a matter of fact, answering the question of the gentleman from Ohio, this improvement of waterways will stimulate commerce, and by developing commerce will cause much money to be paid to the Government in the form of taxes.

Is it not a fact that the digging of a canal from Houston, Tex., to the sea has built a great community down there and greatly increased and stimulated business in the State of Texas?

Mr. DIES. The gentleman is correct.

The SPEAKER pro tempore (Mr. WHITTINGTON). The time of the gentleman from Texas has expired.

Mr. DIES. Mr. Speaker, I yield myself 3 additional minutes.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. DIES. I yield.

Mr. RANKIN. I wish to say in reply to the gentleman from Ohio that we are going to have a great many unemployed veterans after this war. It will be better to employ them on projects of this kind that are useful and necessary than it would be to put them to work on raking leaves and chasing mosquitoes, as we did in some instances a few years ago. What we want to do is to build America. You have just passed $1,300,000,000 for U. N. R. R. A. This is "I. N. R. R. A." We are trying to do something now for the American people.

Mr. ANGELL. Mr. Speaker, will the gentleman yield?

Mr. DIES. I yield.

Mr. ANGELL. Is it not also true that the United States Corps of Engineers has passed upon every one of these projects before they were recommended to the committee and the Corps of Engineers justified them from the standpoint of income? Every single one was financially justified before it received the approval of the Corps of Engineers or by our committee.

Mr. DIES. That is absolutely correct. I know that during the time I had the honor to serve on this committee under the leadership of our distinguished colleague from Texas I was impressed with the efficiency of the Corps of Engineers. I found them to be concerned only with the merits of projects. The fact that we have gotten completely away from the old pork-barrel process by which projects were approved is a great advance for the Congress of the United States.

Mr. RANKIN. Mr. Speaker, will the gentleman yield further?

Mr. DIES. I yield.

Mr. RANKIN. I want to subscribe to what the gentleman from Texas has said about the chairman of the Committee on Rivers and Harbors, the gentleman from Texas [Mr. MANSFIELD]. I do not believe there is a chairman presiding over any committee in either House who has been more fair and impartial and who has labored harder, not only for the protection of the Treasury but for the upbuilding of the country, than the gentleman from Texas [Mr. MANSFIELD].

Mr. DIES. I thank the gentleman for that statement. We in Texas are proud of the gentleman from Texas [Mr. MANSFIELD], we love him, and we think that he has rendered a great service to his State and to the Nation by the fair and efficient manner in which he has presided over this important committee.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HALLECK. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, as I understand it, there is no opposition to the granting of this rule. The members of the Committee on Rivers and Harbors who appeared before the Rules Committee all stated that they wanted the rule granted in order that the bill might come before the House for consideration and action.

I, too, want to commend the Rivers and Harbors Committee for the job it has been doing, which is not to say that I am in complete accord with all of the items and provisions of this bill. I do say, though, that the members of that committee, I am quite convinced, have tried to avoid those items that sometimes are referred to as "pork barrel" in an effort to fairly and constructively bring about a rivers and harbors improvement program in the country.

I suppose it is fair to say that the Congress should be constantly on guard against so-called pork-barrel measures or items, particularly at a time like this, when we are spending so much money in the war effort, when it is becoming more apparent every day that when the war ends we will have to meet in some way the greatest debt that ever confronted any nation. So there is undoubtedly a great responsibility on us in times like these to avoid expenditures that cannot be clearly shown to be in the public interest and economically feasible. I believe that every item in this bill should be proved up and considered on its merits, and if there are some items that do not meet this test, they should be stricken out of the bill.

Mr. Speaker, reference has been made to the fact that the bill specifically provides that the work hereby authorized shall not be undertaken until 6 months after the termination of the war unless recommended by defense agencies as being essential in the war effort. A question was raised by the gentleman from Michigan, addressed to the gentleman from Texas, with reference to the responsibility of the President in this regard. The bill specifically provides for a finding by the President and also for a report by the President to the Congress in connection with that finding.

As I understand it, there is serious opposition to two or three of the projects contained in this bill. I do not claim to be an expert in reference to all of them, but as to one or two I have heard the arguments pro and con in years gone by when those same projects have been before the House for consideration. At the moment I have serious doubt in my mind as to the feasibility of two or three of them. However, the members of the Committee on Rivers and Harbors are in a much better position to argue the relative merits of these items than I am, and I will not go into that except to point out, apropos of a suggestion heretofore made in connection with the consideration of this rule, that the economies to be effected by the construction of these various projects is the consideration that should govern. I have looked at the minority report and I discover it is contended there in respect to the Tombigbee project in order to justify its construction that resort has been had to alleged values apart from the rule that has heretofore been used in considering projects of this sort by referring to certain intangible or speculative results that it is said will accrue from the construction of the project.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HALLECK. Mr. Speaker, I yield myself 5 additional minutes.

Mr. RANKIN. Will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Mississippi.

Mr. RANKIN. I may say to the gentleman from Indiana that it was not necessary for them to even include those intangible benefits to which he refers, for the simple reason that this Tennessee-Tombigbee inland waterway furnishes a slack-water route up to the Tennessee and a downstream route from there down to Cairo. This will save the average barge load from $2,400 to $3,000 in fuel cost alone, which is more than the profits realized from the average barge trip. The traffic that is now moved on the Mississippi, the Tombigbee, the Ohio, and upper Missouri without this intangible benefit even will far more than justify the project.

Mr. HALLECK. May I say to the gentleman this is the first time I have heard that contention made. I refer to the report of the Chief of Engineers in which it is specifically stated:

> All these intangible or indirect benefits must be considered in addition to the direct savings in transportation cost in order that this project will show a substantial excess of benefits over costs.

I am just one Member of the Congress, but it seems to me that when the Chief of Engineers makes such a statement as that it certainly is pretty good evidence of the necessity of resorting to these intangible benefits that have not heretofore, as I understand it, been considered in determining the feasibility of

such projects in order to support this particular one.

Mr. DONDERO. Will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Michigan.

Mr. DONDERO. I may say that the Army engineers did not come to the conclusion that the gentleman from Mississippi has stated here in giving those figures on the amount of savings. No such figures as those are in the record.

Mr. RANKIN. At the time this survey was being made it was for the purpose of establishing the physical feasibility of the proposition. If you will turn to the statement of Colonel Farrington, who represents the Army engineers and represented them before our committee, the gentleman will find that he makes the statement I have just quoted.

Mr. HALLECK. I do not doubt that; but, as far as I am concerned, when the Chief of Engineers makes that statement it strikes me that it speaks for the expert judgment of the Corps of Army Engineers.

Mr. RANKIN. The Army engineers at that time were making their survey, and that is what we were asking them to make it on—the physical feasibility of this project.

Mr. HALLECK. The members of the committee will undoubtedly discuss that further.

Mr. Speaker, I would like to go on to another provision of this bill about which I have serious doubt and which I think every one of us should read and consider very carefully. I refer specifically to certain language found on page 2 of the bill, wherein it is provided as follows:

> The Chief of Engineers is authorized in his discretion to construct powerhouses and install power machinery and appurtenances for the development of hydroelectric power at any dam heretofore or hereafter authorized by any act of Congress.

It strikes me that that is a tremendously broad grant of authority. It strikes me that language of that sort represents a considerable departure by the Congress of the United States, if it should be adopted, in the direction of an abdication of the continuing power and responsibility and duty that should be that of the Congress of the United States.

Mr. PLOESER. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Missouri.

Mr. PLOESER. It strikes me also that it attempts to take every flood-control dam that has ever been constructed in the past or any program that the Congress may set up for flood control in the future, and use it as the basis for power projects, whether or not they are needed.

Mr. HALLECK. Let me state this in response to what the gentleman has said. To my mind the issue goes much deeper and much further than any question of the production and sale of electrical energy and power by the Federal Government.

The SPEAKER pro tempore. The time of the gentleman from Indiana has expired.

Mr. HALLECK. Mr. Speaker, I yield myself 3 additional minutes.

As I say, to me it involves the continuing responsibility of the Congress to assume and discharge its proper functions, duties, and obligations. Congress, I like to think, has in recent times been getting away from blank checks of money or blank checks of authority. I think for that the country feels better about the Congress of the United States. I think the people in the country generally want the Congress of the United States to assume its fair responsibilities and to discharge them without granting to any executive agency the blanket authority that should be ours. We are going to be here in session. No one knows how soon these projects will come up for actual consideration. Rather than go along with such a broad grant of authority, would it not be better for us to strike that provision out of the bill and if, in respect to a certain project, Congress, in its considered judgment, deems it desirable to provide for the creation, distribution, and sale of electrical power, then Congress can do so with respect to that particular item. I believe that is the only way we can fairly and well legislate.

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

Mr. HALLECK. I yield to the gentleman from Kentucky.

Mr. MAY. I wonder if the gentleman will not agree with me that this provision is far more extensive and grants more widespread authority to do the very thing that has been done on a limited scale in other instances.

Mr. HALLECK. I think it does. Very frankly, I was amazed when I read the language. Possibly there are some things about it that I do not know, but they have not yet been pointed out to me. They were not pointed out before the Rules Committee when the members of that committee were there. I suggest, in all seriousness, that we should all be looking at that language right carefully to the end that if it is an unwarranted delegation of legislative power we should see to it that those words are stricken out and that the duties and responsibilities be kept in the Congress of the United States.

Mr. SAUTHOFF. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. SAUTHOFF. I notice also that the language that follows what the gentleman read is even broader.

Mr. HALLECK. I agree with the gentleman.

Mr. SAUTHOFF. It strikes me that is just as reprehensible as the language to which the gentleman refers.

Mr. HALLECK. I hope that the Members will read all of that proviso and section because, as the gentleman from Wisconsin has pointed out, it seems to me that all of that language does violence to my idea of legislative responsibility.

Mr. DIES. Mr. Speaker, I yield 5 minutes to the gentleman from Idaho [Mr. WHITE].

Mr. WHITE. Mr. Speaker, this is one of the most important legislative provisions that can come before this Congress, the improving of our waterways, to provide for cheap, low-cost transportation and stimulation of commerce. When you look at the record of accomplishments that has been made by reason of water transportation—take little Holland, for example; a country without minerals; a country without timber; a country with no waterfalls, with a system of canals and waterways, which has become rich and opulent by the use of its land and its water and has become the money lender to the rest of the world. That will give you an idea of what water transportation means and the full utilization of its canals in connection with water transportation.

You gentlemen know, in studying the history of the United States, many of us have never learned the real forces that have made America great and which gave America one of the most liberal and free and easy civilizations in the world, especially in that period of development between the Revolutionary War and the Civil War. It was in that period that things were so easy and people made money so easily as the result of American ingenuity and the utilization of our streams for transportation.

Whitney invented the cotton gin. While the rest of the people of the world, over a billion people, were tediously picking cottonseed out by hand, we were knocking the seed out with the cotton gin wholesale.

Then with the invention of the steamboat by Fulton, we utilized the sluggish navigable streams of the South and gave America preeminence in the cotton trade to all the world and built up the country by use of the southern streams for navigation and the production of cotton. It was in that period that cotton was king, and it gave to the South one of the most easy and free civilizations that the world has ever known.

That condition can be credited to two things: American ingenuity and the use of our navigable streams.

I wonder, in talking about navigation, if we have ever realized the dominant position it plays in the location of our great cities. We find St. Louis at the confluence of the Missouri and Mississippi Rivers. I am wondering, if today we would close the Ohio River to navigation in the State of Pennsylvania, in the vicinity of Pittsburgh, what it would cost American industry just to close that one river to the movement of iron ore and coke and coal. I wonder what it would cost the American people if we were to close the Mississippi River today to transportation, particularly from Baton Rouge down to tidewater.

The great Standard Oil companies, in utilizing the petroleum resources of Kansas, Texas, and Louisiana, saw fit to establish their great refineries and their plants at places on the first high land above the mouth of the Mississippi near the town of Baton Rouge, where the great oil tankers of the world can come in and take petroleum cargoes. This company also brought in a great concentration of pipe lines carrying petroleum, all dependent for an outlet by navigation on the Mississippi River. I have sat on the bank of the river at Baton Rouge and watched these tankers from all parts of

the world come in to take cargoes from these refineries. It is navigation that has made America great and it is navigation that in this bill will carry forward the development of our economy and give us the resources and the strength that will keep America in its preeminent position. We must remember that in stimulating commerce in our whole country we are enlarging the sources of taxable revenue available to the Government, and we are building a greater America.

I hope this rule will be adopted and the bill will pass.

Mr. DIES. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Speaker, in answer to the gentleman from Indiana [Mr. HALLECK], I want to say that there is not a more feasible or a more necessary project in this bill, or one ever proposed, than this inland waterway connecting the Tennessee and the Tombigbee Rivers. It is the only project of its kind in the world, with the exception of the one connecting the Don and the Volga in Russia, where you can transfer traffic from one major watershed to another with so much ease, so little cost, and so much saving in distances and transportation costs.

This project, taking Cairo as the base, going down the Mississippi to New Orleans and across to Mobile, back up the Tennessee-Tombigbee waterway to the Tennessee, then down the Tennessee River to Paducah and down the Ohio back to Cairo, is 1,768 miles.

Of that 1,728 miles, 1,121 miles of it are downstream—almost two-thirds of the way—and the rest of it is in still or slack water. There is no other project on earth that has all those advantages. It really sounds fantastic. But here is the map, and here are the facts. It is downstream all the way from Cairo to New Orleans, and all the way from the Tennessee River, where this project joins it, to Cairo, Ill. The rest of the way is slack water, because on the Tombigbee you have 18 locks and dams that give you slack or still water, from Mobile, Ala., to the Tennessee River, and you have slack water in the intracoastal canal from New Orleans across to Mobile.

Let us see what this all means. Colonel Ferringa, the Army engineer, testified that a tow of one 1,200-horsepower Diesel engine, with eight barges carrying 3,500 tons, going from New Orleans up to Cairo, fighting the terrific current, would use $6,273 worth of fuel. But going across to Mobile in slack water, and in slack water up the Tombigbee to the Tennessee and then downstream to Cairo the cost would be only $3,868, or a savings on every trip of $2,405. There is not a barge line in America that makes that much profit on a trip of that distance.

But suppose you are going on the upper Ohio, from New Orleans, and that means every barge that is going to Pittsburgh, Pa.; Cincinnati, Ohio; Wheeling, W. Va.; the saving would be $2,800.

If you are going from New Orleans to Chicago, Ill.; Indianapolis; St. Paul; Minneapolis; Sioux City, Iowa; Omaha, Nebr.; Kansas City or St. Louis, on every single up-bound trip you would save $2,405, but if going up the Ohio, as I said, you would save $2,800. That means that such savings would accrue on every such tow with eight average barges that come from any of those points down the Mississippi—and that would be the proper course for downstream traffic in order to take advantage of the swift current going down—and then in order to avoid it going up returns via the Tombigbee route. This would bring benefits to every one of those States in the entire Mississippi Valley, from Pittsburgh, Pa., to Galveston, Tex.; from Minneapolis and St. Paul to Mobile, from Sioux City to New Orleans. All that great area between the Alleghenies and Rocky Mountains will be aided by this project.

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

Mr. RANKIN. Yes; I yield to the gentleman from Kentucky.

Mr. MAY. What part of Tombigbee River is now in slack water?

Mr. RANKIN. It will practically all be slack water, with the possibility of a short stretch just above Mobile. These locks begin at the mouth of the Warrior, and there are locks up the Warrior to Birmingham, and let me show you what it means there.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. DIES. Mr. Speaker, I yield the gentleman 3 minutes more.

Mr. RANKIN. Suppose you are shipping your wheat or beef or manufactured articles—automobiles from Detroit or machinery from Pittsburgh? You have to have a load for the return trip, something to take back—lumber, oil, fruits, or other raw materials. Going from Mobile to Cairo you would save $3,290.

Going from Mobile to Paducah, Ky., and that means to any point on the Ohio up to Pittsburgh, Pa., you would save $3,688.

But if you are going from Birmingham or from the mouth of the Warrior to Cairo, you would save $5,448 on every trip. If you are going to Paducah or to points on the upper Ohio, the savings would amount to $3,688.

There is not another project on earth that would save as much as this one will save the people of that great area—the States of Pensylvania, Ohio, Illinois, Indiana, Missouri, Michigan, Minnesota, Wisconsin, Iowa, Nebraska, Kentucky, West Virginia, and other States in that area—so much money. Every one of those States will benefit, and benefit immeasurably by the development of this project. As to the amount of benefit, local benefits, leave them out if you want to, but there are at least 9,000,000 tons of that traffic now that will go up that stream, and it will save an average of a dollar a ton. It will save enough in 3 to 7 years to pay for the entire project. Besides that, you are opening up this Tennessee Valley area, where today we are manufacturing planes and machinery and munitions with which to fight this war. The savings on such a barge load from New Orleans to the Tennessee River would be $4,507. If going from Mobile, the savings would be $5,392.

From Birmingham to the Tennessee River the savings would be $7,551.

We now have a 9-foot channel from Knoxville to Cairo. By cutting through that sand ridge between the Tennessee and the Tombigbee you will reduce the water distance from Cairo to the Gulf by a hundred miles, from Paducah by 200 miles, and from the Tennessee River to the Gulf by 630 miles.

As I said, there is no other place in the world where you can bring such savings in distances and transportation costs with so much ease and so little expense. It will be worth more to any of the States I have mentioned than it will to that area of Mississippi, but it will give us an outlet for our raw materials and an inlet for those things you desire to ship us. I trust this proposition will be adopted, because if you vote it down, you kill the most valuable part of the bill.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. HALLECK. Mr. Speaker, I yield 5 minutes to the gentleman from Nebraska [Mr. STEFAN].

Mr. STEFAN. Mr. Speaker, I favor the adoption of House Resolution 464, making in order H. R. 3961, a bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors.

The bill, an omnibus bill, presents 271 harbor-improvement and inland-waterway projects for authorization, not appropriation. The committee of which the gentleman from Texas [Mr. MANSFIELD] is chairman has worked hard on this measure and I feel that the rule should be adopted so that the bill can be discussed. While I am not familiar with all of the items in the bill, I am familiar with the proposed project on the Missouri River.

I feel that I know much about the Missouri River because I grew up very close to it. I know of the great damage that river has caused to valuable farm land in times of flood. The Missouri River bounds my congressional district on the north and east and I know many of the farmers and land owners along the river who have been victims of its floods. I am informed that the damage done by the flood waters of the Missouri River last year exceeded $43,000,000. I personally visited many of the flooded areas along the Missouri River last year. I saw, first-hand, the damage done. Therefore, I feel that the recurrence of such floods should be prevented and that for all time the river should be reduced to control and its waters put to beneficial use.

I have complete confidence in the gentleman from Texas, Judge MANSFIELD, chairman of the Committee on Rivers and Harbors, and in the other members of the committee. I have talked with the gentleman from Texas, Judge MANSFIELD, about this bill. I have read the bill carefully and have attended many hearings in reference to river control. The portion of this bill dealing with the Missouri River Basin should be helpful to those of us who want this river controlled. As I understand that portion of

the bill it would authorize an expenditure of about $6,000,000 for revetment of banks, cut-offs to eliminate long bends, closing of minor channels, dredging, and so forth, so that the stream may be confined to a fixed channel and so that vagrant floods will not, year after year, tear loose and carry to the sea the valuable topsoil from lands paralleling the course of the river.

I have seen, first-hand, what floods have done to farm lands, not only in our own country, but in foreign countries. I have seen the floods of China and the top soil of China washed away and carried into the Yellow Sea. That is why the Yellow Sea is yellow. I have seen the starvation and hardship that followed those floods. If we can prevent that in the Missouri River Basin, we should do it.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. STEFAN. I will be glad to yield.

Mr. RANKIN. This project, so far as it goes, will do that very thing, will it not?

Mr. STEFAN. This project, as I understand it, will confine the stream to a narrower and fixed channel and reduce flood erosion.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. STEFAN. I yield.

Mr. DONDERO. I think the gentleman from Nebraska is confining his remarks to the Missouri River.

Mr. STEFAN. I am, sir.

Mr. DONDERO. And what the gentleman from Mississippi is referring to is the Tombigbee project.

Mr. RANKIN. No, I am referring to the Missouri River. I will say to the gentleman from Nebraska, I was for the development of the Sioux River and also of the Platte and I would not do anything or I would not support a measure which I thought would in any way injure the people of Nebraska so far as these rivers are concerned. But in my opinion this development on the Missouri River will benefit the people of Nebraska and not injure them.

Mr. STEFAN. As I understand it, it will aid the conservation of valuable topsoil.

The chairman of the committee has assured me that this proposed improvement of the Missouri River south of Sioux City will not impose additional demands upon water storage at Fort Peck Reservoir or otherwise decrease the volume of water for use west of Sioux City. Another bill will come from the Committee on Flood Control dealing with Missouri River problems that are attributable to irrigation and flood control.

We in Nebraska, naturally, are first interested in irrigation because we need the water to grow our crops. We are interested, too, in flood control, hydroelectric power and navigation. We feel that legislation that will help to keep the Missouri River from doing harm and make it a useful agent should be supported.

Mr. Speaker, I yield back the balance of my time.

Mr. DIES. Mr. Speaker, I move the previous question. The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. MANSFIELD of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 3961) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, 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 consideration of the bill H. R. 3961, with Mr. COSTELLO in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. MANSFIELD of Texas. Mr. Chairman, I first want to extend my thanks to the distinguished gentleman from Texas [Mr. DIES] for the complimentary terms in which he has referred to me on this occasion. I have long since made up my mind that if I ever enter another Congressman's congressional district to have debate with him on his renomination there are two Members of this House whose districts I will never invade. One is the gentleman from Texas [Mr. DIES] and the other is the gentleman from Missouri [Mr. SHORT].

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

Mr. MANSFIELD of Texas. I yield.

Mr. CARTER. Mr. Chairman, I want to say to the distinguished gentleman from Texas that I have heard the statement of the gentleman from Texas [Mr. DIES] and I subscribe to his statement most heartily. I have served for nearly 20 years on the Committee on Rivers and Harbors with the distinguished gentleman from Texas [Mr. MANSFIELD], who is now addressing the Committee. He has for a considerable portion of the time been chairman of that committee. He has been a man who has presided over that committee in a fair and square manner. He has an unusual knowledge of the waterways of this country, and I concur in the statement in regard to him made by the gentleman from Texas [Mr. DIES].

Mr. MANSFIELD of Texas. I thank the gentleman from California.

Mr. Chairman, the bill presented here embraces 271 projects for improvement, the ultimate cost of which is estimated at $420,675,000. It has been nearly 6 years since a general river-and-harbor bill has been enacted. Consequently, there is great need for the improvements here recommended. A few special bills have recently been enacted for projects urgent in the war, and several projects embraced in this bill have already been constructed by the War or Navy Departments, their need being considered too urgent to await congressional action. At the suggestion of the President, those projects already completed are now recommended for authorization in order that their maintenance may be undertaken by the Corps of Engineers as regular civil functions of the War Department.

All projects in the bill have been thoroughly studied by the Army engineers under surveys duly authorized by Congress, and no project has been included that does not have their approval. Every project in the bill has the recommendation of the Committee on Rivers and Harbors, and except in a few instances this approval has been unanimous.

The bill is recommended for post-war consideration, when it is expected that there will be an acute labor situation. Except for projects that may be urgent in the war effort, no appropriations will be authorized until 6 months after the close of the present war.

Our program of river-and-harbor improvement, as it has been carried out for many years under the Corps of Engineers of the War Department, has become remarkably efficient and successful. It has been practically free of partisan political influence, and sectionalism has been disregarded. Our national and commercial needs have been the controlling motives, while the so-called pork-barrel methods that once prevailed have been completely eliminated.

Not only have our peacetime commercial needs been taken care of, but our war needs have not been neglected. Our port improvements on the Atlantic, Pacific, and Gulf coasts, as well as those in Alaska, Hawaii, Midway, and other possessions, have rendered indispensable service in the present war. Our ports and connecting channels on the Great Lakes have performed a service too well known to need repetition here.

Our inland intracoastal channels have moved many millions of tons of materials essential in the war effort and more than 1,000 naval and commercial ships and other boats of various types for use upon the high seas have been towed down the Mississippi River to the Gulf from the yards where constructed on the Great Lakes and on the upper Mississippi system.

This waterway carried, in addition to ocean-borne traffic, an increased tonnage in 1941 of 37 percent over 1940, and in 1942 an additional increase of 23 percent over 1941. The figures for 1943 have not yet been compiled, but insofar as available they show further substantial increases. Of this tonnage, Mr. Joseph B. Eastman, Director of War Transportation, in a speech in St. Louis on October 19, last, said:

> Today there are in operation on the system, embracing not only the (Mississippi) river but its tributaries, about 5,000 barges, ranging in size from about 100 to 3,000 tons in capacity, and about 1,000 towboats ranging from 200 to 2,500 horsepower. With that fleet the river system has been able to render a service which it was wholly unable to render in the last World War and which has been of invaluable aid in the war effort. The barges transported in 1942 the very sizable

total of 16,500,000,000 revenue ton-miles, which has afforded the railroads much relief.

After Pearl Harbor the character of the traffic on the river system changed, so that today it may be stated, without fear of contradiction, that as much as 95 percent of the entire movement is of commodities which are directly related and essential to the war effort. One of the largest movements is of petroleum and its products. In 1942 that movement aggregated slightly more than 24,000,000 tons, and it has since been increasing steadily.

The Mississippi River and its principal tributaries have been under almost continuous navigation in some form from the time of the first explorations a century before American independence. Hennepin, Marquette, and Joliet traversed its upper branches in bark canoes in the seventeenth century. La Salle explored portions of the Ohio, and afterward the Mississippi to its mouth, reaching the passes on the Gulf in 1682.

The great humorist, Mark Twain, in his younger days, spent much time on the Mississippi River steamboats, becoming an expert pilot. It is said that he knew every detail of transportation on the river, including its history. He tells us that the earliest commerce on the river was in a type of barge known as keelboats or broadhorns. These boats had no power for propulsion, but were floated or sailed down the river from the upper branches to New Orleans. With their return loads they were then tediously poled back up the stream, sometimes requiring 9 months to make the round trip. For 15 or 20 years after steamboats were in operation keelboats continued to be used for downstream traffic, the boats then being sold in New Orleans. In due time the steamboats became very popular for both passenger and freight service.

Steamboats were in operation upon the Mississippi and its tributaries long before Congress ever made appropriation for their improvement. Vast settlements and colonizations sprang up along the banks of the streams, which on account of the favorable transportation facilities afforded, developed into cities of great commercial importance. Pittsburgh, Cincinnati, Louisville, Memphis, New Orleans, St. Louis, Kansas City, Omaha, Peoria, and St. Paul-Minneapolis are notable examples.

In 1861, after the Southern States had passed ordinances of secession, Stephen A. Douglas, who had been the political adversary and critic of Mr. Lincoln, in a famous speech sought to impress upon the people of the North the consequences of being deprived of the free right to navigate the Mississippi as an outlet to the markets of the world. His speech had wonderful effect in solidifying sentiment.

In the decade beginning about 1845, efforts were made to have the Government construct a railroad as a connecting link between the Mississippi inland waterway system and the Pacific. The thought was that this combined rail and water connection would afford an ample transportation system to the vast region extending from the Pacific to the Alleghenies, and also as an outlet for our export trade to the Orient.

Trade with China had begun to develop and much traffic coming from the Gulf up the Mississippi by boat was transferred at St. Louis to overland routes for San Francisco, where there was a natural harbor which needed no improvement by the Federal Government. The gentleman from California [Mr. ROLPH], who is quite familiar with the early traffic history of that section, advises me that prior to the railroad era these freights from the river boats were hauled over the trails from the Mississippi to San Francisco in the so-called prairie schooners so famous at that time.

Mr. Benton in the Senate in 1849 introduced a bill for a public road from the Mississippi to the port of San Francisco. In his discussion he made reference to trade with China, and quoted extensively from the reports of Frémont on the different routes investigated in his explorations. He also called attention to the proposal of the British to make the Columbia River the dividing line between the United States and Canada, and improve it for navigation to be free to both countries as a part of the connecting line between the navigable waters of the Mississippi and the Pacific Ocean. Of this bill Mr. Benton said:

The bill which I ask leave to bring in, Mr. President, fixes the termini of this road—the beginning and the ending. After what I have said, it is hardly necessary for me to add that the starting point is the bay of San Francisco, and the ending point is the city of St. Louis. The road is to connect the ocean navigation at the bay of San Francisco with the Mississippi, near the confluence of the Missouri. From St. Louis it is in communication with all the States and cities of this Union.

In the Thirtieth Congress a resolution was offered in the Senate for military purposes which was, in part, as follows:

Resolved, That a special committee be appointed to consist of ---- members to inquire into and report upon the expediency of establishing a railroad by the Government of the United States, for military purposes, between San Francisco, on the Pacific, and the most suitable point which may be found on the navigable waters of the Mississippi.

The author of this resolution was one of the most outstanding characters in American history, Sam Houston. General Houston had been a Member of Congress from Tennessee; chief of an Indian tribe; Governor of Tennessee and Governor of Texas; President of the Republic of Texas, and a United States Senator. He was a soldier of great distinction, who, in early life, as colonel of his regiment was severely wounded in a battle with the Creek Indians. Later, as Commander in Chief of the Army, he secured the independence of Texas at San Jacinto in one of the most brilliant victories ever achieved upon a field of battle. In the Senate of the United States, after the annexation of Texas, he saw the importance of this great river system as a military asset for the preservation of this Nation.

It has never been deemed practical to secure an all-water channel for the movement of traffic between the Mississippi and the Pacific. That accounts for the many efforts made to secure that end by a combination of water, rail, and highway routes. Water-channel connection between the inland waterway and the Atlantic, however, has been deemed practical and seriously considered—even by George Washington. President Washington established the District of Columbia at the head of navigation on the Potomac. He then promoted the Chesapeake and Potomac Canal with a view to forming a connection with the great Mississippi system.

For many years the proposal has been before Congress to complete an adequate connection of the inland river system with the Great Lakes at Chicago, and the present bill contains the Calumet-Sag project which, if adopted, will forge the last link in that chain. Its completion will afford the suitable connection of the inland river system with the connecting channels and ports of the Great Lakes, where, in addition to other traffic, more than 90,000,000 tons of ore were moved the past year, supplying the Army and Navy with 85 percent of the steel so essential for ships, tanks, trucks, guns, and other equipment so necessary in the war.

It is needless to remind you that the Great Giver of all good gifts and graces, in the dispensation of His divine providence, has, without the assistance of man, formed the connection of this great inland system of transportation with the Gulf of Mexico, which for more than a century and a half has served the needs of the people in war as well as in peace.

Our inland system now embraces several thousand miles of connected and improved waterways. These channels of trade have performed an important part in the development of the country and have added many billions of dollars to the common wealth. But, if they had never performed any peacetime service, it cannot be reasonably said that their improvement, if for wartime use alone, has been in vain.

The Atlantic Intracoastal Waterway has performed one great service for which credit has been given to other methods of transportation. The operation of the ocean tankers having been stopped by the war, the major portion of the oil and gasoline shipments to the eastern seaboard have been by rail and by pipe lines. The praise of these carriers has been proclaimed from the hilltops and in the valleys. The public was not told of the part performed by the waterway in these operations.

There is no pipe line up and down the Atlantic seaboard. The oil and gasoline comes in by pipe line to certain points on the intracoastal waterway, principally at Philadelphia, Richmond, and Jacksonville. The major portion of it is then loaded in barges for shipment over the Atlantic intracoastal waterway to points of consumption from Trenton, N. J., to Miami, Fla., a distance of 1,356 miles. In fact, the distance shipped by water has, in some instances, been greater than the distance shipped by pipe line.

The Gulf Intracoastal Canal from Florida to the Mexican border has been completed as far as Corpus Christi. It

crosses the Mississippi at New Orleans and with its connection with the Warrior River adds more than a thousand miles to the connected inland system. This intracoastal channel has become so congested with barge traffic that Congress, as a war measure, has found it necessary to give the channel additional width and depth. This work of enlargement is now nearing completion, and on the last lap from Galveston to Corpus Christi 11 powerful dredges are now at work. The traffic on this channel each year of its operation has been far in excess of the estimates made by Gen. George W. Goethals upon which it was authorized. The tonnage has increased enormously under war conditions. The War Department advises that in 1942 there was an increase of 22 percent over the volume for 1941, which, in turn, exceeded the 1940 tonnage by 49 percent. I am now advised by the Chief of Engineers that the increased traffic on this waterway amounts to 269 percent.

This intracoastal channel places the inland-waterway system, including the Great Lakes, in direct communication with every port and harbor on the Gulf, from Florida to the Mexican border. In the post-war period these ports will be found to be in readiness to take part in the redevelopment of our coastwise and intercoastal trade, as well as trade with Central and South America, over both the Atlantic and the Pacific. Our European trade, of course, will continue to be handled largely through our ports on the Atlantic seaboard, and trade with Alaska and the Orient through our Pacific ports.

The dreams of those who a century ago had visions of a great commerce with China may be realized to the fullest extent. When the people of that country are released from the bondage imposed upon them by their nearest neighbor they will, of course, seek trade alliance with this country and become our customers as well as our friends.

When peace is restored we will have at our disposal the largest and most efficient merchant marine in all the world, embracing ships suitable for every line of trade. The great ports on our coasts will be in readiness for their accommodation, and our products should be transported principally in American bottoms to all the markets of the world. With such an efficient merchant marine, and with our splendid system of inland transportation by water, rail, highway, and pipe line, America should be in position to lead the world in trade and commerce.

Mr. Chairman, I wish to announce that in the preparation of this bill the Committee on Rivers and Harbors for the first time in many years has been deprived of the counsel and assistance of one of the ablest Members who ever sat in this Chamber, Judge Francis D. Culkin. It was my privilege to have served with him on this committee during the whole of his congressional career, and, for a numbers of years on the Committee on the Merchant Marine. He was an expert upon all matters pertaining to transportation, and his courage, honor, and integrity were above reproach. He has passed from us, but much of his good work remains for the use and benefit of mankind.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield for a question?

Mr. MANSFIELD of Texas. I yield to the distinguished gentleman from Mississippi.

Mr. WHITTINGTON. I should like to ask the distinguished chairman of the committee if during the consideration of this bill he proposes to offer any committee amendments.

Mr. MANSFIELD of Texas. Yes; we have quite a few.

Mr. WHITTINGTON. Will they be printed in the RECORD for the information of the Members?

Mr. MANSFIELD of Texas. I suppose they might be by unanimous consent.

Mr. WHITTINGTON. I have no desire to insist that the gentleman do that, but it strikes me it would be helpful.

Mr. MANSFIELD of Texas. Mr. Chairman, we have quite a number of amendments to offer from the committee. In view of the fact that we cannot get through the bill today, I ask unanimous consent that the committee amendments may be printed in today's RECORD for consideration tomorrow.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The committee amendments are as fo[illegible]

Committee amendments to be offered by Mr. MANSFIELD of Texas to H. R. 3961, a bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes:

Page 2, lines 19 and 20, strike out "authorized by any act of Congress," and insert "constructed and maintained under the direction of the Secretary of War and supervision of the Chief of Engineers."

Page 14, between lines 8 and 9, insert the following paragraph:

"St. Johns River, Fla., Jacksonville to Lake Harney: House Document No. 445, Seventy-eighth Congress."

Page 19, between lines 3 and 4, insert the following paragraph:

"Lavon Reservoir on East Fork of Trinity River, Tex.; in accordance with the report of the Chief of Engineers, dated February 10, 1944."

Page 19, line 5, after "Congress", insert "and in accordance with the report of the Chief of Engineers, dated August 21, 1943."

Page 20, lines 18 and 19, after "Seventy-sixth Congress", strike out the comma and the word "and", and insert a semicolon in lieu thereof; and after the semicolon at the end of line 19 insert "and 449, Seventy-eighth Congress."

Page 21, line 13, after "Congress", strike out the semicolon, insert a colon, and the following proviso: "*Provided*, That such improvement when accomplished shall not create any demand on the water resources of the Missouri Basin over that now authorized by existing law."

Page 21, between lines 13 and 14, insert the following paragraph:

"Coasts of the Great Lakes: Harbors of refuge for light-draft vessels; House Document No. 449, Seventy-eighth Congress."

Page 21, between lines 23 and 24, insert the following paragraph:

"Sturgeon Bay and Lake Michigan Ship Canal, Wisconsin; House Document No. 421, Seventy-eighth Congress."

Page 23, between lines 20 and 21, insert the following paragraph:

"Sackets Harbor, N. Y.; in accordance with the report of the Chief of Engineers dated January 6, 1944."

Page 26, line 11, after "Congress", strike out the semicolon, insert a comma in lieu thereof and add the following: "With such modifications as the Secretary of War may find advisable after consultation with the Secretary of the Interior and such other agencies as may be concerned."

Page 27, line 9, after the word "Congress", strike out the semicolon, insert a colon in lieu thereof and add the following proviso: "*Provided*, That said dam shall be so constructed as to provide a pool elevation of 340 feet above sea level if a dam of that height is found to be feasible. In the design, construction, and operation of the Umatilla Dam adequate provision shall be made for the protection of anadromous fishes by affording free access to their natural spawning grounds or by other appropriate means. Studies and surveys necessary for fish protection shall be made by the Fish and Wildlife Service of the Department of the Interior, and designs for structures and facilities required for fish protection shall be prepared in cooperation with that agency. Funds appropriated for the design, construction, or operation of said dam shall be available for transfer to the Department of the Interior for the foregoing purposes."

Page 29, between lines 12 and 13, insert the following paragraph: "Electric power and energy generated at projects authorized by this act and not required in the operation of such projects shall be delivered to the Secretary of the Interior, who shall transmit and dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles, and preference in the sale of such power and energy shall be given to public bodies and cooperatives, the rate schedule to become effective upon confirmation and approval by the Federal Power Commission. At dams or works authorized by this Act which are suitable for the production of electric power and energy the Secretary of War shall provide, construct, operate, maintain, and improve such structures, machinery, equipment, facilities, and supplies as the Secretary of the Interior may deem necessary to develop power and energy for existing and potential markets and for the proper reception, handling, and dispatch of electric power and energy; and operations of all such machinery and facilities shall be scheduled in accordance with the requirements of the Secretary of the Interior so far as consistent with requirements for the use or control of water for the other purposes of said projects as may be determined by the Secretary of War. The Secretary of the Interior is authorized to construct and acquire such transmission lines and facilities and to enter into such contracts, agreements, and arrangements as he deems necessary to carry out the duties and responsibilities herein conferred upon him."

On page 29, after line 21, insert new section as follows:

"SEC. 3. That (a) the consent, permission, and authority granted to the commissioners of Lincoln Park, now superseded by the Chicago Park District, a municipal corporation organized and existing under the laws of the State of Illinois to exercise jurisdiction over the navigable waters of Lake Michigan which lie within the following-described boundaries:

"Beginning at a point at the intersection of the existing bulkhead along Lake Shore Drive in Chicago, Ill., with the existing pier which is parallel to and north of Ohio Street extended and south of Ontario Street extended; thence easterly along said pier to a

point in a line parallel to and 350 feet easterly of said bulkhead along the Lake Shore Drive; thence northwesterly along said last-described line to a point in a curve of 200 feet radius and tangent both to said last-described line and to a line 350 feet southerly into Lake Michigan from a point near the from the southerly side of and parallel to the shore arm extension breakwater extending intersection of Oak Street and Lake Shore Drive; thence along said curve to a point in said line last described; thence easterly along said line to a point in a line at right angles with said shore arm extension breakwater at the eastern extremity thereof; thence northward along said last-described line to said shore arm extension breakwater; thence westward along said shore arm extension breakwater to the shore line: and (b) the right granted to said the commissioners of Lincoln Park, now superseded by the Chicago Park District, to destroy the navigability of the above-described waters altogether, and (c) the right granted to said the commissioners of Lincoln Park, now superseded by the Chicago Park District, to erect an additional breakwater to connect the said shore arm extension breakwater near the intersection of Oak Street and Lake Shore Drive with the shore line, and (d) the transfer of possession of said shore arm extension breakwater to said the commissioners of Lincoln Park, now superseded by the Chicago Park District, and the obligation for the permanent care, custody, and maintenance of said shore arm extension breakwater by the commissioners of Lincoln Park, now superseded by the Chicago Park District, all as provided for by the act entitled 'an act granting to the commissioners of Lincoln Park the right to erect a breakwater in the navigable waters of Lake Michigan, and transferring jurisdiction over certain navigable waters of Lake Michigan to the commissioners of Lincoln Park,' approved March 3, 1931, be rescinded.

"The United States of America hereby resumes jurisdiction over the above-described waters and the above-described shore arm extension breakwater and hereby discharges the Chicago Park District, successor to the superseded the commissioners of Lincoln Park, from its liability for the permanent care, custody, and maintenance of said shore arm extension breakwater.

"Said Chicago Park District shall signify its acceptance of this act by written notice to the Secretary of War within 60 days after the passage of this act, and this section shall become effective immediately upon its acceptance by said Chicago Park District. In the event of nonacceptance within 60 days this section shall become null and void."

Page 29, after line 21, insert the following section:

"SEC. 4. The excess-land provisions of the Federal reclamation laws shall not be applicable to lands which will receive a water supply from the Central Valley project, California, reauthorized by section 2 of the River and Harbor Act approved August 26, 1937."

Page 29, line 22, strike out "3" and insert in lieu thereof "5."

Insert the following items on the pages and places hereinafter designated:

Page 31, after line 13:

"New Bedford and Fairhaven Harbors, Mass.; particularly with a view to providing greater depth in the eastern portion of the anchorage basin."

Page 31, after line 17:

"The southern coast of Long Island, from the New York City line to Montauk Point, N. Y., with a view to the improvement and protection of the beaches along said coast, such examination and survey to be made under the provisions of section 2 of the River and Harbor Act approved July 3, 1930, and the act entitled 'An act for the improvement and protection of the beaches along the shores of the United States,' approved June 26, 1936."

Page 32, after line 6:

"Arthur Kill, N. Y. and N. J., between a point 1,000 feet north of the mouth of Smiths Creek and a point 1,000 feet south of Buckwheat Island."

Page 32, after line 7:

"Coast of New Jersey, from Sandy Hook to Cape May, with a view to the improvement and protection of the beaches along said coast, such examination and survey to be made under the provisions of section 2 of the River and Harbor Act approved July 3, 1930, and the act entitled 'An act for the improvement and protection of the beaches along the shores of the United States,' approved June 26, 1936."

Page 32, after line 17:

"Mispillion River, Del., up to Milford."

Page 32, after line 22:

"Pocomoke River, Md., from Old Rock Buoy to Williams Point."

Page 36, after line 25:

"For a system of interlocking open-river and canalized channels having a depth of 12 feet, and of suitable width, to be constructed through rivers and lakes, and by land cuts, as follows: From Palatka, Fla., to the Indian River at Sebastian, Melbourne, Eau Gallie, Cocoa, or such other locality as may be found most suitable; from Titusville westerly to the St. Johns River, thence to Lake Tohopekaliga; from Lake Tohopekaliga to Leesburg, on Lake Harris; from Lake Harris to the St. Johns River near Dexter Lake or alternately from Lake Harris to the Wekiwa River, thence to the St. Johns River; and from Lake Tohopekaliga via the Kissimmee River and Lake Okeechobee to a connection with the Okeechobee Cross-Florida Channel; all with a view to improvement in the interest of navigation, flood control, and water conservation."

Page 38, after line 2:

"Hillsboro Inlet, Fla., in the vicinity of Pompano."

Page 39, after line 5:

"Aucilla River, Fla.

"Bayou Texar, Fla."

Page 41, after line 2:

"Dickinson Bayou, Tex.

"Jones Creek, Tex., with a view to improvement in the interest of navigation and flood control."

Page 42, after line 3:

"Allegheny River, up to Warren, Pa."

Page 42, after line 4:

"Grand Portage Harbor, Minn."

Page 42, after line 11:

"Harbor at St. Ignace, Mich.

"Mackinac Harbor, Mich."

Page 42, line 12: Strike out "Algoma Harbor, Mich."

Page 42, after line 15:

"Clinton River, Mich."

Page 42, after line 21:

"The coast of Lake Erie, with a view to the establishment of harbors of refuge for light-draft vessels for commercial and, or, recreational purposes."

Page 43, after line 6:

"Oswego Harbor, N. Y."

Page 43, after line 17:

"Monterey Harbor, Calif.

"Carquinez Strait and Alhambra Creek, Calif., with a view to providing harbor improvements at, and in the vicinity of, Martinez."

Page 43, after line 22:

"Willapa Harbor, Wash., with a view to providing a channel to, and turning basin at, Tokeland Dock; also with a view to providing a mooring basin and breakwater at and near Nahcotta Dock, Nahcotta."

Page 44, after line 9:

"Valdez Harbor, Alaska, with a view to its improvement, and particularly with respect to the expansion of facilities for harborage of small boats.

"Cook Inlet, Alaska, with a view to improvement for navigation, providing harbor facilities for the city of Anchorage, and the development of hydroelectric power.

"Anchorage Harbor, Alaska, with a view to its improvement, and with the view of determining the advisability of providing additional harbor facilities for small boats."

The CHAIRMAN. The gentleman from Texas has consumed 26 minutes.

Mr. ANGELL. Mr. Chairman, will the gentleman yield for a question?

Mr. MANSFIELD of Texas. I yield.

Mr. ANGELL. I believe the chairman was on the floor a moment ago when the question was raised as to whether or not some of these projects might not be justified from a financial standpoint. I should like to ask the chairman if it is not a fact that every one of these projects has been approved by the United States Corps of Army Engineers? Each one has been carefully surveyed and in every single instance is justified from a financial standpoint—that is, that the revenues to be saved will justify the expenditure by the Federal Government.

Mr. MANSFIELD of Texas. The gentleman is entirely correct. For many years we have adopted a rule in the Committee on Rivers and Harbors not even to permit a hearing on a project until it comes before us with a favorable report of the Corps of Engineers of the War Department.

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

Mr. MANSFIELD of Texas. I yield.

Mr. DONDERO. There has been, however, some difference of opinion in regard to one of the largest projects in this bill—that is, the Tombigbee—where the Chief of Engineers and the Corps of Engineers have not agreed; is not that true?

Mr. MANSFIELD of Texas. There have been many instances. The engineers, of course, reserve the right each one to express his own views and opinions.

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

Mr. MANSFIELD of Texas. I yield to the gentleman from Mississippi.

Mr. RANKIN. As a matter of fact, the question of "pork barrel" did not enter into the compiling of this bill, but each project was placed on its own merits. The Tennessee-Tombigbee inland waterway project was taken up after all the rest of the bill had been adopted, and it was adopted by a vote of 13 to 5. There were three proxies sent in by members authorizing that their votes be cast for it, and three members who were not present said they would have voted for it if they had been present. There was no question about "pork barrel" in this bill at all. Every one of these projects, just like the project the gentleman has been interested in up there in Michigan, has been adopted on its own merits and on the recommendation and showing of the Army engineers.

Mr. DONDERO. Will the gentleman yield further?

Mr. MANSFIELD of Texas. I yield to the gentleman from Michigan.

Mr. DONDERO. I think it is fair to say to the Members of the House, however, that it was the desire of the Committee on Rivers and Harbors to keep out of this bill just such projects as the Tombigbee River project in order that we might get through a rivers and harbors bill, which we have been unsuccessful in doing for the last 5 years.

Mr. MANSFIELD of Texas. Six years.

Mr. DONDERO. Yes.

Mr. RANKIN. This will not hurt it.

Mr. DONDERO. This will meet the same fate as the other bills.

Mr. RANKIN. It will not hurt it at all. It will help the bill. I would certainly hate to wait to develop the rivers or the water power of this Nation until we could get the consent of the gentleman from Michigan.

Mr. DONDERO. You would not have to wait very long if you would justify the project economically before the American people.

Mr. RANKIN. We could get the St. Lawrence project.

Mr. DONDERO. Yes; and because we have the approval of the Army engineers.

Mr. RANKIN. So did this. You would get the St. Lawrence project in Michigan, you would get anything that affected the Great Lakes, but I submit that if I had to depend on the gentleman from Michigan for the development that we have adopted in the last 10 years, I fear we would not have gotten very far. If his policy had been adopted on the Tennessee and Columbia Rivers we would be deprived today of that great wealth of aluminum and aluminum projects that we are now producing which are helping to win the war.

Mr. DONDERO. The gentleman from Michigan may say that he is not persuaded by the oratory of the gentleman from Mississippi, although I have great respect for the gentleman and his ability.

Mr. RANKIN. I may say to the gentleman the facts argue a great deal more eloquently than I can.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. MANSFIELD of Texas. I yield to the gentleman from Georgia.

Mr. VINSON of Georgia. Mr. Chairman, I have had opportunity to examine this bill most carefully. As a matter of fact, I appeared before the Rivers and Harbors Committee in support of various items therein. Particularly was I concerned with an item known as the Clarks Hill Reservoir project, which is situated in the district represented by my distinguished colleague, the gentleman from Georgia, Mr. PAUL BROWN.

Mr. Chairman, I ask unanimous consent that at this point in the RECORD the gentleman from Georgia [Mr. BROWN] may be permitted to extend his remarks in the RECORD in reference to the Clarks Hill Reservoir project.

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

There was no objection.

Mr. BROWN of Georgia. Mr. Chairman, I shall discuss briefly the project for improvement of the Savannah River for navigation below Augusta by construction of the Clarks Hill Reservoir project on that river 21 miles above Augusta, as recommended by the Army engineers and the Federal Power Commission and favorably reported by the Committee on Rivers and Harbors. The bill, H. R. 3961, if enacted into law, will authorize construction of this project.

The Clarks Hill project has not been the subject of controversy in any respect. It is recognized without exception as having outstanding merit both for the improvement of navigation and for the production of hydroelectric power, and, incidentally, the flow regulation to be provided by the reservoir will be conducive to the control of floodwaters.

This is strictly a self-liquidating project. Its construction may properly be termed an excellent investment for the people of the United States. This is not my testimony, but I am quoting from the engineers and others who have made a thorough study of this project. In addition to this, recently Mr. McWhorter, Chief Engineer of the Federal Power Commission, testifying before the Committee on Rivers and Harbors stated:

> I want to tell the committee something about the economic possibilities of the Clarks Hill project. It is just as sound as a gold dollar. The public can never lose a cen by constructing it, and I might say that immediately after the war, if Congress is disposed to build such projects, the Clarks Hill project should be among the first to be constructed.

Every dollar of the investment will be repaid to the Government, together with interest thereon. The power revenues are expected to repay the entire investment, including the part properly allocable to navigation, as well as the direct power investment; but, quite naturally, it will take somewhat longer to amortize the entire investment than to amortize only the part chargeable to power.

The various Government agencies and all who made thorough study of this project reported that the project was practical, sound, economically justified, and should be constructed as soon as possible.

The Clarks Hill project has been approved and recommended by the following various Government agencies:

First. Brig. Gen. G. B. Pilsbury, Acting Chief of Engineers, November 9, 1934. See Three Hundred and Eighth Report, Savannah River, House Document 64, Seventy-fourth Congress, first session, published January 3, 1935.

Second. The Savannah River Special Board created by the President. Report dated February 29, 1936.

Third. National Resources Committee, November 5, 1036.

Fourth. Federal Power Commission Power Market Survey, April 1937.

Fifth. Army Engineers, January 25, 1938.

Sixth. Federal Power Commission, March 1938.

Seventh. National Resources Committee, April 1938.

After the entire cost of this project is paid for, which the witnesses of the Government stated could be done in 30 years, the dam and plant would be in excellent condition and the Government then would realize all the profits from that time on, which certainly justifies the witnesses in stating that it is an excellent investment for the people of the United States.

The estimated cost of the project, as shown in Senate Document 66, Seventy-sixth Congress, is $28,000,000, in round figures, of which $21,408,000 is chargeable to power, $5,740,000 to navigation, and the remainder to flood control and other purposes. The reservoir will be one of the largest in the eastern part of the United States, being rivaled only by the great Norris Reservoir in the Tennessee River Basin. The gross capacity of the Clarks Hill reservoir will be approximately 3,000,000 acre-feet, of which 1,500,000 acre-feet will be usable storage. After operation of the reservoir is commenced, the minimum regulated flow in the Savannah River below Augusta will be three times the natural ordinary low-water flow and approximately five times the extreme low flow. This regulated flow will provide minimum navigable depths of 7.3 feet below Augusta, thus enabling steamboats drawing from 5½ to 6 feet to navigate the river to Augusta every day in the year. In contrast, the channel in its present condition has a controlling depth of 6 feet about 80 percent of the time and controlling depths of from 4 to 5 feet the remainder of the time. Thus the Clarks Hill reservoir would convert the present part-time, uncertain, and unsatisfactory navigation channel into a transportation route of importance, capable of accommodating relatively large-scale tonnage. For a great many years the United States has been committed to the improvement of the Savannah River for 6-foot navigation to Augusta, but to provide the required depths continuously without the benefit of storage would be inordinately expensive. The regulated flow from the Clarks Hill reservoir will render unnecessary large expenditures which would otherwise be necessary for navigation improvements and, moreover, will provide for 100 percent of the time greater navigable depths than could otherwise be secured except by canalization methods; that is, by the construction of locks and dams.

This project is exceptional in that a very large reservoir may be created with only moderate flowage damage. The reservoir site is well down on the main stem of the river so that a large volume of water for filling purposes each year is definitely assured. Railroads would be affected only to a minor extent, if at all, and the damage to improved highways would be relatively small. The lands that would be flooded are largely uninhabited, sparsely wooded tracts and uncultivated fields, with only a small proportion of farm lands in high state of cultivation, and with very few farm buildings. Thus it is seen that the entire flowage damage would not greatly exceed the bare cost of the project lands. This situation is indeed very unusual, and accounts in part for the economic at-

tractiveness of this project. In many fine reservoir sites in various parts of the country, the necessity for extensive railroad relocations and for the relocation of other valuable works of men render water-control projects economically infeasible. But such is not the case at this time with respect to the Clarks Hill project. If construction is delayed, the situation may be different at some time in the future.

Referring again to Senate Document 66, the Army engineers have estimated the annual output of the Clarks Hill power plant at 444,000,000 kilowatt-hours of primary energy and about 100,000,000 kilowatt-hours of secondary energy; and have estimated the cost of the primary energy at 2.77 mills per kilowatt-hour. Primary or continuous energy can be produced at this cost by only the best hydroelectric plants, and by no steam-electric plants.

The Chief Engineer of the Federal Power Commission and the resident member of the Board of Engineers for Rivers and Harbors both appeared before the Committee on Rivers and Harbors at the request of that committee, and both commented at length on the merits of the Clarks Hill project, and otherwise stressed the importance of constructing the project as soon as practicable.

The Chief Engineer of the Federal Power Commission gave assurance that the expanding power market in Georgia and South Carolina would soon absorb the output of the Clarks Hill plant, and it is definitely known that the opinion of the private power interests in that region is the same. He also expressed the opinion that the power investment could be amortized in the short period of 30 years, if that were desirable; and that thereafter, within a period of a few years, profits derived from the sale of power would pay off all of the remaining investment. Moreover, after returning the entire cost to the Government, the power plant and all other project works would still be in excellent condition, and serviceable. The reports and testimony of the Army engineers have consistently been equally favorable to the project, as may be seen by reference to Senate Document 66 and to the reports of hearings before the Committee on Rivers and Harbors dated March 13–18, 1941, and October 27, 1943.

In conclusion, I desire again to remind my colleagues from all sections of the country that there has never been any difference of opinion regarding the merits of this project among the Federal agencies which have considered and reported upon it, or between the Federal agencies and the private power interests. All are agreed that it is a highly meritorious project, and that the public interests would be well served by its construction. In March 1936 a special board of engineers, created by the Departments of War and Interior and the Federal Power Commission, by direction of the President, made a careful study of the Clarks Hill project, found it to be exceptionally attractive from the economic viewpoint, and recommended its construction. More recently both the Corps of Engineers, United States Army, and the Federal Power Commission have reported favorably on the project and recommended its construction. In 1928 an affiliate of the Georgia Power Co. obtained a Federal license for a large power development at the Clarks Hill site, but the license was surrendered in December 1932 at the depth of the business depression. The same interests, assuming that the Clarks Hill dam and reservoir would now be constructed by the United States as a multiple-purpose water-control project, have expressed their readiness to take such part of the power output as might be made available to them. These facts and circumstances show conclusively that the merits of this project have never been questioned from any source. I commend the project to the favorable consideration of the House.

Mr. PITTENGER. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Chairman, I want to join other members of the committee in paying a just and deserving tribute to our very able and distinguished chairman of the Committee on Rivers and Harbors, the gentleman from Texas [Mr. MANSFIELD]. During my entire service in this House I know of no Member who serves as chairman of a committee with greater impartiality, uniform kindness and consideration of the members of his committee than the gentleman from Texas [Mr. MANSFIELD]. He knows more about the waterways and navigation projects of this country than any Member of the House. It has always been a pleasure to serve on his committee. I want to concur in what has been said on this floor today in regard to the gentleman from Texas.

Mr. Chairman, I would be remiss in my duty if I did not mention on this floor another gentleman who has been one of the most faithful and efficient public servants in the employ of the Government of the United States. To my right here on the floor of the House sits the clerk of the Committee on Rivers and Harbors, Mr. McGann. He has been the clerk of that committee for 42 years. You can call up any time for any information you desire regarding the smallest creek, the largest lake, or the widest river in this Nation, and Mr. McGann will have the information for you at his fingertips. I think I express the opinion and the feeling of every Member of the House when I say that we are greatly indebted to him for much of the help that comes to us.

Mr. Chairman, in regard to the bill now before the committee, may I say at the outset that I am in favor of water transportation and of the development of the waterways of the United States. I wonder if the Nation really knows how much we owe to the waterways of this country in this critical period of our history? I will only refer to but one example to demonstrate their importance.

At the risk of repeating what has been said on this floor many times, I call attention to the fact, coming from the Great Lakes area as I do, that we can ship a ton of coal from Buffalo, N. Y., to Duluth, Minn., a distance of 1,000 miles, for about the same price as it would cost to move that same ton of coal from the curb in front of your house to your cellar window. Through four narrow ribbons of water at Soo, Mich., there comes to the American Nation the iron ore that is needed for 85 percent of the steel industry of the United States, which means that 85 percent of the tanks, guns, shells, and everything that goes into the building of munitions of war comes through those four ribbons of water, the locks in the St. Mary's River at Soo, Mich.

Mr. MANSFIELD of Texas. Will the gentleman yield?

Mr. DONDERO. I yield to the gentleman.

Mr. MANSFIELD of Texas. And about 10,000,000 tons of grain also come down through there annually.

Mr. DONDERO. Yes; in addition. In 1942, 92,000,000 tons of ore came through those locks and, as the chairman of the Committee on Rivers and Harbors has just reminded me, 10,000,000 tons of grain. There is no other way that this country could bring the ore from the Mesaba Range in Minnesota to the blast and steel furnaces of Ohio and Pennsylvania except by the ships that travel over the Great Lakes. We do not have railroads or cars enough to bring down the enormous amount of ore that is required for the steel industry of the United States and which we need so badly in this critical period of our history.

Mr. PITTENGER. Will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Minnesota.

Mr. PITTENGER. Can the gentleman not offer a similar parallel in connection with every other industry in the United States in which water transportation has contributed 90 percent to its success?

Mr. DONDERO. I think it has a great bearing on all the other industries of the United States.

Mr. MANSFIELD of Texas. The gentleman might also add that the coal used in the Northwest would cost the people double or more than double what it is costing them now.

Mr. DONDERO. Yes; because the same ships that bring down the ore take back the coal to the North, the Northwest, and the interior of the United States.

I am in favor of the projects included in this bill, with a few exceptions: I regret that two or three have been included in the bill of a controversial nature. I shall offer an amendment to strike out only one, because it was the understanding of our committee—and I do not think I am talking off the record or out of school—to present to this House a bill containing projects over which there would be no serious controversy, in order that we might pass an omnibus rivers-and-harbors bill without any difficulty and without any opposition—as the chairman has already pointed out, it has been 6 years since a rivers-and-harbors bill has become law—the majority of the committee thought otherwise, and has placed two or

three projects in this bill over which there has been much controversy. I desire to speak about one, and that is the one in which the gentleman from Mississippi is so greatly interested, and quite naturally, because he comes from that section of the country, and that is the Tombigbee waterway, which represents $66,000,000 or $67,000,000 in Federal expenditure and six or seven million dollars of State contribution.

It is not a new project to this House. It has been here before, and this House rejected it on the 19th of May 1939, by a vote of 204 to 160. That means a majority of 44 on a roll-call vote. I think it was rejected because the Army engineers did not agree in the report that had been filed with this committee. It is one of the most voluminous reports that I have ever seen on a rivers-and-harbors project. The report contains items justifying it economically that have never been included in any other project since I have been a member of that committee, during the past 11 years.

I have had occasion to look up the history of the reports on this project. They go back to 1871. I find that in every case an unfavorable report has been filed, with the exception of this one, which was filed by the Board of Army Engineers in 1939 and to which the Chief of Engineeers could not lend his wholehearted support. He used language in this connection that ought to challenge the attention of every Member of this body.

The first report on this river goes back to 1871. Then there is one in 1873, 1875, 1882, 1888, and a second one in 1888, 1890, 1911, 1923, 1928, and 1939. Nine were unfavorable. Only one, the 1939 report, comes to us in what I call a divided report, that brings this project before the House of Representatives today.

Now, what does the Chief of Engineers say in regard to this Tombigbee waterway? The Board of Army Engineers try to justify this project by calling attention to the fact that the savings would amount to $4,143,000 annually, while the maintenance, overhead, and the interest on the bonds or net carrying charges would amount to, according to the report, $3,561,000. But in the items of saving of $4,143,000 are four items to which I object and to which the Chief of Engineers, Major General Schley, did not give his wholehearted approval and used the language that I want to report to this House.

Here are the four items, and I am going to ask you older Members of this body if you can remember any project coming to you heretofore containing items of this kind to justify a river-and-harbor project economically.

The first one is a diversion of traffic from the Mississippi River of $1,000,000.

Mr. MANSFIELD of Texas. One million tons.

Mr. DONDERO. It is used here as $1,000,000 instead of 1,000,000 tons. They take $1,000,000 in traffic off the Mississippi River and credit it to the Tombigbee River. Undoubtedly that same $1,000,000 worth of tonnage was credited to the Mississippi River at the time that was presented to the House in order to justify the improvement of that river, so that when you take it off of the Mississippi and credit it to the Tombigbee you are simply robbing Peter to pay Paul and nothing else. I believe that item is open to attack and is vulnerable.

The second item is for national defense, $600,000. If you apply the same reasoning to that $600,000 that was applied to the money we spent on the Boston Navy Yard, the Brooklyn Navy Yard, or the Charleston, S. C., Navy Yard, you might say that those projects in those localities must be credited with millions of dollars, but this one of $600,000 for national defense, in my judgment, is taking an item for economic justification out of thin air. There may be some national defense in it. Who can measure it in the shape of dollars and cents? I do not think it can be done.

The third item is $275,000 for the increase in the value of real estate. Mind you, these items are to be credited every year, not 1 year, in order to justify this project before the country. Here is an increase in the value of real estate. Who gets that? Nobody but the people who own the real estate along this stream—not the American people at all. I never heard of a project before where real estate value was justified as an item of credit.

The fourth item is recreational value, an item of $100,000, and the total of the four items is $1,975,000. When that amount is deducted from the items of savings of $4,143,000 claimed for this river and take the balance from the overhead of $3,561,000, it would cost the American people, a loss, not a gain, but a loss of $1,393,000 annually.

In my opinion, from that record this project is not justified.

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

Mr. DONDERO. I yield.

Mr. BOYKIN. Has the gentleman read the letter to Judge Mansfield from the Chief of the Army Engineers showing that since this report has been made the Mississippi River has gained 146 percent more than they had at the time the report was made, that this report was made before this emergency, and that the Tennessee and the Tombigbee River traffic has increased 126 percent? We do not need that land and we do not need that recreation.

Mr. DONDERO. I appreciate the gentleman's interest in this project.

Mr. BOYKIN. That is signed by the Chief of the Army Engineers. The gentleman does not expect to get one Chief of Army Engineers to go back on what another said a long time ago, before the Tennessee River was fixed up.

Mr. DONDERO. Let me say to the gentleman that this is the only report before this House.

Mr. BOYKIN. But here is the report signed by the Chief of Engineers, which I will be glad to hand to the gentleman.

Mr. DONDERO. I shall read now to the House, language used by the Chief of Engineers in regard to this project, to which I ask every Member to listen carefully, and you will see from what he says that he has never given his approval or endorsement to this project. This is the language used by Maj. Gen. J. L. Schley, on February 27, 1939, 5 years ago. I quote him:

> The estimate of savings of a million dollars on up-bound traffic on the Mississippi River results from a thorough study, and I do not doubt that such a saving would result, but I doubt the wisdom of dependence upon diversion of any considerable part of the Mississippi River project, to justify this new project, even though the credit is confined to the additional saving in transportation cost.

Then he goes on to say this generally about the four items:

> All these intangible or indirect benefits must be considered in addition to the direct savings in transportation costs in order that this project will show a substantial excess of benefits over costs. They are difficult to evaluate, and appear to me to be questions falling within the realm of statesmanship, to which the Congress can best assign the proper values.

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

Mr. CARTER. Mr. Chairman, I yield the gentleman 5 minutes more.

Mr. DONDERO. In other words, Mr. Chairman, the Chief of Engineers would not take it upon himself to be responsible for endorsing items of that kind, because they fall within the realm of speculation. With that language in the report, in spite of the recommendations of the Board of Engineers, we are asked to endorse this project. I do not believe we are justified in doing so until we can have the unanimous approval of the Army engineers, and when I say that, I want to pay my tribute to the engineers. I have always respected their ability, and the information they bring to us. I think they have the confidence of every member of our committee. Having that confidence in the Board and the Chief of Engineers is the reason I am objecting to this project, the Tombigbee River. Therefore I am going to offer an amendment to strike it out, and I hope this House will be of the same opinion it was on the 18th of May 1939, when by an overwhelming vote the House rejected it.

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

Mr. DONDERO. Not now. I have only 2 or 3 minutes left. I want now to call the attention of the House to one other thing, and that is the letter which came to our committee from the President, making several suggestions in regard to amendments to the bill. I assisted in amending one of those amendments, namely, No. 5, which transfers or delegates to the Secretary of the Interior all power and authority over the power that might be generated at the locks and dams in the projects in this bill.

I do not refer to section 2 of this bill. I refer specifically to proposed amendment No. 5, which the chairman of our committee has been authorized to offer from the floor. I am going to object to that amendment.

On February 7 the Committee on Rivers and Harbors received a letter from the President requesting that we add to this bill certain amendments which would in

effect revolutionize American industrial economy. Under this proposal all of the Federal power projects of the Nation would be placed under the control and operation of the Secretary of the Interior.

The President has been very strenuous in his objection to attaching riders to important measures which he cannot in good grace veto—riders which he considers against public policy but which he cannot overrule without destroying even more important legislation. Yet in this instance we are asked now to pass a bill which amounts to a social and political revolution in this country as a mere side issue. An amendment to the very necessary and important rivers and harbors bill.

If the truth is known, it is my opinion that the President, busy with his duties intimately connected with the war, merely signed a letter that was handed to him by the Secretary of the Interior and that he did not have the time or the opportunity to digest the import of these recommendations. Nor am I criticizing him for so doing in full realization of the enormous burdens which he must bear. The guilty party is the self-seeking person who has taken advantage of the President's busy hours to put over an enormous coup and to present to Congress in the name of the President a bill which would put the billion and a half dollars' worth of Federal investment in electrical power in the hands of politicians.

This is not the first time that the Secretary of the Interior, Mr. Ickes, has sought to grab the political power that goes with the economic power of control of electrical utilities owned by this Nation.

There was a vigorous campaign by the Secretary in 1938 to have the Tennessee Valley Authority included in the Reorganization Act of that year.

This proposed amendment No. 5, in the President's letter, would make the Department of the Interior a more important political grab than the Post Office. The chairman of the national committee of the party in power would not be the Postmaster General but would be the Secretary of the Interior. His would be the power to give and to withhold. He could blanket whole areas with the blight of high rates and shower with munificence another area with low rates. He could trade rates for votes. He could reward and he could punish with an economic power beyond the grasp of any political officer in this Republic. No one man should ever be endowed with such power if we want to preserve and perpetuate our Republic. To call these amendments in the public interest is a fraud upon the people, designed as a self-serving motive by a power-hungry bureaucracy. The Secretary has tried time and again to achieve these powers but on every occasion he has been rebuffed by Congress and I hope he will not succeed in this ill-timed afterthought measure.

These amendments were proposed nearly a month after the bill was reported out. No public hearings were held on them.

There is no urgency that these amendments be adopted now. Let them be introduced as a separate bill. Let them receive full and comprehensive hearings that such a measure deserves. And then, if it is the wish of Congress, after full and free discussion in committee and on the floor, we can pass them. But let us refrain from submitting to any devices of the Executive or any department of government to ramrod legislation.

If this bill is passed, of course Secretary Ickes personally will be responsible for the operation of the power empire of the Federal Government. But the actual personal operation will rest in the Power Division of the Department of the Interior. In this branch of the Department of the Interior we find a man named Stephen Raushenbush as one of the vital, behind-the-scenes personalities. Thereby hangs a tale.

On March 24, 1942, our colleague the gentleman from Kansas [Mr. WINTER] revealed to this House the communistic background of Mr. Raushenbush. On the following day, March 25, on a motion of our colleague the gentleman from Ohio [Mr. JONES], the House adopted an amendment to the then pending Interior appropriation bill specifically removing Mr. Raushenbush from the Federal pay roll. When the bill reached the other body, however, Mr. Raushenbush, when called as a witness, explained that he had not meant what he said in his previous writings and that he was an honest-to-goodness capitalist. Acting in good faith, that body restored him to the pay roll and Mr. Raushenbush continued to occupy his position in the Power Division of the Department of the Interior. At that time, however, the draft board was, in street language, "breathing down his neck" inasmuch as his wife was also on the Federal pay roll at a salary of $5,600 a year in the Bureau of Economic Warfare. Rather than be drafted, Mr. Raushbenbush accepted a commission in the Navy. Perhaps that is stating the case unfairly for Mr. Raushenbush. Perhaps he did have a patriotic desire to serve his country. But the fact remains that after the 38-year-old limitation was promulgated, Mr. Raushenbush was therefore exempt from the draft and the Navy graciously retired him and he returned to the Department of the Interior. Perhaps his patriotic enthusiasm evaporated simultaneously with the promulgation of the 38-year-old age limitation. I hope I am not being unfair to Mr. Raushenbush, but there is a singular coincidence there. It is also unfortunate that Mr. Raushenbush is hiding his light under a bushel. His name is not listed in the Department of the Interior directory, nor does his name appear on the office directory in the Department. But if you will proceed to room 6323 in the Department of the Interior you will find a small typewritten card with his name posted on the door.

Now who is this man Raushenbush and why is he important in connection with this bill?

Mr. Raushenbush wrote a thesis at one time in a symposium entitled "The Socialism of Our Times," printed by the Vanguard Press of the League for Industrial Democracy, a document edited by Norman Thomas, who was the Presidential candidate of the Socialist Party. Mr. Raushenbush entitled his thesis "Some Measures in Transition." Our colleague the gentleman from Kansas [Mr. WINTER] ably expressed the case against Raushenbush in his speech. I shall not repeat the argument which caused this House to single him out of the entire Department of the Interior pay roll as the one man who, on the basis of his Communist record, was so inimical to the American form of government as to reject him from the Federal pay roll. I should like to remind you, however, that this very man said—and I quote:

> The very subject Transitional State implies that we have accepted the alternative of encroaching control in place of the dream of cataclysmic socialism which has engrossed people dissatisfied with the world for so many years. There is an acceptance here of our own realities. The drama of conflict—the last of the great St. Petersburgs of the world—does not represent the world we live in. It is not pleasant to give up that dream of a violent triumph. We are sensitive about it. We hear the charge of cowardliness, of the unheroic quality of compromise. Let us face that and have it down. It is a conflict and extends into all phases of life. In literature people who wish to escape from the world are romanticists. Those who have the same desire but more sense of truth and actuality become our realists, bitter that the world is so little like what they want it to be.
>
> To refuse to face the fact that we live in a dynamic world rather than in the Hegelian world of Marx, is cowardly. And if we are aware that there is no longer any prophetic destiny in Marx and still (for want of a better cause and because we like or are unable to detach ourselves from the dreams of our youth), preach revolution, and get other men to spend their efforts toward the fulfillment of a prophecy that is not divinely inspired—that is a cowardly compromise. It is playing fast and loose with the rank and file who starve and strike upon the leaders' say-so.

And again he said, in the same document:

> The carrying drive of any movement or organization in this country today is simply pragmatic. This side of revolution (Russia, Italy, Germany) we can only take what opportunities we can make ourselves or are offered for illustrations in Socialist practice, to convince both the workers and the middle class that we are right—that the abolition of the profit system is to their interest and will result in higher real wages, greater security, freedom from wars, and other forms of autocracy. Unless we can show workers results from day to day, they will turn to someone who can, or who can promise to. Meanwhile, the local machines give them small favors and protection. The Socialist candidate for President gives them only the glory of shaking his hand. Marx has convinced his thousands, but the Ontario Hydroelectric Commission has convinced its hundreds of thousands. We need more leverage places like the latter. And there are parts of our political life today where we have such a wedge.
>
> The students coming from the colleges today can do something more than be filled with wholesome and cleansing indignation. They can be of enormous use to the movement as government officials, starting in small and definitely working on the reasonable hope that in the course of another 10 years we shall have government control of a much more definite kind over our trusts, banks, and general industries; that there will be government corporations operating

and managing, not only the port of New York and Muscle Shoals, but many other developments. There is a chance here for young men not only to keep the liberal groups informed about the dirty work going on and on and times and ways to prevent it, but also to look forward to careers of usefulness in executive positions, making the government control over industry more adequate, pioneering in a field of essential importance.

Government officials in the bureaus and departments at Washington, Albany, Trenton, Harrisburg, and other State capitals are of great importance. The wages are not high. That is one reason why so many of them go over to private industries and favor private industries before they do go over to them—earn their jobs ahead of time. Yet the problem of Government officials is a major problem of immediate socialism. In Germany, after the revolution, the bureaucracy was nationalist and nearly sabotaged the republican government, until it had been replaced. One good man with his eyes, ears, and wits about him, inside the Department—whether it be the Interior, where the oil scandal started and the Boulder Dam bill received most active support, or the Treasury, where the taxation scandals breed and the Government tax policies originate—can do more to perfect the technique of control over industry than a hundred men outside.

Mark that language:

One good man with his eyes, ears, and wits about him, inside the Department * * * can do more to perfect the technique of control over industry than a hundred men outside.

And Raushenbush today is one good man with his eyes, ears, and wits about him, inside the Department of the Interior, who knows so well that he can "do more to perfect the technique of control over industry than a hundred men outside."

Raushenbush and many others of his kind are the power behind the throne. Raushenbush is the man who will carry out and effectuate the purposes of those amendments to the rivers and harbors bill.

If this Congress wishes meekly to surrender its prerogatives, its duty to the public and to the common man, this is the way to do it. Vote for the amendment and surrender public power to public politics. I should expect a united front from the real friends of public power, together with the opponents of public power, in opposition to this attempted coup by Harold Ickes to grab off and inject into politics the political pap and pork barrel that will go with surrendering the marketing of electric power generated by the Federal Government.

The R. E. A. at one time was an independent agency and free of politics. The day R. E. A. went under the control of the Department of Agriculture was the day R. E. A. went into politics. It was also the day when the R. E. A. Administrator, Mr. John Carmody, resigned his post in protest. We have only to read the record of the hearings of the investigating committee of the subcommittee of the Senate Agriculture Committee, to realize the enormity of power that might be wielded by the Secretary of the Interior if this move to socialize America without a blood revolution—which Raushenbush would really prefer—is enacted into law.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. CARTER. Mr. Chairman, I yield the gentleman 5 minutes more.

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

Mr. DONDERO. Yes.

Mr. McMURRAY. Could the gentleman answer this question? Why was not the St. Lawrence waterway project in which the gentleman from Michigan and the gentleman from Wisconsin are alike interested placed in this bill?

Mr. DONDERO. For the same reason that I stated at the beginning of my remarks, that we did not want to include in this bill projects which were highly controversial, so that we might secure the passage of an omnibus river bill through this Congress. The St. Lawrence waterway is controversial. There are other projects that could have been put into the bill in the same category, but for the same reason they were left out.

Mr. McMURRAY. Does the gentleman from Michigan think that is the best, the wisest course to approach this by? Does the gentleman from Michigan think that it would be bad policy to include the St. Lawrence waterway in a bill of this kind?

Mr. DONDERO. I favor the St. Lawrence seaway, and everyone knows it.

Mr. McMURRAY. And so do I.

Mr. DONDERO. But let every project stand on its own merits and let the House vote it up or down.

Mr. MANSFIELD of Texas. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. Yes.

Mr. MANSFIELD of Texas. Let me state further that the St. Lawrence project is bound up with a foreign country, and it is the only project we have ever considered in that light. When I first introduced the bill in Congress at the request of the President it was introduced as an independent billl. It was afterward placed in an omnibus bill, but was not thought of at the time the bill was first introduced.

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

Mr. DONDERO. Yes.

Mr. TARVER. I am interested in the gentleman's remarks regarding the amendment to be offered by the committee, to place the power generated in these projects in the hands of the Secretary of the Interior for disposition. As I understand it, the committee first decided to place that power in the hands of the Corps of Engineers.

Mr. DONDERO. Yes.

Mr. TARVER. As has been done heretofore in the case of Muscle Shoals and perhaps in other cases?

Mr. DONDERO. Yes.

Mr. TARVER. Was there any evidence before the gentleman's committee that the Corps of Engineers has misused that authority?

Mr. DONDERO. I never heard of any.

Mr. TARVER. Why should we follow this policy of putting these projects, which normally should be within the control of the Corps of Engineers, into the hands of the Secretary of the Interior in all cases?

Mr. MANSFIELD of Texas. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. Yes.

Mr. MANSFIELD of Texas. The gentleman from Georgia [Mr. TARVER] is in error, entirely. The only project where the Army engineers have had charge of the distribution of power was at Muscle Shoals, which was strictly a war measure. At Bonneville and Grand Coulee and other places the Army engineers have charge of the works in the river, but deliver the power at the switchboard to the Secretary of the Interior.

Mr. TARVER. Prior to the time when the President's letter came to the gentleman's committee, had that committee so formulated the bill as to put this power in the hands of the engineers?

Mr. MANSFIELD of Texas. Yes; we did that.

Mr. DONDERO. I might say as to some of the other projects that the power is left in the hands of the engineers; this is true of the Soo locks in Michigan.

Mr. ANGELL. In the Columbia River development, both at Bonneville and at Grand Coulee, the engineers have control only of the manufacture of the power, and at the switchboard the power is turned over to the Department of the Interior.

Mr. MANSFIELD of Texas. Also at Fort Peck.

Mr. ANGELL. Yes.

Mr. DONDERO. The power generated should be sold by the Federal Government at the bus bar, and let private enterprise distribute it to private industry and for domestic use, and not leave it in the hands of the Federal Government, to be in competition with our own citizens.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. CARTER. Mr. Chairman, I yield such time as he may desire to the gentleman from Vermont [Mr. PLUMLEY].

PORK AND POISON

Mr. PLUMLEY. Mr. Chairman, we have before us for consideration what is known in Congress as the pork-barrel bill, which, as Shakespeare said with respect to the rose, under any other name would smell as sweet; perhaps. In it are many projects which deserve and will have my support and that of many others whose motives are not selfish but patriotic.

The trouble with this bill as submitted, however, is that within its provisions is insidiously concealed poison enough to deprive all the States of the last drop of their lifeblood, weakened as they already are by loss of power and the threat of being entirely swallowed by the gargantuan octopus of centralized government to which eventuality this committee should not be, and I know its membership does not wish to be, a conspirator sub rosa.

Of course I will not vote for the bill as written for all the reasons offered by the minority and for additional reasons which I now propose to give.

The bill must be amended in four or five particulars in order to justify its passage. The committee substantially admits that this is so, for, as I am advised, it will accept or offer two or three amendments itself. All the amendments which have been shown to me as proposed to be offered should be accepted.

It is well to remember that kings will be tyrants from policy when subjects are rebels from principle. So let it be understood that I am a rebel as against the unlawful recommendations by way of provisos in this bill contained.

While the attention of the Congress should be directed to all the amendments which will be offered, particular attention should be called to the provisos on page 2, lines 19 and 20, and on page 3, lines 5 and 6, wherein it is suggested that we should legislate with respect to dams "heretofore or hereafter authorized" and to "modify the plan for any dam or other work heretofore or hereafter authorized."

And then, Mr. Chairman, the proposition in the proviso which undertakes to delegate the use of congressional discretion is such an unheard of surrender and abrogation of the legislative and discretionary powers reserved to the Congress itself, as not to be considered seriously. It should not be done. It cannot lawfully be done. It should never have been proposed to be done.

Mr. Chairman, it is only fair and right that I say here and now that while my opposition to the provisos in this bill is general, nevertheless, it is particularized by the fact that the three flood-control dams constructed in Vermont since the flood of 1927 are involved in these provisos. While Federal funds were used under the supervision of the Army Corps of Engineers in constructing these dams, the State of Vermont not only procured additional needed lands and rights, but cooperated to the limit to effectuate the desired result so far as flood control was concerned. I emphasize the fact, however, that the State of Vermont still owns the land. This was a cooperative enterprise entered into between the Federal Government and the State of Vermont. The State was not ignored.

VESTED RIGHTS

So it follows that I object to the surrender by my State, or any other, of its vested rights under retroactive provisos impossible of conclusion under the law of the land.

Let me remind you that should we tolerate such a travesty on republican-democratic government as is suggested by the provisos some of us will smart for it, and rightly so.

Reduced to this day, such provisos cannot be tolerated among men who assume to represent their constituencies under an oath of office. They are ultra-constitutional in their inception and purely military in their desire for consummation. It is high time we saved to the people what is now left of their rights before we are completely regimented by those who would take advantage of a state of war to do that which in time of peace would not be allowed.

Mr. Chairman, these suggestions and these provisos undertake to impair in a very real way the rights of parties to legislation heretofore enacted authorizing the construction of the dams in question. Therefore, these provisos are unconstitutional, in that they are retroactive and retrospective in law and in fact. I do not know how many dams heretofore constructed may be affected, for there is no time nor geographical limitation imposed or suggested. They must be many and in many States.

The proposed provisos undertake to impair vested rights of States, of people, of compacts between States approved by Congress, and, in respect to dams heretofore constructed, to give the right and power to the Federal Government to do that which Congress under the Constitution cannot do. They are therefore unconstitutional per se.

CONGRESS CANNOT LEGISLATE EFFECTIVELY UNCONSTITUTIONALLY

Such retroactive legislation cannot now or at any time be enacted constitutionally. It is axiomatic that the Congress cannot legislate unconstitutionally. It follows, therefore, that it cannot delegate unconstitutional power or authority to anybody else, not even to the War Department, as is proposed in the provisos.

THE CROSSROADS

The fact is we are at the crossroads of our dual system of government. Shall such form of government as has been maintained be continued, or will we accumulate and aggregate all power over the land, the water, and the air in a centralized bureaucratic government? That is the real question involved in these provisos. Shall Congress unlawfully continue to strip itself of its power and prerogatives? It cannot do it if it would be inclined so to do. Our courts have held to the contrary as to its right.

THE STATES—DO THEY STILL LIVE?

Shall the States as political entities be deprived and denuded of the powers and the rights they reserved to themselves in the Constitution and Bill of Rights by an act of Congress, which is retrospective and retroactive and ex post facto? That is what confronts us, and the answer is "No."

As you know, the Constitution expressly prohibits and proscribes against the passage of laws impairing the obligation of contracts. How sensible.

Retrospective operation of legislation is not favored by the courts. Naturally such laws disturb feelings of security in past transactions and violate the rights of people to life, liberty, and the pursuit of happiness the Bill of Rights seeks to guarantee. The law books of the world and the decisions of the courts of the United States are full of matters and things which support the proposition for which I contend. I need not quote decisions.

EX POST FACTO AND RETROACTIVE LAWS BLOOD BROTHERS

Moreover, and this is important, there is a recognized kinship, which is not to be overlooked for a minute and which our forebears foresaw with their keen eyes looking to the future, between ex post facto laws and civil retroactive laws. They were not fooled for a second. That very kinship is realized now and has been recognized over and over again by the court, protected from improper retroactivity, and included within the due process clause of the Constitution in decisions too numerous to mention.

THE OBLIGATION OF A CONTRACT

In brief, Congress may not pass laws violating the obligation of contracts. A whole world of controversy is decided in that sentence.

The fifth amendment provides that the Federal Government shall not deprive any person of life, liberty, or property without due process of law. That provision has been construed to operate against the impairment of contracts by the Federal Government. What wise forebears we had.

The Federal Government can do no more or other, if as much, than can the States, and by the fourteenth amendment it is provided that no State shall deprive any person of life, liberty, or property without due process of law. Think that over.

It has been well said, and I reiterate, that there is something inherently bad in retroactive legislation. When it comes down to where it impairs vested rights, it has been so often held as not to need repetition that a retroactive statute cannot interfere with or divest vested rights. That is good law and common sense. It is for the respect of these rights I now contend.

WHAT ARE VESTED RIGHTS?

That brings us to a consideration of what are vested rights, of course from a legal standpoint.

I venture to assert that in law and fact rights originally acquired or asserted under a contract or the compact under and by virtue of which a dam was erected and constructed after full and complete hearings and after all the issues had been solved and determined as between the States and the Federal Government, and/or between the States and other States, and/or between individuals and the States and the Federal Government, are vested rights. There can be no successful contradiction of my position.

Therefore, it follows that any attempt by way of a proviso which would permit or allow the Federal Government, by virtue of the alleged authority of any act of Congress, unconstitutional in conception, to undertake to disrupt or to devastate vested rights is forever unconstitutional and of no force and of no effect at law and, therefore, should not be included in this bill.

That is exactly what is confronting us today under these provisos so insidiously shot into this bill insofar as they refer to those matters and things heretofore decided and concluded involving vested rights. As for me, I do not propose to tolerate for one minute such attempted rape of the Constitution, obliteration of the laws, or invasion or violation of the

rights of the States reserved by them to themselves.

Now, Mr. Chairman, the fact that the proviso is in the bill is evidence that it is assumed and recognized by its proponents that without its inclusion in the bill the program set up therein cannot be accomplished as against the rights of the States. That is the answer. It just cannot be done, anyway. The proponents labor under a misapprehension of the law.

I submit therefore, that the program which is suggested should not be projected until at least the rights of the States which are undertaken to be violated, abrogated, and ignored, are recognized and the States are heard.

Let me say again that the proposition involved in these provisos undertakes to impair vested rights, invalidate contracts and compacts hitherto entered into as between the States and the Federal Government, as between States and States, and as between States and individuals, and it is unconscionable.

Let me invite your attention also to the fact that these provisos undertake to delegate the power of Congress to an individual in the Government, an engineer of the War Department, who shall be thereby empowered to disturb and to violate and destroy States and States' rights, disrupt countries and counties and people, disinter the dead, and devastate situations now existing by reason of contracts and compacts heretofore entered into conclusively, and terminated, involving dams heretofore erected. Such power cannot be lawfully delegated under this bill or any other.

EX POST FACTO, CIVILLY

Mr. Chairman, while not so intended, perhaps, it is nevertheless a fraud prima facie and per se on the people of the States and on the States themselves to inject these provisos for they undertake to impose, ex post facto and retroactively, and to take advantage of, conditions which did not exist nor obtain at the time the contracts with respect to the erection and construction of the dams in question were under consideration and were entered into by the parties to the construction thereof.

So, unless you stand ready to surrender to the socialized, centralized Federal Government all control of the earth and the air and the water within and above and under your States, and are willing to take the responsibility for your vote to that intent at this time, you cannot, and neither can any man under his oath of office, vote otherwise than in opposition to the provisos and in favor of the amendment which will be offered.

Unless, I say, you are ready to surrender your State, its reserved rights, the rights of your people, the control of everything which you reserved as the rights of the States for your own control and operation, under the Bill of Rights, to a centralized bureaucracy, under an attempted delegation of power to the War Department, through its Chief of Engineers, there is only one way for you to vote. The provisos should be deleted.

THE CROSSROADS AGAIN

The other amendments which will hereafter be offered and to which I have not referred, are equally as important, locally. I say to you that as the amendments may be read they are entitled to your very careful consideration. Not only is the national life of the country you and I have known involved in each and all of them—that is, so far as our present form of Government is concerned—but your responsibility as a representative of your State is at issue as well.

We have come to the crossroads in representative government. You may take your choice and take the responsibility therefor. I have assumed mine.

I do not undertake to say what any man's conscience shall direct him to do under the circumstances. I do say that none of the measures which have been presented to Congress since I have been a Member of it has ever involved so closely, so acutely, so drastically the fate of this Nation and our form of Government as do the questions involved in the provisos to which I have called your attention.

Shall the States still function? Are you for the States whose representatives you are, or are you for a centralized, socialized, totalitarian fascist government? Your answer will be found in the vote you register when the amendment to strike out these provisos is offered. There is no neutral ground.

A SOCIALIZED GOVERNMENT

We shall live and continue to do business as a democratic Republic so long as, and no longer than, those States, yours and mine, are protected, by you their representatives, with respect to the rights which they reserved and which are seriously and critically threatened by the provisos suggested in this bill. It is too serious a situation to be treated lightly or covered by an insidious proviso.

Mr. Chairman, I insist that—

First. The provisos in question completely and perfectly ignore, disregard, usurp, abrogate, violate, and invade the province of States' rights reserved to the States under the Constitution.

Second. They disregard the vested rights of the States, and of all the people of the States, in and to the property utilized and in them vested under contracts and compacts and condemnation proceedings of every type and nature, by virtue of purchase and by every other means by which title to property may be acquired incident to the construction of the dams heretofore erected and affected by the provisos permitting alteration thereof by the Federal Government in complete contempt of hearings by people and by States, which heretofore may have been had and determined.

Third. They offer an opportunity to the Federal Government with its strong hand to choke the life out of every citizen, however humble, and out of the States themselves, as they invade the provinces and the prerogatives of the reserved rights of the States under the Constitution. To this we should put a stop, and now, for it cannot be done without a fight—and that is not a threat, for the States must fight from this day on for that place in the sun to which they are entitled in order to save themselves from an inundation by an overflowing and overpowerful centralized government which we must resist to the last letter of the law. This matter involves a principle which should be and is the concern of every person in every State.

Fourth. The fact that the proponents assume that the end sought to be attained by and through the provisos in this bill cannot be reached unless they be incorporated in the bill is the best reason in the world why we should strike the provisos from the bill.

Fifth. In these provisos is involved a very real danger to this Government. They involve the extension of Government control over the economic life of the country with the resultant loss of the liberties of the people of the United States and the end of American democracy.

Mr. Chairman, this question of the extension of Federal control over our economic life is one of tremendous importance, for in order to preserve the control once centralized it becomes necessary to deprive the individual of his civil and political rights including freedom of speech, freedom of the press, and the right to be governed by representatives of his own choosing.

This is the road down which we have rapidly traveled of late. These provisos are only signposts along the way but point to the same destination toward which we have been and are headed, namely, a completely socialized or Fascist or totalitarian government.

It is time to stop and look and listen before it is everlastingly too late.

TIME FOR RECAPTURE

Mr. Chairman, now is the time and this is the place for us, as Members of Congress, to recapture some of our power, prerogatives, and prestige.

It is the time and place for us to realize and to resolutely insist that there shall be no further toleration of a program which involves and permits arbitrary acts of a centralized government to insidiously destroy the States; deny them their rights; deprive the individuals of their rights to civil liberties—free speech, free associations, free press, free justice, and polictial freedom to protect these rights.

INESTIMABLE LEGACIES

They are the inestimable legacies which are either ours to transmit to posterity and to ages yet to come, or to permit to be buried in the ignominy of our inglorious failure to protect and to conserve.

Mr. MANSFIELD of Texas. Mr. Chairman, I yield to the gentleman from Mississippi [Mr. RANKIN] 20 minutes.

Mr. RANKIN. Mr. Chairman, while listening to the distinguished gentleman from Michigan [Mr. DONDERO] attacking this Tennessee-Tombigbee inland waterway, the greatest and most desirable project of its kind ever proposed in this country, and at the same time putting the stamp of his approval upon the St.

Lawrence inland waterway, having listened to him recently pleading, with tears in his eyes almost, for the Sault Ste. Marie project in his own territory, I suppose, in his own district——

Mr. DONDERO. Mr. Chairman, will the gentleman yield there for a correction?

Mr. RANKIN. Yes.

Mr. DONDERO. I beg to call to the attention of the gentleman from Mississippi that the Sault project is 300 miles from my district.

Mr. RANKIN. I understand, but the folks who benefit from it reside down in that area—I was reminded of Byron's immortal lines:

'Tis sweet to hear the watchdog's honest bark
Bay deep-mouth'd welcome as we draw near home.

If this Tennessee-Tombigbee waterway connected the district of the gentleman from Michigan [Mr. DONDERO] with the Atlantic Ocean or with the Gulf of Mexico, he would undoubtedly be singing its praises. I am sure, also, that he would be more eloquent, more logical, and more forceful, and more impressive than he was in his attacks.

He calls attention to the fact that this project has been surveyed many times and that until the last time it had always been turned down by the Army engineers. But he did not point out the changes that made this project both feasible and necessary. I will point them out in a moment.

As I said a few moments ago, there is no other project under the shining sun, and the Army engineers verify this statement, with the exception of the one connecting the Don and the Volga Rivers in Russia, where you can transfer the traffic from one major watershed to another with so much ease, so little expense, and with such enormous saving in transportation costs and distances. The Tombigbee River rises in northeastern Mississippi, within 20 miles of the Tennessee River. The Tennessee River is on a plateau about 100 feet higher than the bed of the Tombigbee. It is contended by some archeologists, I am told, that in prehistoric times the Tennessee flowed down the Tombigbee Valley. But where the Tennessee strikes the northeast corner of Mississippi, it turns northward and flows into the Ohio River at Paducah. Always before this project has been turned down for various reasons that no longer exist. In the first place, in 1866, 1871, 1873, 1875, and 1882, a gasoline engine or a motorboat was undreamed of. My people lived on the Tombigbee River 100 years ago, and the steamboats navigated that stream to within 20 or 25 miles of the Tennessee River. They were heavy, cumbersome steamboats and were fired with wood. But even then men dreamed of this connection. But there would have been no outlet from the junction with the Tennessee River for the traffic after it got there, because there was no channel above that point to Knoxville and none downstream to the mouth of the Tennessee River at Paducah. But when the Tennessee Valley Authority was developed, it provided a 9-foot channel all the way from Paducah, Ky., to Knoxville. Therefore this traffic will not be going into a dead end, but it will be connecting up with the greatest system of inland rivers to be found on the face of the earth, covering the Tennessee, the Cumberland, the Ohio, the Wabash, the Mississippi, the Missouri, and the Illinois, into the Great Lakes.

Another reason was that there is a sand ridge separating the Tennessee River from the Tombigbee. If this project had been constructed 10 years ago they would have had to have lifts coming out of the Tennessee up to the top of the ridge, and also lifts from the Tombigbee up to the top of the ridge going the other way, and there was no water supply at the summit. Why did not the gentleman from Michigan [Mr. DONDERO] tell you that? He knew it, because it was brought out by the Army engineers before the committee.

Mr. CASE. Will the gentleman yield?

Mr. RANKIN. Just let me finish my statement and I will yield in a moment. But, when the Pickwick Dam was built just below the place where this Tennessee-Tombigbee inland waterway will connect with the Tennessee River, it raised the water level at that point 55 feet. Then the Army engineers found it was feasible to cut through that sand ridge, as is indicated on the map, and the summit of the project would be in the Tennessee River, in the Pickwick Lake, and we would have all the water we would ever need.

Coming on down through that cut you drop down a hundred feet to the Tombigbee, and then you have 18 locks and dams from there down to the mouth of the Warrior. The building of Pickwick Dam and the opening up of a 9-foot channel from Knoxville to the mouth of the Tennessee River at Paducah made this great project both feasible and necessary. Therefore the Army engineers approved it and recommended its construction. The more they study it the more enthusiastic they become over it.

Some men have said that this will injure the Tennessee River by taking the water out of it. All the water it will ever take out of the Tennessee will be just enough to run that first lock. I asked one of the Army engineers the other day how much that would amount to in lowering the Pickwick Lake. If there ever was a man interested in Pickwick Lake it is your humble servant, because it was my efforts in this House that not only brought about the building of the Pickwick Dam but that saved the Tennessee Valley Authority Act, that provided for the building of all the dams from Norris to Gilbertsville. So he said, if you were to put through a barge every hour——

Mr. BOYKIN. Who said that?

Mr. RANKIN. The Army engineer—for the next 50 years the lowering of the water on the lake would amount to just about as much, comparatively, as if you took a stack of papers 10 feet high and slipped one or two sheets of them out. You could not even tell it. Yet they have used that argument to try to frighten the people of Tennessee into thinking that this project would injure the Tennessee Valley Authority.

I now yield to the gentleman from South Dakota.

Mr. CASE. I do not know whether the accomplishment of the project which the gentleman mentions would draw any water from the Mississippi or the Missouri Rivers.

Mr. RANKIN. Oh, no; not at all. It would be absolutely impossible to get a drop of water out of the Mississippi River or the Missouri.

Mr. CALVIN D. JOHNSON. Will the gentleman yield?

Mr. RANKIN. I yield.

Mr. CALVIN D. JOHNSON. We have spent hundreds of millions of dollars in trying to control floods at Cairo, Ill. Would there be any possibility of diversion of water from the Tennessee at the time the Ohio and Mississippi are at flood stage?

Mr. RANKIN. No. That is not involved in this project. There is no provision for that. And there is no provision for the generation of hydroelectric power, because that is all taken care of on the Tennessee River. The gentleman from Michigan [Mr. DONDERO] comes back and talks about a few little incidental benefits that would be derived from this project by people in that particular area. They are so small compared with the enormous benefits it will bring to all the people of the great Mississippi, Missouri, Ohio, and Tennessee Valley areas that I would not mention them.

Mr. MANSFIELD of Texas. Will the gentleman yield?

Mr. RANKIN. Yes, I yield.

Mr. MANSFIELD of Texas. In regard to the flood situation at Cairo, Ill., it might possibly relieve that to a small extent.

Mr. RANKIN. But it would be very small.

Mr. MANSFIELD of Texas. It would be very small because a portion of the water would go down another channel, which otherwise would go down the Missouri River.

Mr. RANKIN. Whatever they took out would relieve the flood situation at Cairo, Ill., to that extent, but it would be so small that so far as this project is concerned—I do not want to deceive the distinguished gentleman on that proposition—it would be so infinitesimal that you would not miss it, but these dams on the Tennessee have contributed to controlling those floods.

Mr. WHITTINGTON. Will the gentleman yield?

Mr. RANKIN. I yield.

Mr. WHITTINGTON. Is it not true that the large dam at the mouth of the Tennessee is the one that really keeps most of the floods back from the Tennessee River?

Mr. RANKIN. Oh, yes; but, in fact, they all help.

Mr. CALVIN D. JOHNSON. Will the gentleman yield?

Mr. RANKIN. I yield.

Mr. CALVIN D. JOHNSON. It would be of inestimable value to the people of lower Illinois if some of this water could

be diverted through the Tombigbee and other courses.

Mr. RANKIN. I am giving you the facts. This project will not do that. Therefore it will not deprive the Tennessee River of its necessary water nor will it flood the Tombigbee Valley.

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

Mr. RANKIN. I yield.

Mr. PRIEST. I just wanted to add that I appreciate the interest of the gentleman from Illinois [Mr. CALVIN D. JOHNSON] in the question of lowering the flood stages, and I just wanted to observe that if this proved to be a diversion, then it might do what we had been warned in Tennessee, on the other hand, and we do not want that.

Mr. RANKIN. It will not be a diversion, but here is what it will do: Let us take Cairo as a base, because all the traffic that goes down the Tennessee or the Ohio or the Missouri or upper Mississippi or Wabash, to the Gulf goes through Cairo. From Cairo, Ill., down to New Orleans is a distance of 860 miles. Across to Mobile, along the intercoastal waterway, it is 156 miles; then from Mobile to the Tennessee River, up the Tombigbee Inland Waterway, it is 491 miles. From that point to Cairo down the Tennessee and the Ohio, it is 261 miles, making a total of 1,768 miles for the round trip. Of that 1,768 miles it takes to make the entire loop, 1,121 miles of it is down stream, because you go down stream from Cairo to New Orleans, and you go down stream from where you strike the Tennessee River to Cairo. The balance of the route is in slack water. You will travel through the Intercoastal Canal from New Orleans to Mobile, up through the slack water of the Tombigbee behind those locks and dams on the Tombigbee to Pickwic Lake on the Tennessee. Therefore it would be worth more to the people of that area, from a transportation standpoint, than if you were to move an arm of the Gulf of Mexico to Cairo, Ill. Why? Because transportation down this river and back through this Inland Waterway, would be cheaper than it would to go the same distance through the Gulf of Mexico or along the Intercoastal Waterway, because from Cairo to New Orleans you would be going down a swift stream, and from the junction of the Tennessee down to Cairo you would be going downstream, and the rest of the route would be in slack water.

Who gets the benefit of that? Talk about recreation, talk about the little incidentals that one man happened to mention, of all these engineers. I will tell you who it will benefit. It will benefit every shipper in the States of Michigan, Ohio, Indiana, Illinois, West Virginia, Pennsylvania, Kentucky, Wisconsin, Minnesota, Missouri, Iowa, Nebraska, Tennessee, Mississippi, Louisiana, Alabama, Arkansas, and every other State between the Allegheny and the Rocky Mountains.

Mr. DONDERO. Will the gentleman yield?

Mr. RANKIN. I yield for a question.

Mr. DONDERO. Is it not true that the four items amount to 50 percent of the savings that is claimed for this project?

Mr. RANKIN. Oh, no. The gentleman is talking now about a report made years ago when we were asking the engineers to make a scientific investigation to show whether or not this project was physically feasible.

Mr. BOYKIN. The project which the gentleman is for, the St. Lawrence project, would cost much more than all you are talking about, would it not? What would it amount to?

Mr. RANKIN. I supported the St. Lawrence project, because I wanted that water power developed that is now going to waste; but it would have cost $184,000,000. This one will cost only $66,000,000, and it will save enough in transportation costs to pay for itself in anywhere from 3 to 7 years. In the first place it will put Cairo, Ill., 108 miles nearer the Gulf of Mexico. It will put Paducah, Ky., 200 miles nearer the Gulf of Mexico. It will put Pittsburgh, Pa., 200 miles nearer the Gulf of Mexico; and Minneapolis, St. Paul, Sioux City, Omaha, Chicago, Kansas City, and St. Louis, all 108 miles nearer the Gulf. But that is not all. It will save 786 miles between the Tennessee River and the Gulf of Mexico at Mobile.

Let us see what else it will do. Your traffic will move counterclockwise down the Mississippi River, taking advantage of that swift current, and then across through the intercoastal waterway to Mobile, then up through the Tombigbee waterway to the Tennessee and then downstream to Paducah or Cairo. Let us see what it means. Here is what the Army engineer thinks of it. He thinks, as all do who have investigated it, that it is the greatest project of its kind ever proposed to the American Congress. Let us see what it will do. I am giving his figures here now: A tow of 1,200 horsepower, which is the average, with eight barges of 3,500 tons load going from New Orleans to Cairo fighting the terrible current of the Mississippi River will cost $6,273, in fuel costs alone. To go across to Mobile then up the Tombigbee and then down the Tennessee and the Ohio to Cairo the fuel costs and charges for going through the locks, all told, will amount to only $3,868, a saving of $2,405 on every trip. There is not a barge line in the world that makes $2,400 profit on such a trip. But let us go a little further. That is the traffic that goes to St. Paul, Minn., that is the traffic that goes to St. Louis, to Kansas City, to Omaha, and Sioux City, that is the traffic that goes to Chicago and to St. Louis.

Now, let us see what it will do for traffic that goes up here to Wheeling, W. Va., to Cincinnati, to Louisville, and to Pittsburgh, Pa. Going from New Orleans up the Mississippi River to Paducah the cost would be $6,472, but by way of the Tombigbee the cost would be $3,669, or a saving of $2,803. Every bargeload of material going from Pittsburgh, from Wheeling, from Cincinnati, from Paducah, or from Louisville, or from any of those points on the Ohio River, or the Alleghany River, the Monongahela, or the Cumberland River to New Orleans on its return trip, the average tow of eight average barges would save $2,803.

Who would get the benefit of that? The people in this great area here, known as the Mississippi Valley, between the Alleghany Mountains and the Rockies. But let us turn over and see what else it will do. Suppose the commerce is going into the Tennessee; and I submit to the gentleman from Michigan who talks about there being no war or defense element involved in this great project—I wonder if he knows of the great war industries now in operation in the Tennessee Valley, the munitions plants, the aluminum plants, the plane parts that are being manufactured there, and the amount of bauxite and other raw materials being shipped in. For him to say there is no war or defense element involved is like denying that there is a war going on.

They would save in going from New Orleans to the junction of the Tennessee, and that means to every place on the upper Tennessee—Sheffield, Guntersville, Chattanooga, Knoxville, and all other points—would save on each such bargeload $4,507 a trip—that is, going from New Orleans, if you please, not from Mobile.

But let us turn over and suppose you are going from Mobile. You people ship your wheat, you ship your meat, you ship your dairy products, you ship your corn, you ship manufactured articles down the Mississippi. You have a right to ship something back, and you have to ship something back or you would be operating at loss.

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

Mr. MANSFIELD of Texas. Mr. Chairman, I yield the gentleman from Mississippi 3 additional minutes.

Mr. RANKIN. If you are going from Mobile to Cairo, as I said, you would save $3,290. But suppose you are going to the upper Tennessee: You would save $5,392.

Suppose you were going from Birmingham to Cairo or anywhere in that area: You would save $5,448; and if you were going into the upper Tennessee River you would save $7,551 each trip. If you were going from Columbus, Miss., to Cairo, you would save $6,564 each trip, and to points on the upper Tennessee you would save $8,667 each trip. Going from Aberdeen to Cairo you would save $6,920 and to points on the upper Tennessee, $9,043.

From a standpoint of savings in distances and transportation costs, this project has never been equaled by any other ever proposed on this floor.

This is not only a most feasible project, but it is most necessary. The gentleman talks about the few things that it will save in the way of recreation and land values. That is chicken feed. Forget them. I have a letter here from one of the Army engineers that shows there would be at least 9,000,000 tons of upbound freight each year, based on previous years' records. Let us assume that the saving is $1 a ton. If that traffic moved counterclockwise and it went back through the Tombigbee it would save enough to pay for the entire project in about 7 years, to say nothing of this

traffic that will move into the Tennessee River and that will move up and down the Tombigbee. I am not talking about the great resources that are there that you need. One of the greatest iron-ore deposits in the world is at Russellville, Ala., near this project. Some of the greatest asphalt fields in the world are in the area traversed by this project.

The greatest hard-timber belt left in America is found in this area. A new oil field has just been brought in on both sides of the Tombigbee. This project connects with the intercoastal waterway that extends all the way to the border of Mexico.

The traffic that goes into Central and South America would all go up and down this inland waterway, down the Mississippi and return by the Tombigbee inland waterway; and in 5 years from the day it starts it would probably be paying for itself every year. Besides, it would employ four or five thousand men for several years in its construction. Those men who are now fighting the battles of this Nation are going to want work to do when they come home. I do not want to see them put on relief, I do not want to see them raking leaves; I want to see them put on some profitable work, and I know of nothing that would be of greater value to the American people than to put those young men to work building America by constructing projects of this kind. While you are spending $1,300,000,000 for U. N. R. R. A. for such developments in other countries let us spend a few million dollars for "I. N. R. R. A." While you are doing so much for the rest of the world, let us do something for the American people.

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

Mr. CARTER. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. KILBURN].

Mr. KILBURN. Mr. Chairman, I appreciate the arguments of the Rivers and Harbors Committee that the St. Lawrence seaway should, because of its size and importance, be in a separate bill by itself, and I recognize that there is merit to that contention. I also appreciate that this bill before us seeks to cover a great many necessary improvements to the rivers and harbors of the country, most of which are very small items. I thought, however, that the committee and the House would like to know that a few days ago another step was taken toward the accomplishment of the St. Lawrence seaway and water-power project when the New York State Legislature went on record in favor of the power development early in the post-war period. I am not an advocate of public ownership of the power industry, but I have steadfastly supported this particular development as being uniquely in the public interest.

This project is an old subject to the Congress, but it has never been a partisan one. Both Democratc and Republican administrations have supported it in the national administration and in the New York State government. The surveys were first made in the administration of Woodrow Wilson. The project was pursued by Herbert Hoover. Mr. Roosevelt has pressed it. This would seem to dispose of the contention that it is a socialistic enterprise seeking to destroy private industry.

Harnessing of the power potentialities of the St. Lawrence will bring cheaper power rates and increased industry to the area.

I can appreciate the opposition of Metropolitan New York interests to the development of the seaway. It is a selfish opposition, a naturally selfish one. The fear is that it will reduce the traffic of the port of New York. It is my earnest belief that it will make for increased industry which will redound to the benefit of all New York State as well as to the country as a whole.

Mr. RANKIN. Mr. Chairman, I ask unanimous consent to revise and extend my own remarks and include certain tables prepared by Colonel Farringa.

The CHAIRMAN. The gentleman will have to get permission in the House to include the tables.

Without objection he may revise and extend his own remarks.

There was no objection.

Mr. CARTER. Mr. Chairman, I yield such time as he may desire to the gentleman from Minnesota [Mr. PITTENGER].

Mr. PITTENGER. Mr. Chairman, I ask unanimous consent to revise and extend my own remarks at this point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. PITTENGER. Mr. Chairman, the blame for lack of progress on the St. Lawrence waterway project rests squarely on the shoulders of Congress in its failure to pass the omnibus rivers and harbors bill which included this project, in the Seventy-seventh Congress. Failure to act on that bill was a tragic error. The passage of that bill would have been of great benefit to the American people.

Mr. Chairman, I am supporting this pending rivers and harbors bill. Every item in this bill has the approval of the War Department engineers. They have carefully investigated every project. Throughout the years no Government agency has ever shown greater efficiency, or used better judgment than those men in the War Department who are charged with responsibility for the improvement of the rivers and harbors of this country.

The various items in this bill were included in the omnibus bill, which was not permitted to come for a vote in the Seventy-seventh Congress. I think a great disservice was rendered to the American people when we were not permitted to pass the omnibus rivers and harbors bill. One of the sections in that bill provided for the development of the St. Lawrence seaway power project, and in my opinion that project should have been contained in the pending legislation. Those in control of this matter, however, have thought differently, and it has been omitted.

During my service on the Rivers and Harbors Committee I have been impressed with the fact that when one section of the country benefits by the development of its rivers and harbors other sections of the country, either directly or indirectly, will likewise receive a benefit. What is good for one section is good for all of the people of this great country of ours.

I do not believe in approaching legislation of this character from a sectional standpoint, and I am supporting this measure in spite of the fact that these large projects are in other sections of the United States, and in some cases a long, long distance from Minnesota.

I would not support the bill if any of these projects could not be defended from the standpoint that they are of benefit to the American people, and will contribute to the sum total of our national wealth and efficiency.

As I have indicated, the Great Lakes-St. Lawrence seaway power project, like these other projects, will be of immense benefit to all of the American people. I do not here take the time to enumerate its advantages, and the fact that it is a necessary improvement. I just want to point out that if you will study the map you will get a bird's-eye view of a great marine highway for commerce, providing deep-draft navigation from the ports of Duluth and Superior, at the western end of Lake Superior, a distance of 2,687 miles in length to the Atlantic Ocean. Ninety percent of this project is already completed, because it consists of transportation facilities on the Great Lakes.

The completion of the small remaining parts is necessary in order to have a depth of 27 feet in those small sections so as to permit oceangoing boats to travel to the ports on the Great Lakes. At the present time the channel is only 14 feet.

Favorable action of the St. Lawrence seaway project has been delayed throughout the years because of powerful opposition from certain selfish and sectional interests. In spite of the fact that our Army engineers have acted favorably, and in spite of the fact that every President since Woodrow Wilson has given the St. Lawrence seaway power project their approval, various interests have, directly or indirectly, shaped or defeated legislation that would bring about this development.

I hope that my colleagues will have the time and the occasion to investigate the facts.

After a hearing that extended many months the Rivers and Harbors Committee of the House of Representatives acted favorably, and reported this measure for consideration in the old omnibus bill.

Congress can render no greater service to the American people than to put its stamp of approval thereon.

Mr. CARTER. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. GEARHART].

Mr. GEARHART. Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. GEARHART. Mr. Chairman, on November 17 I introduced a bill (H. R. 3672) to put an end to any present or future claims by Germans and Japanese to assets we have seized as enemy property and to open our courts to American

nationals to prove, in accordance with the principles of Anglo-Saxon law, their losses arising out of enemy action during the course of the instant war.

Since then we have been waiting on the executive departments of the national administration to express their views on the merits of the bill I have offered. What they may think, I do not yet know, but I do know that the public reaction to my bill has been wholly favorable, with the exception of but two or three people who have raised the false cry of confiscation, a cry which so misled us following the First World War that $100,000,000 of losses suffered by Americans as a result of German war action remain unpaid to this day.

There is not even a color of confiscation of private property in my bill and there is nothing complicated about it. It contains only about 100 printed lines. But it says in no uncertain terms, clearly and unequivocally, that we are not going to give this seized property or any part of it back to the Japanese or Germans. As it is, there is not enough of it to cover more than a fraction of the private losses which American citizens have suffered from German and Japanese ruthlessness.

Why should we delay the adoption of a definite alien-property policy? The adoption of my bill would simplify the administration and greatly reduce the cost of handling these assets, prevent depreciation in their value and facilitate their transfer to American ownership where, in the inevitable contest for world trade and commerce which impends, they will contribute much toward turning the tide in our favor.

The Alien Property Custodian, Mr. Crowley, in his annual report, has all but petitioned Congress to take this action, and to take it now. In his recent report to the President, dated February 14, he says:

> The problem of uniformity of treatment in the final settlement of equities will actually arise when the ultimate disposition of controlled property or the proceeds of controlled property is determined. * * * And while this issue is one for the post-war period, some preliminary indication of future policy would clarify certain aspects of the control problem.

That is precisely what my bill, introduced 3 months before this report was released, would accomplish: It emphatically terminates foreign ownership of, and enemy control over, all seized enemy assets; it vests title to them, irrevocably and unconditionally, in the United States Government; it directs their prompt sale to bona fide American citizens and provides for the deposit of the proceeds in the United States Treasury to be thereafter divided among such American claimants as have suffered proved losses through enemy action, this as Congress shall hereafter determine is fair and equitable.

It does one thing more: It would permit those injured Americans to go now, without waiting for the war to end, into our Federal courts to prove their losses, so that, when the time comes, Congress will have the necessary facts upon which to determine what is fair and equitable in the distribution of the funds realized from the sale at public auction of the enemy properties previously seized.

Why delay the enactment of this bill, unless some people, by sleight of hand, would palm off on Uncle Sam and the American taxpayers the obligation of compensating our fellow citizens for their losses resulting from German and Japanese war action so that the war criminals, those responsible for American losses, can get their properties back scot free.

Why delay the enactment of this measure, unless some people are hoping to again catch Congress asleep, to again fool us into giving up this enemy property in reliance on worthless Jap and German promises or the deposit with us of long-term bonds; gold bonds of which the Treasury now has a bundle of the face value of $500,000,000; worthless German bonds deposited in the United States Treasury in 1928 to secure the payment of the private losses of Americans in the last war?

Why delay the enactment of my proposal, unless it be to help the same forces that were able to hold up the freezing of Axis assets long enough for them to get hundreds of millions of dollars of German assets out of the country, to transfer them to Argentina, Switzerland, and parts unknown, before they could be seized?

Why raise the cry of "confiscation" unless it is to delay the adoption of this measure, when there is not a suggestion of confiscation in my bill, a bill which merely puts American nationals first and subrogates Japanese and German nationals to the American claims against their own Governments?

Anyone who says there is a touch of confiscation of private property in the bill I have introduced is either not familiar with its provisions or is deliberately misrepresenting the facts. It was introduced to protect American citizens against those crafty creatures, some of them, I am afraid, paid German agents, who would be so generous with other peoples' property, our American claims, and so cosmic in their love of our enemies that they would give back to their original owners the assets of our enemies and let our own people, who have suffered private losses at the hands of our enemies go unpaid, or, failing in that, to unload the claims on Uncle Sam, that is, upon our American taxpayers who, through taxation, would have to raise the money to pay the claimants.

My bill requires Germany and Japan, as a condition of peace, to pay their own nationals the full value of any property which they had in this country at the outbreak of the war. If we are going to use words like "confiscation," let us use them honestly. If the word "confiscation" is honestly defined, I challenge anyone to show where there is any confiscation under my bill. There can be no misunderstanding unless the word is purposely used to mislead and befuddle.

If it is read in the light of established legal principles, my bill will be revealed as one based on the centuries-old principle of "subrogation," a principle of law quite the opposite in meaning from that which "confiscation" implies.

And what do we mean by "subrogation"? If the correctness of the following facts is assumed, the applicability of the principle will become quite clear, even to those untrained in the law. Assuming that innumerable American citizens have suffered losses as a result of war action by our enemies, they, of course, would have, as all will agree, valid claims for damages against Germany and Japan. Because these losses were caused by the war action of Germany and Japan, these countries are, in effect, debtors of the American claimants, who, in turn, occupy the status of creditors of the offending enemy powers. Now, we, that is, our Government, has property and assets of German and Japanese nationals in its possession or under its control which the Governments of Germany and Japan could and would sell, if they had the physical control of it, for the benefit of their respective war chests.

Applying, as my bill would, the principles of subrogation to these facts and their legal consequences, a principle approved of in world jurisprudence, our American claimants would be subrogated to the rights of the German and Japanese Governments against their respective nationals and the nationals of Germany and Japan would be subrogated to the claims of the American claimants against their own respective governments.

In other words, the American claimants, by American legal action, would be compensated for their losses out of the proceeds from the sale of the private properties and assets of the German and Japanese nationals now under the control of the Alien Property Custodian or of the Secretary of the Treasury. And, in turn, the nationals of Germany and Japan would be compensated for their losses by reason of American legal action by their own respective governments, this by the application of the internationally recognized principle of subrogation, implemented by conditions to be imposed by the victor nations upon the vanquished aggressors in the making of the peace.

Though there is no legal responsibility requiring us to see to it that our enemies deal fairly with their subjects, we can, and undoubtedly will, obligate Germany and Japan, by conditions that will be written into the treaty of peace, to reimburse their own nationals for any losses they may suffer by reason of the deprivation of any property or assets which they owned in this country when the war broke out.

If anyone is disposed to argue that, possibly, Germany and Japan would not live up to their promise to compensate their own nationals, the answer is that, as between the two sets of claimants, the German and Japanese nationals, certainly not our American claimants, should assume that risk. To assert that Germany and Japan would not live up to their obligation is to declare them in advance quite unworthy of the confidence of even their own people. But that, Mr. Speaker, is not a matter of concern to those in whose interest we legislate.

Be that as it may, my bill protects both the American claimants and the alien enemy nationals against confiscation of private property insofar as any law of the United States can do it. Therefore, we can well dismiss this cry of confiscation as unworthy of further consideration. It is but a weapon of obstruction, nothing more.

This Congress, as the Supreme Court has repeatedly held, has today the indisputable and unquestioned right to say what shall be done with enemy-owned properties. A long-drawn-out administration of enemy assets, imposed upon us by this policy of do nothing, constitutes a heavy burden on our already overburdened Government, one of which it should be relieved as quickly as possible. Prolonged Government administration will most certainly diminish the value of these assets, whereas their prompt sale, private management, and aggressive commercial development would arrest depreciation and to that extent benefit all parties concerned, save those who plot profits upon the ruins of a war-torn world.

Upon these undisputed facts there can be no sound reason to delay the action my bill proposes. This matter is too important to be delayed while men quibble over the meaning of words, or even to prolong the jobs of the more than 1,000 Government employees whose names already appear on the pay roll of the Office of the Alien Property Custodian, a governmental agency yet to round out its second year.

Therefore, Mr. Chairman, the time has arrived when it is proper to inquire: Just what influences adverse to this bill are militating against its early and favorable consideration?

Is it possible that enemy influence, German and Japanese, can still, even during the days of war, make itself felt in high official circles?

Frankly, I do not know, but I do intend to find it out if it is true. Let there be no mistake about that.

Mr. CARTER. Mr. Chairman, I yield 6 minutes to the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, I ask unanimous consent to speak out of order.

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

There was no objection.

Mr. SPRINGER. Mr. Chairman, unless there is a definite effort to bring about a realinement of laws already on the statute books we will be faced with a situation following the war that will bring confusion to the point of resultant hardship and injustice in thousands of cases involving service personnel, veterans, and their dependents.

At present there are a multitude of laws covering benefits to veterans, and their dependents, of every war. Each war represents a different category of benefits, with no approach to any over-all equitable policy. It is safe to say that adequate benefits to fit every case will never be possible, but an effort to maintain as nearly as possible an equality of benefits would do much to reduce inadequacy. The most desirable rehabilitation program to follow this war would include a general policy of benefits for all veterans and their dependents, and entirely replace the present conglomeration of laws.

As to the possibility of such a program, entailing a task of great magnitude requiring much time, study, and effort, I desire to withhold an opinion at this time. But I do consider it worthy of the serious consideration of Congress.

For the present some inadequacies can be adjusted simply, and without adding to the existing confusion. For example, there is the discrepancy between benefits to children of service personnel of the present war, and benefits to dependent children of World War No. 1 veterans.

Under the Allowance and Allotment Act of 1942, amended, the wife of a serviceman receives family allowance of $50 per month. Where there are children the first child receives $30 per month, and $20 per month is payable to each additional child. Compare this with the pension payable to the widow and children of a veteran of World War No. 1 whose death was due to service. Under provisions of Public Law 144, Seventy-eighth Congress, the widow is entitled to receive $50 per month, but for the children the rate is $15 for the first child and $13 for each additional child. The discrepancy is obvious.

For example take two American families living side by side, or just across the street, in any American community. In each family there is a wife and two dependent children. The head of one family is at present in the armed forces, and his dependents are receiving family allowance totaling $100 per month under the Allowance and Allotment Act. The other family are dependents of a deceased World War No. 1 veteran, and under veterans' laws they receive a total pension of only $78 per month. The difference in assistance is even greater when it is considered that in most cases there is an age difference in the mothers that has an effect on their earning ability.

There is another phase regarding the two sources of assistance or benefits. Suppose the serviceman loses his life in action. Family allowance immediately ceases, and his dependents must then apply for pension under the veterans' laws, and are placed in the same category as the other family. The mother will continue to receive $50 per month, but assistance to the first child will be reduced by half, and that to the second child nearly as much.

As a step toward realinement of benefits I intend to introduce legislation affecting this one situation I have illustrated. My bill will provide for increasing benefits to dependent children under Public 144 to an amount equivalent to assistance provided under the Allowance and Allotment Act. It will serve two worthy purposes. First, equalize benefits and assistance in such cases. Second, provide that in case of the death of servicemen in this war his children will not suffer a loss of assistance, but continue to receive the same amount of benefits that they have been provided during the period of their father's service.

Mr. CARTER. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. BUSBEY].

Mr. BUSBEY. Mr. Chairman, I ask unanimous consent to speak out of order.

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

There was no objection.

Mr. BUSBEY. Mr. Chairman, there has been a great deal said on the floor of this House from time to time as to the amount of propaganda that has been going overseas to our armed forces in behalf of the bobtailed Federal ballot that the administration was so anxious to put over on the soldiers.

Last Saturday I received a copy of the Mediterranean issue of the Stars and Stripes dated March 4, and I believe that the one-sided presentation contained in this article should be called to the attention of the people of this country. This is a good example of how the soldiers may be propagandized in favor of whatever the administration might want. This article is entitled "G. I. Vote Compromise Bill Ready for Final Action." It was sent overseas by the Stars and Stripes United States Bureau. The article is as follows:

NEW YORK.—A compromise Federal ballot plan for service men and women won approval by an 8 to 2 vote of the Senate-House conference committee Thursday night and will go to both Houses of Congress for final action next week.

The soldier-vote bill as it emerged from committee hearings would restrict use of the Federal war ballot to overseas service men and women who have not received a State ballot by October 1. (Ballot application by overseas service personnel must be made by September 1.) The measure further provides that the Federal ballot will go to such service personnel only if the Governors of their home States have declared the Federal ballots acceptable for counting under State law.

Earlier in the week, when the first agreement was reached, Representative JOHN RANKIN (Democrat, Mississippi), advocate of the State's rights bill, was the sole dissenter. Today he voted with the majority. Two Senate conferees—THEODORE F. GREEN (Democrat, Rhode Island) and CARL A. HATCH (Democrat, New Mexico)—voted against its acceptance and denounced the bill.

Senator GREEN said it would have been better "to have no bill at all than one like that" and indicated that he would fight actively against the Senate's acceptance. Senator HATCH said he opposed the bill because "it does not simplify but complicates and does not extend the Federal ballot but curtails it."

The much-amended bill also stipulates that the Federal War Ballot Commission would consist of the Secretaries of War and Navy and the War Shipping Administrator.

I am going to quote these editorials and I wish gentlemen to listen particularly because they are important. They are quotations from editorials all against the conference report, and not one word in favor of the conference report.

Editorial comment in the Nation's press following the announcement of the first agreement Tuesday generally agreed that the conferees did not reach a simple solution for enabling servicemen to vote overseas. The final agreement which came late tonight retained the major points upon which the

newspapers editorialized. The last 2 days were spent wrangling over minor points.

The New York Herald Tribune observed: "If Congress last fall had sincerely faced the service-voting question, if it had laid aside politics and begun from the simple principle that representative popular government cannot afford to exclude some millions of its citizens from the political process because it has drafted them to fight for the survival of that process, it is certain that some better solution would have been found."

After explaining the terms of the bill, the New York Times pointed out that it was a matter of simple justice to obtain and record the service vote and that "anything less would be undemocratic and wickedly unfair."

The Atlanta Journal called the soldier-vote compromise a "collection of crumbs" and deplored the prospects that the "majority of our service men and women will be deprived of their ballot rights."

That the compromise would go further toward saving "political face than toward increasing the number of potential votes by members of the armed forces" was the observation made by the Cleveland Plain Dealer.

"This flabby compromise should be rejected," the Chicago Sun declared, "and an honest bill passed giving every serviceman a uniform Federal ballot and the right to choose whether he shall use that or the State ballot if he prefers."

The compromise bill was described by the Denver Post as a "buck-passing measure." The Denver Post editorial also contended that the Constitution does not give Governors the right to certify that a Federal ballot will be as acceptable as a bona fide absentee ballot.

Mr. Chairman, I think this conclusively proves just what is happening to give the men in the service, especially those overseas, a wrong impression of this whole soldier-vote proposition.

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

Mr. BUSBEY. I refuse to yield. I have not the time. I think I can speak a little bit about the minds of the soldiers. I was on the front in the last war when we had an election, and I believe their minds today are about the same as ours were at that time. Two things were on the minds of those men. One, they wanted to do everything possible to win the war as soon as possible; and two, they wanted to get home to the good old United States of America as soon as possible. In proof of that, up until the time the conference report was adopted, notwithstanding the fact, I believe, I represent the third largest congressional district in the entire United States, I have not received one single letter from anyone in the service regarding the rights or the disfranchisement of soldiers or any other thing pertaining to the soldiers' vote bill.

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

Mr. CARTER. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER of Connecticut. Mr. Chairman, I am reminded this afternoon of advice given to me by a distinguished former Member of this House, Mr. E. Hart Fenn. He called on me shortly after the election in 1938 and gave me some excellent advice. He pointed out that here in the House I would be called upon to deal with problems that affect every part of the United States, as well as other projects of national and general interest. He added that after a few years down here I would meet men from the Pacific coast, from the great Northwest, and the Southwest, and the deep South, men that I could go to and consult with and from whom I could get sound advice. He suggested that I follow that plan, and immediately attempt to make such contacts.

I have tried to follow his advice. I think it was sound, it was particularly good in reference to river and harbor bills. We in New England cannot understand all the wherefores and whys of projects that affect Louisiana or Mississippi, or that peculiarly affect Oregon or California. Therefore I tried to do the best I could, and when men from those parts of the country convince the Rivers and Harbors Committee of the House that their project is sound, and in this bill it has the approval of the Army engineers, I have tried to follow those recommendations. I think that the views expressed in the minority report follow that same policy. I am not going into the merits or demerits of any particular project that is in the bill. I do want again, as I am sure others have, to call the attention of the House to language in the second page of the bill. I quote this last proviso:

> That penstocks or other similar facilities adapted to the possible future use in the development of hydroelectric power shall be installed in any dam herein authorized when approved by the Secretary of War upon the recommendation of the Chief of Engineers and of the Federal Power Commission, and such recommendations shall be based upon consideration of the proper utilization and conservation in the public interest of the resources of the region and the Chief of Engineers is authorized in his discretion to construct powerhouses and install power machinery and appurtenances for the development of hydroelectric power at any dam heretofore or hereafter authorized by any act of Congress: *And provided further*, That in any case where the total authorization for a project heretofore or hereafter authorized by Congress is not sufficient to complete plans that may have been made, the Chief of Engineers is authorized in his discretion to plan and make expenditures on preparations for the project, such as the purchase of lands, easements, and rights-of-way; readjustments of roads, railroads, and other utilities; removal of towns, cemeteries, and dwellings from reservoir sites; and the construction of foundations.

I certainly hope that that language will be stricken from the bill before we are called upon to finally pass the bill.

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

Mr. MILLER of Connecticut. I yield.

Mr. WHITE. Does the gentleman know that in the great Northwest, when reclamation projects are developed, it has been necessary to move small towns?

Mr. MILLER of Connecticut. I am not objecting to that. If you want to move a town come in with a bill and get the approval of Congress. I am not willing to give the power to Army engineers to do it.

Mr. WHITE. Frequently those towns have fared far better because of their removal.

Mr. MILLER of Connecticut. Come to Congress. That is all I say. It seems that in both rivers and harbors and flood-control bills I have seen things in the last few years, language that tends to make easier the taking away of any approval of the Congress on future power developments. If the language which I read is left in the bill, then the Army engineers, on the recommendation of the Federal Power Commission, can go ahead and build dams and powerhouses and establish lines, move towns without coming back to Congress for any further authority. These things quite often start out as small projects. I recall one that was in a flood-control bill relating to the Connecticut River. As part of that project they proposed to build a dam and reservoir at a cost of $5,000,000. That $5,000,000 project has grown to $30,000,000, and only $10,000,000 is actually for flood control. The other $20,000,000 is properly chargeable to future development of power in a region that does not need power or will not for some time, but if it should need power there are companies that have ample resources to provide it. I think we should read the language in these bills very carefully in view of some things that have happened in the past as a result of legislation passed as flood control and rivers and harbors improvement.

I believe every Member of the House has received a brief on H. R. 3961, prepared by the Brotherhood of Locomotive Engineers, Brotherhood of Railroad Trainmen, Brotherhood of Maintenance of Way Employees, and Brotherhood of Railroad Signalmen of America. In this brief they suggest that every Member ask himself the following question: "Would the people of my State agree to purchase bonds expressly for the purpose of constructing these individual projects?" That seems to me to be a very reasonable question, providing first of all that we consider the over-all national interest.

According to the table prepared by this group of railroad brotherhoods, the State of Connecticut would be called upon to buy bonds in the amount of $1,164,000 as its share of the cost of the Alabama-Coosa River, $1,280,400 toward the Tennessee-Tombigbee River, and $543,200 as its contribution toward the Savannah River-Clarks Hill Reservoir.

Mr. PETERSON of Georgia. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. OUTLAND].

Mr. OUTLAND. Mr. Chairman, in H. R. 3961, the bill now pending before the House, are four important projects in the Eleventh Congressional District of California. Three of these projects, the ones at Santa Barbara Harbor, Morro Bay, and Monterey Harbor were reported in previous Congresses; the fourth, at Moss Landing, was introduced during the current session. All of these projects are important and are fully justified in harmony with "the interest of national security" phrase as stated in the preamble to H. R. 3961. I should like to comment briefly upon each of them.

First. Santa Barbara Harbor—House Document 348, Seventy-seventh Congress: The provisions of this part of the bill will authorize the War Department to dredge sand before it gets into the harbor. At the present time, such dredging has taken place inside the breakwater, in cooperation with local interests. In the words of General Kingman:

The recommendation is that the existing project for Santa Barbara Harbor, Calif., be modified to permit maintenance of the harbor by means of a fixed sand-intercepting plant to be provided and operated by and at the expense of local interests; the United States to make available for the operation of the plant an amount not exceeding $30,000 annually, the present approved estimated annual cost of maintenance, whenever funds have been allotted for such purpose: *Provided*, That there shall be deducted from such funds the actual cost of harbor maintenance, found necessary if and when the intercepting plant has been installed.

This project calls for no additional funds; it is simply an authorization that such funds may be spent in dredging the sand before it gets into the harbor.

Second. Morro Bay—House Document 283, Seventy-seventh Congress: Before the outbreak of war, the Board of Engineers for Rivers and Harbors of the War Department made a thorough study of Morro Bay, Calif., and recommended improvements there to the amount of $756,000 and a maintenance cost estimated at $20,000 annually. At that time the following reasons were set forth in justification of this project:

(a) Preserving a deteriorating natural waterway of considerable value.

(b) Providing a needed harbor suitable for a large number of pleasure craft and for fishing boats and recreational activities.

(c) Providing a harbor which will materially assist the fishing industry.

(d) Developing a suitable port of call and a harbor of refuge for pleasure and fishing boats and other smaller craft.

(e) Increasing local business, with resultant increase in development of the region.

After the outbreak of hostilities the Navy, feeling that the project as outlined in House Document 283 was not adequate to give an all-weather entrance to the harbor, commenced work on widening of the channel and on the construction of a south breakwater and on lengthening the north breakwater. At the present time that particular work has been discontinued; the Board of Engineers of Rivers and Harbors for the War Department strongly recommends that the project be completed. All of the peacetime justifications are still present, but they are greatly augmented by wartime justifications.

It should be pointed out that Morro Bay is about halfway between Santa Barbara and Monterey Bay, a distance of about 200 miles, and one where a harbor for small vessels is badly needed. Unlike the east coast, our west coast has few potential harbor sites; the one at Morro Bay is an excellent one and should by all means be developed, both as a war measure and from a long-time planning standpoint for its permanent value to California.

Third. Moss Landing—H. R. 2949, Seventy-eighth Congress: I introduced H. R. 2949 in this Congress because of its definite importance to our national defense program. It has been recommended by the Bureau of Fisheries, as well as by the War Department. The former has recommended that work be started at the earliest possible moment, both because the protection is needed for the fishing fleet in that area and because such improvement will materially increase protein production. Because of the increased congestion at the inner harbor of Monterey Bay there is inadequate refuge for the fishing fleet there. The improvements contemplated at Moss Landing under this bill would not only give the necessary shelter and protection to the fleet, but it would also permit the establishing of repair facilities, thus saving a considerable amount of time, and again assisting in the increase of fish and fish byproducts. From all conceivable sources—fishermen, packers, and others—are coming pleas that Moss Landing Harbor be completed at the earliest possible moment in order that the disastrous effects of last December's storm—when more than a million dollars worth of damage was done to the fishing fleet—will not be repeated this coming winter.

Some 24 operators of fishing boats wrote me that—

A harbor at Moss Landing will give us the finest kind of protection, will relieve us of the ever-present fear that our means of livelihood may be destroyed within a few hours at any time, will assure us of performing our part in the battle against the Axis.

The Secretary of War has stated that—

In view of the wartime need for increase in the production of fishery commodities the Department considers the proposed legislation desirable and recommends its early enactment.

An identical bill, S. 1233, has already passed the Senate without a dissenting vote. I cannot overestimate the importance to our war effort of early enactment of this particular portion of our rivers and harbors bill; its importance will be tremendous, and will greatly encourage our west coast fishermen and packers who have been making such great contribution already to that war effort.

Fourth, Monterey Bay—House Document 266, Seventy-sixth Congress: The present bill calls for the dredging of areas 8 feet deep on each side of Municipal Wharf No. 1 at an estimated cost of $74,000 with $2,500 for increased cost of annual maintenance. It is not to this project that I wish to direct my remarks, but to the potential values at Monterey Bay itself. This great harbor is potentially one of the most important harbor sites on the entire Pacific coast. The city of Monterey has recently formed a post-war planning committee, one of the best of its kind that has yet come to my attention. Its chairman, Dr. Hugh Dormody, has written me at length about the possibilities of this particular harbor, and I should like to include his letter, as it states clearly and in detail the potentialities of Monterey Bay. I am hoping that thorough exploration will be given to these potentialities, in the light of the war effort as well as in the light of prospects for intensive commercial development on the west coast after the war has been won.

JANUARY 11, 1944.

Mr. GEORGE OUTLAND,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN OUTLAND: The citizens of California have made a coordinated effort to organize and develop every resource of the State which will be beneficial to the war effort. Everyone is fully aware of the tremendous tasks which must come to and be carried out on the Pacific coast if our naval and military forces are to be properly supplied for the launching of a victorious offensive in the Pacific.

With the natural resources of the Pacific coast thoroughly inventoried there is one particular outstanding and indisputable fact, namely, that there are comparatively few well-developed harbors on the Pacific coast—Seattle, Portland, San Francisco, Los Angeles, and San Diego. The distances between these harbors is in practically every instance several hundred miles. Seven hundred and fifty miles from Portland to San Francisco. Five hundred miles from San Francisco to Los Angeles. For many years additional harbor facilities should have been developed which would have brought great wealth to the Nation in addition to providing needed offensive and defensive facilities in the event of war. One outstanding, adequate, natural, and undeveloped harbor is Monterey Bay, which, more than ever before through the development of highways, rail, and air transport facilities is a natural water gateway for all of central California. It is the one seaport where a common terminal for land, sea, and air can be developed. In addition and of inestimable value is the already established Tidewater Associated Oil, major pipe line connecting the oil fields of central California with the oil tank farm on the shore of Monterey Bay, just east of the city of Monterey. The proper development of harbor facilities at Monterey would relieve congestion at other ports if it were only used for the fueling of ships and the shipment of petroleum products to our armed forces in the Pacific. More than its natural strategic location of this pipe line is the fact that if used it will release hundreds of tank cars now being used to transport petroleum products by rail to other ports on the Pacific coast.

During the years 1919 and 1920 the commandant of the Twelfth Naval District made surveys and prepared plans for a very necessary breakwater just east of the city of Monterey. The proposed breakwater provided wonderfully protected, deep-water harbor facilities for central California. By its construction it also made available an opportunity for the development of a land-locked inner harbor by using what is known locally as the Laguna del Rey.

The surveys, plans, and proposals made at that time were referred to the United States Congress, and a congressional committee was appointed, which made an investigation of the proposed development. The committee's report was against the development at that time; not because the development was impractical, but because, about that time, we had won World War No. 1 and had ended all wars for the future. Our Navy was scrapped and added protection and shipping facilities for the Pacific coast were considered fantastic.

A few months ago very specific requests from our Federal Government were directed to our State government and private citizens alike to prepare for an all-out war effort in the Pacific. A careful investigation, together with preliminary plans and estimates

of a proposed harbor development on Monterey Bay, were made by Mr. William E. Hansen, senior utility engineer, Corps of Engineers, Fort Ord, Calif. These plans and estimates prove that the fine natural facilities of the Monterey Bay could be made available for the great war activities we all foresee when the naval and military action take on a greatly increased offensive in the West and Southwest Pacific. This entire development would, from a dollar-and-cents cost, be entirely in keeping with costs of such developments elsewhere and can be completed in 6 months' time. It would complete the offensive and defensive resources of central California. It would provide an adequate deep water harbor immediately adjacent to the Presidio of Monterey and to Fort Ord. It would provide a strategic base for seaplanes, submarines, destroyers, and commercial shipping in a land-locked harbor. It would provide a common terminal for land, sea, and air transport facilities.

In March 1941 with the cooperation of the Civil Aeronautics Authority and the United States Navy a very large modern airport was developed on a 455-acre tract of land almost immediately adjacent to the proposed inner harbor development of Laguna Del Rey. The United States Government has a contract with the airport district for the use of these modern airport facilities for the duration of the war and for 6 months thereafter. The United States Government purchased a large tract of additional land adjacent to the airport upon which housing facilities, operations buildings, and so forth, for use of the airport as a naval airbase. The airport was dedicated and commissioned as a naval auxiliary air station by Admiral Greenslade on May 24, 1943, and has been in full operation as such since that date. At the present time further development of the base is under way, which will considerably increase its importance and usefulness.

Facts of great value in the actual construction of the harbor project are the minimum amounts of essential material necessary and the presence in the immediate area, 3 miles from the actual site of the proposal, several mountains of granite with proven quarries which will be available and will adequately provide the granite rock necessary for the breakwater. Motortrucks can haul all of this material without using any rail facilities at all.

No doubt in addition to planning for the war effort there will likewise be Federal planning for the post-war period. It is reasonable to state at this time that if the cities and the State of California are to do their part in planning, there must be some commitments from the Federal Government at an early date. The future of all California and the Nation depends upon the attitude of the United States with respect to international dealings. Will we continue to develop industries and manufacturing on the west coast for shipment of goods to the Far East and China? If absorption of labor from men returning from the war as well as those now engaged in purely war industries is to take place, then there must be a special and definite policy of the United States set up to prevent unemployment on the Pacific coast of some 3,000,000 workers who will be unemployed when hostilities cease.

The far-reaching value of the proposed harbor development for Monterey will not only make a tremendous contribution to the efficiency of the war effort on the Pacific coast, but it will provide a future development for the entire central section of California in meeting post-war problems. Exhaustive studies to determine the rational of the Monterey Bay harbor proposal as a peacetime enterprise have likewise proven economically sound.

For example, it would serve as the nearest seaport for a major portion of the upper San Joaquin Valley, including the agricultural districts of Merced, Turlock, Madera, Fresno, and Bakersfield in Kern County. It would offer complete service to the great Salinas Valley, the Pajaro Valley, and the southern portion of the Santa Clara Valley. All of these areas are served by major highways which connect directly with the proposed harbor site.

Located in the city of Monterey is the multimillion dollar cannery industry, the largest single fishing industry in the world. The canneries pack the Monterey sardines, they produce fertilizer and fish meal, and hundreds of thousands of gallons of fish oil. The packing season is from September to February. For the remaining months the canneries are essentially unused. This is a tremendous economic waste, as the canneries and cannery works could be continuously employed in packing vegetables, fruit, and fish and fish products if shipping facilities were available at a reasonable rate to transport the finished product to market.

The present intense program to conserve petroleum products vividly illustrates this economic waste of a vital war material, because at the present time all sardines packed in Monterey are transported by motortrucks to the docks of San Francisco. The round trip is approximately 260 miles instead of 4 miles, if a commercial harbor were available in Monterey.

From the Salinas Valley, where vast vegetable dehydrating plants have been built for processing foods for our armed forces, motortrucks again have to convey the products to San Francisco or Los Angeles, a distance of several hundred miles instead of 20 miles to the port of Monterey.

The humanitarian benefits would likewise pay large dividends in human relationships as you can readily understand if you have ever studied the life and problems of the cannery worker. All such labor is migratory. During the fish-canning season, approximately 4,000 substandard human beings migrate to Monterey, and in February they are forced to migrate again to some other section of the Pacific coast. Those who are too old or feeble or shiftless remain and go on relief, or otherwise become a burden to society. All of this would be eliminated if our canneries could be economically operated throughout the year, which will be possible if a commercial harbor is provided.

In the event that Congress approves this harbor, at least 4,000 people will have an opportunity to live normal lives, establish their homes, raise and educate their children in a manner conforming to decency according to our American standards of living.

If time would permit it would be a minor task to more thoroughly reveal the details of the benefits from the development of this project. To reveal statistics of actual dollars wasted throughout all of central California in overcoming the barriers of distance which now exist between the great wealth-producing valleys of this area and the commercial seaports available for transporting our products to coastal and overseas markets. They will not be presented in this letter, as we know that you are keenly aware of their existence.

There are other factors which we wish to call to your attention, which more than justify the immediate construction of the proposed breakwater and harbor. In this regard your attention is called to the photographs accompanying this communication. This photographic evidence proves beyond all doubt the necessity of this project, but more important they likewise prove that the construction of this project will be a sound Federal investment. Had the harbor been in existence in December 1943 over $1,000,000 loss of small fishing craft and equipment would have been prevented. More important, several hundred individuals, old and middle-aged fishermen, would still be able to pursue their normal gainful occupation. As it is, they have lost their entire life's savings by losing their own uninsurable fishing launches. Not only have they been impoverished by this catastrophe but they are now out of work and unemployable, because they cannot secure new boats and have no funds for such a purchase if new boats were available. To each individual fisherman the loss of his boat represents the total, complete loss of his entire savings for 20 years of hazardous effort. Although it may not concern the Federal Government to protect the individual fisherman, nevertheless the loss of this fleet has a tragic bearing upon the war effort. The hundreds of thousands of dollars worth of fish, a vital, necessary food for soldiers and civilians alike, tons of fish meal and fertilizer for agriculture, shark's liver oil for its rich physiological vitamin contents, is lost forever—a tragedy worth millions of dollars to our enemies in World War No. 2.

The only fortunate great factor of this major catastrophe at Monterey in December 1943 is the fact that 60 of the large purse seiner vessels were at sea. Had they been in the Bay of Monterey, these vessels representing a cost of $2,937,000, would likewise have been completely destroyed. With their destruction also would have taken place the destruction of all municipal piers and other waterfront improvements now existing at Monterey. This loss in physical equipment, including boats and gear, would have added an additional loss of approximately $5,000,000 to the $2,000,000 damages suffered. In the event this had taken place, the following consequences would have followed as a result of the loss of the sardine fishing season from December to February.

Six hundred and sixty thousand cases of sardines to the armed forces.

One hundred and thirty-three thousand tons of fertilizer for agriculture.

One hundred and thirty-thousand tons of fish oils for vital war industries.

Two million two hundred and thirty-nine thousand dollars to the sardine fishermen.

One million seven hundred and fifty thousand dollars to cannery workers.

In addition, the merchants, the professional men and women, and every individual residing in this area would have been deprived of the principal source of his income. It would have impoverished the entire community.

It is because the citizens of this section of the Pacific coast are conscious of their responsibilities and are realistic about the needs at present and for the future, that we seek the cooperation of the Federal Government in the development of the harbor of Monterey.

We believe that the Congress of the United States will act favorably upon this proposal, not only because of its tremendous value to the war effort, but likewise because of its unmistakable potentialities in the post-war period, in the future development of the Nation and the international relationships and commerce of the Pacific.

We ask your immediate and favorable approval of this project.

HUGH F. DORMODY,
General Chairman, Monterey Post-War Planning Council.

I am personally fortunate to represent a congressional district which has several hundred miles of seacoast between Los Angeles and San Francisco; a section of the United States which will be playing an increasingly important role in our national economy. I am convinced that

when the war is over there will be a tremendous increase in our industrial development there, and especially in our commercial relations with the Orient. More and more is the economic life of this country going to be related with that of Asia and Australia.

If we are going to play that role well we will need to evaluate and capitalize on our potential harbors in California. Los Angeles and San Francisco and San Diego are all important, but increasingly important will be the smaller and as yet undeveloped ones. Monterey Bay and Santa Barbara Harbor I have already cited. Morro Bay, too, will play an important part in the larger picture. Ventura, county seat of the county of that same name, is an important oil-exporting port, and its general importance to the economy of the west coast will be more and more stressed. Port Hueneme, only recently come to full growth through the tremendous development of the naval base there, will likewise be one of the important ports of California long after the war has been won. We should currently be placing our entire emphasis upon the war effort, when we expend our funds for harbor development; we also should keep in our minds the long-range possibilities of the assets with which we shall have to work in our total planning. I am certain that Congress and our various administrative agencies recognize this fact, and so recognizing it will explore fully into the tremendous potential assets that are only awaiting development in that long stretch of coast line between Los Angeles and San Francisco.

Mr. PETERSON of Georgia. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. ROWAN].

Mr. ROWAN. Mr. Chairman, everyone talks now about post-war plans. It was recounted recently, in the column of one of the well-known humorists, that a woman was very much embarrassed when she went to a meeting of her club and found out she was the only woman there whose husband did not have a post-war plan. It seems that everybody is talking about post-war plans and nothing very much is being done about it. We members of the committee are happy to say that our chairman not only talks about post-war plans, but with all deference to Mark Twain, he is actually doing something about it. He has given to the Congress a post-war program of something over $400,000,000 to provide a number of projects which can be started 6 months after the termination of war. Most of these improvements can be put under way providing the Committee on Appropriations recommends for passage a bill authorizing the expenditure of that amount of money. If authorized and appropriated for, the work can be started very quickly because, in the preliminary stages not very much critical material will be required. Many of these projects require dredging and there is available in this country now a vast amount of machinery developed and improved during the war period. So here you have a program that can be put into effect very quickly without the use of large amounts of critical material in the early stages, and we can have some post-war work and employment for the men returning home from the service. As a member of the Committee on Public Buildings and Grounds, I have attended many hearings called by the chairman of that committee, the gentleman from Texas [Mr. LANHAM] on post-war plans. Before that committee came members of great commercial organizations including Mr. Eric Johnston, president of the United States Chamber of Commerce, and several others who are vehemently opposed to expenditures of public money for local and State projects. But it was stated by most of those appearing, that if Federal money is to be expended on post-war projects it should be limited to such works as highways, waterways, and reclamation. So this fits into that type of improvement. You are offered a post-war program that is prepared to provide employment in the readjustment period after the war. Naturally there is a project somewhere in the vicinity where I reside. It will benefit two States, both Indiana and Illinois. Six or seven years ago, the Government appropriated $2,300,000 and local interests provided almost $1,000,000 to start that project. It was mighty fortunate that the work was under way and partially completed because in the early days of the war—and I am not revealing any naval or military secrets—many of our tankers and freighters were sunk off the east coast of the United States. A message was sent to the Great Lakes to take all the available boats of 300 feet length and strip them to the deck and float them down to the Mississippi River. If it had not been for the preliminary work done at that time, it would have been almost impossible to get these boats down to the Mississippi. I think at least 20 or 25 boats were shipped down the Mississippi as a result of the preliminary work done on this Lake-to-the-Gulf project which directly and indirectly benefits my territory and the adjoining State of Indiana.

We have had a period of unprecedented production up to date. Production has gone beyond the wildest dreams of any optimists in America. We have produced more than any nation thought we could produce. But with mass production comes the question of distribution. In order that we may have adequate distribution it will be necessary to utilize every mode of transportation that we have. That includes airways, railways, highways, and waterways. We must have a comprehensive system of transportation to aid in the distribution of mass production in this country. Whether God-made or man-made, we should develop all the facilities for transportation. That is what it is being sought to do in this program. We are providing for that heavy strain on distribution facilities which will follow the peace.

I want to say just a word about organized labor. My district in Chicago and in Indiana, known as the Calumet, will be among the beneficiaries of this program. Organized labor in that district, South Chicago Trades and Labor Assembly and the Calumet joint council of the American Federation of Labor, plus practically all the local C. I. O. unions, have endorsed that waterway development. They endorsed it years ago. They have been urging its passage ever since. The Chicago Federation of Labor at the behest of the Calumet Joint Trade and Labor Assembly, and the South Chicago Trades and Labor Assembly, have endorsed this Gulf-to-the-Lake waterway project so far as Chicago is concerned. They have done it after very careful study, because they realize in a great steel center like that, if our waterways facilities are taken full advantage of, it will bring more business and in the end will be beneficial to the railroads. It will aid the railroads because in that territory in Chicago where millions of tons of ore are brought in every year, there is a great amount of manufactured material which must be taken away. The waterways will not interfere seriously with the railroads, with the airplane lines, or with highways. In the first place, there is no competition between the waterway and any other mode of transportaton so far as passengers are concerned. There is no competition so far as the transportation of perishable goods is concerned or so far as express service is concerned. A waterway only takes bulk freight, the least remunerative type of business, and carries it from port to port. It aids the railroads. The history of this Nation and of the whole world reveals that practically all great cities were located on natural waterways, and as the cities developed the railroads came to take off their manufactured goods or to have the raw material. So we are looking forward to a system of transportation which includes every means of highways, airways, railways, and waterways.

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

Mr. ROWAN. I yield.

Mr. WHITE. As a matter of fact, the movement of Minnesota iron ore across the Lakes to Gary, Ind., by water transportation has greatly stimulated the business of the railroads. They get business originating in Gary for the whole world and all of the United States, do they not? If they did not have cheap transportation of ores, that business would not have grown up.

Mr. ROWAN. I might say to the gentleman from Idaho [Mr. WHITE] many years ago there were no steel mills in Gary, Ind., and some agencies in the city of Chicago sought to prevent the development of steel mills. The corporation went to Gary and built a plant which now requires millions and millions of tons of ore transported by water every year, and there are vast railroad developments where there were no railroad facilities before the building of that plant.

Mr. WHITE. If the railroads had been successful in throttling boat transportation of ores across the Great Lakes, they would have stood in their own light and cut off their own revenue.

Mr. ROWAN. That is exactly my opinion.

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

Mr. ROWAN. I yield.

Mr. RANKIN. The gentleman stated a moment ago that this project will benefit the States of Illinois and Indiana.

Mr. ROWAN. Yes.

Mr. RANKIN. It will benefit all the other States touched by this great inland-waterway system, because all of them will use it.

Mr. ROWAN. Most assuredly. The terminus of this Lake-Gulf waterway will be a twin port in Chicago and Indiana, but all States all the way down the Mississippi and the Gulf will be benefited by this great waterway project.

In conclusion, let us do something about post-war planning today. Let us do something about it now. Let us vote for this bill.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. ROWAN] has expired.

Mr. CARTER. Mr. Chairman, I yield to the gentleman from Iowa [Mr. GWYNNE] such time as he may desire.

Mr. GWYNNE. Mr. Chairman, I question the advisability of H. R. 3961 at this time. It authorizes over $400,000,000 for various river and harbor improvements all over the country. The bill provides that—

> Such projects shall be prosecuted as speedily as may be consistent with budgetary requirements * * * provided that no project herein authorized shall be appropriated for or constructed until 6 months after the termination of the present wars in which the United States is engaged, unless the construction of such project has been recommended by an authorized defense agency and approved by the President as being necessary or desirable in the interests of the national defense and security.

In view of that situation, why not postpone the authorization also until after the war? Why not concentrate now on projects necessary for the national defense or which directly aid in fighting our enemies?

After the war we shall undoubtedly be confronted with the great problem of unemployment. Millions of men discharged from the fighting forces will be looking for work. Jobs must be provided either by private industry or by the Government. The national debt, however, will be so high that it will be difficult to add to it by made work. Therefore we must look to private industry. There is no reason to believe that it cannot handle the situation if it gets the proper cooperation from the Government.

Some of the projects included in this bill are of doubtful value and have heretofore been rejected by the House. It should be remembered, too, that all of this work will be done with borrowed money. What justification is there for considering in time of war projects which have been rejected even in days of peace?

The minority report calls attention to the delegation of powers to the Secretary of War and the Federal Power Commission contained in this bill. It is impossible to justify such a sweeping grant of power. One of the growing evils in this country is the constantly increasing competition by the Government with its own citizens. The purpose of the Government is to govern and not to go into business. In the first place, it is a foolish program from a purely dollars-and-cents standpoint. Everything received by the citizen, whether it be food, clothing, housing, or electric power must eventually be paid for regardless of whether he gets it from the Government or from a private citizen. Can the Government provide these things cheaper than industry can? Our experience in many Government projects furnishes the complete answer to that question. It is true by the use of subsidies and complicated bookkeeping a creditable showing may be made for awhile but the bill must eventually be paid by the consumer himself. If we believe there should be further competition with private industry Congress should expressly say so after giving consideration to the facts of each particular case. The power to make such important decisions should not be delegated to the executive branch.

Mr. CARTER. Mr. Chairman, I yield myself 5 minutes.

Mr. WHITE. Will the gentleman yield for a question?

Mr. CARTER. I will be glad to yield to the gentleman from Idaho.

Mr. WHITE. The gentleman has in California the Golden Gate Harbor, said to be one of the greatest harbors in the world.

Mr. CARTER. I think it is. I have seen a great many harbors. The only thing I have seen that approaches San Francisco Bay Harbor is Rio de Janeiro.

I want to say to the gentleman it has been my pleasure, while a member of the Committee on Rivers and Harbors, to have assisted in putting through a number of projects that improved the great harbor of San Francisco.

Mr. MANSFIELD of Texas. It never did need very much, did it?

Mr. CARTER. No; the Almighty did quite a good deal for San Francisco to start with. The harbor itself did not need much improvement.

Mr. WHITE. Will the gentleman yield?

Mr. CARTER. I yield briefly for one other question.

Mr. WHITE. Is it not a fact that in the gentleman's own State of California the great humorist, Will Rogers, in discussing the enterprise of Los Angeles, said that when they did not have a harbor they went out and built themselves a harbor and are enjoying international commerce as a result?

Mr. CARTER. Will Rogers undoubtedly said that. The city of Los Angeles did exactly that thing. They had little but imagination and a will to do to start with, and they have a very wonderful harbor at San Pedro.

Mr. Chairman, as this bill stands at the present time it provides for authorization of $447,080,531 in harbor projects. I understand certain amendments will be offered in an endeavor to cut out some of the projects, but that is the total of the bill at the present time. Certain contributions are required by local interests on some of the projects and those contributions amount to $11,150,150. Those improvements will entail additional maintenance work on the part of the Corps of Engineers, and the annual additional maintenance is estimated to cost $3,589,600. As has been stated, with some exceptions where there is war urgency, none of these projects will be started until 6 months after the close of the hostilities. In fact, there is a provision in the bill itself which provides that work on any of these projects, unless there is war urgency, shall not begin until 6 months after the close of hostilities. As a member of the Committee on Rivers and Harbors I voted to report out this bill, but I stated at the time and I have stated before, that there is a grant of power beginning on page 2, which has been referred to this afternoon in debate here, which I do not favor. Tomorrow when the bill is being considered under the 5-minute rule I propose to offer an amendment striking out that unusual grant of power which this bill contains. My amendment will begin on page 2, line 16 after the word "region."

Mr. MANSFIELD of Texas. Will the gentleman yield?

Mr. CARTER. I yield.

Mr. MANSFIELD of Texas. I entertain the same view in regard to that matter.

Mr. CARTER. I thank the Chairman for his support, and, knowing his trend of thought for many years, I am not at all surprised.

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

Mr. CARTER. Mr. Chairman, I yield myself 5 additional minutes.

The amendment is on page 2, line 16. I propose to put a period after the word "region" and strike out the remainder of the paragraph.

This grant of power is to the Chief of Engineers. I have the utmost confidence in the Chief of Engineers and the Corps of Engineers. It happens to be in regard to the generation of electric power, but I would be opposed to it regardless of the subject involved. I would not be for a grant of that kind. I think it is too broad a grant of power. I think the Chief of Engineers or any other executive body should come back to this Congress from time to time for the authority to do the things it is proposed to give them here in this bill. It is a blanket authority by which the Congress divests itself of power far beyond what I think they should do in one single act. I have voted for these grants of power to the Executive branch in the past. I have felt they were necessary, but I believe we have gone just about as far as we should go in this unlimited granting of power. Let the various bureaus and departments come back for the specific thing that they desire to have granted them, and I am sure the Congress will be generous and liberal in granting power if they think it is necessary for carrying out what is best for the people generally.

Mr. WHITE. Will the gentleman yield?

Mr. CARTER. I yield.

Mr. WHITE. As a matter of fact in the gentleman's own State, in constructing the great Central Valley project, all the things which had to be done were authorized. Towns had to be moved; railroads elevated; they had to come to Congress for specific and definite authority. Do not the laws of our country protect the owners in their vested rights for compensation for losses and damages sustained as a result of what the Army Engineers might do?

Mr. CARTER. I want to say to the gentleman that in the Central Valley project in my State it was necessary to move miles of railroad, miles of highway, and the Bureau of Reclamation was given that authority without any hesitation or argument.

Mr. WHITE. And did they not operate under a blanket authority?

Mr. CARTER. No. I want to say that they did not do it under a blanket authority. That is exactly the way I want the business of this country carried on in the future. Now, the gentleman from Idaho, if he desires, can vote away the rights of this Congress, but I do not share those views. I am going to offer an amendment to cut out that provision. I am going to ask the assistance of the gentleman from Idaho in putting through that amendment tomorrow. I trust he will think it over tonight and come back tomorrow, and we will be unanimous on this proposal, because there are many fine things in this bill, and I want to see the good things enacted into law.

Mr. WHITE. The gentleman from Idaho says that if it is a constructive amendment it will have his support.

Mr. CARTER. I thank the gentleman and I desire to assure him that, in my opinion at least, it will be very, very constructive.

There are others who desire time, and I will yield back the remainder of my time in order that they may be privileged to speak.

The CHAIRMAN. The gentleman from California yields back one-half minute.

Mr. ANGELL. Mr. Chairman, this bill, as has been said, is an omnibus rivers and harbors bill covering a number of projects which are designed for post-war activities. As has been said, in the last 6 years there has not been a general bill out of the Rivers and Harbors Committee which has been enacted into law. During my entire service on the committee, almost 6 years, we have not as yet had a general bill. The projects involved in this general bill however are not projects which have been worked up in order to provide made work for the people of our country, much as they may need work following the cessation of this war; these are all projects which have had the consideration of the Army engineers for a period of years, most of them several years. Each project has been thoroughly examined, surveyed, and resurveyed, estimates made as to the money savings and the work that will be required, the amount of land that will have to be condemned, the number of farms that may be overrun by water, the building of dams, the amount of hydroelectric power that may be produced. All of these matters, which are technical and which require study and which require careful examination by experts have received this care, study, and attention and have all been reported to our committee, and this committee has been many, many weeks, even months, in considering these projects. As was said earlier in the day there is not a single project in this bill of over $400,000,000 which has not had the careful consideration of these hard-headed Army engineers, and had their approval. I doubt if there is a body of men in our Government anywhere which has the respect accorded this organization by the people of America, I refer to the Corps of Army Engineers. They are not politicians, some of them are graduates of our technical schools, all of them from West Point and many having taken additional education. Many of them have had a great number of years of practical experience as well as Army experience. They as a board pass upon these projects in detail and submit to us the merits and demerits if any of the projects which the committee takes up for consideration.

Mr. MANSFIELD of Texas. Mr. Chairman, will the gentleman yield?

Mr. ANGELL. I yield to the distinguished chairman.

Mr. MANSFIELD of Texas. I may state to the gentleman from Oregon that the engineers of the War Department have had charge of river and harbor improvement legislation for more than a hundred years and in only one instance has there ever been a charge made against any of them and that charge was made against one member by the other members of the board.

Mr. ANGELL. I thank the gentleman for that contribution. That just bears out what I said a moment ago, that there is no body of experts in our scheme of government that has the respect of the American people to any larger degree than this distinguished body of Army engineers who pass upon these projects.

We present these projects, as has been said by my distinguished friend, the gentleman from California [Mr. CARTER], for post-war activity. There is a provision in the bill that none of them shall be taken up prior to 6 months after cessation of hostilities unless some particular project is needed for war operations; so this will not be a drain upon our Treasury during the progress of the war; it will not be taking funds that may be needed for war purposes, but it will be putting on the shelf a very considerable amount of public projects which have been held up, many of them for years owing to the war, ready to be taken up following the cessation of the war, not only that the projects themselves may be developed and the country be improved by these very fine outstanding improvements, but that they may be in readiness, secondarily, to provide work for the returning soldiers and the men and women released from war activities.

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

Mr. ANGELL. I yield to my friend from Idaho.

Mr. WHITE. Is it not a fact that right between the gentleman's own State, Oregon, and the great State of Washington, in fact, the boundary between them, the Columbia River, is one of the biggest waterways in the country and is still undeveloped but will be the source of a great movement of freight when it is fully developed?

Mr. ANGELL. The gentleman is absolutely correct.

Mr. Chairman, owing to lack of time I have asked leave to extend some remarks on some specific problems included in the bill and on some projects in which I am personally interested in my own district and the Pacific Northwest, particularly Umatilla Dam on the Columbia.

Mr. Chairman, I want to discuss the Umatilla Dam and I may say that in April 1939 our Committee on Rivers and Harbors held hearings on this same project, and we printed reports of those hearings here. They pertain to the Columbia River in Oregon and Washington and to the Umatilla Dam.

Let me say, Mr. Chairman, that this whole interior country—the Inland Empire, as we call it, comprising eastern Oregon, Washington, Idaho, and some portions of adjoining States—is an immense territory which drains down through the Columbia River to tidewater and then out into trade and commerce. It comprises one-tenth of the area of the United States. It is larger in area than France, and it abounds in immense natural resources. As has been stated here by the gentlemen who preceded me, there are immense areas of land, suitable for agricultural development in eastern Oregon and eastern Washington, and Idaho. Wheat and other grains, hay, livestock, and great quantities of fruit are raised in that region. Sugar beets are also being raised for the production of sugar. A considerable portion of that territory is already irrigated, and many thousands of acres—hundreds of thousands of acres, in fact—are susceptible of irrigation with waters from the Columbia when they are made available and when the additional lands are required to be brought under cultivation and irrigated.

In addition to that, there is a vast area covered with timber. I personally have had a great deal of experience with that, because for some 20 years I was in the survey department of the Government, surveying those lands in Washington, Idaho, and Montana. The finest stands of growing timber to be found anywhere in the world are in that area, not only in the eastern portion of this area, but along the western slope toward the Pacific Ocean, in Oregon and Washington. Much of these lands are owned by the Federal Government. Private operators also own large bodies of timber. About 50 percent of the lands in Oregon are owned by the Federal Government, so the Government is not only interested in this from the standpoint of developing the country as a whole, but also in developing its own properties.

Mr. Chairman, the Columbia River, and its tributaries, is a key to the opening up of the whole Pacific Northwest area which, as I have said, is an empire

in its proportions containing one-tenth of the area of the United States. It not only furnishes cheap water transportation to the sea but it also furnishes water for irrigation as well as hydroelectric power. The Pacific coast has had the greatest increase in population since 1940 of any section of the United States, and it is destined to continue increasing in the same proportion in many years to come. This is due to the fact that it is still to a large extent in the process of development and contains all of the natural advantages which are necessary for the sustaining of a large and prosperous population. It has immense natural resources in forests, minerals, nonmetallics, clays, hydroelectric power, water, equable climate, and fertile soil.

With the Columbia River open for ocean-borne commerce, the wealth of this immense territory lying between the Rocky Mountains and Pacific Ocean may be carried by cheap river transportation to tidewater in the port of Portland and from there to all of the ports of the world.

Mr. Chairman, I call to your attention the following statistics with reference to the part the Pacific coast area is taking in our industrial and commercial developments:

California, Oregon, Washington, and Arizona produce the greatest comparative farm wealth in the United States.

Of the first 10 United States farm counties, 9 are on the Pacific coast.

Of the first 20 United States farm counties, 16 are on the Pacific coast.

Of the first 100 United States farm counties, 29 are on the Pacific coast.

In this area is found:

Two-fifths of all United States lumber, two-fifths of all United States gold in peacetime, one-third of all copper—one-twelfth of world production, one-sixth of all United States petroleum, one-sixth of all United States natural gas, one-seventh of all United States silver in peacetime, one-fifth of the Nation's mercury, one-fourth of the tungsten, two-fifths of total United States fish catch—all sources—marine, river, lake, and so forth.

The following comparison of lumber production of the five leading States of the Union is interesting in this connection:

Latest available figures, 1941—from U. S. Bureau of the Census

Rank	State	Production (feet, board measure)
1	Oregon	6,346,165,000
2	Washington	5,239,224,000
3	California	2,331,040,000
4	Alabama	1,798,383,000
5	Georgia	1,522,311,000
Total United States		33,476,165,000

The Columbia River is the second largest river in the United States, but it is the largest in terms of potential electric power in the United States, and perhaps in the world. My information is that it has more than 40 percent, perhaps nearer 50 percent, of the hydroelectric power in the United States. So, there is that vast potential hydroelectric power in the Columbia River and its tributaries. Of course, much of that power is not needed at the present time, but, as Colonel Feringa said in his presentation of the matter to our committee, all the electric power that is now being produced in that area is being utilized. A great portion of it is being used in the war industries, but that is true everywhere throughout the United States in these war days. We are devoting our manpower and our facilities everywhere in the United States, so far as is practicable, to the war industries, to these great industries that are utilizing this power, such as the aluminum, shipping, and metallurgical industries of various kinds. These industries needing large blocks of electric power have established modern plants in the Pacific Northwest. Unquestionably in the post-war period, if we are going to continue prosperous and to employ 10,000,000 soldiers who will be released and 20,000,000 people who will be released from the war industries, we must continue to operate these great plants. We will have the power, and it is the cheapest electric power to be found anywhere in the world. It is true that power is being sold cheaper in Canada—Quebec, for instance—but as far as cost of development is concerned, I do not think there is any power development anywhere that is producing power any cheaper than ours in this Columbia River area, by reason of the continuous, even flow of the Columbia River. If we combine these immense natural resources that we have in minerals, metallics, clays, forestry products, and plastic products, all of which we will need after the war is over, with this vast pool of hydroelectric power right at our door, we can insure prosperity to this area in the post-war period. This electric energy requires practically no cost of maintenance after generators are once installed, for it goes on indefinitely.

Above Bonneville and Grand Coulee Dams are two big pools or lakes of water that are used when the water is low to help maintain prime power. So, the river keeps fairly uniform prime power the year round.

We on the coast know that this Columbia River development is not a boondoggling or wildcat scheme. The development of hydroelectric power on the Columbia River and the utilization of the water for irrigation and for navigation, and the dams for flood control, will eventually bring to the United States immense quantities of revenue, more than we will ever put into it.

If there are projects anywhere in the United States that will justify themselves, the Columbia River projects will. The utilization of our natural deposits of minerals and other deposits and the products of forests and fields in connection with cheap hydroelectric power developed from the Columbia River and its tributaries will return to the Government manyfold the funds expended.

The Grand Coulee reclamation project contains 1,200,000 acres for agricultural utilization by reclamation, and the water is now available. The Grand Coulee Dam is already completed. The hydroelectric power generated is used to pump water up out of the pool above the dam and up over the brow of the hill, where it is turned into the old bed of the Columbia River. I am told that this vast acreage with water will produce as well as any agricultural land anywhere in our country. It is rolling upland, consisting of a fertile volcanic-ash soil.

Not an acre is being farmed. It is all lying there, ready, waiting for the time when the Federal Government feels that it is propitious to go ahead with the reclamation project. After the war, when we need additional land for our soldiers and men who will be released from war industries, we will have the water and the land available; all we need to do is build the conduits and irrigation ditches.

Some of it is owned by the Government, but the Government in its program has frozen the values, so the private owners cannot take advantage of the water that is furnished and speculate on the land. The large owners have to turn it in at a certain fair appraisement, and they can utilize only a restricted acreage themselves and can get water to utilize only such portions of the land as is brought within the regulations laid down by the Government. So we have there the possibilities for an immense development. The Columbia and the Snake will provide water transportation for this project.

I was born in that country and have lived there all my life, although later in life I went to live in Portland, on the lower part of the Columbia. So I know from first-hand information the possibilities of this inland empire, not alone from being reared in that country, but also from 15 to 20 years spent in the Federal service as a surveyor in going over it, as far as eastern Montana. I want to tell you gentlemen who are my colleagues on the committee that I personally feel we will make no mistake in approving the project for the development of the dams at Umatilla and on the Snake River.

Mr. Chairman, in considering the Umatilla Dam project, I want to call to the attention of the committee that the engineers' report submitted when the project was last before us, shows that the development was amply justified economically providing the power to be generated from the hydroelectric facilities to be installed were sold. Colonel Feringa, who has presented to the Rivers and Harbors Committee the report and recommendations of the Corps of Engineers of the United States Army, in response to an interrogation I submitted to him, said that all of the power now being generated by the Grand Coulee and Bonneville projects is being utilized. This I know to be true from my own observations. There is a dearth of power in that area at the present time. It is true that war activities are taking the bulk of the power now generated. It is also true that in the post-war period the utilization of our natural resources and reclamation of our farming areas in order to provide employment for our returning soldiers and laborers released from war activities, it will be necessary

to keep these projects working. This will require electric energy.

The total load in the area served by Bonneville and Grand Coulee plants is, in round numbers, 2,000,000 kilowatts. The past history shows that this load is increasing at the rate of about 100,000 kilowatts per year. In the time required to construct a dam and power plant like the Umatilla project, the normal load increase in the area would be about 300,000 kilowatts, and by 1950 would equal the capacity of the Umatilla project.

Congress has appropriated and authorized funds for nine main units at Grand Coulee. Six of these nine are now in production. The limit of prime power capacity at Grand Coulee is in the neighborhood of a million kilowatts, and the authorized Grand Coulee projects are within one machine of the prime power capability of the Coulee Dam. The balance of the power at Grand Coulee is secondary power, which can be used during the high flow season extending from June to October, for irrigation pumping.

Unquestionably there will be a demand in the next decade for, not only all of the power generated by existing projects, but the Umatilla Dam as well, in addition to many other similar developments.

The Bonneville Advisory Committee, provided in the Bonneville Act, which has made a study of the power requirements of the area, have gone on record urging the construction of the Umatilla Dam in order to prevent a power shortage by 1945 or 1946.

The minutes of the Board showing this action are as follows:

EXCERPT FROM MINUTES, BONNEVILLE ADVISORY BOARD, MEETING IN WASHINGTON, D. C., MARCH 12–13, 1943

Whereas at its meeting on February 9–10, 1942, this Board unanimously adopted a resolution urging upon the War Production Board and other appropriate agencies that immediate action be taken to increase the power supply in the Pacific Northwest by installation of additional generating units at the Bonneville and Grand Coulee Dams, raising the city of Seattle's Ross Dam on the Skagit River, completing construction of Rock Island Dam and hydroelectric plant on the Columbia River, and expediting construction of the city of Tacoma's Nisqually hydroelectric project; and

Whereas the Board requested that appropriate agencies of the Federal Government complete their surveys and investigations of water-power possibilities in the Pacific Northwest with a view of determining which of the many attractive undeveloped power sites are most desirable for early construction to provide additional power for war purposes; and

Whereas the developments with respect to power requirements and war loads during the present emergency in the Northwest have confirmed the findings and recommendations of the Board adopted at its meeting of February 9–10, 1942, regarding expansion of existing hydroelectric projects; and

Whereas only part of the Board's findings and recommendations were carried out, and as a result the Pacific Northwest is confronted with a more critical power situation than existed a year ago; * * *

* * * * *

8. Take the necessary steps to insure immediate construction of substantial additional power supply for 1946 and subsequent years by construction of the Umatilla project for navigation, irrigation, and power development on the Columbia River with reservoir at elevation 340 feet above sea level; such Umatilla project, which will involve approximately 3 years for construction, even considering the advance state of the plans, studies, and investigations of the Corps of Engineers, War Department, requiring immediate authorization for construction in order to secure additional power supply in 1946 and to obtain the substantial benefits to navigation and irrigation.

Mr. Chairman, one problem to be determined by the engineers when the Umatilla Dam shall be constructed is its elevation.

An amendment will be offered by the committee tomorrow to permit the Army Engineers to determine the height of the dam up to 340 feet. I hope this amendment will be adopted.

From time to time three different pool elevations have been suggested for the proposed Umatilla Dam, namely, elevations 310, 330, and 340.

The present bill before both Houses, calling for an elevation of 310 was based on the first preliminary surveys of the Corps of Engineers.

The current report of the Chief of Engineers (H. Doc. 103, vol. 2, 73d Cong., 1st sess.) provides for a pool elevation of 330 feet.

I understand that drillings and surveys are now in progress to establish the feasibility and cost of a pool elevation of 340 feet.

From a check of the physical lay-out it is obvious that the higher the pool elevation (within the limits of feasibility and cost) the greater are the possibilities for the proposed structure to accelerate the development of the region. Therefore, the consideration of pool elevation warrants the closest attention. In such consideration we must approach any evaluation from two standpoints, namely, navigation and industrial development.

At present the only substantial transportation avenues between the upper and lower Columbia River areas are given by two transcontinental railroads, which are located along the Columbia River, one on each side.

Any construction at Umatilla will not injure existing rail facilities. With the development of this inland region the railroads will secure increased collateral traffic benefits as well as structural improvement. To insure the fullest development of the region, low cost, high volume transportation facilities must be provided. The completion of the Bonneville Dam has given deep-sea navigation facilities as far as The Dalles. Above The Dalles, because of the existence of rapids, shallow navigation is both limited and hazardous.

The proposed pool elevation of 310 feet will only provide satisfactory navigation as far as Pasco, Wash., a distance of 330 miles from the mouth of the river.

The higher suggested pool elevation will extend slack-water navigation to the foot of the proposed Five Mile Rapids Dam on the Snake River, whereas the existing bills would leave an intervening reach of swift water between Pasco and the Snake River. The long-range development of the region requires long-range consideration.

Through inquiries, I have been advised that growth calculations indicate that by 1950 it is anticipated that the power load on the Bonneville system will be in the neighborhood of 3,000,000 kilowatts. Of this amount of power, about one-fourth will be used west of Bonneville, one-eighth in northeastern Oregon and southeastern Washington areas, and one-sixth adjacent to the dams.

By 1950, these calculations also show that demands on the Bonneville plant will exceed its capability by approximately 300,000 kilowatts.

Experience has shown that the power outputs from multipurpose dams are directly proportional to the pool elevation or varies directly with what has been termed "head." A pool elevation of 310 feet will only provide an average head of 45 feet, whereas a pool elevation of 340 feet will give a head of 75 feet. It then follows that a 330-foot pool will give about 45 percent more continuous power than the 310-foot pool, and a 340-foot pool about 65 percent more.

In addition there are other points requiring attention. Under flood flows the 310-foot pool will provide a plant which will have its capability reduced to 61 percent of normal because of tail water elevation, whereas with a 340-foot pool the reduction from this cause would be less than 20 percent. Expressing this idea in another way, the 330-foot pool will give 70 percent more power per machine than the 310-foot pool, whereas a 340-foot pool will produce over double the prime power per machine.

Repayment of the Federal investment depends largely on the quantity of available prime power. Therefore, further consideration is necessary in order to avoid the mistake of providing a secondary power producer instead of a prime power producer. Secondary power has little sale value in the Northwest.

There are other factors also contributing to prime power, such as pondage and machine efficiency. The higher head naturally provides more pondage and also increases machine efficiency. These two contributing factors compound the prime power increases resulting from direct head comparisons.

The 340-foot pool would give a plant similar in type and proportion to the Bonneville plant, whereas the 310-foot pool will only provide a plant of lower capability than given by the direct relationship of pool elevations. Again the higher head also makes it possible to build a generating machine with greater speed and a lower resulting cost per kilowatt installed. The latter consideration has an important relationship with electric rates, which in turn controls the possible amount of future industrial development.

The higher speed machines also will fit the present constructed Federal transmission lines better than a lower speed machine, and thus provide a greater utilization of the existing investment.

A 310-foot pool will have a continuous output of about 60 percent of that of Bonneville, whereas with the 330-foot

pool elevation this factor becomes 95 percent, and with a 340-foot pool becomes 110 percent. A 340-foot pool elevation at Umatilla will provide a power potentiality of 500,000 kilowatts, under existing river flows.

In offering these suggestions, I realize that other conditions, such as possible foundations, pool damages, and resulting costs have a pronounced influence on the final decision. No information is presently available to evaluate these other factors; however, when present surveys are completed I trust that the points I have mentioned will be included with the findings, so that in the end the best possible structure will be authorized.

I also realize that finances may dictate step development. However, each step can fit in with the best ultimate structure.

The purpose of these suggestions is to contribute to the best possible solution, as I realize that progress only comes from the fullest consideration of all applicable factors.

Mr. Chairman, in view of the fact that the report of the Corps of United States Army Engineers when this project was considered by us last year showed that in their judgment it was justified from an economic standpoint, when there was a market for the power to be generated by the hydroelectric facilities which are part of the project, I asked the Bonneville Administration, which is in charge of the marketing of electricity in the Columbia River area, and particularly Bonneville and Grand Coulee, to give me a report as to the market situation for power, and I am in receipt of a telegram from Paul J. Raver, Administrator of the Bonneville Power Administration, which points out that all of the power now being generated is urgently demanded for civilian activities and war production and that present forecasts indicate for the Bonneville system, which includes Grand Coulee, that a peak load for December 1946 of 45,300 kilowatts in excess of system capacity will be reached, and that in December 1947 the excess will be 324,400 kilowatts. The Administrator also reported that in the Umatilla load district there will be a deficiency of 172,500 kilowatts in December 1946, and 431,250 kilowatts in December 1947, according to present estimates, and that as a result of these demands for power, in the opinion of the Bonneville Power Administration, the Umatilla generating units should be placed in operation as promptly as construction will permit. The telegram received from Mr. Raver, the Administrator, is as follows:

PORTLAND, OREG.,
November 2, 1943.

Hon. HOMER D. ANGELL,
House of Representatives,
Washington, D. C.:

With reference to your inquiry to our Washington office I believe that construction of Umatilla Dam is logical next step in development of the main stem of the Columbia River and one of the most important projects in Pacific Northwest post-war development program. Umatilla Dam is in a very strategic location in Northwest power grid and particularly in relation to lower Columbia market and to emerging heavy industries in middle Columbia area. In this project navigation and power must each be developed on most efficient basis. Power and navigation are a mutually supporting combination. Basis to further development of the area and to development of the power market. Both power and transportation must precede in development of resources, industries, communities, and the promising potential power market. We cannot wait for guaranteed sales in these long-term development projects. Navigation benefits will be provided by low-cost river transportation from Pasco, Wash., to mouth of Columbia, 330 miles. Dam should be of sufficient height to provide power facilities. Present forecasts indicate for Bonneville system a peak load for December 1946 of 45,300 kilowatts in excess of system capacity. Corresponding figure for December of 1947 is 324,400 kilowatts. In the Umatilla load district a deficiency of 172,500 kilowatts in December 1946 and 431,250 kilowatts in December 1947 is presently estimated. Our studies thus indicate that Umatilla generating units should be placed in operation as promptly as the 3-year construction period will permit.

PAUL J. RAVER,
Administrator, Bonneville
Power Administration.

Mr. Chairman, tomorrow when the bill is taken up under the 5-minute rule, I will hope to have the opportunity to discuss some of the specific projects included in it which time now will not permit me to consider.

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

Mr. CARTER. Mr. Chairman, I yield 5 minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, when we go back into the House I shall ask unanimous consent to have included as part of my remarks an editorial which appeared in the New York Sun of March 17.

Mr. Chairman, when U. N. R. R. A., the United Nations Relief and Rehabilitation bill was before the Congress, I indicated that I would like to have the War Department, the military, continue the reconstruction and relief in liberated countries as they are doing today. It seems to me they are doing a good job, and then instead of having a "superduper" board such as the administration of U. N. R. R. A. would provide to go into these countries we would have one organization; that is, the military, continue its work and then turn it over to the Red Cross, a recognized organization already established, one which always has done a remarkable job. I tried also to secure as an amendment to the United Nations Relief and Rehabilitation bill a section that would prohibit the spending of any money for the control of religion or education. That failed in the House. Senator WILLIS in the Senate succeeded in getting a somewhat similar amendment in the Senate bill. The bill went to conference and unfortunately the Willis amendment was thrown out by the conferees. I sincerely hope the Senate will insist, when the bill goes back from conference, upon keeping the Willis amendment.

The New York Sun editorial is headed, "What will America pay for?" And in speaking of this education and religion phase it goes on to say:

But that is not all. In Washington on Tuesday conferees of the Senate and the House reached an agreement on the bill that will authorize an appropriation of $1,350,000,000 as the share of the United States toward the payment of the costs of running U. N. R. R. A. An amendment from the Senate would have forbidden the use of such funds to promote religious, educational, or political programs in liberated territories in war areas. This amendment was killed in conference.

In 6 months, therefore, the original purposes of U. N. R. R. A. as first set forth by th State Department have been stretched to include relief of the destitute and ' 'ne anywhere as well as relief in countries affected by war. It has been stretched further to include by lack of restriction on the use of U. N. R. R. A. funds for political, religious, or educational programs in those foreign areas to be freed from the Axis. Under this program endorsed by 44 nations the share of the United States is 75 percent of the total cost. Our share will average almost $3,700,000 a day for 1 year.

I should like to have the American public and the Congress think just what our grocer bill is likely to be. We are sending a good many provisions and supplies to foreign countries under lend-lease. We will be sending large supplies for feeding the hungry in Europe and many other places through military appropriations. In my opinion, under U. N. R. R. A. the amount that will be spent for rehabilitation and relief will be staggering and I think the American public should be reminded constantly of just what this is going to mean, because in my opinion the military will be forced to allow the U. N. R. R. A. group to go into these countries while the military are still there, so it will mean two relief agencies plus supplies that are going in to be operated under lend-lease. The Army is supposed to be handling relief under lend-lease. I should like to have the American public also consider just what it might mean so far as the giving of harmful information, that should not be given in these liberated territories in war areas, is concerned, through the sending of persons who have not had experience in dealing with foreign nations, and the possibility that sabotage may creep in. The Army is used to dealing with foreign nations. There is no danger of their giving unwise information. The Army is used to dealing with pestilence and famine. The Army knows just how much reconstruction work is necessary and knows how to do it. There is no danger of the Army trying to control religion or education. The Army is fair and unprejudiced. Let us have our cooperation with other nations, and our relief administration for them administered by the well-known and well-organized military and the well-known and tried Red Cross.

Mr. Chairman, I have asked for a list of the persons who are already operating in connection with U. N. R. R. A. and the background of these persons.

The complete text of the editorial in the New York Sun I have referred to is as follows:

WHAT WILL AMERICA PAY FOR?

Six months ago the State Department first published the text of the proposed agreement

for United Nations relief and rehabilitation. At that time no formal organization such as the U. N. R. R. A. had been set up. Article 1 of the agreement, however, gave the purposes and functions of such an international relief agency. Its primary purpose was defined as follows:

"To plan, coordinate, administer, or arrange for the administration of measures for the relief of victims of war in any area under the control of any of the United Nations through the provision of food, fuel, clothing, shelter, and other basic necessities, medical and other essential services; and to facilitate in such areas, so far as necessary to the adequate provision of relief, the production and transportation of these articles, and the furnishing of these services."

This seems clear enough, yet since last September, when the State Department first issued this draft of the agreement, the main purpose of the U. N. R. R. A. has been undergoing an alarming process of stretching to cover numerous needs not originally in view. At the organization conference in Atlantic City last November the delegates from 44 countries agreed that the funds of the U. N. R. R. A. could be used to relieve suffering from want not directly caused by war. This would make available money for relief of famine or disease in various countries, such as India, not overrun by the Axis.

But that is not all. In Washington on Tuesday conferees of the Senate and the House reached an agreement on the bill that will authorize an appropriation of $1,350,000,000 as the share of the United States toward the payment of the cost of running the U. N. R. R. A. An amendment from the Senate would have barred the use of such funds to promote religious, educational, or political programs in liberated territories of the war areas. This amendment was killed in conference.

In 6 months, therefore, the original purpose of the U. N. R. R. A., as first set forth by the State Department, has been stretched to include relief of disease and famine anywhere, as well as relief in countries affected by war. It has been stretched further to include, by lack of restriction, the use of U. N. R. R. A. funds for political, religious, or educational programs in those foreign areas to be freed from the Axis. In this program endorsed by 44 nations the share of the United States is 75 percent of the total cost. Our share will average almost $3,700,000 a day for 1 year.

The CHAIRMAN. The time of the gentlewoman from Massachusetts has expired.

Mr. PETERSON of Georgia. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Chairman, I very strongly urge the passage of this measure. Unquestionably it is time that we give thought to post-war bills and post-war plans. This bill, in my opinion, constitutes one of the greatest post-war programs that I have ever seen advanced.

Mr. Chairman, we are in the third year of war, and we are spurred by the grim determination to wage war relentlessly on all fronts and on all seas until those who have chosen to live by the sword shall have perished by it. We have seen America's war machine grow into a powerful striking force, prepared to meet our enemies on any ground, and carrying the war to our foes on every front. Our forces are courageous, well trained, competently led, and impelled by the knowledge that they fight for the right.

Yet we know in our hearts that the successes of our arms are only an indication of the greater, costlier victories which must lie ahead. There remain long months and years of toil for those who are producing the food and material of war; long months and years of the greater sacrifices required of those who bare their chests to enemy fire.

Then after the war, there is the post-war period, with the readjustments which inevitably must follow. They will not be easy. Industry now is booming. Business is good. Jobs are plentiful. Farm prices are up, and there are no limits on production. The seafood industry finds a redy market for its catch. War production requires all our facilities.

But what of the post-war period. Will there be jobs then? When war orders are canceled, what of the people now employed in the war plants? What of the returning soldiers? Where will they find work? Will the demands for farm products again drop to the blighting depths of pre-war days?

Obviously we must make every effort to be ready for the post-war period. Careful planning and hard work might have averted the depression of the thirties. By doing nothing now we may experience another equally as devastating. Northwest Florida, which I represent, is particularly susceptible to the ruinous effects of a post-war slump. Our prosperity is the greatest in history, but a great part of it is founded on war activities.

We who have the good fortune to live in Florida have seen our State progress in recent years at a rate unparalleled in the Nation. Its development has been a many-sided one. Shipyards, pulp and paper plants, clothing mills, furniture plants, and other industrial activities have held public attention along with a varied agriculture and a tremendous military and naval training program. The war has greatly stimulated Florida's progress. Will the cessation of hostilities stop that growth? These are matters which we cannot pass over lightly. Florida is essentially made up of small businesses, small industries, and small farms. They are representative of that sound backbone of enterprise which throughout the Nation relies on the initiative and resourcefulness of their individual proprietors. Each of them is vitally concerned by what happens to his State.

There are means by which post-war adjustments can be made less damaging to our economy. We should explore them now, not after we are in the midst of the readjustments.

Perhaps one of our greatest opportunities lies in the development of our ports and waterways. River and harbor projects, including the inland waterways, have demonstrated their importance and worth time and again during the present war emergency. For instance, the tonnage on the Gulf Intracoastal Waterway in 1942 increased 22 percent over the volume for 1941, which in turn exceeded the 1940 tonnage by 49 percent. The post-war construction program must include useful and meritorious employment. Testimony based on records maintained by the Chief of Engineers reveals that 75 cents of every dollar expended on rivers and harbors projects goes to direct or indirect employment.

Mr. Chairman, I urge that no further time be lost in making complete preparations for the construction of a vast network of waterways in the post-war period. For years the development of these waterways has proceeded toward the time that they can be joined in one great Nation-wide system. There are still many gaps, both in coastal and inland waterways. When they are joined, so that there can be an unimpeded flow of commodities benefiting from low-cost transportation, we shall find stimulus for trade as well as incentive for greater use of our ports.

The actual construction of these projects will serve a valuable purpose in providing work and in encouraging industrial activity during a period of transition from war to peacetime production. But aside from this important consideration, the relatively small cost of completion of the waterways program will be justified many times over by the savings which will be made possible in the costs of transportation and the resulting benefits to the people of our entire Nation.

In 1942 we provided for the completion of the intracoastal waterway from Carrabelle to Corpus Christi to a depth of 12 feet and a width of 150 to 200 feet. Pipe lines from St. Joe northward and from Carrabelle eastward, plus expanded barge-line facilities have made it possible for upper Gulf-coast ports to play a key part in coastal and foreign shipments of essential war materials. As the result it is not too much to say that Florida's coastal waterways made possible the success of the tremendous task of supplying oil to the East. Pensacola, Freeport, Panama City, Port St. Joe, Spalachicola, Carrabelle, and St. Marks all have had a hand in this great work and in the distribution of other essential materials. Conversely the importance of post-war shipping to these ports cannot be overemphasized.

With full realization of the value of waterway and port development I have worked for the inclusion of a number of items in the Rivers and Harbors bill now before the Congress. The authorization of construction of these items will go far to connect many presently uncompleted waterways and strengthen the economy of Florida and the Southeast. I wish to list the northwest Florida projects which have been placed in the bill for action by the Congress.

A project for St. Marks River as provided in House Document No. 345 calls for the elimination of critical bends at the mouth of the river and at a point opposite Big Bayou. Total estimated cost is $172,000.

The Intracoastal Waterway from Apalachicola Bay to the St. Marks River is an authorized but unconstructed link in the Gulf intracoastal waterway. Authorization calls for the expenditure of approximately $512,000, which figure includes $32,500 for a removable-span railroad bridge across the Ochlockonee

River near McIntyre. The annual maintenance cost of this waterway has been estimated by the United States engineers at $15,400.

An alternate route possessing certain very desirable advantages will also be considered. The improvement of Watson Bayou, on St. Andrews Bay at Panama City, contemplates a channel 10 feet deep and 100 feet wide from the bay to the head of navigation in Watson Bayou, a distance of approximately 1¾ miles. The cost of dredging is not a major item in this project, and the annual maintenance is estimated at $1,000. Initial aids to navigation will cost an estimated $4,000 with an annual maintenance cost of $320.

There is a proviso in the bill which calls for great improvement in St. Josephs Bay, including a bar channel 32 by 300 feet, an inner harbor channel 30 by 200 feet, a turning basin 30 by 300 by 871 feet. The total cost of this work has been estimated at approximately $267,000, and the annual maintenance cost $25,000. My bill for the improvement of the Gulf County canal and its acquisition by the United States was passed last year. The improvement of the Apalachicola, Chattahoochee, and Flint Rivers in Georgia and Florida in the interest of navigation, flood control, and power development, and other purposes has been proposed at an estimated cost of $6,500,000. Annual maintenance cost has been estimated at $200,000. Few projects can match this one in importance to the entire southeast. Panama City, with its new industrial importance, will benefit markedly from cheap transportation to the Chattahoochee Valley. Preliminary work has been done by the United States engineers with a view to improving the Chipola River in Alabama and Florida in the interest of navigation, flood control, and power development.

A resolution calling for the improvement of LaGrange Bayou at Freeport includes the construction of a turning basin in the docking area which will greatly facilitate the discharge of oil and other cargoes at this point. The cost of this turning basin has been estimated at $12,000.

Extensive improvements are provided for in the bill for Pensacola Harbor, including deepening and widening the channels.

A waterway from the Intracoastal Waterway south across Santa Rosa Island to a point near Deer Point Light is proposed.

Improvement of the entrance to Perdido Bay—Alabama and Florida—from the Gulf of Mexico to deep water in the Perdido Bay is included in the bill.

There is a resolution in the bill which calls for a waterway which will connect the Escambia and Alabama Rivers—Florida-Alabama.

These latter four items should be considered in their entirety for they contribute jointly to port and shipping developments at Pensacola. This is one of the few ports of Florida strategically located to drain the rich and vast area of Georgia, Alabama, Mississippi, and the industrial empire known as the Tennessee Valley.

The proposal to connect with the Alabama is to enable Pensacola to have a link with the proposed $100,000,000 Alabama-Coosa waterway project from Mobile to Rome, Ga.

With this connection, Pensacola would be able to obtain competitive rail rates because of the water competition, which would be another great advantage for water-borne commerce.

The Alabama and Georgia territory is rich in such products as coal, steel, cement, cotton, and textiles. The Escambia link would place Pensacola closer to Selma, Montgomery, Gadsden, Anniston, and other points on the waterway to Rome, Ga., than competing ports. About 25 towns ranging from 3,000 to 25,000 are situated in the river basin.

With the development of the Escambia link and the Apalachicola-Chattahoochee waterway a gateway to northwest Florida ports would be opened from one of the most rapidly advancing industrial areas in the Nation.

Major activities of that area which have been stepped up by the war are steel, textiles, and chemical products. Mineral products include bauxite, Selma chalk for cement, coal, iron, arsenic ores, fluxing materials, lead, granite, marble, and slate.

In 1929 a survey of the United States engineers showed 2,000,000 tons of freight potentially available annually. Now it is estimated that from 4,000,000 to 5,000,000 would be available.

Direct connection with the Mississippi Valley and its great agricultural production and with the oil-producing areas of the Southwest could lead to a trade and manufacturing revival of unprecedented proportions. The opportunity is there if we will capitalize on it.

Florida and the Nation stand to gain enormously by the logical development of its waterways. I urge again that the Congress lose no time in completing plans for this development.

My statement would not be complete if I were to fail to speak for the other projects proposed for the Southeast. I strongly endorse each of them. I have the utmost confidence in my colleagues who sponsor these waterway developments. In particular do I pay tribute to the outstanding service rendered by the able and distinguished chairman of the great Committee on Rivers and Harbors, the gentleman from Texas, the Honorable JOSEPH J. MANSFIELD, and to the splendid efforts of my great and good friend the gentleman from Alabama, the Honorable FRANK W. BOYKIN. They have labored unceasingly for this important measure and their service is statesmanship of the highest order.

I respectfully urge and request the approval of this measure as the greatest post-war project yet submitted to the House.

Mr. PETERSON of Georgia. Mr. Chairman, I yield such time as he may desire to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, following the gentleman from Florida I also want to compliment the chairman of the Rivers and Harbors Committee and all the members of the committee on a splendid piece of work over the matter of so great importance to the Nation. Certainly our rivers and harbors—however they may be classified by the writers on economics—constitute a great national asset. The more they are developed the greater becomes their total asset value. It takes men, such as the chairman of this committee, with vision and wide understanding to carry on this development under a proper plan looking to the greatest national good.

As a student of our economic history I have noted with pride the great significance of rivers in the expansion of the American people. I have been greatly interested in the various uses of these rivers, particularly of their changing usefulness and the heightening importance of that changing usefulness. Navigation in an early day and in the eastern part of our country furnished the greatest usefulness, but as the American people moved toward the West other uses vied with navigation in rank of importance.

In the humid eastern section of our country, where wood and coal were so abundant for fuel and where irrigation was undreamed of for crops, rivers were not needed for power and therefore found their greatest usefulness as carriers of commerce. However, when you get to the great intermountain sections of the West, with their treeless plains and semiarid climate, the situation is vastly different. There the rivers are different, too, being unsuited in most of their length, and for the larger part of the time, for any kind of navigation. By that very fact they become far more useful as the givers of life with their waters.

In my own State of Arizona I find that famous jurists, men educated in eastern law schools, like Judge Kent, Judge Kibbey, and Judge Sloan, men well acquainted with the law of riparian water rights, forgot or laid aside the water law of the land where they were born and adapted themselves to new principles of water law—that is, new to Anglo-American experience. So we find Arizona, along with Colorado, Utah, and many other Mountain States in the semiarid West, creating the new water law of beneficial use. Our friend and former colleague, the late Edward Taylor, of Colorado, has been an outstanding leader in the development of these new principles of water utilization.

Purposes of living for man and beast, such as domestic uses and the growing of crops, constitute with us the highest degree of beneficial use of water in a thirsty land. We need every drop of water that falls from heaven in that vast intermountain area first for such beneficial uses.

Therefore, Mr. Chairman, I would be remiss in my duty in the consideration of a rivers and harbors bill, or in the consideration of a flood-control bill, if I did not point out these highest uses of western rivers. For that reason we from the Rocky Mountain region urge such a treatment as will guarantee that the

waters of those rivers and portions of rivers, which rise in or flow through the semiarid portio of our country, shall be first utilized with a view of their greatest beneficial use to sustain life.

Mr. PETERSON of Georgia. Mr. Chairman, I yield 10 minutes to the gentleman from Idaho [Mr. WHITE].

Mr. WHITE. Mr. Chairman, this bill involves the making of improvements to many important rivers and harbors in our country. I am vitally interested in the bill and I support it wholeheartedly. These provisions to improve the eastern rivers I support, and I am also impressed by the importance of the Tombigbee development.

Mr. Chairman, while we talk about the development of the United States, and particularly the Northwest, I want to call the attention of the members of the committee and of the Congress to the tremendous stake the people of the United States have in the development of the Northwest. In the Northwest, west of the Continental Divide, we have, as you know, the bulk of the holdings of the United States in the form of the national forests. We have in the State of Idaho alone 20,026,353 acres in national forests. The heart of the national forests is in central Idaho, one of the great undeveloped sections of the United States rich in both timber and minerals. It is the Nation's unopened storehouse. Flowing across southern Idaho and north to make the dividing line between Idaho, Oregon, and Washington, and then leading out of central Idaho from the Idaho-Washington line, at Lewiston, Idaho, we have the Snake River where navigation is possible from its confluence with the Clearwater River at Lewiston to tidewater at Astoria during the high-water period. Here we have the picture of the boats and barges that ply the Snake River in high water to bring up California oil in barges and take back Idaho wheat to coast markets. The present improvements of the Columbia River give year-round transportation to the Umatilla Rapids—when the Umatilla Dam is built and these four dams on the Snake River authorized in this bill are constructed we will have year-round navigation from Lewiston to the ocean and Government-owned timber and minerals will find an outlet to our eastern markets.

In this bill there is a simple provision to improve the Snake River to this store of resources located in central Idaho. I would like to read to you from page 26, a little section which means so much to the people of the whole United States, and more particularly to the development of the Northwest. I will read the provision:

> Snake River, Oreg., Wash., and Idaho: The construction of dams Nos. 1, 4, 7, and 10 and open-channel improvement for purposes of navigation and irrigation in accordance with the plan submitted in House Document No. 704, Seventy-fifth Congress.

Now, just what does this mean? That means the construction of four dams to bring navigation of the Columbia River into the Snake River and up to the confluence of the Snake and the Clearwater Rivers at Lewiston to provide an outlet for the abundance of resources, raw materials of every kind, minerals, timber, lime, and portland cement, awaiting the opening of that country to low-cost transportation.

The United States Geological Survey has provided a list of the mineral deposits in this area which I will enumerate as shown on this map. We have gold, silver, lead, copper, zinc, antimony, tungsten, mercury, molybdenum, cobalt, manganese, phosphate, iron, and portland cement. This list is taken from the records and surveys of the United States Geological Survey. We are dealing with one of the greatest mineral sections of the United States.

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

Mr. WHITE. I yield to the gentleman from Oregon.

Mr. ANGELL. May I ask the gentleman if it is not true that if these four dams on the Snake River were put in, it would provide the improvement of navigation on the Columbia River from its mouth clear up to the city of Lewiston, and it would also then make complete and whole the development of Bonneville and the Umatilla Dam, which is included in this bill? These four would be the complete development of the whole Columbia River, which is the second largest river in the United States, clear up to Lewiston, in Idaho.

Mr. WHITE. The gentleman is entirely correct. But what would be accomplished by that development? We would open up land and timber resources owned by the Government itself.

Mr. MANSFIELD of Texas. Mr. Chairman, will the gentleman yield.

Mr. WHITE. I yield to the gentleman from Texas.

Mr. MANSFIELD of Texas. The gentleman from Oregon said, "the second largest river." He means in the volume of water?

Mr. ANGELL. Yes.

Mr. MANSFIELD of Texas. As to power it is first.

Mr. ANGELL. First, yes.

Mr. WHITE. What we are particularly interested in is the movement of the tremendous amount of resources owned by the Government. We have in this section here over 20,000,000 acres of timber, practically all in Government ownership. Every hill in that country is forest-clad. The whole area is covered by national forests. This area in the circle indicated will be opened up. This national unopened storehouse is land owned by everybody in the United States. It is Government owned.

When you walk down the streets of Washington, when you walk down the streets of Chicago, or when you walk down the streets of New York and you see the big paper trucks rolling by, hauling newsprint for the big newspapers, you will find that every pound, every roll of this paper comes into this country from Canada and that the Canadian gets our money and the Canadian government gets the tax money from the paper industry which we support.

When you go to Chicago and go into the offices of the great Chicago Tribune, you will find the walls decorated with big maps and enlarged pictures showing their paper mills in Canada and pictures of steamboats plying the Great Lakes bringing Canadian paper into the United States.

When you read the appropriation bill that comes before this House every year in connection with the Department of Agriculture, you find that millions and millions of dollars are being appropriated out of the pockets of the taxpayers to maintain the national forests, locked up, if you please, waiting for the day when we will have low-cost transportation to utilize that timber, to supply pulp mills and paper mills to make our own newsprint from our own forests that are being supported by the Government. It is high time that the Congress and the Government of the United States take cognizance of the utilization of its tremendous pulp timber resources. We have 20,000,000 acres of timber in this central area, most of it in Idaho, overripe, falling down, growing up again, standing there, waiting to be developed and waiting to be utilized. When we can provide low cost water transportation to market.

You know our great Secretary of the Interior has made a bid to take the forests under his wing. I have endeavored to have some liberal policy established on the part of the Government in fostering our mining industry and to open up this country, and I have met with nothing but opposition both from the Interior Department and the Department of Agriculture. I am unable to get any of these heads of Government Departments to go in there and see what we have or what the country needs. I would just like to see the Secretary of the Interior do one simple thing, try to fly across central Idaho in an airplane, and when he got over here back of Thunder Mountain or back in the wilds of Idaho have to make a forced landing. If he had to make a forced landing and come out under his own power, he would know something about the magnitude and the immensity of the national forests and the timber stands owned by the Government in the State of Idaho.

We cannot get any Government officials to go into that country, but those of the Forest Service who appear determined to keep things as is. I even tried to get the Governor and Senator Borah to go up here to this place—Dixie. It is about 75 miles from the railhead into Dixie. But there are no votes up there, nothing but timber, and most of that is owned by the Government, timber and mining claims. For that reason there are very few people in the policy-forming branch of the Government that know very much about what we have in central Idaho. The records of the Geological survey are growing musty on the shelves and the Forest Service is holding the country back. But I do not want to discuss that with you.

I want to talk for a minute about the development of the Columbia Basin project, the 1,200,000 acres all ready for development. The Grand Coulee Dam has

been built to put water on this land. The water will be lifted out of the Columbia River into canals and from there it will flow into this tremendous country of 1,200,000 acres, which will probably provide future homes for our returning soldiers. That country has to be built up, farms and towns have to be laid out and built, roads and streets must be constructed, orchards and vineyards set out where sagebrush is growing now, and everything else that goes to develop a new country. Now, with an abundance of lumber already being manufactured at Lewiston, and Portland cement at Orofino, these building materials are all ready to move from Lewiston down the Snake River to the threshhold of the great Columbia Basin, to build one of the great new frontiers of the Northwest.

When this bill comes before the House I hope that this provision will be sustained and this authorization will be made that we may have river navigation from Astoria clear up the Columbia River to Lewiston.

Here we have a picture of the beautiful city of Portland, one of the finest cities around the rim of the United States, a great seaport built at the junction of the Willamette River and the Columbia.

Here we have the city of Lewiston at the confluence of the Snake and the Clearwater Rivers. When the day comes that we have river nagivation to that point, it will open one of our Nation's greatest storehouses of natural wealth and build our best and last frontier.

THE SNAKE RIVER NAVIGATION PROJECT

In presenting to the Members of the House of Representatives the need for the improvement of the Snake River from its confluence with the Columbia River near Pasco up to its junction with the Clearwater River at Lewiston, Idaho, may I review briefly the history of navigation on these waterways?

WESTERN NAVIGATION IN COVERED WAGON DAYS

As the coast of California was settled after the gold rush of 1849 and the covered wagon migrations brought settlers to the Oregon country long before the coming of the transcontinental railroad, wheat and grain were in demand from the dry country up the Columbia, and steamboat transportation got its start on the lower Columbia River in this period.

PORTAGE TRANSPORTATION AROUND THE COLUMBIA RIVER DALLES

The Dalles proved to be an impassable barrier to navigation. The struggle to control portage transportation around The Dalles between the boats that navigated the lower Columbia and the boats that plied the river above The Dalles is one of the epics in the history of the development of the great Northwest country.

WHEAT FOR THE EARLY SETTLERS

This navigation and development gave an outlet to the wheat fields of the Walla Walla country and the land tributary to the Snake River in Idaho and Washington to the head of the high water navigation at Lewiston.

BUILDING PANAMA CANAL TO OPEN THE RESOURCES OF THE WEST

In digging the Panama Canal a program was started to develop and utilize the vast resources of the West by providing low-cost transportation to eastern markets. The opening of the Panama Canal was to be complemented by the improvement of western rivers for navigation, and a start was made in carrying this program to completion by improving the lower Columbia River by the construction of the Cascade Locks and Celilo Canal around The Dalles to provide for river navigation to the rapids at Umatilla—a plan which gave an outlet to the wheat produced in the areas tributary to this part of the river.

RIVER TRANSPORTATION NEEDED TO OPEN THE NATION'S STOREHOUSE

We now have seasonal navigation on the Snake River above Umatilla in the high-water period, but the great bulk of material and potential river freight awaiting cheap water transportation to market is farther up these rivers, comprising the immense Government-owned timber stands of central Idaho tributary to the Clearwater, Salmon, and Snake Rivers; the iron ore, lime, and cement products of the Clearwater Valley; vast stores of metallic and nonmetallic raw materials in eastern Washington and northern Idaho; all awaiting the improvement of the Snake River for navigation to find an outlet. Linked with this navigation development will be the upbuilding of one of the country's largest reclamation projects, the Columbia Basin in central Washington, already provided for by the construction of the Grand Coulee hydroelectric power project.

TRANSPORTATION OF WESTERN PRODUCTS NEEDED TO BUILD UP OUR LAST AND BEST FRONTIER

In building the farm homes and urban communities on this land, boat and barge transportation can float the construction materials from central Idaho to the threshold of the Columbia River Basin at Pasco and Umatilla.

In viewing the conditions as we find them, it can be clearly seen that the project to build the necessary dams to provide river navigation in the Snake River is one of the most important and most beneficial river improvements for the advancement of the whole country that this Congress can authorize at this time.

Mr. PETERSON of Georgia. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. Chairman, I want to join others who have preceded me in paying my respects to the Committee on Rivers and Harbors and to its great chairman, the gentleman from Texas, Judge MANSFIELD. I think they have done a very fine job in bringing out this bill at this time.

I think it is well for us to get these projects lined up for construction as the times may call for them, and certainly as a backlog of post-war projects for those that need to wait until after the war to be built.

I want to speak particularly with reference to a project that is very close to me, very close to the district that I represent, and very important to the section of the country from which I come, but one which I think meets the test as inuring to the national good.

I refer to the Tennessee-Tombigbee connecting canal. I am not going to discuss that in any great detail, because others who have gone ahead of me have shown you the map, and have given you the detailed information regarding it. I know that people sometimes say that it is of doubtful value to build a project of that kind. That same thing was said with reference to the improvement of navigation on the Tennessee River, and I think I would be safe in saying that the same thing has been said with reference to the improvement of every navigable stream where a project has been initiated. I think the development of the Tennessee River, for instance, is now beginning to pay dividends. That river has not yet been opened up all of its 650 miles in length, with a 9-foot channel, but that will be accomplished when the Kentucky dam is finished next year. With the exception of that one pool on the Tennessee River, there is now 9-foot navigation all the way from Knoxville down. There is now a 9-foot channel from Knoxville to the Pickwick Dam, and when the Kentucky dam is finished, it will be all the way to the conjunction of the Tennessee River and the Ohio River. But even in its unfinished state we have seen a remarkable increase in river navigation.

Not so long ago T. V. A. released a statement giving the result of navigation on the Tennessee during the year 1943, and it was quite revealing to discover that for 1943 all the records for freight on the Tennessee River had been broken, records for all time, both in tonnage hauled, and in the ton-miles. In 1943 there were 3,088,635 tons hauled on that river as against 2,886,605 in 1942, or an increase of 8.9 percent. The ton-mileage for 1943 at the time the statement was given out—the figures were not all available—and therefore it is an estimate, but a very close one—amounted to 224,290,264, exceeding the 1942 all-time record by 38.9 percent. Very often when the increase in freight movement on a stream such as that is brought up, someone raises the question that the majority of that freight consisted of building material being used on the river itself, sand and gravel and things of that kind. Excluding sand, gravel, stone, and relatively low-value freight, moving usually a very short distance, the tonnage increase in 1943 over 1942 amounted to 49.7 percent.

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

Mr. SPARKMAN. Yes.

Mr. BOYKIN. I have a letter here from Major General Reybold, Chief of the Army Engineers, in which it is stated that the increase on the Tennessee River alone is 106 percent, and on the Tennessee and Tombigbee it is 126 percent, and on the intercoastal canal it is an increase alone of 209 percent. This letter I inserted in the Appendix of the RECORD on page A1249. I hope everyone will read it.

Mr. SPARKMAN. I was simply comparing 1943 with 1942; 1942 established an all-time record, and 1943 broke that record. The comparison I was giving was as between those 2 years, when the tonnage increased by 49.7 percent, ex-

cluding sand and gravel, stone, and such freight and the ton-mileage increased by 46.2 percent.

Mr. BOYKIN. Many of the things were not mentioned by the gentleman from Mississippi [Mr. RANKIN]. He did not have a chance to mention these wonderful things that have happened since the Army engineers made this survey, but all of these things have happened since the Army engineers made that survey, and I believe if the Chief of the Army Engineers who turned it down once was the Chief now, he would O. K. this proposition.

Mr. SPARKMAN. I think the gentleman is certainly correct. Take the 5-year average over that river and there was an increase of ton-mileage of 300 percent, and tonnage 200 percent, and if you exclude short hauls, sand and gravel, and material of that type, the ton-mileage increase was 330 percent and the tonnage increase more than 260 percent. That increase is going to continue to step up. Within the last year, in fact within the last few months, there have been built on the Tennessee River 4 public-use terminals—1 at Knoxville, which was dedicated only 2 or 3 weeks ago, 1 at Chattanooga, 1 at Guntersville, and 1 at Decatur, Ala. On February 3 I saw a newspaper report to the effect that the public-use terminal at Decatur had received its first shipment, which consisted of 500 tons of pig-iron, requiring 10 railroad cars to haul it from Birmingham to Decatur, 500 tons to be transshipped to the East through the Tennessee River from Decatur. If this Tennessee-Tombigbee connection were open, even that much haulage would not be necessary. The pig-iron furnaces at Birmingham could ship their pig-iron to Birmingham port on the Warrior River and send it on by canal to the Tennessee and Ohio and on to the East.

Less than a month ago the public-use terminal at Knoxville, 650 miles from the mouth of the Tennessee, was dedicated and that day the first commercial tow ever to be taken to Knoxville tied up there after having traveled 900 miles by waterway. In tow were two large barges loaded with 70,000 bushels of wheat from the Midwest shipped to a milling company in Knoxville. Other barges brought two oil drums 150 feet long and 30 feet in diameter to be used as pontoons for an emergency bridge at the Clinton Engineering works.

Thousands of jeeps, ambulances, Army trucks, and other types of military vehicles have been shipped through the Guntersville port, brought from Evansville, Ind., and other points for distribution to the armed services throughout the Southeast.

At Decatur seagoing boats are being built. Only last week one was completed—one of the largest ever to be built on an inland stream—destined for European service under Polish command.

There is a steadily increasing use of the river and the facilities made possible by its improvement. These various uses may well presage the use that can reasonably be expected of the canal connecting the two great rivers, the Tennessee and the Tombigbee, through an area rich in natural resources.

Our part of the country is rich in natural resources. A great many of the raw materials are to be found there. In my own district there is a great aluminum plant. I am not sure this is true, but I have heard it said, that it is the only complete aluminum plant in the world, a plant where the bauxite goes in at one end, and comes out as aluminum sheets at the other end.

Mr. MANSFIELD of Texas. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. MANSFIELD of Texas. Will the gentleman tell us what proportion of production of aluminum in the Nation is on the Tennessee River?

Mr. SPARKMAN. I could not tell the gentleman, but it is very high. The Alcoa is there, as well as Reynolds, their competitor, which is in my district, on the Tennessee. I do not remember the percentage, but it is very high. The shipment of bauxite from our own country, from sections of our country, down in the southeast of Alabama, and in Arkansas and some other places where it may be found from time to time as transshipments from South America could very well use this connection as can so many other industries that are being developed in that sector.

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

Mr. CARTER. Mr. Chairman, I yield back the remainder of my time.

Mr. MANSFIELD of Texas. Mr. Chairman, I do the same.

The CHAIRMAN. The Clerk will read.

Mr. MANSFIELD of Texas. Mr. Chairman, we have an agreement with the minority, with the gentleman from California [Mr. CARTER], that we will read section 1 of the bill; and, as there are many amendments to be offered to it, committee amendments, and perhaps others, we ask unanimous consent that they may be postponed until tomorrow for the consideration of the amendments when we have more present.

The CHAIRMAN. Without objection, that will be in order.

There was no objection.

The CHAIRMAN. The Clerk will read the first section of the bill, which goes down to page 29, and when the Committee resumes tomorrow, amendments will be in order with reference to any part of that first section of the bill from page 1 to page 29.

The Clerk read as follows:

Be it enacted, etc., That the following works of improvement of rivers, harbors, and other waterways are hereby adopted and authorized in the interest of national security and the stabilization of employment, and shall be prosecuted as speedily as may be consistent with budgetary requirements, under the direction of the Secretary of War and supervision of the Chief of Engineers, in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein: *Provided*, That no project herein authorized shall be appropriated for or constructed until 6 months after the termination of the present wars in which the United States is engaged unless the construction of such project has been recommended by an authorized defense agency and approved by the President as being necessary or desirable in the interest of the national defense and security, and the President has notified the Congress to that effect: *Provided further*, That penstocks or other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam herein authorized when approved by the Secretary of War upon the recommendation of the Chief of Engineers and of the Federal Power Commission, and such recommendations shall be based upon consideration of the proper utilization and conservation in the public interest of the resources of the region and the Chief of Engineers is authorized in his discretion to construct powerhouses and install power machinery and appurtenances for the development of hydroelectric power at any dam heretofore or hereafter authorized by any act of Congress: *And provided further*, That in any case where the total authorization for a project heretofore or hereafter authorized by Congress is not sufficient to complete plans that may have been made, the Chief of Engineers is authorized in his discretion to plan and make expenditures on preparations for the project, such as the purchase of lands, easements, and rights-of-way; readjustments of roads, railroads, and other utilities; removal of towns, cemeteries, and dwellings from reservoir sites; and the construction of foundations. The Chief of Engineers is also authorized in his discretion to modify the plan for any dam or other work heretofore or hereafter authorized so that such dam or work will be smaller than originally planned with a view to completing a useful improvement within an authorization: *And provided further*, That the smaller structure shall be located on the chosen site so that it will be feasible at some future time to enlarge the work in order to permit the full utilization of the site for all purposes of conservation such as flood control, navigation, reclamation, the development of hydroelectric power, and the abatement of pollution:

Northeast Harbor, Maine; House Document No. 132, Seventy-sixth Congress;

Isle au Haut Thoroughfare, Maine; Senate Document No. 15, Seventy-seventh Congress;

Hendriks Harbor, Maine; Senate Document No. 40, Seventy-sixth Congress;

Portland Harbor, Maine; House Document No. 560, Seventy-sixth Congress; and the maintenance of Soldier Ledge Channel in Hussey Sound, Casco Bay, at a depth of 40 feet, in accordance with the report of the Chief of Engineers dated October 26, 1942;

Josias River, Maine; House Document No. 227, Seventy-sixth Congress;

Newburyport Harbor, Mass.; House Document No. 703, Seventy-sixth Congress;

Gloucester Harbor and Annisquam River, Mass.; House Document No. 329, Seventy-seventh Congress;

Manchester Harbor, Mass.; House Document No. 447, Seventy-seventh Congress;

Salem Harbor, Mass.; House Document No. 701, Seventy-sixth Congress;

Marblehead Harbor, Mass.; House Document No. 85, Seventy-seventh Congress;

Boston Harbor, Mass.; in accordance with the report of the Chief of Engineers dated April 28, 1943;

Dorchester Bay and Neponset River, Mass.; House Document No. 394, Seventy-seventh Congress;

Weymouth Fore River, Mass.; House Document No. 291, Seventy-seventh Congress;

Cohasset Harbor, Mass.; House Document No. 425, Seventy-sixth Congress;

Duxbury Harbor, Mass.; Senate Document No. 115, Seventy-seventh Congress;

Chatham (Stage) Harbor, Mass.; House Document No. 456, Seventy-seventh Congress;

Wellfleet Harbor, Mass.; House Document No. 557, Seventy-sixth Congress;

Hyannis Harbor, Mass.; House Document No. 98, Seventy-seventh Congress;

Cape Cod Canal (Onset Bay), Mass.; House Document No. 431, Seventy-seventh Congress;

Nantucket Harbor, Mass.; House Document No. 115, Seventy-seventh Congress;

Menemsha Creek, Marthas Vineyard, Mass.; House Document No. 365, Seventy-sixth Congress;

Wickford Harbor, R. I.; Senate Document No. 105, Seventy-seventh Congress;

Great Salt Pond, Block Island, R. I.: House Document No. 330, Seventy-seventh Congress;

Pawcatuck River, R. I. and Conn.; House Document No. 839, Seventy-sixth Congress;

Mystic River, Conn.; House Document No. 349, Seventy-seventh Congress;

Thames River, Conn.; House Document No. 367, Seventy-sixth Congress;

Connecticut River below Hartford, Conn.; House Document No. 368, Seventy-sixth Congress;

Clinton Harbor, Conn.; House Document No. 240, Seventy-sixth Congress;

Guilford Harbor, Conn.; House Document No. 149, Seventy-seventh Congress;

New Haven Harbor, Conn.; House Document No. 307, Seventy-sixth Congress;

Bridgeport Harbor, Conn.; House Document No. 819, Seventy-sixth Congress;

Norwalk Harbor, Conn.; House Document No. 220, Seventy-sixth Congress;

Greenwich Harbor, Conn.; House Document No. 125, Seventy-sixth Congress;

Larchmont Harbor, N. Y.; House Document No. 697, Seventy-sixth Congress;

Great Lakes to Hudson River Waterway; in accordance with the report of the Chief of Engineers dated April 14, 1942;

Jamaica Bay, N. Y.; House Document No. 700, Seventy-sixth Congress;

Jones Inlet, N. Y.; House Document No. 409, Seventy-seventh Congress;

Northport Harbor, N. Y.; House Document No. 109, Seventy-sixth Congress;

Peconic River, N. Y.; House Document No. 237, Seventy-sixth Congress;

Lake Montauk Harbor, N. Y.; House Document No. 369, Seventy-sixth Congress;

Orowoc Creek, N. Y.; House Document No. 126, Seventy-sixth Congress;

Passaic River, N. J.; House Document No. 430, Seventy-sixth Congress;

Newark Bay, Hackensack and Passaic Rivers, N. J.; in accordance with the report of the Chief of Engineers dated May 20, 1942;

Way Cake Creek, N. J.; House Document No. 624, Seventy-seventh Congress;

Compton Creek, N. J.; House Document No. 673, Seventy-sixth Congress;

Shark River, N. J.; House Document No. 102, Seventy-sixth Congress;

New Jersey Intracoastal Waterway; House Document No. 133, Seventy-sixth Congress.

Manasquan River, N. J.; House Document No. 356, Seventy-seventh Congress;

Toms River, N. J.; House Document No. 393, Seventy-seventh Congress;

Cold Spring Inlet, N. J.; House Document No. 262, Seventy-seventh Congress;

Delaware River, Philadelphia to the sea; House Documents Nos. 580, Seventy-sixth Congress, and 340, Seventy-seventh Congress; and the maintenance of enlarged channel opposite the Philadelphia Navy Yard in accordance with the report on file in the Office, Chief of Engineers;

Delaware River at Camden, N. J.; House Document No. 353, Seventy-seventh Congress;

Inland waterway between Rehoboth Bay and Delaware Bay, Del.; House Document No. 344, Seventy-seventh Congress;

Indian River, Del.; House Document No. 330, Seventy-sixth Congress;

Nanticoke River, Del. and Md.; Senate Document No. 69, Seventy-seventh Congress;

Susquehanna River, above and below Havre de Grace, Md.; Senate Document No. 67, Seventy-sixth Congress;

Baltimore Harbor and channels, Md.; in accordance with the report of the Chief of Engineers dated June 30, 1942; and channel in Curtis Creek in accordance with plans on file in the Office, Chief of Engineers;

Mill Creek, Md.; House Document No. 100, Seventy-sixth Congress;

Broadwater Creek, Md.; House Document No. 622, Seventy-seventh Congress;

Cadle Creek, Md.; House Document No. 465, Seventy-sixth Congress;

Channel to Island Creek, St. George Island, Md.; House Document No. 99, Seventy-sixth Congress.

St. Catherines Sound, Md.; House Document No. 242, Seventy-sixth Congress;

Black Walnut Harbor, Md.; House Document No. 217, Seventy-sixth Congress;

Town Creek, Md.; House Document No. 219, Seventy-sixth Congress;

Duck Point Cove, Md.; House Document No. 241, Seventy-sixth Congress;

Lower Thoroughfare, Deals Island, Md.; House Document No. 238, Seventy-sixth Congress;

Crisfield Harbor, Md.; House Document No. 457, Seventy-sixth Congress;

Pocomoke River, Md.; House Document No. 429, Seventy-sixth Congress;

Waterway on the coast of Virginia; House Document No. 268, Seventy-sixth Congress;

Occohannock Creek, Va.; House Document No. 223, Seventy-eighth Congress;

Oyster Channel, Va.; House Document No. 716, Seventy-sixth Congress;

Onancock River, Va.; House Document No. 358, Seventy-sixth Congress;

Tangier Channel, Va.; House Document No. 141, Seventy-seventh Congress;

Cranes Creek, Va.; House Document No. 687, Seventy-sixth Congress;

Totuskey Creek, Va.; House Document No. 686, Seventy-sixth Congress;

Hoskins Creek, Va.; House Document No. 129, Seventy-seventh Congress;

Urbanna Creek, Va.; House Document No. 285, Seventy-sixth Congress;

Whitings Creek, Va.; House Document No. 582, Seventy-sixth Congress;

Broad Creek, Va.; House Document No. 381, Seventy-sixth Congress;

Pamunkey River, Va.; House Document No. 671, Seventy-sixth Congress;

Appomattox River, Va.; House Document No. 223, Seventy-sixth Congress;

Hampton Creek, Va.; House Document No. 559, Seventy-sixth Congress;

Cape Charles City Harbor, Va.; in accordance with the report of the Chief of Engineers dated May 12, 1942;

Norfolk Harbor, Va.; House Document No. 224, Seventy-sixth Congress;

Little River, Va.; maintenance work in accordance with the report on file in the Office, Chief of Engineers;

James River, Va.; House Document No. 738, Seventy-seventh Congress;

Inland waterway from Norfolk, Va., to Beaufort Inlet, N. C.; House Document No. 117, Seventy-sixth Congress;

Chowan River, N. C., and Blackwater River, Va.; House Document No. 101, Seventy-sixth Congress;

Pembroke Creek, N. C.; House Document No. 235, Seventy-sixth Congress;

Channel from Pamlico Sound to Rodanthe, N. C.; House Document No. 234, Seventy-sixth Congress;

Channel from Pamlico Sound to Avon, N. C.; House Document No. 316, Seventy-sixth Congress;

Rollinson Channel, N. C.; House Document No. 236, Seventy-sixth Congress;

Waterway connecting Swan Quarter Bay with Deep Bay, N. C.; House Document No. 239, Seventy-sixth Congress;

Neuse and Trent Rivers, N. C.; House Document No. 623, Seventy-seventh Congress;

Channel connecting Thoroughfare Bay with Cedar Bay, N. C.; Senate Document No. 87, Seventy-sixth Congress;

Waterway connecting Pamlico Sound and Beaufort Harbor, N. C.; House Document No. 99, Seventy-seventh Congress, and Senate Document No. 247, Seventy-seventh Congress;

Channel from Back Sound to Lookout Bight, N. C.; House Document No. 746, Seventy-seventh Congress;

Beaufort Harbor, N. C.; House Document No. 334, Seventy-sixth Congress;

Inland waterway, Beaufort to Cape Fear River, N. C., including waterway to Jacksonville, N. C.; House Documents No. 660, Seventy-sixth Congress, and 346, Seventy-seventh Congress;

Cape Fear River, N. C., at and below Wilmington; House Document No. 131 and Senate Document No. 83, Seventy-sixth Congress;

Northeast (Cape Fear) River, N. C.; Senate Document No. 170, Seventy-sixth Congress;

Intracoastal Waterway from Cape Fear River, N. C., to Winyah Bay, S. C.; House Document No. 327, Seventy-sixth Congress;

Winyah Bay, S. C.; House Document No. 211, Seventy-sixth Congress;

Beresford Creek, S. C.; House Document No. 602, Seventy-sixth Congress;

Charleston Harbor, S. C.; House Document No. 156, Seventy-seventh Congress;

Abbapoola Creek, S. C.; House Document No. 97, Seventy-sixth Congress;

Russell Creek, S. C.; Senate Document No. 41, Seventy-sixth Congress;

Savannah River below Augusta, Ga.; Senate Document No. 66, Seventy-sixth Congress: *Provided*, That whenever any power project, not under Federal license, is benefited by the Clarks Hill Reservoir project, the Federal Power Commission, after notice to the owner or owners of such unlicensed project and after opportunity for hearing, shall determine and fix a reasonable and equitable annual charge to be paid to the United States on account of such benefits by said owner or owners or other recipients of such benefits;

Savannah Harbor, Ga.; House Document No. 283, Seventy-sixth Congress;

Altamaha, Oconee, and Ocmulgee Rivers, Ga.; House Document No. 610, Seventy-seventh Congress;

Intracoastal Waterway from Cape Fear River, N. C., to St. Johns River, Fla.; House Document No. 114, Seventy-seventh Congress;

Fernandina Harbor and Amelia River, Fla.; House Document No. 284, Seventy-seventh Congress;

St. Johns River, Fla., Jacksonville to the ocean; House Document No. 322, Seventy-seventh Congress;

St. Johns River, Fla., Palatka to Lake Harney; House Document No. 603, Seventy-sixth Congress;

Intracoastal Waterway from Jacksonville, Fla., to Miami, Fla.; in accordance with the report of the Chief of Engineers dated October 26, 1942;

Intracoastal Waterway from Jacksonville, Fla., to Miami, Fla.; House Documents Nos. 261 and 336, Seventy-sixth Congress;

Canaveral Harbor, Fla.; House Document No. 367, Seventy-seventh Congress;

St. Lucie Inlet, Fla.; House Document No. 391, Seventy-seventh Congress;

New River, Fla.; House Document No. 553, Seventy-sixth Congress;

Miami Harbor, Fla.; in accordance with the report of the Chief of Engineers dated June 24, 1942;

Miami River, Fla.; in accordance with the report of the Chief of Engineers dated March 19, 1942;

Intracoastal Waterway from Miami to Key West, Fla.; in accordance with the report of the Chief of Engineers dated October 26, 1942;

Caloosahatchee River and Lake Okeechobee Drainage Areas, Fla.; House Document No. 696, Seventy-sixth Congress; and in accordance with the report of the Chief of Engineers dated June 5, 1943;

Intracoastal Waterway from the Caloosahatchee River to the Anclote River, Fla.; House Document No. 371, Seventy-sixth Congress;

Little Manatee River, Fla.; House Document No. 552, Seventy-sixth Congress;

Tampa Harbor, Fla.; Senate Document No. 16, and House Document No. 119, Seventy-seventh Congress;

Anclote River, Fla.; House Document No. 243, Seventy-sixth Congress;

Pithlachascotee River, Fla.; House Document No. 86, Seventy-seventh Congress;

St. Marks River, Fla.; House Document No. 345, Seventy-seventh Congress;

Intracoastal Waterway from Apalachicola Bay to Saint Marks River, Fla.; House Document No. 442, Seventy-sixth Congress:

Apalachicola, Chattahoochee, and Flint Rivers, Georgia and Florida; House Document No. 342, Seventy-sixth Congress;

Saint Josephs Bay, Fla.; Senate Document No. 17, Seventy-seventh Congress; and in accordance with the report on file in the Office, Chief of Engineers;

Watson Bayou, Fla.; House Document No. 555, Seventy-sixth Congress;

Pensacola Harbor, Fla.; in accordance with the report of the Chief of Engineers dated April 3, 1943;

Alabama-Coosa River, Ala.: Initial and ultimate development of the Alabama-Coosa River and tributaries for navigation, flood control, power development, and other purposes, as outlined in House Document No. 414, Seventy-seventh Congress, is hereby authorized substantially in accordance with the plans being prepared by the Chief of Engineers with such modifications thereof from time to time as in the discretion of the Secretary of War and the Chief of Engineers may be advisable for the purpose of increasing the development of hydroelectric power; and that for the initiation and accomplishment of the ultimate plan appropriations are authorized in such amounts as Congress may from time to time determine to be advisable, the total of such appropriations not to exceed the sum of $60,000,000. The aforesaid authorization and approval shall include authorities for all powerhouses, power machinery, and appurtenances found to be desirable by the Secretary of War upon the recommendation of the Chief of Engineers and the Federal Power Commission.

Mobile Harbor, Ala.; in accordance with the report of the Chief of Engineers dated October 26, 1942;

Warrior and Tombigbee Rivers, Alabama and Mississippi: House Documents Nos. 276, Seventy-sixth Congress, and 382, Seventy-seventh Congress;

Waterway connecting the Tombigbee and Tennessee Rivers in accordance with the recommendation of the Board of Engineers for Rivers and Harbors in the report submitted in House Document No. 269, Seventy-sixth Congress;

Dauphin Island Bay Channel, Ala.; House Document No. 333, Seventy-sixth Congress;

Bayou Coden, Ala.; House Document No. 824 Seventy-seventh Congress;

Bayou La Batre, Ala.; House Document No. 281, Seventy-sixth Congress;

Biloxi Harbor, Miss.; House Documents Nos. 258 and 326, Seventy-sixth Congress;

Pass Christian Harbor, Miss.; Senate Document No. 214, Seventy-seventh Congress;

Bayou Galere, Miss.; House Document No. 112, Seventy-sixth Congress;

Bayous LaLoutre, Saint Malo, and Ysclosky, La.; Senate Document No. 116, Seventy-seventh Congress;

Mississippi River, Baton Rouge, La., to the Gulf of Mexico; House Document No. 215, Seventy-sixth Congress;

Calcasieu River and Pass, La.; House Document No. 465, Seventy-seventh Congress;

Louisiana and Texas Intracoastal Waterway; House Documents Nos. 428, Seventy-sixth Congress, and 383, Seventyseventh Congress;

Louisiana and Texas Intracoastal Waterway to Harlingen, Tex.; House Document No. 402, Seventy-seventh Congress; the depths and widths to be the same as authorized for the main stem of the waterway in Public Law No. 675, enacted July 23, 1942;

Sabine-Neches Waterway, Tex.; House Document No. 685, Seventy-sixth Congress, and Senate Documents Nos. 60 and 158, Seventy-seventh Congress;

Neches and Angelina Rivers, Tex.; Senate Document No. 98, Seventy-sixth Congress;

The improvement of the Trinity River and tributaries, Texas, for navigation, flood control, and allied purposes is hereby approved and authorized in accordance with the reports contained in House Document No. 403, Seventy-seventh Congress;

Houston Ship Channel, Tex.; House Documents Nos. 226 and 256, Seventy-sixth Congress;

Clear Creek and Clear Lake, Tex.; House Document No. 319, Seventy-seventh Congress;

Chocolate and Bastrop Bayous, Tex.; House Document No. 337, Seventy-sixth Congress;

Channel from Pass Cavallo to Port Lavaca, Tex.; in accordance with the report of the Chief of Engineers dated December 10, 1943;

Lavaca and Navidad Rivers, Tex.; House Documents Nos. 314, Seventy-sixth Congress, and 659, Seventy-seventh Congress;

Guadalupe River, Tex.; House Document No. 247, Seventy-sixth Congress: *Provided*, That whenever any power project, not under Federal license, is benefited by the Canyon Reservoir project, the Federal Power Commission after notice to the owner or owners of such unlicensed project and after opportunity for hearing, shall determine and fix a reasonable and equitable annual charge to be paid to the United States on account of such benefits by said owner or owners or other recipients of such benefits;

Brazos Island Harbor, Tex.; House Document No. 335, Seventy-sixth Congress, and House Document No. 347, Seventy-seventh Congress;

Ouachita and Black Rivers, Ark. and La.; House Document No. 104, Seventy-sixth Congress;

Mississippi River between the Ohio and Missouri Rivers; House Document No. 231, Seventy-sixth Congress;

Mississippi River between Missouri River and Minneapolis: The existing project for lock and dam No. 2 is hereby modified in accordance with the recommendation in House Document No. 432, Seventy-seventh Congress;

Mississippi River between Missouri River and Minneapolis: The construction of lock and dam No. 26 at Alton, Ill., is hereby declared to be in accord with the project authorized by the River and Harbor Act approved August 30, 1935;

Mississippi River between Missouri River and Minneapolis; House Documents Nos. 103 and 547, Seventy-sixth Congress, and 263, Seventy-seventh Congress;

Mississippi River between Missouri River and Minneapolis: The existing project is hereby modified to provide for remedial works in accordance with the recommendation of the district engineer in the report submitted in House Document No. 137, Seventy-sixth Congress, and for such remedial works or land acquisitions in any levee or drainage district, with respect to which payments, remedial works, or land acquisitions were recommended in Rivers and Harbors Committee Document No. 34, Seventy-fifth Congress, and authorized by the Act of August 26, 1937, as the Chief of Engineers deems advisable, in addition to or in lieu of the payments, remedial works, or land acquisitions so recommended and authorized;

Illinois Waterway, Ill., and Indiana Harbor and Canal, Ind.; House Document No. 145, Seventy-sixth Congress;

Missouri River between Sioux City, Iowa, and the mouth; House Document No. 214, Seventy-sixth Congress;

Baudette Harbor, Minn.; House Document No. 216, Seventy-sixth Congress;

Harbor at Knife River, Minn.; House Document No. 686, Seventy-seventh Congress;

Ashland Harbor, Wis.; House Document No. 337, Seventy-seventh Congress;

Menominee Harbor and River, Mich. and Wis.; House Document No. 228, Seventy-sixth Congress;

Green Bay Harbor, Wis.; House Document No. 95, Seventy-sixth Congress;

Milwaukee Harbor, Wis.; Senate Document No. 29, Seventy-sixth Congress;

Racine Harbor, Wis.; House Documents Nos. 816, Seventy-seventh Congress, and 255, Seventy-eighth Congress;

Waukegan Harbor, Ill.; House Document No. 116, Seventy-seventh Congress;

Calumet Harbor and River, Ill. and Ind.; House Document No. 233, Seventy-sixth Congress;

St. Joseph Harbor, Mich.; House Document No. 129, Seventy-sixth Congress;

Grand Haven Harbor and Grand River, Mich.; House Document No. 661, Seventy-sixth Cong.;

Manistee Harbor, Mich.; House Document No. 380, Seventy-seventh Congress;

St. Clair River at Southeast Bend, Mich.: The widening of the existing project channel, in accordance with alternative plan B, as outlined in the report of the district engineer in House Document No. 309, Seventy-seventh Congress, is hereby authorized;

Detroit River, Mich.; in accordance with the report of the Chief of Engineers dated October 26, 1942;

Sandusky Harbor, Ohio; House Document No. 328, Seventy-sixth Congress;

Lorain Harbor, Ohio; House Document No. 161, Seventy-seventh Congress; and in accordance with the report on file in the office, Chief of Engineers;

Cleveland Harbor, Ohio; House Document No. 232, Seventy-sixth Congress; and the extension of the channel in the Cuyahoga River in accordance with the report of the Chief of Engineers dated February 14, 1942;

Ashtabula Harbor, Ohio; House Document No. 321, Seventy-seventh Congress;

Erie Harbor, Pa.; protection of that portion of the peninsula south of the waterworks settling basins at an estimated annual cost of $15,000 is hereby authorized;

Erie Harbor, Pa.; in accordance with the report of the Chief of Engineers dated October 26, 1942;

Buffalo Harbor, N. Y.; House Document No. 352, Seventy-eighth Congress;

Black Rock Channel and Tonawanda Harbor, N. Y.; in accordance with the report of the Chief of Engineers dated April 16, 1942;

Wilson Harbor, N. Y.; House Document No. 679, Seventy-sixth Congress;

Rochester Harbor, N. Y.; House Document No. 139, Seventy-sixth Congress;

Cape Vincent Harbor, N. Y.; House Document No. 363, Seventy-sixth Congress;

San Diego Harbor, Calif.; House Document No. 390, Seventy-seventh Congress;

Newport Bay Harbor, Calif.; Senate Document No. 138, Seventy-eighth Congress;

Santa Barbara Harbor, Calif.; House Document No. 348, Seventy-seventh Congress;

Morro Bay, Calif.; House Document No. 283, Seventy-seventh Congress; and further harbor development as desired by the Navy Department in accordance with the plans on file in the office, Chief of Engineers;

Monterey Harbor, Calif.; House Document No. 266, Seventy-sixth Congress;

Monterey Bay (Moss Landing), Calif.; in accordance with the report on file in the office, Chief of Engineers;

Redwood Creek, Calif.; in accordance with the report of the Chief of Engineers dated November 3, 1941;

Oakland Harbor, Calif.; House Document No. 466, Seventy-seventh Congress;

Oakland Harbor, Calif.; in accordance with the report on file in the office, Chief of Engineers;

Richmond Harbor, Calif.; House Document No. 715, Seventy-sixth Congress;

San Pablo Bay and Mare Island Strait, Calif.; House Document No. 217, Seventy-seventh Congress;

Noyo Harbor, Calif.; House Document No. 682, Seventy-sixth Congress;

Crescent City Harbor, Calif.; House Document No. 688, Seventy-sixth Congress, and the construction of an inner breakwater in accordance with the plans on file in the office, Chief of Engineers;

Chetco River, Oreg.; House Document No. 817, Seventy-seventh Congress;

Coquille River, Oreg.; House Document No. 672, Seventy-sixth Congress;

Umpqua Harbor and River, Oreg.; Senate Document No. 86, Seventy-sixth Congress;

Umpqua River, Oreg.; Senate Document No. 191, Seventy-seventh Congress;

Yaquina Bay and Harbor, Oreg.; Senate Document No. 119, Seventy-seventh Congress;

Depoe Bay, Oreg.; House Document No. 350, Seventy-seventh Congress;

Salmon River, Oreg.; House Document No. 551, Seventy-sixth Congress;

That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $120,000, to be immediately available as an emergency fund to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers for repairing damage to and checking erosion on the Bayocean Peninsula, in Oregon, caused by a storm in January 1939, in order to provide adequate protection to property on such peninsula and in Tillamook, Oreg.;

Willamette River, Oreg.; The construction of the New Willamette Falls lock and navigation works in accordance with the plan submitted in House Document No. 544, Seventy-fifth Congress;

Snake River, Oreg., Wash., and Idaho: The construction of dams Nos. 1, 4, 7, and 10 and open channel improvement for purposes of navigation and irrigation in accordance with the plan submitted in House Document No. 704, Seventy-fifth Congress;

Columbia River at Bonneville, Oreg.: The Secretary of War is hereby authorized, under such terms and conditions as he may deem advisable, to acquire lands and provide facilities in the State of Oregon to replace Indian fishing grounds submerged or destroyed as a result of the construction of Bonneville Dam: *Provided*, That not to exceed $50,000 may be expended for this purpose from funds heretofore or hereafter appropriated for maintenance and improvement of existing river and harbor works: *Provided further*, That such lands and facilities shall be transferred to the Secretary of the Interior for the use and benefit of the Indians, and shall be subject to the same conditions, safeguards, and protections as the treaty fishing grounds submerged or destroyed;

Columbia River and tributaries above Celilo Falls to the mouth of Snake River, Oreg. and Wash.; Senate Document No. 28, Sixty-sixth Congress; and House Document No. 324, Seventy-seventh Congress;

Columbia River, Oreg. and Wash.: The construction of the Umatilla Dam for purposes of navigation, power development, and irrigation in accordance with the plan submitted in House Document No. 704, Seventy-fifth Congress;

Columbia River between Vancouver, Wash., and Bonneville, Oreg.; House Document No. 218, Seventy-sixth Congress;

Columbia and Willamette Rivers below Vancouver, Wash., and Portland, Oreg.; House Documents Nos. 341 and 630, Seventy-seventh Congress;

Baker Bay, Columbia River, Wash.; House Document No. 443, Seventy-sixth Congress;

Willapa River and Harbor, Wash.; House Document No. 481, Seventy-sixth Congress;

Quillayute River, Wash.; House Document No. 218, Seventy-eighth Congress;

Port Angeles Harbor, Wash.; House Document No. 331, Seventy-seventh Congress;

Olympia Harbor, Wash.; House Document No. 699, Seventy-sixth Congress;

Tacoma Harbor, Wash.; House Document No. 124, Seventy-sixth Congress;

Stillaguamish River, Wash.; House Document No. 286, Seventy-seventh Congress;

Lake Crockett, Wash.; House Document No. 303, Seventy-seventh Congress;

Metlakatla Harbor, Alaska; House Document No. 138, Seventy-sixth Congress;

Craig Harbor, Alaska: House Document No. 558, Seventy-sixth Congress;

Meyers Chuck Harbor, Alaska; House Document No. 222, Seventy-sixth Congress;

Wrangell Harbor, Alaska; House Document No. 284, Seventy-sixth Congress;

Wrangell Narrows, Alaska; House Document No. 260, Seventy-sixth Congress;

Skagway Harbor, Alaska; in accordance with the report of the Chief of Engineers dated April 11, 1942;

Petersburg Harbor, Alaska; House Document No. 670, Seventy-sixth Congress;

Port Alexander, Alaska; House Document No. 578, Seventy-sixth Congress;

Gastineau Channel, Alaska; House Document No. 325, Seventy-seventh Congress;

Elfin Cove, Alaska; House Document No. 579, Seventy-sixth Congress;

Seldovia Harbor, Alaska; House Document No. 702, Seventy-sixth Congress;

Keehi Lagoon, Oahu, T. H.; House Document No. 379, Seventy-seventh Congress;

Port Allen Harbor, T. H.; House Document No. 180, Seventy-seventh Congress;

Ponce Harbor, P. R.; in accordance with the report of the Chief of Engineers dated May 21, 1942; and

Fajardo Harbor, P. R.; House Document No. 280, Seventy-sixth Congress.

Mr. MANSFIELD of Texas. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore, Mr. SPARKMAN, having assumed the chair, Mr. COSTELLO, 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. 3961) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, had come to no resolution thereon.

PLACING POSTMASTERS ON AN ANNUAL SALARY BASIS

Mr. BURCH of Virginia, from the Committee on the Post Office and Post Roads, submitted a conference report and statement on the bill (H. R. 324) to place postmasters at fourth-class post offices on an annual salary basis and fix their rate of pay; and provide allowances for rent, fuel, light, and equipment, and fix the rates thereof, for printing in the RECORD.

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to include as part of my remarks made this afternoon an editorial from the New York Sun of Friday afternoon, March 17, entitled "What Will America Pay For?"

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

There was no objection.

PRODUCTION OF DOMESTIC RABBITS

Mr. BLAND. Mr. Speaker, I ask unanimous consent that the Committee on the Merchant Marine and Fisheries be discharged from further consideration of the bill (H. R. 4404) to transfer Government activities in connection with domestic rabbits to the Department of Agriculture, and that the same be rereferred to the Committee on Agriculture.

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

There was no objection.

EXTENSION OF REMARKS

Mr. BLAND. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MCCORMACK] may extend his remarks in the Appendix of the RECORD to include therein an article from the Boston Sunday Globe entitled "Some Social Gains in War."

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

There was no objection.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a radio address which I delivered last Tuesday evening.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that on Wednesday next and also on Thursday next, after the disposition of matters on the Speaker's table and after other special orders heretofore entered, I be permitted to address the House for 30 minutes on each day.

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

There was no objection.

EXTENSION OF REMARKS

Mr. WHITE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD, including therein certain excerpts.

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

There was no objection.

Mr. OUTLAND. Mr. Speaker, I ask unanimous consent to revise the remarks I made in Committee this afternoon, and to include therein a letter from the chairman of the City Planning Commission of Monterey.

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

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. OUTLAND] is recognized for 20 minutes.

THE CALIFORNIA PHYSICIANS' SERVICE

Mr. OUTLAND. Mr. Speaker, every Member of Congress has been deluged with communications relative to S. 1161, the Wagner-Murray-Dingell bill. It seems to me that thus far there has been a maximum of heat and a minimum of light shed on this whole problem of providing better medical care for the great mass of the American people. It is cer-

tainly true that there are segments of our population, especially in the middle-income brackets, and in rural areas, that do not have adequate medical and hospital care even in peacetime. Taking steps to provide such care is an important challenge to the American people and especially to the medical profession itself. Unfortunately, many well-meaning individuals who have seen this problem have advocated cures that do not consider some of the other elements in the situation. To me it is tremendously important to preserve the professional standards and practices in the field of medicine, standards and practices which have been built up over a great many years. Moreover, any comprehensive program for medical improvement should be carried out with the active cooperation of the medical profession; it should not be something which is forcibly imposed upon them by legislative dictation. I am optimistic enough to believe that the great majority of American doctors are fully cognizant of the problem and that they are more than willing, yes, anxious to help solve it. Unfortunately, a few short-sighted ones have sometimes given a different impression. In harmony with this belief, I am further of the opinion that the leaders of the medical profession throughout the country should now be taking active steps to put forward a positive program of their own, a program that frankly acknowledges the difficulties to be met and as frankly sets forth, step by step, ways and means of meeting these problems that are in harmony with sound medical ethics.

In California we have been watching with a great deal of interest the development of a plan sponsored by the doctors themselves for the spreading of the cost of illness. We see in that plan a nucleus of a sound, fundamental method of allowing the middle-income worker to insure himself against the expenses of ill-health through an organization which the doctors themselves operate, which is organized not for profit, and which enables the common man to enjoy the best possible medical care at a fixed rate which he can prepay on a monthly basis.

I am referring to California Physicians' Service, which was established in the fall of 1939 and which has gradually been getting its feet on the ground since that time.

There are numerous such plans in many States and countries, plans which are operated by the doctors themselves through their local or State medical associations. We all know that none of these plans is perfect, that all of them have some drawbacks. They are not ideal, but they most certainly show the desire and the determination of many of the leaders of the medical profession to extend their services to the ordinary working man on a basis which he can afford. California Physicians' Service is such a plan and one which many people in California believe to be the best of the various plans already offered because it gives to its members probably the broadest coverage of any of the professional plans so far developed.

Mr. POULSON. Will the gentleman yield?

Mr. OUTLAND. I yield.

Mr. POULSON. I want to compliment my colleague from California, because we in California fully realize that the doctors there do realize the necessity for something to meet the need of proper medical care for low-income groups, and the idea which the gentleman undoubtedly is going to develop, and about which the gentleman is informing the Congress is a substitute which is a practical one for socialized medicine. The California Physicians' Service has been successful and will not destroy professional standards, nor will it destroy the one thing which is called the personal ability of the doctor, by regimenting him or discouraging any development of medical science. I think the gentleman should be complimented for bringing to the attention of the Congress a system which is definitely proving successful.

Mr. OUTLAND. I thank the gentleman. In many respects he has anticipated some of the points I was going to make.

Mr. HOLIFIELD. Will the gentleman yield?

Mr. OUTLAND. I yield to my distinguished friend from California.

Mr. HOLIFIELD. I, too, wish to compliment my colleague from California on his presentation of this service, which no doubt is not available in many of the States of our Nation. I feel that insofar as possible the doctors of California are trying to work out this problem that faces them both as to their profession and as to the needs of the people in the low-income groups in California. Furthermore, they are working it out in such an equitable way that it will not be a detriment to the professional standards and personal relationship between the private physician and his patient.

Mr. OUTLAND. The gentleman is correct. In other words, the plan, as it is being developed by the physicians in our State, is simply trying to accomplish two things at the same time. One, to take a great step forward in providing better medical care for the large masses of our people, and, second, to take that step in harmony with the best practices and traditions of the medical profession.

Mr. ROLPH. Mr. Speaker, will the gentleman yield?

Mr. OUTLAND. I yield.

Mr. ROLPH. I want to join with my colleagues from California in complimenting the gentleman on his very splendid address. The medical profession in San Francisco will be very much interested to hear about this praise of their efforts, and to learn of this discussion which the gentleman is bringing forth. I have received many communications from San Francisco expressing great interest in this question, and I think the gentleman is performing a splendid service in bringing it definitely before the Congress at this time.

Mr. OUTLAND. I thank the gentleman for his contribution.

If we look for a moment at what California Physicians' Service has already accomplished and at what has similarly been accomplished by similar plans in other States, we can readily see that the doctors have gone a long way in experimenting in the provision of high-grade medical care through prepayment plans. We can see a definite program for providing medical care for the great moderate-income group of our citizens and providing it on a budget basis which falls well within the means of this group. Further, we see a plan under which the type of medical care provided is the best that the medical profession has to offer to its patients, rich or poor.

No longer are the rich man and the extremely poor man the only ones who can receive the services of the best-qualified specialists. The school teacher, the policeman, the clerk, the truck driver, or any employed person in the same income group is allowed to choose his own doctor from a State-wide panel which includes the best medical practitioners in California. Once the employed person is a member of California Physicians' Service he has only to name his own doctor from more than 5,000 members and to go to that doctor for treatment when he needs it.

There have been criticisms voiced in various quarters that this plan and similar ones are caring for only a limited number of people and that the great bulk of the moderate-income workers of the country are not similarly provided for. It is true that the progress of California Physicians' Service has been relatively slow. And it is also true that only a small percentage of the employed persons in California are today covered by the California Physicians' Service program. But it is a step in the right direction—a big step.

On the other hand, let us look for a moment at the obstacles which the physicians of California had to overcome in bringing their service plan to its present stage of development. First of all, let us not lose sight of the fact that this has been a pioneer movement. There have been no statistics, no actuarial data, for the physicians to rely upon. There has been no experience of earlier programs to furnish a guide to the doctors of California. Each step has had to be taken on the best possible estimate of the consequencies. When a full coverage medical-care service was offered to employed persons who knew how many of those enrolled in the plan would visit the doctor each month and require service? Would it be 10 out of every 100, or would it be 50? No one had the answer to that question. No one had ever been offered such a service.

That and hundreds of similar questions have had to be answered by California Physicians' Service on the basis of their own experience in the last 4 years. It is no more than natural that the answers to these questions are evolving slowly. Meanwhile, the doctors who are members of the service are paying the cost of this experimentation. In my opinion, we cannot blame these doctors if they are reluctant to extend their experiments beyond reasonable financial bounds until such a time as they may be

more certain of the ultimate effects of their program.

The doctors of California do not have unlimited resources, and they must necessarily proceed carefully in order not to bankrupt themselves. An error of a few cents a month in dues charged the individual subscribers can result in the loss of millions of dollars in the aggregate. As it is, the earlier experimental stages of California Physicians' Service have already cost the doctors of California more than $1,350,000 in reduced fees for service. When the income for the service was insufficient to pay for medical bills, the doctors voluntarily took half pay so that the plan could survive and grow. They have done this as a means of developing a program which will serve the citizens of California and which may well be used for the service of the citizens of any and all States.

Mr. JUDD. Will the gentleman yield?

Mr. OUTLAND. I yield to the gentleman, who is himself a distinguished member of the medical profession.

Mr. JUDD. I want to commend the gentleman for bringing this matter before Congress. I want to commend the doctors of his State for approaching the problem in such a practical way. There are very few physicians who are at all progressive, who will deny that there is maldistribution of medical care. We have two problems. One, the best grade of medical care; and second, the more equitable distribution to the people, not on the basis of where the money is greatest, but on the basis of where the need is greatest. The easiest way to solve the problem is to run to Washington and get a blueprint that will answer the question. I am convinced that this is like a pilot plant in a new industry. The doctors in your State are blazing the trail by sitting down and taking the losses, if necessary, and planning on the basis of trial and error, a program that will preserve the splendid things in the American system of medical practice, which has given a majority of the people better medical care than any other system in the world, and yet will permit them the growth necessary to meet modern urban civilization and modern industrial civilization. I think all the doctors in the country, as well as the common people, are watching with great interest this experiment in California, and those in other States, including my own State, are learning from it. My own State led the Nation. It tried a whole series of programs or plans. A few counties here, a few counties there tried another plan, and another few counties tried a third plan. I think this one that has been worked out in California and another one in Michigan have been more satisfactory. I appreciate the gentleman's interest in this subject, which is very close to my heart.

Mr. OUTLAND. I thank the gentleman very much. The subject is one that is very close to me personally, as well as being one of the greatest importance to the people of our own State. I thank the gentleman on behalf of our California doctors for his complimentary remarks. I know they are well deserved.

These contributions by the doctors are still mounting, month by month. In my opinion, the doctors of California are doing a noteworthy piece of work in developing a comprehensive program of medical care which is saving the American public millions of dollars in experimental costs.

With the background of information already gained by California Physicians' Service and by similar plans in other States, it is evident that we may look forward to a much more widespread development of health insurance in the near future. It is certain also that when a final plan is fully worked out it will contain the necessary physician-patient relationship, without the interference of an intermediary third party. This is true today of California Physicians' Service.

We all know how the cost of medical care has been placed on a budget basis by the hospitals. By grouping themselves together and forming nonprofit insurance companies, the hospitals have been able to offer the public a prepayment plan for meeting hospital costs. Today there are hundreds of plans in operation throughout the country, under the banner of the Blue Cross and similar national organizations. They offer hospital service in any one of thousands of member hospitals, here or anywhere in the world, at a cost to the subscriber of from 60 to 90 cents a month. Here is a budget plan which has been worked out by the medical and hospital groups themselves and which today is a going business, serving more than 12,000,000 subscribers in every State in the Union.

These hospital plans point the way to a further development of medical-care plans. The doctors of the country have been intimately associated with the growth of the hospital plans, and in many cases the doctors have joined forces with the hospitals in providing both hospital and medical care for subscribers.

In California there has been another development which is worthy of note. We have seen California Physicians' Service make contracts with the Federal Government for the care of thousands of persons who are, directly or indirectly, charges of the Government. The first development of this type was among the low-income farm families who were borrowers from the Farm Security Administration. California Physicians' Service provided a plan whereby these farm families could obtain, at a nominal monthly cost, a complete medical and hospital care service. This service has been acknowledged as having maintained the health of these farm families at such a high level that vital farm production has been continued practically without interruption by illness.

More recently California Physicians' Service has entered into contracts with Government housing authorities in half a dozen California cities. In these war-disrupted areas, this service has established medical centers where early and complete diagnosis of illness has been possible and where the resident families have been able to obtain medical care which otherwise would have been denied them because of the boom-town nature of the communities. More than 50,000 of our essential war workers are today being provided with the best medical care under this program. The war workers are happy about it; the doctors are cooperating in it; the Nation's war effort is being well served by it.

It will be noticed that I have not mentioned the Wagner-Murray-Dingell bill. I have purposely refrained from going into that piece of legislation at this time. I have no doubt that after hearings have been held there will be ample opportunity for discussion in both Houses. In the meantime, I have tried to bring out some of the advantages of what to me is one of the longest steps forward in the direction of achieving what we all desire—better medical care for the American people.

It so happens that I was a member of the California Physicians' Service for a considerable period of time. I have had intimate knowledge of its operations and have seen what it has accomplished for many of its beneficiary members. On the basis of my knowledge of this organization and with confidence in the integrity and leadership of the medical profession of this country, I believe that the doctors of this land should lead the way in providing prepaid medical care for our citizens.

MRS. MARIA VIRTUDES TORRES STEERE

Mr. ROGERS of California. Mr. Speaker, I ask unanimous consent to restore to the Private Calendar, H. R. 1715, a bill in behalf of Mrs. Maria Virtudes Torres Steere. I have spoken to the objectors and they have no objection to this request.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. ROGERS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein an article on Jewish war veterans.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BATES of Massachusetts, indefinitely, on account of death in the family.

To Mr. LARCADE, for this week, on account of official business.

BILLS PRESENTED TO THE PRESIDENT

Mr. KLEIN, from the Committee on Enrolled Bills, reported that that committee did, on March 17, 1944, present to the President, for his approval, bills of the House of the following titles:

H. R. 929. An act for the relief of Irving L. Jones;

H. R. 1062. An act for the relief of the estate of John H. Cathcart;

H. R. 1201. An act to permit prosecutions after the lapse of a temporary statute for offenses committed prior to its expiration;

H. R. 1273. An act for the relief of the heirs of Simon M. Myhre;

H. R. 1469. An act for the relief of Robert Beckwith, Julius Buettner, and Emma M. Buettner;

H. R. 1488. An act to provide a right-of-way for an oil pipe line over the Ogden Ordnance Depot Military Reservation;

H. R. 1518. An act for the relief of Mrs. Bessie Pike and Mrs. Estelle Rosenfeld;

H. R. 1847. An act for the relief of the legal guardian of Richard Zielinski, a minor;

H. R. 2091. An act for the relief of Mrs. Gladys M. Greenleaf and the estate of Ralph Alton Greenleaf, deceased;

H. R. 2183. An act for the relief of Mathilde B. Meister;

H. R. 2189. An act for the relief of Kenneth E. Shepard;

H. R. 2385. An act for the relief of Nadine Gorman;

H. R. 2419. An act to change the name of "laborer" in the Postal Service to that of "mail handler";

H. R. 2440. An act for the relief of Mrs. Priscilla B. McCarthy;

H. R. 2459. An act for the relief of the legal guardian of Carl Oplinger, City Hospital, of Akron, Ohio, and to Dr. Walter A. Hoyt;

H. R. 2772. An act for the relief of Edwin Foley;

H. R. 2875. An act for the relief of Adelard Demers;

H. R. 2880. An act for the relief of H. G. Tooley;

H. R. 2956. An act for the protection of the water supply of the city of Sitka, Alaska;

H. R. 2993. An act for the relief of John W. Booth III;

H. R. 2999. An act for the relief of Leo Gullo;

H. R. 3139. An act for the relief of Henry Grossi;

H. R. 3173. An act for the relief of the legal guardian of Lorraine Novak, a minor;

H. R. 3195. An act for the relief of Willard Kerr, Jr.;

H. R. 3371. An act for the relief of the dependents of Dr. Arthur B. Wyse, and others;

H. R. 3387. An act for the relief of Lt. Col. Jason McVay Austin;

H. R. 3547. An act for the relief of Carl F. Wilson;

H. R. 3618. An act to authorize the War Food Administrator to sell and convey to Mrs. Andrew J. Frey, and her heirs, a certain tract of land, situated in the county of San Joaquin, State of California, and for other purposes;

H. R. 3701. An act for the relief of Clinton A. Clauson; and

H. R. 3763. An act to relieve former postal employees who performed postal duties after induction into the military service.

ADJOURNMENT

Mr. PETERSON of Georgia. Mr. Speaker, I move the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 4 minutes p. m.) the House adjourned until tomorrow, Tuesday, March 21, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON ROADS

Hearings will be continued on H. R. 2426 in the Roads Committee room, 1011 New House Office Building, at 10 a. m., Tuesday, March 21, 1944.

COMMITTEE ON RIVERS AND HARBORS

The Committee on Rivers and Harbors will continue its hearings on House Joint Resolution 148 (joint resolution to permit the diversion of waters from Lake Michigan to safeguard the public health) on March 22, 1944, at 10:30 a. m.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Subcommittee on Shipyard Profits will meet in open hearing on Wednesday, March 22, 1944, at 10:30 a. m.

COMMITTEE ON PATENTS

The Committee on Patents will hold an executive meeting on Thursday, March 23, 1944, at 10:30 a. m., to further consider H. R. 2994.

EXECUTIVE COMMUNICATIONS, ETC.

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

1306. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to provide for the future status of certain functions and personnel transferred to the United States Coast Guard, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

1307. A communication from the President of the United States, transmitting a proposed provision pertaining to the Smaller War Plants Corporation for the fiscal year 1945, limiting the amount that may be expended from their corporate funds for administrative expenses to $10,448,536 (H. Doc. No. 503); to the Committee on Appropriations and ordered to be printed.

1308. A letter from the Secretary of the Treasury, transmitting the annual report for the fiscal year ending June 30, 1943, of the exchange stabilization fund created by section 10 (b) of the act, including a summary of operations of the fund from its establishment to June 30, 1943; pursuant to section 10 (a) of the Gold Reserve Act of 1934, approved January 30, 1934, as amended by the act of April 29, 1943; to the Committee on Coinage, Weights, and Measures.

1309. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill to provide for lump-sum payment of compensation for accumulated annual leave and current accrued annual leave to certain officers and employees, and authorizing the appropriation of funds for that purpose; to the Committee on the Civil Service.

1310. A letter from the Acting President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to amend section 16 of the act entitled "An act to amend the act entitled 'An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia,' approved June 20, 1906, as amended, and for other purposes," approved June 4, 1924; to the Committee on the District of Columbia.

1311. A letter from the Secretary of War, transmitting a draft of a proposed bill to amend that portion of the act approved June 30, 1906 (34 Stat. 697, 750), authorizing the settlement of accounts of deceased officers and enlisted men of the Army; to the Committee on Military Affairs.

1312. A letter from the First Assistant Secretary of the Interior, transmitting copies of letters to the Bureau of the Budget requesting changes in personnel ceilings for the quarter ending March 31, 1944, for the following bureaus and offices of this Department: Government in the Territories, United States Board on Geographical Names, and Solid Fuels Administration for War; to the Committee on the Civil Service.

1313. A letter from the Attorney General, transmitting a report stating all of the facts and pertinent provisions of law in the cases of 131 individuals whose deportation has been suspended for more than 6 months under the authority vested in him, together with a statement of the reason for such suspension; to the Committee on Immigration and Naturalization.

1314. A letter from the Administrator, National Gallery of Art, Smithsonian Institution, transmitting a copy of the report Quarterly Estimate of Personnel Requirements; to the Committee on the Civil Service.

1315. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 13, 1943, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of Kentucky River and its tributaries, Kentucky, for flood-control and other purposes, authorized by the Flood Control Act approved on August 11, 1939 (H. Doc. No. 504); to the Committee on Flood Control and ordered to be printed, with two illustrations.

1316. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 13, 1943, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of Pajaro River, Calif., authorized by the Flood Control Acts approved on June 22, 1936, and August 28, 1937 (H. Doc. No. 505); to the Committee on Flood Control and ordered to be printed, with two illustrations.

1317. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 14, 1943, submitting a report, together with accompanying papers and illustrations, on a review of report on Kanawha River Basin, with a view to flood control on Chestnut Creek, Va., requested by a resolution of the Committee on Flood Control, House of Representatives, adopted on November 19, 1940 (H. Doc. No. 506); to the Committee on Flood Control and ordered to be printed, with two illustrations.

1318. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 24, 1944, submitting an interim report, together with accompanying papers and illustrations, on a survey of Turtle Creek, Pa., made under the provisions of the River and Harbor Act approved on January 21, 1927, which authorizes a survey of the Monongahela River and tributaries (H. Doc. No. 507); to the Committee on Flood Control and ordered to be printed, with two illustrations.

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. PETERSON of Florida: Committee on the Public Lands. S. 866. An act to fix the compensation of registers of the district land offices in accordance with the Classification Act of 1923, as amended; without amendment (Rept. No. 1264). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLOOM: Committee on Foreign Affairs. House Resolution 221. Resolution favoring action looking to relief for starving peoples of Europe; without amendment (Rept. No. 1265). Referred to the House Calendar.

Mr. MAY: Committee on Military Affairs. H. R. 3022. A bill to provide authority to the Secretary of War to use funds now or hereafter appropriated for adjustment of contracts, and for other purposes; with amendment (Rept. No. 1268). 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. MASON: Committee on Immigration and Naturalization. H. R. 4433. A bill for the relief of sundry aliens; without amendment (Rept. No. 1267). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 1715. A bill for the relief of Mrs. Maria Virtudes Torres Steere; with amendment (Rept. No. 1270). 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. FULMER:

H. R. 4426. A bill to amend the Federal Crop Insurance Act; to the Committee on Agriculture.

By Mr. ANDERSON of California:

H. R. 4427. A bill to authorize a preliminary examination and survey to be made of the Pajaro River and its tributaries, and for other purposes; to the Committee on Flood Control.

By Mr. CANNON of Missouri:

H. R. 4428. A bill to restore standard time during the months of January, February, November, and December; to the Committee on Interstate and Foreign Commerce.

By Mr. DWORSHAK:

H. R. 4429. A bill authorizing the mixed bands of Bannocks and Shoshones of the Shoshone Nation of Indians to sue in the Court of Claims; to the Committee on Indian Affairs.

By Mr. ELLIOTT:

H. R. 4430. A bill to provide for the acquisition and maintenance of a home for Capitol pages; to the Committee on Public Buildings and Grounds.

By Mr. PETERSON of Florida:

H. R. 4431. A bill to amend the act entitled "An act granting pensions and increases of pensions to certain soldiers, sailors, and nurses of the War with Spain, the Philippine Insurrection, or the China Relief Expedition, and for other purposes," approved May 24, 1938; to the Committee on Pensions.

By Mr. SPRINGER:

H. R. 4432. A bill to amend section 14 (a) of Public Law No. 144, Seventy-eighth Congress, chapter 233, first session, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. STARNES of Alabama:

H. R. 4434. A bill to provide for the payment of accumulative or accrued leave to certain members of the military and naval forces of the United States who enter or reenter civilian employment of the United States, its Territories or possessions, or the District of Columbia, before the expiration of such leave; to the Committee on the Civil Service.

By Mr. SPARKMAN:

H. J. Res. 255. Joint resolution to amend section 1 of Public Resolution 126, Seventy-first Congress, approved March 2, 1931; to the Committee on Printing.

By Mrs. LUCE:

H. Res. 476. Resolution to investigate the status of the Negro and other minority groups in the armed services and in affiliated auxiliary military organizations for women; to the Committee on Rules.

H. Res. 477. Resolution providing for the expense of the investigation authorized by House Resolution 476; to the Committee on Accounts.

By Mr. HOFFMAN:

H. Res. 478. Resolution declaring policy for National War Labor Board; to the Committee on Labor.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. FULLER:

H. R. 4435. A bill for the relief of J. E. Harroun & Son, Inc.; to the Committee on Claims.

By Mr. FITZPATRICK:

H. R. 4436. A bill for the relief of William Milton Hecht; to the Committee on Claims.

By Mr. LAMBERTSON:

H. R. 4437. A bill for the relief of Edward Lawrence Kunze; to the Committee on Claims.

By Mr. ROLPH:

H. R. 4438. A bill granting a pension to Pablo Billi; to the Committee on Pensions.

By Mrs. ROGERS of Massachusetts:

H. R. 4439. A bill for the relief of Dennis C. O'Connell; to the Committee on Claims.

By Mr. STEVENSON:

H. R. 4440. A bill for the relief of Edith Bock; to the Committee on Claims.

By Mr. SAUTHOFF:

H. R. 4441. A bill for the relief of estate of Mary Alice Borden; to the Committee on Claims.

By Mr. MOTT:

H. R. 4442. A bill for the relief of Albert B. Weaver; to the Committee on Claims.

PETITIONS, ETC.

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

5269. By Mr. CANFIELD: Petition of 28 residents of the Eighth New Jersey Congressional District, endorsing House Resolutions 418 and 419; to the Committee on Foreign Affairs.

5270. By Mr. FITZPATRICK: Petition of about 150 residents of the Twenty-fourth Congressional District, New York, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

5271. By Mr. FULMER: Concurrent resolution submitted by Inez Watson, clerk, house of representatives, Columbia, S. C., protesting against the recent change made by the Selective Service Authority in changing the number of units that a farmer must produce in order to defer a farm worker; to the Committee on Military Affairs.

5272. Also, concurrent resolution submitted by James H. Fowles, clerk, the senate, Columbia, S. C., requesting the South Carolina Members of Congress to support an amendment to the Social Security Act permitting the inclusion of public employees in the old-age and survivors insurance; to the Committee on Ways and Means.

5273. By Mr. HALE: Petition of 40 residents of Lebanon, Maine, favoring the enactment of House bill 2082 in order that there may be greater efficiency and less absenteeism in defense plants, and that men in training camps may be better protected from the effects of alcoholic liquors; to the Committee on the Judiciary.

5274. By Mr. HOLMES of Washington: Petition of 51 members of the sixth district of the Washington State Nurses' Association, of Yakima, Wash., urging favorable action on House bill 3761, a bill to establish a nurse corps in the Medical Department of the Army and authorizing the appointment of officers as nurses in the Army of the United States under the act of September 22, 1941 (55 Stat. 728), and assignment to the Army Nurse Corps, and so forth; to the Committee on Military Affairs.

5275. By Mr. KEARNEY: Petitions containing the signatures of 55 citizens of the Thirtieth Congressional District of the State of New York, protesting against the enactment by Congress of any and all prohibition legislation; to the Committee on the Judiciary.

5276. Also, petition containing the signatures of 282 citizens of the Thirtieth Congressional District, State of New York, protesting against the enactment by Congress of any prohibition legislation; to the Committee on the Judiciary.

5277. By Mr. MERROW: Resolution from the directors of the Portsmouth (N. H.) Chamber of Commerce, opposing bills pending in Congress which would tend to harm the existing over-all equality of freight rates in the Nation, or remove sovereignty over freight rates from the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

5278. By Mr. PLUMLEY: Petition of some 48 citizens of East Craftsbury, Vt., and vicinity, and some 66 residents of Rutland, Vt., favoring the passage of the Bryson bill (H. R. 2082) to prohibit the whole beverage liquor traffic in this country for the duration of the war; to the Committee on the Judiciary.

5279. By Mr. ROLPH: Petition of the United Automobile Workers of America, No. 271, of San Francisco, endorsing the Scanlon Resolution 198; to the Committee on the Civil Service.

5280. Also, petition of the San Francisco Post Office Clerks' Union, Local No. 2, requesting that one of the new Liberty ships be named in honor of Thomas F. Flaherty; to the Committee on the Merchant Marine and Fisheries.

5281. Also, petition of the Jewish Mothers Alliance of San Francisco, urging abrogation of Chamberlain white paper; to the Committee on Foreign Affairs.

5282. Also, resolution of the Pacific Coast Garment Manufacturers, regarding the price-control resolution as a definite check to inflation; to the Committee on Banking and Currency.

5283. By Mr. WOLFENDEN of Pennsylvania: Petition of Arthur Parker and 810 other residents of Delaware County, Pa., and vicinity, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

5284. By the SPEAKER: Petition of the United Steelworkers of America, Local 1299, Congress of Industrial Organizations, River Rouge, Mich., petitioning consideration of their resolution with reference to the soldier vote bill; to the Committee on the Election of President, Vice President, and Representatives in Congress.

5285. Also, petition of the office of the city clerk, Cambridge, Mass., petitioning consideration of their resolution with reference to readjustment of war damage insurance premium rates; to the Committee on Ways and Means.

5286. Also, petition of Bryson, petitioning consideration of the resolution with reference to permitting the inclusion of public employees in the old-age and survivors insurance; to the Committee on Ways and Means.

5287. Also, petition from Charlotte Amalie, Virgin Islands, petitioning consideration of the resolution with reference to House Resolution 419; to the Committee on Foreign Affairs.