practice law in the District of Columbia; to the Committee on the District of Columbia.

By Mr. DINGELL:

H. R. 5227 (by request). A bill to amend the Social Security Act, as amended, to provide a national program for war mobilization and reconversion, and for other purposes; to the Committee on Ways and Means.

By Mr. KEFAUVER:

H. R. 5232. A bill to transfer jurisdiction over the Chattanooga National Cemetery, Chattanooga, Tenn., from the Department of the Interior to the War Department, and for other purposes; to the Committee on the Public Lands.

By Mr. REECE of Tennessee:

H. R. 5233. A bill amending paragraph 16, schedule A, of the Securities Act of 1933; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BARRY:

H. R. 5228 (by request). A bill for the relief of Daniel J. Weiner; to the Committee on Claims.

By Mr. DICKSTEIN:

H. R. 5229. A bill for the relief of Joseph Arens and David Arens, of New York City, doing business under the name of Dee Jay Hat Co.; to the Committee on Claims.

By Mr. KNUTSON:

H. R. 5230. A bill for the relief of the village of Cold Spring, Minn.; to the Committee on Claims.

By Mr. SASSCER:

H. R. 5231. A bill for the relief of Clarence W. Holmes; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII,

6027. Mr. WEAVER presented a petition of E. C. Waller and sundry other citizens of Buncombe County, N. C., in support of the Bryson bill, H. R. 2082, which was referred to the Committee on the Judiciary.

SENATE

WEDNESDAY, AUGUST 23, 1944

(Legislative day of Tuesday, August 15, 1944)

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

Rev. Joseph E. Gedra, assistant pastor, Immaculate Conception Church, Washington, D. C., offered the following prayer:

In the name of the Father, and of the Son, and of the Holy Ghost. Amen.

Most gracious Lord and Father in Heaven, we raise our minds and hearts to Thee in humble prayer to ask for a share in the splendor of Thy wisdom.

As we stand here in the Capitol of our Nation, it is our duty to take counsel for our people. They are Thine, and we are Thine, and we believe that it is by Thy providence we are chosen to deliberate for their welfare.

This is a time when the greatness of our human needs seems to transcend the powers of our human minds to understand and our capabilities to cope with them. Therefore, give us light, O Lord, that we may see Thy way of bringing to our fellow citizens not only the enjoyment of all earthly gifts but also the recognition of Thy loving bounty as the source of these gifts: For "Not in bread alone doth man live, but in every word that proceedeth from the mouth of God." (Matthew iv : 4.)

But let us, before all, remember that both we and our brethren should find in union with Thee our greatest happiness and our highest purpose. Therefore, in Thy loving kindness grant that our service may help our countrymen and all the world to realize this best and highest purpose, that we may know strength and victory and peace and justice here on earth, and that both on earth and in heaven in Thy light we may see light. This we ask, O God, in the name of Jesus Christ, our Lord and Redeemer. Amen.

THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, August 22, 1944, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 3704. An act to amend the Coast Guard Auxiliary and Reserve Act of 1941, as amended; and

H. R. 5125. An act to provide for the disposal of surplus Government property and plants, and for other purposes.

CALL OF THE ROLL

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	Green	O'Mahoney
Andrews	Guffey	Overton
Austin	Gurney	Pepper
Bankhead	Hatch	Radcliffe
Brewster	Hawkes	Robertson
Bridges	Hayden	Scrugham
Burton	Hill	Shipstead
Byrd	Jackson	Stewart
Capper	Johnson, Calif.	Taft
Caraway	Johnson, Colo.	Thomas, Okla.
Chandler	Kilgore	Thomas, Utah
Chavez	La Follette	Tobey
Connally	Langer	Tunnell
Cordon	McClellan	Tydings
Danaher	McFarland	Vandenberg
Davis	McKellar	Wagner
Downey	Maloney	Walsh, N. J.
Eastland	Mead	Weeks
Ellender	Millikin	Wherry
Ferguson	Moore	White
George	O'Daniel	Wiley

Mr. HILL. I announce that the Senator from Mississippi [Mr. BILBO], the Senator from Washington [Mr. BONE], and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senator from Kentucky [Mr. BARKLEY] is absent because of illness in his family.

The Senators from North Carolina [Mr. BAILEY and Mr. REYNOLDS], the Senator from Idaho [Mr. CLARK], the Senator from Missouri [Mr. CLARK], the Senator from Iowa [Mr. GILLETTE], the Senator from Georgia [Mr. RUSSELL], the Senator from South Carolina [Mr. SMITH], the Senator from Missouri [Mr. TRUMAN], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

The Senator from Illinois [Mr. LUCAS], the Senator from South Carolina [Mr. MAYBANK], the Senator from Nevada [Mr. MCCARRAN], the Senator from Utah [Mr. MURDOCK], the Senator from Montana [Mr. MURRAY], the Senator from Washington [Mr. WALLGREN], and the Senator from Massachusetts [Mr. WALSH] are detained on public business.

Mr. WHERRY. The following Senators are necessarily absent:

The Senator from Minnesota [Mr. BALL], the Senator from Illinois [Mr. BROOKS], the Senator from Delaware [Mr. BUCK], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Nebraska [Mr. BUTLER], the Senator from Oregon [Mr. HOLMAN], the Senator from North Dakota [Mr. NYE], the Senator from Kansas [Mr. REED], the Senator from West Virginia [Mr. REVERCOMB], the Senator from Idaho [Mr. THOMAS], the Senator from Indiana [Mr. WILLIS], and the Senator from Iowa [Mr. WILSON].

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

DISPOSAL OF SURPLUS GOVERNMENT PROPERTY—HOUSE BILL ORDERED TO LIE ON THE TABLE

Mr. HILL. Mr. President, I ask that House bill 5125, which has just come to the Senate, may be printed and lie on the table.

There being no objection, the bill (H. R. 5125) to provide for the disposal of surplus Government property and plants, and for other purposes, was read twice by its title, ordered to be printed and to lie on the table.

SIXTEENTH REPORT ON LEND-LEASE OPERATIONS

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read by the legislative clerk, and, with the accompanying report, referred to the Committee on Foreign Relations:

To the Congress of the United States of America:

Pursuant to law, I am submitting herewith the sixteenth report to Congress on lend-lease operations.

Lend-lease supplies and services provided to our allies in the 3 months ending June 30, 1944, amounted to $4,045,000,000 in value. In all, lend-lease aid has been provided in the amount of $28,270,000,000.

Three years ago the Axis aggressors were well along the road to domination of the world. The United States itself was in grave danger. Today the United

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Nations are moving relentlessly along the roads which lead to Berlin and Tokyo.

In the preparation and execution of the powerful offensives on which we are now jointly engaged with our allies, lend-lease has fulfilled its promise. Every day that the men of our Army and our Navy go into battle lend-lease is being effectively used in the common cause by the heroic men of the other United Nations. Through lend-lease, the full power of American production is being brought to bear against our common enemies by the millions of fighting men of our Allies. Through lend-lease, American weapons and other war supplies are being used by our Allies to destroy our enemies and hasten their defeat.

We should not permit any weakening of this system of combined war supply to delay final victory a single day or to cost unnecessarily the life of one American boy. Until the unconditional surrender of both Japan and Germany, we should continue the lend-lease program on whatever scale is necessary to make the combined striking power of all the United Nations against our enemies as overwhelming and as effective as we can make it.

We know now that by combining our power we can speed the day of certain victory. We know also that only by continuing our unity can we secure a just and durable peace.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *August 23, 1944.*

REPORTS OF THE CLAIMS COMMITTEE

The following reports of the Committee on Claims were submitted:

By Mr. ELLENDER:

S. 1732. A bill for the relief of Arthur M. Sellers; with an amendment (Rept. No. 1058);

S. 1766. A bill for the relief of C. C. Thornton; without amendment (Rept. No. 1062);

S. 1784. A bill for the relief of Leola Evans; with an amendment (Rept. No. 1059);

S. 1785. A bill for the relief of Alex Wylie; with an amendment (Rept. No. 1060);

S. 1869. A bill for the relief of Mrs. Mamie Dutch Vaughn; with an amendment (Rept. No. 1061); and

S. 2007. A bill for the relief of Lum Jacobs; with an amendment (Rept. No. 1063).

By Mr. WHERRY:

S. 1959. A bill for the relief of Mrs. Amy McKnight; without amendment (Rept. No. 1064); and

S. 2008. A bill for the relief of Herman Philyaw; with an amendment (Rept. No. 1065).

JOINT COMMITTEE ON THE ORGANIZATION OF THE CONGRESS

Mr. TYDINGS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate, I report favorably, without additional amendment Senate Concurrent Resolution 23, and ask unanimous consent for its present consideration.

The VICE PRESIDENT. The concurrent resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A concurrent resolution (S. Con. Res. 23) establishing a joint committee on the organization of the Congress.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. TYDINGS. Mr. President, the other day when this matter arose in connection with the call of the calendar, the Senator from Michigan [Mr. VANDENBERG], the Senator from Connecticut [Mr. MALONEY], the Senator from Kentucky [Mr. BARKLEY], and many other Senators spoke in favor of the concurrent resolution. The purpose of the concurrent resolution is to authorize an investigation. It was referred to the Committee to Audit and Control the Contingent Expenses of the Senate only because the rules of the Senate required it. The Senator from Connecticut is anxious to go to work on the investigation before the end of the year.

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

Mr. TYDINGS. I yield.

Mr. WHITE. I merely wish to identify the concurrent resolution. Is it the resolution of the Senator from Connecticut [Mr. MALONEY]?

Mr. TYDINGS. It is.

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

Mr. TYDINGS. I yield.

Mr. HILL. As I understand, it merely provides funds so that the Maloney resolution may become effective.

Mr. TYDINGS. That is correct.

The VICE PRESIDENT. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution, which had previously been reported from the Committee on Rules with amendments.

The VICE PRESIDENT. The clerk will state the amendments of the Committee on Rules.

The first amendment of the Committee on Rules was, on page 1, line 6, after the word "majority" to strike out "part" and insert "party."

The amendment was agreed to.

The next amendment was, on page 2, after line 4, to insert:

No recommendation shall be made by the committee except upon a majority vote of the Members representing each House, taken separately.

The amendment was agreed to.

The next amendment was, on page 2, line 23, after the word "Congress", to insert the following proviso: "*Provided,* That nothing in this concurrent resolution shall be construed to authorize the committee to recommend any amendment to or change in the parliamentary rules governing proceedings in either House."

The amendment was agreed to.

The next amendment was, on page 4, line 1, after the word "exceed", to insert "$10,000."

The amendment was agreed to.

The VICE PRESIDENT. That completes the committee amendments.

If there be no further amendments to be proposed, the question is on agreeing to the concurrent resolution as amended.

The concurrent resolution (S. Con. Res. 23) as amended was agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there is hereby established a Joint Committee on the Organization of the Congress (hereinafter referred to as the committee) to be composed of six Members of the Senate (not more than three of whom shall be members of the majority party) to be appointed by the President of the Senate, and six Members of the House of Representatives (not more than three of whom shall be members of the majority party) to be appointed by the Speaker of the House of Representatives. Vacancies in the membership of the committee shall not affect the power of the remaining members to execute the functions of the committee, and shall be filled in the same manner as in the case of the original selection. The committee shall select a chairman and a vice chairman from among its members. No recommendation shall be made by the committee except upon a majority vote of the Members representing each House, taken separately.

SEC. 2. The committee shall make a full and complete study of the organization and operation of the Congress of the United States and shall recommend improvements in such organization and operation with a view toward strengthening the Congress, simplifying its operations, improving its relationships with other branches of the United States Government and enabling it better to meet its responsibilities under the Constitution. This study shall include, but shall not be limited to, the organization and operation of each House of the Congress; the relationship between the two Houses; the relationships between the Congress and other branches of the Government; the employment and remuneration of personnel by the Members and the committees of the Congress; and the structure of, and the relationships between, the various standing special, and select committees of the Congress: *Provided,* That nothing in this concurrent resolution shall be construed to authorize the committee to recommend any amendment to or change in the parliamentary rules governing proceedings in either House.

SEC. 3. (a) The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Seventy-eighth Congress, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable, but the compensation so fixed shall not exceed the compensation prescribed under the Classification Act of 1923, as amended, for comparable duties. The committee may utilize such voluntary and uncompensated services as it deems necessary and is authorized to utilize the services, information, facilities, and personnel of the departments and agencies of the Government.

(c) The expenses of the committee, which shall not exceed $10,000, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives upon vouchers signed by the chairman.

(d) The committee shall report to the Senate and the House of Representatives the result of its study, together with its recommendations, within 6 months after the passage of this concurrent resolution and every 6 months thereafter until the completion of its study. If the Senate, the House of Representatives, or both, are in recess or have adjourned, the report shall be made to the Secretary of the Senate or the Clerk of the

House of Representatives, or both, as the case may be.

CHANGES OF REFERENCE

On motion by Mr. ELLENDER, the Committee on Claims was discharged from the further consideration of the bill (S. 1943) for the relief of the trust association of H. Kempner, and it was referred to the Committee on Finance.

Mr. TYDINGS. Mr. President, on August 15 the Senator from Ohio [Mr. TAFT] introduced Senate bill 2082, further amending section 5 (g) of the Reconstruction Finance Corporation Act, relating to the War Damage Corporation.

I spoke to the Parliamentarian, and because the bill seemed to deal with a domestic matter, it was referred to the Committee on Banking and Currency. As a matter of fact, it deals only with the Philippine Islands. The Senator from Ohio did not request that the bill be referred to the Committee on Banking and Currency. Obviously it has been misreferred. Inasmuch as the only subject matter in the bill is the Philippine Islands, I therefore ask unanimous consent that the Committee on Banking and Currency be discharged from the further consideration of the bill, and that it be referred to the Committee on Territories and Insular Affairs.

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

HOUSE BILL REFERRED

The bill (H. R. 3704) to amend the Coast Guard Auxiliary and Reserve Act of 1941, as amended, was read twice by its title and referred to the Committee on Commerce.

DISPOSAL OF SURPLUS GOVERNMENT PROPERTY—AMENDMENTS

Mr. AIKEN, Mr. ELLENDER, Mr. THOMAS of Oklahoma, Mr. WAGNER, Mr. McKELLAR (for himself, Mr. EASTLAND, and Mr. McFARLAND) each submitted an amendment, and Mr. LA FOLLETTE submitted several amendments, intended to be proposed by them, respectively, to the bill (S. 2065) to establish a Surplus War Property Administration; to provide for the proper disposal of surplus war property; and for other purposes, which were severally ordered to lie on the table and to be printed.

REVISED EDITION OF SENATE RULES AND MANUAL

Mr. BYRD submitted the following resolution (S. Res. 323), which was referred to the Committee on Printing:

Resolved, That the Committee on Rules be, and it is hereby, directed to prepare a revised edition of the Senate Rules and Manual for the use of the Seventy-ninth Congress, and that 1,500 additional copies shall be printed and bound, of which 1,000 copies shall be for the Senate, 200 copies for the use of the Committee on Rules, and the remaining 300 copies shall be bound in full morocco and tagged as to contents and delivered as may be directed by the committee.

ADDRESSES BY HON. CORDELL HULL, SIR ALEXANDER CADOGAN, AND AMBASSADOR ANDREI A. GROMYKO AT DUMBARTON OAKS CONFERENCE (S. DOC. NO. 231)

Mr. CONNALLY. Mr. President, yesterday there was some discussion on the floor of the Senate with relation to the notable conference which is now taking place at Dumbarton Oaks. Three very outstanding addresses were delivered at the opening of the conference on the 21st instant—one by our distinguished Secretary of State, Hon. Cordell Hull; another by Sir Alexander Cadogan, leader of the British delegation; and another by His Excellency, Ambassador Andrei A. Gromyko, leader of the Soviet delegation. I ask unanimous consent that these addresses may be printed in the body of the RECORD, and also that they be printed as a Senate document.

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

The addresses above referred to are as follows:

ADDRESS OF THE HONORABLE CORDELL HULL, SECRETARY OF STATE, AUGUST 21, 1944

On behalf of President Roosevelt and on my own behalf I welcome you to Washington. In the name of both of us I desire to offer some brief remarks on the opening of this important meeting.

The series of conversations which we initiate today marks another step toward establishing a lasting system of organized and peaceful relations among nations. We meet at a time when the war is moving toward an overwhelming triumph for the forces of freedom. It is our task here to help lay the foundations upon which, after victory, peace, freedom, and a growing prosperity may be built for generations to come.

The very character of this war moves us to search for an enduring peace—a peace founded upon justice and fair dealing for individuals and for nations. We have witnessed—and are witnessing today—the sweep of forces of savagery and barbarism of the kind that civilized men hoped and believed would not rise again. Armed with the weapons of modern science and technology and with equally powerful weapons of coercion and deceit, these forces almost succeeded in enslaving mankind because the peace-loving nations were disunited. During the years while these aggressors made their preparations for attack the peace-loving nations lacked both unity and strength because they lacked a vigilant realization of the perils which loomed before them. These forces of evil now face utter defeat, because at long last their intended victims attained the unity and armed power which are now bringing victory to us.

The lessons of earlier disunity and weakness should be indelibly stamped upon the minds and hearts of this generation and of generations to come. So should the lessons of unity and its resultant strength achieved by the United Nations in this war.

Unity for common action toward common good and against common peril is the sole effective method by which, in time of peace, the nations which love peace can assure for themselves security and orderly progress, with freedom and justice. In the face of what modern war means to the physical and moral being of man, the maintenance of such unity is a matter of the highest and most enlightened self-interest. In the final analysis it is, first and foremost, a thing of the spirit.

Peace, like liberty, requires constant devotion and ceaseless vigilance. It requires willingness to take positive steps toward its preservation. It requires constant cooperation among the nations and determination to live together as good neighbors in a world of good neighbors. Peace requires an acceptance of the idea that its maintenance is a common interest so precious and so overwhelmingly important that all differences and controversies among nations can and must be resolved by resort to pacific means.

But peace also requires institutions through which the will to peace can be translated into action. The devising of such institutions is a challenge to the wisdom and ingenuity of men and women everywhere. That is why the United Nations, in the midst of a relentless prosecution of the war, have been working together to create the institutional foundations for a just and enduring peace.

These foundations must support arrangements for peaceful settlement of international disputes and for the joint use of force, if necessary, to prevent or suppress threats to the peace or breaches of the peace. They must also support arrangements for promoting, by cooperative effort, the development of conditions of stability and well-being necessary for peaceful and friendly relations among nations and essential to the maintenance of security and peace. These are basic problems of international organization.

Substantial progress has already been achieved through the Food and Agriculture Conference, the Conference on Relief and Rehabilitation, and the Financial and Monetary Conference. These and other similar steps are indicative of the profound desire of the United Nations to act together for advancing the well-being of their peoples. They have been achieved by united effort of more than 40 nations, large and small.

The governments represented here are fully agreed in their conviction that the future maintenance of peace and security—the supreme objective of international cooperation—must be a joint task and a joint responsibility of all peace-loving nations, large and small. They solemnly proclaimed this conviction in a declaration of their foreign ministers at Moscow on October 30, 1943. It cannot be emphasized too often that the principle of the sovereign equality of all peace-loving states, irrespective of size and strength, as partners in a system of order under law, must constitute the foundation of any future international organization for the maintenance of peace and security.

In the Moscow Declaration each government also assumed its share of responsibility for leadership in bringing about the creation of an international organization for this purpose through joint action by all peace-loving nations. Success or failure of such an organization will depend upon the degree to which the participating nations are willing to exercise self-restraint and assume the responsibilities of joint action in support of the basic purposes of the organization. There must be agreement among all whereby each can play its part to the best mutual advantage and bear responsibility commensurate with its capacity.

It is generally agreed that any peace and security organization would surely fail unless backed by force to be used ultimately in case of failure of all other means for the maintenance of peace. That force must be available promptly, in adequate measure, and with certainty. The nations of the world should maintain, according to their capacities, sufficient forces available for joint action when necessary to prevent breaches of the peace.

For a long time before the Moscow Conference, and especially during the months which have elapsed since that conference, each of our governments has been making diligent preparations for an effort to reach the agreement to which I have just referred. We have committed our tentative thoughts to writing, and each of us has had an opportunity to study the results of the work done by the others. All this should make easier the task which is now before you of reaching a consensus of views which you can jointly recommend to your respective governments.

It is the intention of the Government of the United States that after similar consultations with the Government of China,

the conclusions reached will be communicated to the governments of all the United Nations and of other peace-loving nations.

It is our further thought that as soon as practicable, these conclusions will be made available to the peoples of our countries and of all countries for public study and debate. We are fully aware that no institution—especially when it is of as great importance as the one now in our thoughts—will endure unless there is behind it considered and complete popular support. The will to peace must spring from the hearts and minds of men and women everywhere, if it is to achieve enduring peace.

For us in the United States, it is as natural as it is desirable that we gather around a table with the representatives of other nations to devise means for maintaining peace and security. No passion runs deeper in the thoughts of the people of this country than the belief that all men should enjoy liberty under law. It has been our faith from the beginning of our Nation, it is our dream for the future, that every individual and every nation should attain freedom and the security to enjoy it. The people of this country are now united as never before in their determination that the tragedy which today is sweeping the earth shall not recur.

The people of all the United Nations are hoping and praying for the opportunity to build anew toward a system of decent and just relationships among nations. Their noblest capacities and their highest skills have been diverted from the creative pursuits of peace to the grim and terrible tasks of battle. They see the destruction of their homes and the resources of their lands. They will not be content with a precarious peace. Their sacrifices can only be rewarded by the fulfillment of their reasonable hopes.

It is the sacred duty of the governments of all peace-loving nations to make sure that international machinery is fashioned through which the peoples can build the peace they so deeply desire. The President is confident, and I share his view, that this thought will govern the deliberations which you are now undertaking.

ADDRESS OF SIR ALEXANDER CADOGAN, LEADER OF THE UNITED KINGDOM DELEGATION

The discussions which open today arise out of article 4 of the Declaration of Moscow, in the framing of which Mr. Hull played such a notable and prominent part. We have listened with admiration to the wise and powerful words with which he has initiated our labors, and we are, I know, all profoundly grateful to him for his indefatigable efforts in the cause of international understanding. Of him it may well be said that he embodies in his own thought and person the qualities which have been responsible for the creation and the development of the country which he represents.

To the Soviet Government, too, we all have reason to be grateful. It was, I think, on M. Molotov's initiative that the decision to hold these discussions was taken; and it was evident from their attitude at the time of the Moscow Conference that the Soviet Government attached the highest importance to the establishment of a system designed to prevent a recurrence of Nazi and Fascist aggression.

My Government, for their part, have from the outset favored such discussions as these and have done their best to facilitate them. We have expressed our provisional views in the papers which have been circulated, and are most happy to find that in the papers of all three Governments there is such a large measure of agreement.

There seems, in fact, to be a general will on the part of what are at present the three most powerful states in the world to achieve some kind of world organization and, what is more, to achieve it soon. That should itself be a good augury for the success of our labors.

Chinese statesmen also have declared their wish to join in the establishment of such an organization, and I am confident that the subsequent discussions with the Chinese delegation will show that there is a community of aim on the part of the most populous and ancient of our civilizations. We shall thus, I hope, be able to achieve agreement on principles between officials from states comprising about half the inhabitants of the globe, and from states, moreover, whose combined power and determination is now playing so prominent a part in overthrowing the sinister forces of evil, which only a few years ago came near to dominating all mankind.

The victory of the United Nations, whenever it comes, must be complete, the military defeat of the aggressors must be made clear beyond all doubt, and most of all to the German people themselves, and those responsible for the wanton outrages that have horrified the civilized world must receive their just retribution. On that basis we may hope to build more securely for the future. In 1919 there was a widespread feeling in many western countries that force was in itself an immoral thing; now there is a much more widespread conviction that it is only by the victors remaining both strong and united that peace can be preserved. We have, I believe, learned many salutary lessons during the last few years.

We are met here to plan a system which will enable individual nations to cooperate effectively for the common good. Individual nations, small and great, must be the basis of our new world organization; and our problem is to construct a machine which will give to each of them the responsibilities commensurate with its power. This is no light task, but it can be accomplished. No one wishes to impose some great power dictatorship on the rest of the world; but it is obvious that unless the great powers are united in aim and ready to assume and fulfill loyally their obligations, no machine for maintaining peace, however perfectly constructed, will in practice work. On the other hand, even Hitler has surely learned by now, what we have ourselves long known, that it is not by riding roughshod over the smaller powers that the vital interests of the larger can in the long run best be protected.

Another lesson I submit we may learn from experience is that we should not attempt too closely to define what is perhaps undefinable. As I have already said, no machine will work unless there is, at any rate on the part of the great powers, a will to work it; and equally even an imperfect machine may function satisfactorily provided such a will exists. We might do well, therefore, to concentrate on certain guiding principles and on certain basic institutions, rather than on a set of detailed regulations, which, however ingeniously drafted, will probably have to be revised in the light of subsequent experience.

Again, if there is a danger in excessive legalism, there is also a danger in believing, or at any rate in giving the impression, that because we may be able to agree, first as between ourselves and later as between all the United Nations, on some theoretically perfect organization for maintaining peace, peace will therefore indefinitely and automatically be maintained.

One other consideration I would put before you: We must remember that peace, in the negative sense of absence of war, is not enough. No world system can endure unless it permits of growth and unless it tends to promote the well-being of humanity as a whole. Hence, however, we may fit the various nonpolitical world organizations into our general system, we must attempt to discover means whereby the expanding force of modern scientific discoveries is turned into constructive rather than into destructive channels. For this reason we must arrange for at least a measure of coordination between the various functional organizations now created or to be created, and in some way gear them to our world international machine. All I would emphasize here is that we should always recognize that, if there is acute political instability, no economic or social organizations will function successfully, and, on the other hand, let us never forget that acute discomfort in the economic and social field will constantly hamper the smooth operation of the best political plans. In other words, freedom from fear and freedom from want must, so far as human agency can contrive it, move forward simultaneously.

In conclusion, I must for my part emphasize that the working party from the United Kingdom is recruited from the humble official level. From that it follows that, so far as we are concerned, these talks are necessarily exploratory and noncommittal. Within these limitations we will make the best contribution we can, and I can pledge every one of us to devote his best energies and such knowledge and experience as he possesses to the search for agreed recommendations for submission by our governments, if they approve them, to all the other United Nations. We may take comfort in the fact that, as will be seen from the memoranda already circulated there is already much common ground.

Let us also not forget the time factor. Events are moving fast and peace may come sooner than some expect. It would be folly to delay the construction of at least some framework of future international cooperation until the problems of peace confront us with all their insistency. Moreover, the time even of officials is limited. If therefore we are to establish the points on which there seems to be provisional agreement, we must work fast and well.

Much depends on our efforts, and some give and take will probably be required. Let us go forward with a full sense of our responsibilities, not only to our own nations, but to the world at large. Let us go forward above all with the determination to produce a scheme worthy of the men and women of the United Nations who are giving their all to make possible the construction of a better world.

ADDRESS OF HIS EXCELLENCY, AMBASSADOR ANDREI A. GROMYKO, LEADER OF THE SOVIET DELEGATION

The present meeting is the first meeting of exploratory discussions between representatives of the United States, Great Britain, and the Soviet Union on the establishment of an international security organization. I fully share the thoughts expressed by Secretary Hull in regard to the importance of the present discussions. The peoples of our countries are waging a life-and-death struggle against the worst enemy of humanity—Hitlerite Germany. This struggle has already cost our countries, as well as many other freedom-loving countries of the world, heavy human and material sacrifices. Waging a struggle for its freedom and independence, the peoples of our three great nations are also saving the freedom and independence of other freedom-loving peoples of the world. As a result of the combined efforts of the Allies, our common foe—Nazi Germany—is nearing its inevitable catastrophe. Our brave warriors are squeezing the enemy from the east, west and south. As a result of the latest offensive of the Red Army, military operations are already being carried to enemy soil. The time is not far off when the combined efforts of the freedom-loving countries of the world, and, first of all, the efforts of our nations, will bring a complete and decisive victory and will force Nazi Germany to her knees.

In view of the heavy destruction and countless sacrifices which the present war has brought to humanity, the freedom-loving peoples of the world are naturally looking for means to prevent repetition of a similar tragedy in the future. They have shed too much blood and made too many sacrifices to be indifferent to their future. That is why they are striving to establish an international organization which would be capable of preventing the repetition of a similar tragedy, and of guaranteeing for the peoples peace, security and prosperity in the future. Members of such an organization can be, as it is said in the Four Nations' Declaration signed at the Moscow Conference on October 3, 1943, all big and small freedom-loving countries of the world. All of us are glad that one of the distinguished participants of the Moscow Conference, Secretary Hull, is among us at the present meeting.

It goes without saying that in order to maintain peace and security it is not enough to have the mere desire to harness the aggressor and the desire to apply force against him if it should be demanded by circumstances. In order to guarantee peace and security it is absolutely necessary to have resources with the aid of which aggression could be prevented or suppressed and international order maintained.

In the light of the above, it becomes clear what responsibility falls to the nations, members of the future security organization, and especially to the nations which bear the main brunt of the present war, and which possess the necessary resources and power to maintain peace and security. That is why all those to whom freedom and independence are dear cannot but draw the conclusion that this freedom and independence can be preserved only if the future international security organization will, in the interests of the freedom-loving peoples of the world, use effectively all resources in possession of members of the organization and, first of all, the resources of such great nations as the Soviet Union, and United States and Great Britain.

The unity displayed by these countries in the present struggle against Hitlerite Germany and its vassals gives ground for certainty that after final victory is achieved these nations will cooperate in maintaining peace and security in the future as they are cooperating at the present time in saving humanity from enslavement by the Fascist barbarians. In this noble striving our countries naturally cannot but find support on the part of the other United Nations, big and small, which will be participants of the international security organization, which will be based on the principle of the sovereign equality of all freedom-loving countries and which will bear joint responsibility for the maintenance of peace.

The unity of the Allies displayed in the struggle against the common foe and their striving to maintain peace in the future is a guaranty that the present exploratory discussions will bring positive results. They are the first step leading to the erection of a building in the foundation of which all freedom-loving peoples of the world are interested—for an effective international organization on maintenance of peace and security.

In closing I consider it necessary to note the initiative taken by the Government of the United States in calling the present conference. The Soviet delegation is glad to begin discussions with the American delegation headed by Edward R. Stettinius, with whom I have had the pleasure since 1941 of meeting and discussing at different times various matters of mutual interest, and also with the British delegation headed by Sir Alexander Cadogan. I have no doubt that in the course of the present discussions the representatives of the three nations will conduct their work in a spirit of mutual understanding and in a friendly atmosphere which cannot but add to the successful outcome of the discussions.

TELEGRAM FROM THE PRESIDENT TO AMERICAN FEDERATION OF THE PHYSICALLY HANDICAPPED

Mr. HILL. Mr. President, there has come to my attention a telegram sent by President Roosevelt to Paul A. Strachan, president of the American Federation of the Physically Handicapped, during the second annual convention of that organization in this city which has just been concluded. The telegram speaks eloquently of the intensified problem of the physically handicapped in this tragic period, and applauds the effort Mr. Strachan and his group are making to have the problem considered intelligently and with thoroughness.

I should like to have the telegram printed in the CONGRESSIONAL RECORD, along with a copy of the report of the council of the American Federation of the Physically Handicapped, which was adopted by the convention which has just ended. I do this with particular pleasure because Mr. Strachan, before he became afflicted with his physical handicap, spent many years in my State and the other eight Southern States as representative of Loew's Theaters. He knows well our southern needs and difficulties. Also he has had the close collaboration of Representative ROBERT RAMSPECK in getting his worthy organization started. It was Representative RAMSPECK who helped steer House Resolution 230 to unanimous adoption by the House earlier this summer. That resolution, introduced by Representative AUGUSTINE B. KELLEY, of Pennsylvania, calls for a Nation-wide investigation by a House labor subcommittee of rehabilitation and reemployment work among the physically handicapped. The investigation will begin with its first public hearings next Tuesday, and should lead to much good for the physically handicapped and the Nation as a whole.

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

WASHINGTON, D. C., *August 21, 1944.*

PAUL A. STRACHAN,

President, American Federation of the Physically Handicapped, Inc., Washington, D. C.:

The value of the undertaking which you and your organization have started on behalf of the physically handicapped of our Nation can be very great. In this period of crisis in the world's history, when men have been forced to apply their intellects to the tragic science of human destruction, it is heartening to find a group like yours facing the future with determination to repair the ravages of that destruction.

In addition to the war injured and to the greatly increased number of workers injured in industry because of the vast war production effort, there are undoubtedly countless others in this critical period.

It is well that thoughtful people dedicate themselves to the purpose of transforming those handicaps as far as possible into means of returning the handicapped to useful and creative employment. I wish the Federation the success which its noble purpose merits.

FRANKLIN D. ROOSEVELT.

REPORT OF NATIONAL COUNCIL AMERICAN FEDERATION OF THE PHYSICALLY HANDICAPPED

To All Members and Friends of the American Federation of the Physically Handicapped:

DEAR FRIENDS AND FELLOW WORKERS: In rendering our report to the convention, we feel impelled to state that we are greatly moved with the significance of this, our second biennial convention.

As we look back in retrospect, over the past 2 years, we remind you, we have had a thorny path to travel; we have tackled almost insurmountable obstacles; we have done a great deal, we believe, to promote unity among the physically handicapped, so that each group has come to a fresh realization of the meaning of "all for one—one for all."

We believe we have played a fair part in speeding the war production effort as well, because in countless plants scattered across the country, the physically handicapped have performed a multitude of tasks—many of them hitherto not even considered to be within the capacity of our people to handle—and, they have done well.

The American Federation of the Physically Handicapped set an exceptionally high standard for itself in the very beginning. We demanded in the name of the 23,000,000 physically handicapped citizens of this Nation, a complete overhaul, renovation, extension, and expansion of all activities beneficial to the disabled.

We called upon the Federal Government; upon the States and municipalities, and upon private industry to make full utilization of the services of handicapped people, and to cease and desist discriminating unfairly against the handicapped in employment or in any other way.

We demanded specific remedies for specific problems—more and better schooling and training, all necessary medical and therapeutic treatment, including the use of prosthetic or orthopedic devices, hearing aids, eyeglasses, trusses, wheel chairs, or any other appliance which might enable the handicapped person to become more proficient physically and thus place him or her in position to be of use to the Nation as a worker and producer.

We called upon the Congress to enact various ameliorative laws. We urged that Congress itself thoroughly investigate the whole field of the handicapped and, upon finding the facts, make practical recommendations which would be enacted into law as an overall program for the handicapped.

We are proud to state that recognizing the justice of our claim, the House of Representatives authorized establishment of a House committee to investigate aid to the physically handicapped, and that committee is now functioning.

Many of our earlier suggestions have been adopted piecemeal, by various departments at interest. For example, more than 2 years ago we urgently demanded that there be a division for the physically handicapped set up in the offices of the United States Employment Service, throughout the United States. We believe we were the first organization to even suggest that. Today special service units for the physically handicapped are functioning in the several offices of the Employment Service, and others, no doubt, will be established from time to time. We are not wholly satisfied with the present set-up in that respect, because it is still based upon the flimsy structure of Executive order, rather than status law, and it is therefore still necessary for A. F. P. H. to continue the fight to imbed this proposal into law.

While the processes of rehabilitation during the past year in particular have been materially expedited by the Federal Government, there is still a vast and practically unexplored field.

While it is claimed that approximately 2,500,000 citizens have registered, awaiting, or participating in rehabilitation, we firmly believe that there should be at least three times that many apply, if the handicapped knew and understood that such benefits were available to them. It has been our experience that practically 80 percent of the people have no knowledge or understanding of laws now on the books in their interest. Therefore, Government and all public and private agencies must unite to carry on a perpetual education campaign, so that there will be greater comprehension of the meaning of rehabilitation, its application and necessity.

LEGISLATION

In the forthcoming hearings before the House Committee to Investigate Aid for the Physically Handicapped we shall, from time to time, present the case for the various groups—within our ranks—the blind, the deaf, the hard of hearing, the amputees, the spastics, cardiacs, tuberculars, polios, and others.

At this time we do not desire to reveal our program in detail, because circumstances over which we have no control might suddenly necessitate overnight changes. However, it will be our purpose to lay before that committee and other committees of the House and Senate our insistent demand for—

1. Establishment of a bureau for the physically handicapped, with appropriate divisions therein for each of the several handicapped groups—such bureau to be the base of an effort to consolidate and coordinate the many present far-flung agencies.

On this point we deplore the lack of coordinate effort now apparent among Federal, State, and private agencies. We insist that the problem of the handicapped is, basically, a Federal problem and must be dealt with by the Congress. No other means exists whereby order may replace national disorder, or where proper expansion may be applied when, as, and if needed in any region of the country.

2. We demand more and better facilities for handicapped children. We insist upon an immediate improvement in both Federal and State-supported schools. We demand an overhaul of teaching methods, and establishment of an up-to-date curriculum, supervised by the highest type of teachers available. It is a sad commentary upon the state of present affairs to relate that in many instances we have observed that States in particular have been remiss in their scrutiny of services to handicapped children, especially in relation to school set-ups. As such children already have two strikes on them, we insist that their development not be further retarded by being taught by second-rate teachers who are not—sad to relate—deemed of sufficient quality, in several instances, to teach in nonhandicapped schools. We insist that all handicapped children have made available to them, the best in teaching talent, and better than the present best in school facilities and equipment.

We also insist upon more and better children's clinics. Experience has proven that in many cases, if proper medical or other treatment is applied in time children may escape, in later life, total or partial disability resulting from congenital defect, disease, or injury. Prompt, efficient treatment in their cases is an absolute necessity.

3. We call upon the medical profession to inform the public as to why its members in their various organized groups throughout the country do not apprise, as a matter of policy, all agencies dealing with rehabilitation, of the names and addresses of those unfortunates with whom physicians and surgeons may come into contact, who are unable to pay for private treatment. We do not understand why this plan has not been adopted as a matter of national policy by the medical fraternity long ago. Assuredly, they would not stand to lose anything, because, if they determine that the individual requires treatments, operations, applications of artificial appliances, etc., and yet have not the money to pay for same, if the physicians are unable to handle such patients, the least they could do, it appears, would be to report all such cases to the Federal, State, or private agencies handling such matters. In our opinion, this must be done.

4. The blind. The incidence of blindness in the United States is approximately 2 per thousand of population, on the basis of the 1940 Census. Therefore, there are approximately 270,000 blind in the United States (based upon the accepted definition of 20/200 vision in the better eye, after correction, or more than 20/200, but with a field of vision of 20 degrees, or less).

There are less than 10,000 blind working at anything, but it is estimated that 20 to 25 percent could be employed. Fifty to sixty thousand could probably be employed. Fifteen percent, or 35,000 to 40,000 could be restored or partially restored to sight if there were adequate aid, and it is a national crime that such services are not available in every State and community in the United States of America, to provide for such restoration of sight. These are just a few of the problems which require immediate attention.

About 75,000 blind receive assistance under the Social Security Act, and at an average of a little over $25 per month. This is wholly inadequate, especially when small earnings are deducted, and thereby discourage recipients from any employment.

5. Workmen's compensation. We demand a complete over-haul of workmen's compensation and employers' liability laws and elimination, therein, of any clauses which may cause discrimination against employment of otherwise qualified but physically handicapped applicants for employment.

6. National, second injury law. We demand, as a part of the present Social Security Act, an adequate second injury law.

7. Revolving loan fund. We demand establishment in the proposed bureau for the physically handicapped wherein worthy, but disabled citizens who require prosthetic, or orthopedic appliances; hearing aids; eye glasses, wheel chairs, or other devices to enable them to become more proficient, physically, may borrow necessary funds, at no more than 2 percent interest per annum.

There are many cases where individuals do not desire to go through the usual extended processes of rehabilitation, but, simply require, for example, an artificial leg, or arm, a truss, a pair of eye glasses, a hearing aid, or some other device the application of which would enable them to perform useful labor and probably be wholly or partially self-sustaining. Such individuals, lacking funds at the time, are in the unhappy position of being unable to work, for lack of an appliance; and, lacking money to pay for such appliance, can't go to work. This is a vicious circle, which must be broken down by practical means, with loans being made available to all those who can show just cause.

Personal catastrophes of an individual are just as serious to that individual, as are major catastrophes to the mass of people. In short, if a man loses his leg, or arm, or suffers impairment of hearing, or sight, and so forth, that may affect his whole life and the lives of his family and dependents. The Federal Government has spent millions and millions of dollars to protect the health of cows, sheep, chickens, and so forth. It is entirely reasonable to ask that needy worthy individuals be enabled to help themselves, through a Federal loan for the purpose of securing artificial means of physical betterment.

8. Pensions for shut-ins. If, as estimated, there are approximately 3,000,000 so-called unemployable handicapped, commonly termed "shut-ins," then, as we all well know, many of these people are so afflicted that they are unable to move out of bed, or from wheel chairs. A great many of them are in dire need of food, clothing, and shelter, to say nothing of not having medical treatments, nor attendants to care for them in their helpless state. For such people, without means of self-support, A. F. P. H. demands a Federal pension of $60 per month, payable to any citizen furnishing proof of such incapacitating disability.

9. A National Employment of Handicapped Act. We demand that industry set up a permanent policy of employment of handicapped people. We suggest that, as a practical proposition, each industry, set aside, in its own group, at least 2 percent of all jobs, to be filled by qualified but physically handicapped people.

We predict if industry does not formulate and apply such a policy nationally, that inevitably there must be Federal legislation to bring it about, because the increased number of disabled will force such action.

The foregoing are specific examples of various parts of the A. F. P. H. program. Equally strong and pointed presentations will be made for each type of handicapped, according to their needs, including the deaf, hard of hearing, polios, TB's, etc.

POLITICAL ACTION

We call upon every individual handicapped citizen, as well as organized groups thereof, to immediately present to all candidates for public office the urgent demand that such candidates sponsor and support adequate national programs for the physically handicapped. If such candidates ignore these requests, or refuse to support such programs, then, as a matter of enlightened self-interest, the handicapped will be justified in refusing to support such candidates for election.

Questionnaires should be sent at once to all candidates, to quiz them as to their stand on the A. F. P. H. national program, enunciated hereinbefore.

AMERICAN FEDERATION OF THE PHYSICALLY HANDICAPPED AFFAIRS

As we survey the inner workings of our federation, we well realize it requires many additions, in order to afford proper service to its members, and other handicapped.

The first need is for more members. It is axiomatic that we will achieve results in direct ratio to the power of mass members, and the means thus provided with which to carry on our work.

Last month we launched a campaign for a $50,000 working fund. That is only a start. We want every member and every friend of the handicapped to participate in this drive. We want to be in position through having more adequate finances provided, to do the things which we know must be done if the handicapped are to survive, and hold their place, following next Armistice Day.

We are not alarmists, but realists. We know unless our Nation is prosperous the handicapped cannot be prosperous. We know that the Nation cannot be prosperous unless full employment for all citizens is part of the national scheme.

While carrying on our fight for the handicapped, we must, also, carry on the fight to preserve the Nation, itself, so that we may enjoy full measure of opportunity, both for our own sakes, and that of the whole citizenry.

While carrying on our fight for the handicapped will be subjected to more stress than any other group in the country. Organization offers the only practical solution. Let us plan a federation with a million members.

We have a dynamic idea, service, when needed, to all the handicapped.

Let us organize the handicapped in every city in the Nation. Let's make every town an A. F. P. H. town. Let us make ourselves so strong that the public, and officialdom, as well as industry, will be forced to listen to us.

Stand fast on the principle that the interests of all handicapped are identical, insofar as a basic program is concerned, and for that reason all handicapped must stand together in full brotherhood.

Do not be alarmed nor swayed by carping critics. The mere fact that A. F. P. H. has been attacked by certain, selfish individuals and groups is proof that A. F. P. H. is doing its job, the job which some other organizations and individuals are either incompetent, or too lazy and filled with a sense of their own importance, to even attempt. These unfortunate leaders are digging their own graves by such tactics.

The handicapped, and the public, will not rate A. F. P. H. on what is said about A. F. P. H., but rather what A. F. P. H. does. Therefore, we must continue to mind our own business; hew to the line, and let the chips fall where they may.

EDITORIAL COMMENT ON RESIGNATION OF JAMES A. FARLEY

[Mr. BYRD asked and obtained leave to have printed in the RECORD two editorials and an article on the subject of the resignation of James A. Farley as chairman of the Democratic Committee of the State of New York, which appear in the Appendix.]

DISPOSAL OF SURPLUS GOVERNMENT PROPERTY

Mr. JOHNSON of Colorado. Mr. President, I move that the Senate proceed to the consideration of Senate bill 2065.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 2065) to establish a Surplus War Property Administration; to provide for the proper disposal of surplus war property; and for other purposes, which had been reported from the Committee on Military Affairs with an amendment to strike out all after the enacting clause and to insert:

OBJECTIVES

SECTION 1. The Congress hereby declares that the objectives of this act are to facilitate and regulate the orderly disposal of surplus property so as—

(a) In the disposition of all classes of surplus property—

(1) to assure the most effective use of such property for war purposes;

(2) to give maximum aid in the reestablishment of a peacetime economy of free independent private enterprise, the development of the maximum of independent operators in trade, industry, and agriculture, and to stimulate full employment;

(3) to strengthen and preserve the competitive position of small business concerns in an economy of free enterprise;

(4) to foster and to render more secure family-type farming as the traditional and desirable pattern of American agriculture;

(5) to strengthen and preserve the existing cooperative organizations, and to encourage the extension of the cooperative movement;

(6) to aid honorably discharged servicemen to establish and maintain their own small business or agricultural enterprises;

(7) to assure the sale of such surpluses in such quantities and on such terms as will discourage disposal to speculators or for speculative purposes;

(8) to provide for the utilization of surplus property to the fullest extent practicable in furtherance, under appropriate controls, of programs meeting certain important public needs referred to in section 12 hereof;

(9) to establish and develop foreign markets and promote mutually advantageous economic relations between the United States and other countries by the orderly disposition of such surpluses in other countries;

(b) In the disposition of consumers goods—

(1) to achieve the prompt and full utilization thereof at fair prices to the consumer through disposal at home and abroad with due regard for the protection of free markets and competitive prices from dislocation resulting from uncontrolled dumping;

(2) to utilize normal channels of trade and commerce to the extent consistent with efficient and economic distribution and the promotion of the general objectives of this act (without discriminating against the establishment of new enterprises);

(c) In the disposition of plant, equipment and materials for use in further production—

(1) to promote maximum production and employment of the manpower, the natural and agricultural resources of all sections of the country with due regard to the needs of industrially underdeveloped areas;

(2) to facilitate the transition of enterprises from wartime to peacetime production and of individuals from wartime to peacetime employment with due regard to the necessity of discouraging monopolistic practices;

(3) to foster the development of new independent enterprise;

(d) For all classes of surplus property, to obtain the highest return for the Government consistent with the foregoing objectives.

SURPLUS PROPERTY BOARD

SEC. 2. (a) There is hereby established in the Office of War Mobilization, and in the office of its successor, a Surplus Property Board, which shall be composed of eight members, each of whom shall be appointed by the President, by and with the advice and consent of the Senate, shall receive compensation at the rate of $10,000 per annum, and shall serve for a term of 2 years. In the selection of members of the Board the President shall give due consideration to the various geographic areas and economic interests of the Nation. The Board shall elect one of its members as Chairman. In their deliberations the Board shall take into consideration the interests of all economic groups such as consumers, industry, agriculture, and labor. In case of a tie vote the Director of War Mobilization or his successor shall have a deciding vote. During his term of membership on the Board, no member shall engage in any other business, vocation, or employment. The Board shall determine all matters of policy relating to the administration of this act.

(b) In order that the elected representatives of the people shall be kept informed of the activities and the policies of the Board, the President of the Senate shall appoint two Members of the Senate and the Speaker of the House of Representatives shall appoint two Members of the House of Representatives who shall be entitled to attend any meetings of the Board and who shall from time to time report to the Congress or to their respective Houses on the proceedings of the Board. It shall be the duty of the Chairman of the Board to advise such Members of all general or special meetings of the Board.

(c) The Board shall, without regard to the civil-service laws, appoint an Administrative Director, who shall perform such functions as the Board may direct and shall receive compensation at the rate of $10,000 per annum. The Board shall, within the limits of funds which may be made available, employ and fix the compensation of such deputy administrative directors and other officers and employees, and may make such expenditures for supplies, facilities, and services, as may be necessary to carry out its functions. All such deputy administrative directors and other officers and employees shall be appointed in accordance with the civil-service laws and their compensation fixed in accordance with the Classification Act of 1923, as amended. The Board shall, where practicable, perform the duties imposed upon it through the personnel and facilities of other Government agencies.

SURPLUS PROPERTY ADVISORY COUNCIL

(d) There is hereby created a Surplus Property Advisory Council with which the Board shall advise and consult. The Council shall be composed of the Chairman of the Board, who shall act as its chairman, and of the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the Attorney General, the Secretary of Commerce, the Secretary of the Interior, the Secretary of Labor, the chairman of the board of directors of Smaller War Plants Corporation, the Chairman of the United States Maritime Commission, the Chairman of the War Production Board, the Director of the Bureau of the Budget, the War Food Administrator, the Administrator of Veterans' Affairs, the National Housing Administrator, the Federal Works Administrator, the Chairman of the Civil Aeronautics Board, the Federal Security Administrator, the Chairman of the Federal Trade Commission, and the Administrator of the Foreign Economic Administration, or any alternate or representative designated by any of them.

BOARD'S DUTIES AND AUTHORITY

SEC. 3. The activities of the Board shall be coordinated with the programs of the armed forces of the United States in the interests of the war effort. Until a final peace is concluded the needs of the armed forces are hereby declared and shall remain paramount. Subject to the general supervision of the Director of War Mobilization or his successor, and the provisions of this act, and notwithstanding the provisions of any existing law, it shall be the function and duty of the Board—

(a) To supervise and direct the handling and disposition of surplus property by the Government in accordance with the objectives and policies of this act;

(b) To supervise and direct the transfer of any surplus property in the possession of any Government agency to any other Government agency;

(c) To assign surplus property for disposal by the fewest number of Government agencies practicable and, so far as it deems feasible, to centralize in one disposal agency responsibility for the disposal of all property of the same type or class: *Provided, however,* That the United States Maritime Commission shall be the sole disposal agency for merchant vessels or vessels capable of conversion to merchant use, and that such vessels shall be disposed of only in accordance with the provisions of the Merchant Marine Act, 1936, as amended, and other laws authorizing the sale of such vessels, until otherwise provided by law;

(d) To prescribe regulations and issue directives necessary to provide, so far as practicable, for uniform and wide public notice concerning surplus property available for sale, and for uniform and adequate time intervals between notice and sale so that all interested purchasers shall have a fair opportunity to buy;

(e) To formulate and issue as rapidly as possible detailed plans—

(1) for the care and handling and disposition of surplus property in accordance with this act;

(2) for converting to civilian production by private industry as rapidly as war needs and conditions permit, any Government-owned plants which are not needed for the

common defense and are capable of use for civilian production;

(3) for facilitating the most economical use and disposition of Government-owned plants which are not needed for the common defense but are not capable of use for civilian production;

(4) for disposition of surplus Government-owned transportation facilities and equipment in such manner as to promote an adequate and economical national transportation system;

(5) for removal of any existing discriminations affecting the disposal and use of Government-owned plants and property in accordance with this act;

(f) To effectuate the objectives of this act to aid honorably discharged veterans to establish and maintain their own small business or agricultural enterprises by affording such veterans suitable preferences to the extent feasible and consistent with the policies of this act in the acquisition of the types of surplus property useful in such enterprises. The Board in cooperation with the Administrator of Veterans' Affairs shall prepare and submit to Congress within 6 months after enactment of this act a report setting forth the feasible means planned to effectuate the objectives of this subsection;

(g) To devise ways and means and prescribe appropriate regulations and directives in cooperation with the War Food Administrator whereby surplus property will be sold in such quantities in rural localities and in such manner as will assure farmers and farmers' cooperative associations equal opportunity with others to purchase surplus property: *Provided, however,* That in cases where a shortage of trucks, machinery, and equipment impairs farm production, a program shall be developed by the Board in cooperation with the War Food Administrator whereby a reasonable portion of the surplus supply will be made available for sale in rural areas to farmers and farmers' cooperative associations.

SEC. 4. (a) Notwithstanding the provisions of any other law but subject to the provisions of this act, the Board and any disposal agency designated by it under subsection (c) of section 3 of this act are authorized to dispose of surplus property.

(b) Notwithstanding the provisions of any other law but subject to the provisions of this act, the Board may dispose of property under this act by sale, exchange, lease, transfer, or other disposition for cash, credit, other property, or otherwise, with or without warranty, and upon such other terms and conditions as it deems proper.

SEC. 5. (a) The Board may delegate any administrative authority conferred upon it by this act to the Administrative Director and to any deputy administrative director, and may delegate such authority, upon such terms and conditions as it may prescribe, to the head of any Government agency to the extent necessary to the handling and solution of problems peculiar to that agency.

(b) The head of any Government agency may delegate, and authorize successive redelegations of, any authority conferred upon him or his agency by or pursuant to this act to any officer, agent, or employee of such agency or, with the approval of the Board, to any other Government agency.

(c) Any two or more Government agencies may exercise jointly any authority conferred upon each of them individually by or pursuant to this act.

(d) The Board shall prescribe regulations to effectuate the provisions of this act. Each Government agency shall carry out regulations of the Board expeditiously and shall issue such further regulations, not inconsistent with the regulations of the Board, as it deems necessary or desirable to carry out the provisions of this act. The regulations prescribed under this act shall be published in the Federal Register.

SEC. 6. Surplus property sold for export or disposed of abroad pursuant to the provisions of this act shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited, and the Secretary of the Treasury is authorized and directed to prescribe such regulations as may be necessary for the enforcement of this section.

REPORTS AND PLANNING

SEC. 7. (a) Within 3 months after the enactment of this act, and thereafter in January, April, July, and October of each year, the Board shall submit to the Senate and House of Representatives a quarterly progress report on the exercise of its authority and discretion under this act. Such reports shall contain—

(i) A statement of the status of surplus property disposition.

(ii) A statement of the kind, amount, and value of all considerations received by any disposal agency in exchange for property disposed of under this act.

(iii) Such recommendations for legislation as the Board may deem necessary or desirable.

(b) The Board, in cooperation with the various disposal agencies, shall prepare and submit to the Congress within 6 months after enactment of this act, a report as to each of the following classes of Government-owned property: (1) aluminum plants and facilities; (2) magnesium plants and facilities; (3) synthetic rubber plants and facilities; (4) chemical plants and facilities; (5) aviation gasoline plants and facilities; (6) iron and steel plants and facilities; (7) pipe lines used for transporting oil; (8) patents, processes, techniques, and inventions, except such as are necessary to the operation of the plants and facilities herein listed; (9) aircraft plants and facilities and aircraft and aircraft parts; (10) shipyards; (11) transportation facilities; and (12) radio and electrical equipment:

(A) Describing the amount, cost, and location of the property and setting forth other descriptive information relative to the use of the property that will no longer be needed by the United States;

(B) Outlining the economic problems that may be created by disposition of the property;

(C) Setting forth a plan or program for the care and handling, disposition, and use of the property consistent with policies and objectives set forth in this act;

(D) Describing any steps already taken for care and handling, disposition, and use of the property (including any contracts relating thereto), and designating any property that is to be retained by the United States for war or common defense purposes.

In the event that it is not possible within such period to prepare and submit a complete report to the Congress as to any class of property, the Board shall submit an interim report 6 months after the enactment of this act, and shall submit a complete report as soon thereafter as possible.

If the Board determines that it is desirable to alter or change any such plan or program or to prepare a report on any other class of property, it shall prepare in accordance with the provisions of this subsection and submit to the Congress an additional report, setting forth the altered or changed plan or program or a plan or program relating to the new class of property.

(c) Whenever the Board may deem it to be in the interest of the objectives of this act it may authorize the disposition of any property listed in classes 9 to 12, inclusive, of subsection (b) of this section. With respect to the property listed in classes 1 to 8, inclusive, no disposition shall be made or authorized until 30 days after such report (or additional report) has been made while Congress is in session.

(d) The reports required in subsections (a) and (b) of this section shall, when received, be referred to the appropriate committees of the Congress and it shall be the duty of each such committee to consider such report at public or private hearing as said committee may determine and thereafter to make appropriate report thereon to the respective Houses.

ADVISORY COMMITTEES

SEC. 8. Each disposal agency may, under regulations to be prescribed by the Board, organize advisory committees with which it shall consult regarding policies and procedures to govern disposal of the various classes of surplus property under this act: *Provided,* That such committees shall perform only advisory and consultative functions and shall not be authorized to promulgate or to administer policies and procedures, which shall be the responsibility of the appropriate Government agencies: *Provided further,* That full information on all such committees shall be submitted to the Attorney General and no such committee shall continue any operations or activities which the Attorney General finds, and certifies to the appropriate Government agencies, tend to promote the restraint of trade or the extension of monopoly. Such committees shall be fairly representative of—

(a) the larger business units of the interested trade or industry, including its wholesale and retail distributors, if any;

(b) the small business units therein, including distributors;

(c) genuine member-controlled cooperative organizations;

(d) the labor groups interested therein; and

(e) interested farm, consumer, and other groups, if any.

DECLARATION OF SURPLUS PROPERTY

SEC. 9. (a) Every Government agency shall have the duty and responsibility continuously to survey the property in its possession or control and to determine which of such property is surplus to its needs and responsibilities, and to report promptly to the Board and to the appropriate disposal agency any surplus property in its control which the owning agency does not dispose of under section 13.

It shall be the duty of the War and Navy Departments to survey the needs for the defense of the United States in relation to Government-owned plants, facilities, equipment, and supplies, and they shall not declare surplus any of these items for which they find that there is a need within the useful life of the item in question.

(b) Whenever in the course of the performance of its duties under this act, the Board has reason to believe that any owning agency has property in its control which is surplus to its needs and responsibilities and which it has not reported as such, the Board shall promptly report that fact to the Senate and House of Representatives. Each Government agency shall submit to the Board (1) such information and reports with respect to surplus property in its control, in such form, and at such reasonable times, as the Board may direct; (2) information and reports with respect to other property in its control, to such extent, and in such form, as the agency deems consistent with national security.

(c) When any surplus property is reported to any disposal agency under subsection (a) of this section, the disposal agency shall have responsibility and authority for the disposition of such property, and for the care and handling of such property pending its disposition, in accordance with the policies, standards, methods, and procedures prescribed by the Board. Where the disposal agency is not prepared at the time of its designation under this act to undertake the care and handling of such surplus property the Board may postpone the responsibility of the agency to assume its duty for care and

handling for such period as it deems necessary to permit its preparation therefor.

(d) Any Government agency may execute such documents for the transfer of title or other interest in property or take such other action as it deems necessary or proper to transfer or dispose of property or otherwise to carry out the provisions of this act, and, in the case of surplus property, shall do so to the extent required by the regulations of the Board.

AGENCY INVENTORIES

SEC. 10. Every disposal agency shall maintain in each of its disposal offices full records of the inventories of surplus property of such office and of each of the disposal transactions negotiated by such office and shall make the information in such records available for inspection by the public.

UTILIZATION OF SURPLUS PROPERTY BY FEDERAL AGENCIES

SEC. 11. (a) It shall be the responsibility of all Government agencies, in order to avoid making purchases of needed properties through commercial channels, continuously to consult the records of surplus property established by the Board and to determine whether their requirements can be satisfied from among such surplus property. It shall also be the responsibility of the head of each agency to submit to the Board such estimates of property needed and such reports in relation thereto as the Board may deem necessary to promote the fullest utilization of surplus property. It shall be the responsibility of the Board to determine whether Government agencies are acquiring surpluses to the fullest possible extent, and to notify agencies whenever, in its judgment, they are not making proper use of the surplus property of other Government agencies.

(b) The Board shall, to the maximum extent practicable, allocate and transfer to Government agencies surplus property capable of being utilized by them. In so doing, it shall give consideration to the acquisition by the War Department, Navy Department, and Maritime Commission of surplus property necessary for the prosecution of the war or for purposes of the common defense and national security. All such transfers shall be made upon such terms and with such charge to the appropriation of the transferee for the value thereof as the Bureau of the Budget shall determine to be in accordance with existing law.

(c) The Board shall resolve any conflict between Government agencies over the acquisition of surplus property in such manner as will, in its judgment, best effectuate the objectives of this act.

DISPOSAL TO LOCAL GOVERNMENTS

SEC. 12. The Board may prescribe regulations for the disposition of surplus property to States, and political subdivisions thereof, including municipalities, and to tax-supported and nonprofit institutions, as follows:

(a) Surplus property that is appropriate for school, classroom, or other educational use may be transferred to the Federal Security Agency for donation to the States and their political subdivisions and tax-supported educational institutions, and, within rules and regulations to be prescribed by the Federal Security Administrator, with the approval of the Board, to other nonprofit educational institutions which have been held exempt from taxation under section 101 (6) of the Internal Revenue Code.

(b) Surplus medical supplies and equipment may be transferred to the Federal Security Administration for donation to the States and their political subdivisions and to tax-supported medical institutions, and, within rules and regulations to be prescribed by the Federal Security Administrator, with the approval of the Board, to hospitals or other similar institutions not operated for profit which have been held exempt from taxation under section 101 (6) of the Internal Revenue Code, and to the American Red Cross.

(c) Any surplus property may be sold or leased to States, political subdivisions thereof, including municipalities, tax-supported institutions, and nonprofit charitable, medical, and educational institutions which have been held exempt from taxation under section 101 (6) of the Internal Revenue Code, at discounts not to exceed 50 percent of the sale or lease market value thereof, as the case may be, or 50 percent of the highest price offered by any private purchaser or lessee, whichever is lower: *Provided*, That other surplus property not immediately disposable for which the estimated cost of care and handling and disposition would exceed the estimated proceeds of commercial disposition, may be donated to States, political subdivisions thereof, including municipalities, and, within rules and regulations to be prescribed by the Board, to tax-supported institutions and nonprofit charitable, medical, and educational institutions which have been held exempt from taxation under section 101 (6) of the Internal Revenue Code.

(d) Where property is disposed of pursuant to the provisions of this section, the Board shall see to it that appropriate provisions for control are applied for a period not to exceed 2 years next succeeding the date of disposition with respect to the maintenance of the property, its continued use for the general purpose for which it was acquired, repossession by the Federal Government in the event that the conditions of its disposal are not complied with, and related provisions.

DISPOSITION BY OWNING AGENCY

SEC. 13. (a) Any owning agency may dispose of any property for the purpose of aiding in the prosecution of the war and for the common defense or authorize any contractor with such agency or subcontractor thereunder to retain or dispose of any contractor inventories for the purpose of aiding in the prosecution of the war and for the common defense, subject only to the regulations of the Board with respect to price policies: *Provided*, That no part of such inventories shall be retained or disposed of by such contractor or subcontractor for any other purpose.

(b) Subject to subsection (c) of this section and to the provisions of section 21, any owning agency may dispose of—

(1) any property which is damaged or worn beyond economical repair;

(2) any waste, salvage, scrap, or other similar items not included within the definition of strategic minerals and metals contained in section 21;

(3) any physical products of industrial, research, agricultural, or livestock operations, or of any public works construction or maintenance project, carried on by such agency; and

(4) any other similar class or type of surplus property designated by the Board.

(c) The Board shall have the responsibility for reviewing the disposal actions and the decisions with respect to the classification of property of the owning agencies under this section to assure the fulfillment of the objectives and policies of this act and whenever the Board finds it necessary it shall restrict by regulation or rescind the authority of any owning agency to dispose of any class of surplus property under subsection (b) of this section.

SMALL BUSINESS

SEC. 14. (a) It shall be the duty of the Board, and it is hereby authorized and directed, to devise ways and means and prescribe appropriate regulations and directives, to prevent any discrimination against small business in the disposal and distribution and use of any Government property covered by this act. To that end the Board shall cause the disposal agencies to adopt and pursue the following measures:

(1) Arrange for the widest practicable notice as far in advance of the sale as practicable, by advertisement or otherwise, to be issued and disseminated by the agencies so that large and small enterprises will be reasonably informed of the property offered for sale and the terms and conditions thereof.

(2) Reduce lots or blocks of any items offered for sale to the smallest practicable units conforming with marketing policy in the agency concerned so that they will be within the reach of small business enterprises.

(3) In appropriate cases in the discretion of the agency or the Board, arrange for sales on credit or time bases, or such other terms or conditions as will preserve the competitive position of small business enterprises in the purchase or acquisition of surplus property and accord them a fair opportunity for the acquisition thereof.

(b) The Smaller War Plants Corporation is hereby specifically charged with the responsibility of cooperating with the Board and with the owning and disposal agencies, of making surveys from time to time, and bringing to the attention of the agencies, or the board, the needs and requirements of small business and any cases or situations which have resulted in or would effect discrimination against small business in the purchase or acquisition of Government property by them and in the disposal thereof by the agencies.

(c) The Smaller War Plants Corporation is hereby authorized and directed to consult with small business to obtain full information concerning the needs of small business for surplus property and to disseminate information and other guidance concerning the disposition and acquisition of surplus property among small business enterprises in industry and trade.

(d) The Smaller War Plants Corporation shall recommend to the Congress any measures which it deems advisable for the removal of discriminations against small business in the acquisition and use of Government-owned plants and properties, in accordance with the objectives of this act.

(e) The Smaller War Plants Corporation shall have the power to purchase any surplus property for resale or other disposition to small business (and is empowered to receive other property in exchange as partial or full payment therefor), when in its judgment, such disposition is required to preserve and strengthen the competitive position of small business, or will assist the Corporation in the discharge of the duties and responsibilities imposed upon it.

(f) The Smaller War Plants Corporation is hereby authorized, for the purpose of carrying out the objectives of this section, to make or guarantee loans to small business enterprises in connection with the acquisition, conversion, and operation of plants and facilities, and, in cooperation with the disposal agencies, to arrange for sales of surplus property to small business concerns on credit or time bases.

DISPOSAL OF SURPLUS AGRICULTURAL COMMODITIES

SEC. 15. (a) Notwithstanding any other provision of this act or of any other act or of any Executive order, the War Food Administrator or his successor shall be solely responsible for the formulation of policies and the carrying out of programs with respect to the disposal of surplus agricultural commodities. The War Food Administrator or his successor, subject to the provisions of existing law, shall formulate workable plans for the disposition of surplus agricultural commodities in such a manner as to prevent these excess supplies from being dumped on the market in a disorderly manner and disrupting the market prices for agricultural commodities.

(b) The board shall not exercise any of its powers under this act with relation to disposal of surplus cotton or woolen goods except with the approval in writing of the War Food Administrator or his successor.

No department or agency of the Federal Government shall sell or otherwise dispose of surplus cotton or woolen goods except in accordance with the orders and regulations of the Board, approved in writing as hereinbefore provided by the War Food Administrator or his successor.

DISPOSITION OF PLANTS

SEC. 16. Whenever the Board or any disposal agency shall begin negotiations for the disposition to private interests of a plant or plants or other property representing an original cost to the Government of $1,000,000 or more, or of patents, processes, techniques, or inventions, irrespective of cost, the Board or disposal agency shall promptly notify the Attorney General of the proposed disposition and the probable terms or conditions thereof. Within a reasonable time after receiving such notification the Attorney General shall advise the Board or disposal agency whether the proposed disposition will either violate the antitrust laws, or encourage monopoly or undue concentration of industry or commerce or restrain competition substantially. Upon the request of the Attorney General, the Board or other Government agency shall furnish or cause to be furnished such information as the Board or any such agency may possess which the Attorney General determines to be appropriate or necessary to enable him to give the advice called for by this section or to determine whether any other disposition of surplus property violates the antitrust laws. Nothing in this act shall impair, amend, or modify the antitrust laws or limit and prevent their application to persons who buy or otherwise acquire property under the provisions of this act. As used in this section, the term "antitrust laws" includes the act of July 2, 1890 (ch. 647, 26 Stat. 209), as amended; the act of October 15, 1914 (ch. 323, 38 Stat. 730), as amended; the Federal Trade Commission Act; and the act of August 27, 1894 (ch. 349, secs. 73, 74, 28 Stat. 570), as amended.

SEC. 17. Every contract for the sale, or lease for 2 years or more, of a plant shall be made upon the condition that the purchaser, lessee, or transferee, and their transferees, if any, shall maintain the plant in substantial operation and production for a period of 2 years next succeeding the effective date of the contract, or, next succeeding the date upon which operations begin after a period of conversion and alteration to be approved by the Board, but not to exceed 1 year, and that upon breach of such condition, the Government may rescind the contract and upon return of so much of the consideration as shall be equitable, recover the plant: *Provided, however*, That when such operation or production is prevented by any cause beyond the control of the purchaser, lessee, or transferee, or their transferees, it shall not be considered a breach of such condition.

SEC. 18. Every existing option to purchase or otherwise acquire Government-owned property shall, before it is consummated, be submitted to the Attorney General for his opinion as to its validity.

SEC. 19. Except as herein or otherwise provided, no Government agency shall, in competition with private industry, manufacture or produce any articles or commodities for civilian use in plants acquired by the Defense Plant Corporation: *Provided*, That the foregoing shall not be construed to prohibit the manufacture or production of articles or commodities for civilian use when specifically authorized by act of Congress, in plants or facilities (such as the Government Printing Office, power and public works projects, prisons, reformatories, and hospitals and like institutions) not constructed or acquired for war purposes.

LIMITATIONS ON DISPOSITION OF AIRPORT AND HARBOR FACILITIES AND PORTS

SEC. 20. (a) In order that States and political subdivisions thereof, including municipalities, and other governmental units and agencies may have an opportunity to enter into arrangements for the use, operation, or acquisition of airport and harbor and port terminal facilities, no such facilities shall be disposed of or dismantled except after a report to the Congress, including recommendations of the Civil Aeronautics Administration in the case of airport facilities and the Secretary of Commerce in the case of harbor and port terminal facilities; and no technical equipment of any airport left in a stand-by condition shall be removed except for use at some other place until reasonable opportunity is afforded to interested governmental units to enter into arrangements for the operation of such airport.

(b) Any real property which is a part of any permanent military reservation or post or fort, either occupied or held in standby status, is excluded from the provisions of this act, and shall not be disposed of except upon authorization by law hereafter granted.

STOCK-PILING

SEC. 21. All Government-owned accumulations of strategic minerals and metals, including those owned by any Government corporation, shall be transferred by the owning agency, when determined to be surplus pursuant to this act, to the account of the Treasury Procurement Division and shall be added to the stock pile authorized by the act of June 7, 1939 (53 Stat. 811), as amended, and shall be subject to its provisions. The minerals and metals may be transferred in any form in which they are held, and they shall thereafter be put into forms best suited for storage and use for the common defense. As used in this section the phrase "strategic minerals and metals" means all minerals and metals included in either group A or group B of the list of strategic and critical materials determined upon by the Army and Navy Munitions Board on March 6, 1944, and any other minerals or metals which said Board determines should be added to group A or group B, and shall include ores, concentrates, alloys, scrap, and partially and completely fabricated articles of which the principal components by value consist of such minerals and metals, but shall not include such fabricated articles as the Army and Navy determine are not suitable for their use in the form in which fabricated and which may be disposed of commercially at value substantially in excess of the metal market price of the component minerals and metals of such fabricated articles. Transfers under this section shall be made without reimbursement or transfer of funds except that, if the Reconstruction Finance Corporation or any of its subsidiaries is the owning agency for any property so transferred, the Secretary of the Treasury shall cancel notes of the Reconstruction Finance Corporation in an amount equal to the cost of the property so transferred.

DISPOSAL OF SURPLUS REAL PROPERTY

SEC. 22. (a) Notwithstanding any other provision of this act property as defined in this section shall be disposed of only as provided in this section.

(b) As used in this section, unless the context otherwise requires, the term "property" includes land, together with any fixtures and improvements thereon, located outside of the District of Columbia acquired (since December 31, 1939) by the United States or by any corporation wholly owned by the United States, but does not include the public domain, or lands withdrawn or reserved from the public domain, and does not include war housing, industrial plants, factories, or similar structures or facilities, or the sites thereof.

(c) (1) The Secretary of the Interior shall establish and maintain in the General Land Office a central inventory of all lands now owned and held or hereafter acquired by the United States for its use, including lands in its Territories and possessions, and, in his discretion, may include in such inventory any other lands, or any interests in lands, now held or hereafter acquired by the United States. The inventory shall also show the disposal which may be made of any of the lands or interests included therein.

(2) Any Government agency authorized to acquire, accept, or hold title to or an interest in land in the name of the United States or of such agency, or which has federally owned land, other than public-domain land, under its jurisdiction or control, shall submit to the Secretary of the Interior for recordation in the General Land Office the documents by which the title to or an interest in the lands covered by this subsection was acquired by a Government agency, or disposed of subsequent to the effective date of this act, together with such other data, including a plat of the tract of land involved, as may be required. The General Land Office, after making a copy for its records by such methods as it deems feasible, shall return the original documents, except any plat that may have been required, to the agency submitting them with an appropriate notation thereon showing that they have been recorded by the General Land Office.

(3) All provisions of law relating to the custody, use, and effect of records of the General Land Office, including the act of August 24, 1912 (37 Stat. 497; 5 U. S. C., secs. 488-492), shall apply to records made under the authority of this subsection. Authenticated copies of any such record certified as being a true copy of the document from which such record was made shall be admissible in evidence equally with the original of such document.

(d) (1) It shall be the duty of the head of every Government agency to make a survey of property which is under the jurisdiction of the agency and which was acquired subsequent to December 31, 1939, to determine if any part of the property is not needed by the agency for the efficient performance of its functions. If he finds that any such property is unnecessary for such purpose, he shall report his findings to the Secretary of the Interior, together with a description of the property which is not needed by the agency, and shall thereupon transfer jurisdiction over such property to the Secretary of the Interior. Property transferred to the Secretary under this subsection is hereinafter referred to as "surplus real property."

(2) This subsection shall not apply to any property which has been specifically set aside by act of Congress for specific purposes, or which is held by a credit agency in the course of its lending operations, or which is authorized to be disposed of pursuant to section 43 of the Bankhead-Jones Farm Tenant Act, as amended, or which is held by any agency or person under subdivision (b) of section 5 of the Trading with the Enemy Act of October 6, 1917 (40 Stat. 411), as amended.

(e) Immediately after the transfer of surplus real property to the Secretary of the Interior it shall be the duty of the said Secretary and the Secretary of Agriculture, acting jointly, to classify such property as agricultural, grazing, forest, mineral, or otherwise, as they may deem advisable. The classification may be revised from time to time. In case of disagreement as to the classification of any property the Director of War Mobilization or his successor shall make the decision.

(f) (1) In the case of any surplus real property which was acquired by any Government agency after December 31, 1939, and is classified under this section as agricultural

land, the person from whom such land was acquired or, in the event of his death, his lineal heirs, shall be given notice that the land is to be disposed of by the United States and shall be entitled to purchase such land, in substantially the identical tract as when acquired from such person, at private sale at any time during the period of 90 days following such notice: *Provided*, That such period shall be extended in any case when it appears that such extension is necessary or appropriate to facilitate the sale of any land under this subsection.

(2) In the event that land which was employed in farming operations when acquired by the Government but which is no longer classified as agricultural land, is transferred to the Secretary of the Interior under this act, the former owner of such land and his lineal heirs may be offered similar agricultural land in the same area, if such land is available.

(3) Where a tenant of the former owner of agricultural land, who was a tenant at the time of the acquisition of such land by the United States, signifies his intention to purchase such land within a period of 90 days following notice of sale, and the former owner or his heirs are unavailable or decline to exercise the privilege, the tenant shall be entitled to purchase the land at private sale. If the tenant is unable to purchase the land that he was operating at the time of acquisition by the Government, and similar agricultural land in the same area is available after former owners (or their lineal heirs or tenants) have exercised their privileges, the tenant shall be entitled to purchase such land.

(4) In the event there is more than one applicant for the purchase of the land, the Secretary of the Interior or the Secretary of Agriculture, as the case may be, shall determine whether the land is capable of subdivision, and, if subdivision would result in the creation of farms in less than family-size units, the priority among the applicants for the right to purchase shall be determined by lot.

(5) The price to be paid for land sold under this subsection shall be an amount equal to the price paid for it at the time of its acquisition by the department or agency by which it was acquired, increased or decreased, as the case may be, by an amount equal to any increase or decrease in the market value of such land by reason of any improvements or changes made thereon, or by reason of the use thereof, during the time it was owned by the United States, or a price equal to the market price at the time of sale of such surplus land, whichever price is the lower.

(6) The Secretary of the Interior or the Secretary of Agriculture, as the case may be, shall determine the method of giving notice and may prescribe notice by publication for such period and in such manner as he deems appropriate or by other means, and may by regulation prescribe methods for the identification of the person entitled to exercise the privileges conferred by this subsection.

(g) (1) For a period of 15 years following the effective date of this act, whenever any surplus real property classified as suitable for agricultural, residential, or small business purposes is to be disposed of, veterans shall be granted a preference in the acquisition or purchase of such property over nonveterans, except as provided in subsection (f) of this section. The Secretary of the Interior or the Secretary of Agriculture, as the case may be, shall determine the units in which the property is to be disposed of, giving due consideration to the character of the property, the economic use to which it is to be put, and the objectives of disposition as set forth in this act.

(2) Except as to property to be disposed of under the public land laws, the following procedure shall govern the exercise of veterans' preference rights under this subsection: The Secretary of the Interior or the Secretary of Agriculture, as the case may be, shall determine the fair market value of each unit. Before any such property is offered for sale, except under subsection (f), either by public sale or by negotiated sale, any veteran may apply for the purchase of any or all units offered for sale at the price established by the Secretary. The Secretary shall prescribe the time within which application shall be made and shall give such notice thereof as he deems reasonable to enable veterans to exercise their rights under this subsection. The Secretary shall select the purchaser of each unit by lot from among the applicants for the unit. If any applicant is selected as the purchaser of more than one unit, he shall elect which one to take, whereupon the right to purchase the remaining units shall go to the remaining applicants in the order in which their names were drawn. No veteran may apply for the purchase of any property under the provisions of this subsection if he has previously exercised a preference right under this section and has acquired property pursuant thereto, except that the purchase by such veteran of a tract or tracts of land aggregating not more than 15 acres shall not prevent such veteran from acquiring a homestead under the public land laws. Sales to veterans under this subsection shall be upon such terms as the Secretary may prescribe. If no sale of property to a veteran is effected under this subsection, the property shall be disposed of as provided in subsection (h).

(3) The preference right accorded to each veteran may, if not previously exercised, be exercised upon his death by his spouse or by his children, in that order. The same preference right shall also be extended to the spouse or children of any person who, except for his death while in active service, would qualify as a veteran under the provisions of this act. No preference right may be assigned or exercised by power of attorney or through a power to select except as may be permitted by regulations prescribed by the Secretary of the Interior and the Secretary of Agriculture, in order to prevent the loss of such right by the holder thereof.

(h) (1) Lands classified as suitable for disposition under the homestead and other public land laws shall be disposed of in accordance, or as near as may be, with the provisions of such laws.

(2) Lands classified as suitable for agricultural use, other than those to be disposed of under the homestead and other public-land laws shall be transferred to the Secretary of Agriculture and shall be subdivided by him whenever practicable into economic family-size units (taking into consideration the variations in sizes of economic units in different localities) and, after opportunity for exercise of the preferences under subsection (f) has been afforded, shall be sold insofar as possible to persons who expect to cultivate such land and to operate it for a livelihood. The Department of Agriculture is authorized and directed, within the limits of its current functions under the Bankhead-Jones Farm Tenant Act, to extend needed financial and other assistance to persons eligible for such assistance under the Bankhead-Jones Farm Tenant Act and the Servicemen's Readjustment Act of 1944, in connection with the disposal of surplus agricultural lands pursuant to this subsection.

(3) Before disposing of any other surplus real property, the Secretary of the Interior shall appraise the property and determine its fair market value. The property may then be sold at public sale or by negotiated sale, whichever method is determined by the Secretary to be most in the public interest. If the property is to be sold at public sale, the Secretary shall give public notice thereof at least 90 days prior to the date of sale. He shall sell the property upon such terms as he deems most in the public interest to any person whose bid equals or exceeds the appraised value of the property and to whom a sale would be in accordance with the objectives of this act. If the property is to be sold by negotiation, the Secretary shall, upon the conclusion of the negotiations, give public notice for 90 days of the terms of the proposed sale. The notice shall state that during such period, protests against the sale may be made to the Secretary. At the end of the period the Secretary may approve or disapprove of the sale.

(i) In disposing of any property under subsection (h) (1) of this section the Secretary of the Interior shall (except in case of a sale to the original owner or his lineal heirs or tenants or to a veteran or his spouse or children) reserve to the United States all oil, gas, and other mineral deposits in the property; and such reservation of minerals shall be expressly stated in the instrument of conveyance.

(j) Upon the sale of any surplus real property under this section, the property may be taxed to the purchaser by the State or any local public taxing unit in which the property is located upon the purchaser's taking possession thereof even though title thereto has not yet passed to the purchaser. The United States shall not be liable in any way for any tax which may be imposed on the property, and in the event all interests in the property revert to the United States prior to the passage of title, any lien on such property for unpaid taxes shall be extinguished.

(k) The Secretary of the Interior and the Secretary of Agriculture each shall, not later than the January 1 following the end of each fiscal year, submit to the Congress a report on their activities under the provisions of this section for that fiscal year. Such reports shall contain any recommendations for legislation or other action which the Secretary of the Interior or the Secretary of Agriculture believes will facilitate the operation of this section. The report of the Secretary of the Interior shall show by States the total area of land under the jurisdiction of each Government agency, the total area acquired and disposed of during the fiscal year, and other related data, together with a statement of the authority under which such acquisition and disposals were made.

(l) The Secretary of the Interior and the Secretary of Agriculture may perform such acts and adopt such rules and regulations as are necessary for carrying out the provisions of this act.

(m) In the case of sales of real property under this section or under any other provision of this act, the form of deed or instrument of transfer shall be approved by the Attorney General. Deeds or other instruments containing general or special warranties of title may be issued and delivered to purchasers provided such warranties have been recommended and approved by the Attorney General. In determining whether general or special warranty deeds to properties may be issued and delivered, the Attorney General is authorized to approve the issuance and delivery of warranty deeds where titles are subject to infirmities of such character that in his opinion the interests of the United States will not be jeopardized under its warranty.

CIVIL REMEDIES AND PENALTIES

SEC. 23. (a) Where any property is disposed of in accordance with this act and any regulations prescribed under this act, no officer or employee of the Government shall (1) be liable with respect to such disposition except for his own fraud or (2) be accountable for the collection of any purchase price which is determined to be uncollectible by the agency responsible therefor.

(b) Every person (1) who makes or causes to be made, or presents or causes to be presented, or delivers or causes to be delivered

to any employee, officer, agent, or representative of the United States or any Government agency or to any person in the civil, military, or naval service of the United States any claim, bill, receipt, check, voucher, statement, account, certificate, affidavit, deposition, or other document, knowing the same to be false, fraudulent, or fictitious or knowing the same to contain or to be based on any false, fraudulent, or fictitious statement or entry; or (2) who shall cover up, or conceal, or misrepresent any material fact; or (3) who shall perform or engage in or cause to be performed or engaged in any act or acts with intent to defraud the United States; or (4) who shall use or engage in or cause to be used or engaged in any fraudulent trick, scheme, or device, for the purpose of securing or obtaining, or aiding to secure or obtain, for any person any payment, property, or other benefits from the United States or any Government agency in connection with the disposition of property under this act; or (5) who enters into an agreement, combination, or conspiracy to do any of the foregoing—

(i) shall pay to the United States the sum of $2,000 for each such act, and double the amount of any damage which the United States may have sustained by reason thereof, together with the costs of suit; or

(ii) shall, if the United States shall so elect, pay to the United States, as liquidated damages, a sum equal to twice the consideration agreed to be given by such person to the United States or any Government agency; or

(iii) shall, if the United States shall so elect, restore to the United States the property thus secured and obtained and the United States shall retain as liquidated damages any consideration given to the United States or any Government agency for such property.

(c) The several district courts of the United States, the District Court of the United States for the District of Columbia, and the several district courts of the Territories of the United States, within whose jurisdictional limits the person, or persons, doing or committing such act, or any one of them, resides or shall be found, shall wheresoever such act may have been done or committed, have full power and jurisdiction to hear, try, and determine such suit, and such person or persons as are not inhabitants of or found within the district in which suit is brought may be brought in by order of the courts to be served personally or by publication or in such other reasonable manner as the court may direct.

(d) The civil remedies provided in this act shall be in addition to all other criminal penalties and civil remedies provided by law.

SEC. 24. It shall be unlawful for any person employed in any Government agency, including commissioned officers assigned to duty in such agency, during the period and for 2 years after the period that such person is engaged in such employment or service, to seek or take employment with any person to whom disposition of Government property has been made under this act, or to become counsel, attorney, or agent for such person, if such Government officer or employee has been directly connected with such disposition. Any person violating the provisions of this section shall be fined not more than $10,000, or imprisoned for not more than 1 year, or both.

SEC. 25. The first section of the act of August 24, 1942 (56 Stat. 747; title 18, U. S. C., Supp. II, sec. 590a), is amended to read as follows:

"The running of any existing statute of limitations applicable to any offense against the laws of the United States (1) involving defrauding or attempts to defraud the United States or any agency thereof whether by conspiracy or not, and in any manner, or (2) committed in connection with the negotiation, procurement, award, performance, payment for, interim financing, cancelation or other termination or settlement, of any contract, subcontract, or purchase order which is connected with or related to the prosecution of the present war, or with any disposition of termination inventory by any war contractor or Government agency, or (3) committed in connection with the care and handling and disposal of property under the Surplus Property Act, shall be suspended until 3 years after the termination of hostilities in the present war as proclaimed by the President or by a concurrent resolution of the two Houses of Congress. This section shall apply to acts, offenses, or transactions where the existing statute of limitations has not yet fully run, but it shall not apply to acts, offenses, or transactions which are already barred by provisions of existing law."

MISCELLANEOUS PROVISIONS

SEC. 26. Surplus property disposals may be made without regard to any provision in existing law for competitive bidding, unless the Board shall determine that disposal by competitive bid will in a given case better effectuate the policy of the act.

SEC. 27. (a) All proceeds from any transfer or disposition of property under this act shall be deposited and covered into the Treasury as miscellaneous receipts, except as provided in subsections (b), (c), and (d) of this section.

(b) Where the property transferred or disposed of was acquired by the use of funds either not appropriated from the general fund of the Treasury or appropriated from the general fund of the Treasury but by law reimbursable from assessment, tax, or other revenue or receipts, then upon the request of the interested agency, the proceeds of the disposition or transfer shall be credited to the reimbursable fund or appropriation or paid to the owning agency.

(c) To the extent authorized by the Board, any Government agency disposing of property under this act (1) may deposit, in a special account with the Treasurer of the United States, such amount of the proceeds of such dispositions as it deems necessary to permit appropriate refunds to purchasers when any disposition is rescinded or does not become final, or payments for breach of any warranty, and (2) may withdraw therefrom amounts so to be refunded or paid, without regard to the origin of the funds withdrawn.

(d) Where a contract or subcontract authorizes the proceeds of any sale of property in the custody of the contractor or subcontractor to be credited to the price or cost of the work covered by such contract or subcontract, the proceeds of any such sale shall be credited in accordance with the contract or subcontract and shall not be subject to subsection (a) of this section.

SEC. 28. (a) Any Government agency is authorized to use for the disposition of property under this act and for its completion and care and handling, pending such disposition, any funds heretofore or hereafter appropriated, allocated, or available to it for such purposes or for the purpose of production or procurement of such property.

(b) Any Government agency is authorized to use for the acquisition of any surplus property under this act any funds heretofore or hereafter appropriated, allocated, or available to it for the acquisition of property of the same kind.

(c) There are authorized to be appropriated such sums as may be necessary or appropriate for administering the provisions of this act.

SEC. 29. (a) Nothing in this act shall limit or affect the authority of commanders in active theaters of military operations to dispose of property in their control.

(b) The provisions of this act shall be applicable to dispositions of property within the United States and elsewhere, but the Board may exempt from some or all of the provisions hereof, except the provisions of section 6, dispositions of property located outside of the continental United States, its Territories and possessions, whenever it deems that such provisions would obstruct the efficient and economic disposition of such property in accordance with the objectives of this act.

SEC. 30. A deed, bill of sale, lease, or other instrument purporting to transfer title or any other interest in surplus property under this act, which is executed by or on behalf of the Board, or by the Government agency to which the Board shall have assigned such surplus property for disposal, shall be conclusive evidence of compliance with the provisions of this act so far as the title or other interest of any bona fide purchaser or lessee, as the case may be, is concerned.

SEC. 31. (a) This act shall not impair or affect any authority for the disposition of property under any other law not inconsistent herewith, except that the Board may prescribe regulations to govern any disposition of surplus property under any such authority to the same extent as if the disposition were made under this act, whenever it deems such action necessary to effectuate the objectives and policies of this act.

(b) Nothing in this act shall impair or affect the provisions of the Emergency Price Control Act of 1942, as amended; the act of October 2, 1942 (ch. 578, 56 Stat. 765), as amended; section 301 of the Second War Powers Act, 1942; the act of March 11, 1941 (55 Stat. 31), as amended; the Tennessee Valley Authority Act of 1933, as amended; Public Law 849, Seventy-sixth Congress, respecting war housing; or acts supplemental thereto, or of any law regulating the export of property from the United States, or the statutes relating to the public lands.

SEC. 32. If any provision of this act, or the application of such provision to any person or circumstance, is held invalid, the remainder of this act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

DEFINITIONS

SEC. 33. As used in this act—

(a) The term "Government agency" means any executive department, board, bureau, independent commission, or other agency in the executive branch of the Federal Government, and any corporation wholly owned and controlled by the United States.

(b) The term "owning agency" means a Government agency having control of property at the time when it is determined to be surplus to the needs and responsibilities of that agency.

(c) The term "disposal agency" means any Government agency designated under this act to handle disposition of one or more classes of surplus property, except owning agencies.

(d) The term "property" means any interest in property, real or personal, owned by the United States or any Government agency, including, but not limited to, patents, processes, techniques and inventions, and plants, facilities, equipment, machinery, accessories, parts, assemblies, products, commodities, materials, and supplies of all kinds, whether new or used, and wherever located.

(e) The term "surplus property" means any property which has been determined to be surplus to the needs and responsibilities of the owning agency in accordance with section 9 of this act.

(f) The term "contractor inventory" means any property allocable to the terminated portion of a contract of any type with a Government agency or to a subcontract thereunder.

(g) The term "care and handling" includes completing, repairing, converting, rehabilitating, operating, maintaining, preserv-

ing, protecting insuring storing, packing, handling, and transporting.

(h) The term "option" means any contractual right to retain or acquire any property at a price and upon terms prescribed or determined by the contract.

(i) The term "person" means any individual, corporation, partnership, firm, association, trust, estate or other entity,

(j) The term "State" includes the several States, Territories, and possessions of the United States, and the District of Columbia.

(k) The term "tax-supported institution" means any scientific, literary, educational, public-health, or public-welfare institution which is supported in whole or in part through the use of funds derived from taxation by the United States, or by any State or political subdivision thereof.

(l) The term "veteran" means any person who during the present war was entitled to the benefits afforded by the Soldiers' and Sailors' Civil Relief Act of 1940, as now or hereafter amended, and who has been honorably discharged or otherwise honorably separated from the service entitling him to such benefits; but the term "veteran" does not include any person who was entitled to such benefits solely by reason of being ordered to report for induction under the Selective Training and Service Act of 1940, as amended.

(m) The term "disposal" or "disposition" means sale, conditional sale, or lease, for cash, credit, or other property, donation when specifically authorized in section 12; or any other transfer.

EFFECTIVE DATE

SEC. 34. This act shall become effective on the date of its enactment.

SHORT TITLE

SEC. 35. This act may be cited as the "Surplus Property Act."

The VICE PRESIDENT. The question is on agreeing to the amendment in the nature of a substitute reported by the committee.

Mr. JOHNSON of Colorado. Mr. President, I was designated by the Senate Military Affairs Committee to sponsor and handle Senate bill 2065 on the Senate floor. The bill, as amended by the Committee on Military Affairs, is a composite of many bills dealing with the disposal of surplus property. We borrowed from more than a dozen bills in formulating the language and the provisions of the committee amendments to Senate bill 2065.

It is hardly necessary for me to say also that this bill as amended and as the committee has presented it, is very much of a compromise. The views of the members of the Senate Military Affairs Committee, as are the views of the Senate body as a whole, were sharply divided, but in order that we might report any bill we had to compose our differences and modify some of our views. That we have done.

Mr. President, the bill, as amended, comes to the Senate with the unanimous approval of the Senate Military Affairs Committee. I dare say that none of the members of the committee are entirely satisfied with all its provisions, but we realized that we had to compromise our differences, for if that were not done 96 separate bills would be the result, in order to have the kind of bill that each Member would think proper and adequate to deal with the great problem of surplus-property disposal.

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

Mr. JOHNSON of Colorado. I yield.

Mr. WHITE. Did I understand the Senator from Colorado to say that the bill comes to the Senate with the unanimous approval of the Committee on Military Affairs?

Mr. JOHNSON of Colorado. That is correct; yes. It comes to the Senate with the unanimous vote of the committee. I wish to add that I do not believe that any member of the committee was completely satisfied with the bill. No one is ever completely satisfied with a compromise, as the Senator well knows.

Mr. President, I do not think I need to try to emphasize the magnitude of the problem dealt with by the bill. I doubt whether anyone has sufficient imagination to visualize the size of this problem. It has been variously estimated by experts and students of economy that our surplus war goods will amount, measured in dollars and cents on a cost basis, to somewhere between $20,000,000,000 and $120,000,000,000. That is a pretty wide latitude even for guesses.

The size of the stock of war goods that will be declared surplus will depend upon many things, such as the length of the war, the suddenness of its termination, and whether or not production is maintained at a high speed until the war is terminated. All those factors enter into the picture. So it is a speculative matter to try to determine with any degree of definiteness the amount of surplus war goods.

The impact of the disposal of those goods upon the social and economic life of our Nation is also a matter of very great speculation. It is difficult to visualize just what that impact will be. In our hearings it was stated that at the close of the last war Secretary Baker described the distribution of $6,000,000,000 in war surpluses as one of the greatest problems America had ever faced. The most pessimistic among our prognosticators today believe that our problem is many times greater than that following the last war. There are many reasons for such a belief.

There are two extreme views as to how the surpluses should be disposed of. One view is that we should get it over with as rapidly as possible, like jumping into a pool of cold water. It is said that we should jump in, get out, shake ourselves, and have the disagreeable thing over with as quickly as possible. That is one viewpoint. In other words, it is proposed that we have a "fire sale" and get the Government out from under the ownership and the responsibility for the great surplus as quickly as possible, salvaging all we can, under the assumption that we could and should be through with the problem as soon as it is physically possible to do so.

The other extreme view is to padlock surplus goods and hold them back so that private industry might get under way quickly. The argument on behalf of that position is that the indirect losses due to the dumping of surplus war property would be far greater than the loss of the goods themselves. So this school of thought believes that if we hold back the surplus goods, keep them off the markets, and give private industry an opportunity to get started again without the threat of this heavy load of surplus goods the country will more quickly convert to a peacetime basis. I may add that the objective in both viewpoints is to convert from a war production to a peacetime basis at the earliest possible moment.

This bill follows neither of those extremes. It takes the middle road. It does not provide for a "fire sale." It does not provide for dumping. Neither does it provide for withholding. In this bill we have attempted to establish safeguards in the orderly disposal of surplus property, safeguards to protect the social, political, and economic life of the Nation.

The first decision we had to make in committee was whether to have a single administrator or a board. The problem demanded either a policy-making administrator or a policy-making board with administrative powers. Perhaps first I should outline to the Senate the manner in which the disposal problem actually will be handled. Most of us were agreed that the skeleton organization for handling the disposal problem should begin with the Director of Mobilization and Post-War Adjustment, the office held at the present time by a former Member of this body, Mr. Justice Byrnes. Nearly all the proposals made him the head of the conversion plan from war to peace. So we placed the disposal of war surpluses under his over-all direction.

The next step was the disposal agencies which would be designated to perform the actual mechanical and physical work of disposing of the goods. When I first began the study of this bill I was of the opinion that a single head was the better approach; that one man would be better than two men, that two would be better than three, three would be better than four, and so forth. I will not argue the point. When it comes to efficiency, one man can do a better job than eight. Just as a tyrant is more efficient as an executive than is a democracy. There is no question in my mind about that.

This problem as visualized by Mr. Clayton, the man who was appointed under the directives issued by the President subsequent to the Baruch report, was that his office would be policy making. Mr. Clayton, the man whom the President designated to administer the act, has given constant study, in collaboration with many other men interested in surplus property disposal, to the problem which lies ahead of us. Mr. Clayton came before the Senate Committee on Military Affairs and gave us a picture of his job. He said that his job was not so much to dispose of property as to determine the policies of disposal. He visualized that he would have a very small skeleton staff, and that its principal function would be to determine the policies of disposal.

Of course, the Senate Military Affairs Committee and the Senate must realize that, try as we may, there is no reason to believe that we can write into any act all the rules, regulations, and policies of a

program as comprehensive as this. To a certain extent, discretion and policy making must be left to someone. In drafting the bill we tried in every way to have Congress lay down the broad general policies of surplus-property disposal; but the Committee on Military Affairs realized that Congress could not lay down all the policies. It can lay down only the general policy, and much discretion will have to be exercised by someone. Policy making must be in the hands of someone.

Under Mr. Clayton's plan he would be the policy-making agency. The Committee on Military Affairs decided that that function required more than one man, and one man's viewpoint. Senators know that surplus property affects labor, industry, agriculture, and consumers. It affects everyone in the Nation to a greater or lesser degree. The committee felt that a board should be established to determine policies, rather than to leave the determination to Mr. Clayton. So the bill provides for a board of eight, to be appointed from all sections of the country, to be representative of consumers, agriculture, labor, and industry, so that all viewpoints may be represented when policies are determined. The board would appoint its own director or administrator, and that executive would carry out the will and the findings of the board. So we adopted the board plan rather than the plan of a single administrator.

I might go through the entire bill and point out its many provisions. I do not think I shall take the time of the Senate to do so at this time. There may be many questions by the Members and perhaps we should await their submission.

The committee subdivided the classes of property to the extent that it was possible to subdivide them. This bill deals with property all the way from a darning needle to a locomotive, and from a small wood screw to a bomber costing hundreds of thousands of dollars; it deals with ships; it deals with millions of acres of agricultural and other lands; it deals with many different kinds and classes of property; and we have dealt with each on a different basis. We have not put them all in one kettle and disposed of them as though they were similar. We have separated them therefore and have provided different methods for disposing of these various classes of property. I know that as we proceed with the debate Senators will wish to know just how it is proposed to deal with certain kinds of property. We are prepared to answer questions and explain the various methods of treatment.

I wish to say furthermore that in writing this bill we had before us volumes of testimony which were gathered by various committees of the Senate, including the George committee, the subcommittee of the Committee on Military Affairs headed by the Senator from Montana [Mr. MURRAY], and the Smaller Business Committee. All of them have been holding hearings; some of them have held hearings for as long as 12 months. The hearings have brought forth information which has been the basis of the provisions which we have included in the bill.

Mr. AIKEN rose.

Mr. JOHNSON of Colorado. I am glad to yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, I simply wished to ask the Senator from Colorado, although perhaps my inquiry should be addressed more especially to the acting majority leader and the minority leader, regarding how much time it is contemplated Senators will have for consideration of the bill. I do not know why any Senator who has not been on the Military Affairs Committee should be in a position to speak on the bill or even to form any judgment regarding how he would vote on the various provisions of the bill until there has been ample time to consider it. I hope no attempt will be made to rush the bill through before Senators have had full opportunity to study it, and also before various persons and organizations outside the Senate have had an opportunity to read the bill and to point out any changes which they might consider desirable.

So I simply am endeavoring to inform myself as to how much time we may expect to have to study the bill. It is an extremely important measure. As I have said, it appears to me that we should have ample time to study it, and I realize that very few Senators can be expected to speak on it at this time, because we first saw it only a few minutes ago.

Mr. JOHNSON of Colorado. Mr. President, so far as I know there is no proposal to limit debate in any way or to any extent. How long the Senate desires to discuss the bill and to consider it is a matter which is strictly up to the Senate.

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

Mr. JOHNSON of Colorado. I yield.

Mr. HILL. The Senator has expressed exactly the thought I had in mind. It is up to Senators to determine how long they would like to consider the bill, how much debate they wish to have, and how much time they desire to take. There is no disposition at all to rush the bill through.

As the Senator from Colorado knows, the Committee on Military Affairs spent 7 or 8 full days in considering the bill, in endeavoring to give the bill the very best consideration and thought, and to bring it out in the best possible shape. Certainly, I know of no disposition on the part of anyone to rush through the bill or to do anything other than, as the Senator from Colorado has said, to give it all desirable consideration.

Mr. AIKEN. Mr. President, what I had in mind was that usually the time spent on a bill is used by the various Senators themselves in discussing it. I do not see how the Members of the Senate can discuss the bill until after the passage of a little time during which the bill can be studied.

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

Mr. JOHNSON of Colorado. I yield.

Mr. HILL. Undoubtedly some Members of the Senate are prepared to discuss the bill today. I am sure the Senator from Colorado [Mr. JOHNSON] is not only prepared to give a general explanation of the bill but is also ready to answer any questions Senators may have in mind. Furthermore, I understand that the junior Senator from Tennessee [Mr. STEWART], who has made a great contribution to the bill, is prepared to speak on it today, and perhaps also to answer questions.

However, as I have said, I am sure there is no disposition to rush consideration of the bill.

Mr. AIKEN. I thank the Senator.

Mr. JOHNSON of Colorado. Mr. President, as the Senator from Alabama [Mr. HILL] has said, the bill is not a one-man measure. Many hands have had a part in its preparation. The provisions of the bill are extremely diversified. They are as diversified as is the economy of our country. It affects everyone in our whole country.

As I stated in the first place, the bill which the committee has reported to the Senate is a composite of many bills. Many Senators have devoted long time and study to the matter. The junior Senator from Tennessee [Mr. STEWART] and the senior Senator from Ohio [Mr. TAFT], as well as the junior Senator from Montana [Mr. MURRAY], the chairman of the subcommittee which gave this bill full consideration, and many other Senators have been very much interested in its provisions. I am sure that if any Senator has any questions to ask regarding any provisions of the bill, we shall try to find the answers.

Mr. AIKEN. Yes, Mr. President; I am sure the Senator from Colorado will be entirely fair about this matter, as he always is about everything else.

At the same time, I realize that even though the committee has worked diligently on the bill, and has brought forth the best possible bill it can, there may be errors in it or omissions. For instance, in scanning it hurriedly I see no reference to certain intangible property such as rights-of-way. Is a right-of-way which has been acquired by the Government covered by the bill? I can think of cases where it might be of extreme importance to have rights-of-way covered.

Mr. JOHNSON of Colorado. If rights-of-way are owned by the Government and are surplus, the bill certainly covers them, as well as any other property. In the bill we have separated property into many different kinds and classes, and have dealt with them separately. But certainly this bill deals with all surplus property. We have, however, provided for no special treatment for intangible property such as rights-of-way.

Mr. AIKEN. Would they be covered under the real-estate section?

Mr. JOHNSON of Colorado. The bill contains a section on real estate. I do not know exactly what the Senator from Vermont has in mind; I do not know what property of that nature might be surplus. But certainly if it is surplus property and if it is now owned by the Government, the bill deals with it.

Mr. CHANDLER rose.

Mr. JOHNSON of Colorado. I yield to the Senator from Kentucky.

Mr. CHANDLER. Mr. President, I appreciate the courtesy of the Senator from Colorado.

I merely wish to say to my friend the Senator from Vermont [Mr. AIKEN] and to other Senators who were not on the committee that in the 5 years I have been a Member of the Senate I do not recall any bill which has been given more careful consideration than the pending bill has received, or one in connection with which so many persons have appeared and have had an opportunity to be heard, following which the committee spent consecutive days and nights in endeavoring to write a fair bill. The widest opportunity has been given to all interested parties to be heard and to present their views to the committee.

The bill has the virtue, if it means anything, that every member of the committee who has considered it is in agreement that, although perhaps the bill is not a perfect one, nevertheless it is the best we can do. On both sides of the aisle, both Democrats and Republicans agree that it is the best we can do.

I would not agree to rush into consideration of the bill. It is most important. There may be $100,000,000,000 worth of property which may be disposed of under the bill. Personally, I was not in favor of letting any one man be in charge of the disposal of such a vast amount of property; and in that connection, the committee felt that its primary desire was, not necessarily that the disposal be made promptly, but that it be made as carefully as possible, all over the country, in order not to encourage speculation or inflation and in order not to have the disposal made in such a way as to upset the general economy of the Nation.

Mr. OVERTON. Mr. President, will the Senator yield to me?

Mr. JOHNSON of Colorado. I yield.

Mr. OVERTON. I should like to ask the Senator from Kentucky if the bill goes into any detail as to what shall be done with any particular character of surplus property. For instance, I have in mind road-building machinery which could be utilized by States, counties, and agencies of State governments.

Mr. CHANDLER. Mr. President, with the permission of the Senator from Colorado, I would reply that if such property is declared to be surplus as provided by the bill, and if the municipalities or State governments or their agencies have an opportunity to acquire it from the surplus property board under rules and regulations made by the board and by the disposal agencies, what the Senator from Louisiana has suggested could be done. There is the added virtue that such property could thus be acquired at 50 percent of the price which any person might have to pay in the market. Every possible aid and encouragement is given to provide for the use of surplus property by States, municipalities, local governments, and Government agencies in the local communities.

Mr. OVERTON. And such property is to be disposed of to those agencies at 50 percent of its market value; is that correct?

Mr. JOHNSON of Colorado. That is not quite correct. It is to be disposed of at not less than 50 percent of its market value.

Mr. OVERTON. In other words, such governments or agencies will not have to pay more than 50 percent of the market value of the property; is that correct?

Mr. JOHNSON of Colorado. They will pay not less than 50 percent; but they will be able to purchase the property for as little as 50 percent of its value.

Mr. CHANDLER. They will be able to purchase it for as little as 50 percent of what anyone else might offer.

Mr. OVERTON. However, the board could charge them 75 percent; could it?

Mr. CHANDLER. Yes.

Mr. JOHNSON of Colorado. That is true.

Mr. OVERTON. I have one other question to ask. In cases of surplus equipment which might be used for the training of young men in land-grant colleges or other institutions of learning generally, does the bill make any provision as to what shall be done with such equipment?

Mr. JOHNSON of Colorado. Yes; the board has full authority to give such equipment outright.

Mr. OVERTON. Yes; outright.

Mr. JOHNSON of Colorado. It can sell or give the equipment outright.

Mr. CHANDLER. There are provisions contained in the bill for special and specific donations.

Mr. OVERTON. I wish to congratulate the members of the committee. I believe that by substituting a board for one-man control the results will be more satisfactory. I think the provision to which the Senator has referred is a very wise one.

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

Mr. JOHNSON of Colorado. Does the Senator from Kentucky wish to have the floor?

Mr. CHANDLER. I am willing to defer to the Senator from Alabama.

Mr. HILL. I wish merely to invite attention to the fact that on page 46 of the bill, in line 11, there is a caption entitled "Disposal to Local Governments." The Senator will find that the language of section 12 provides for regulations to be prescribed by the board for the disposition of surplus property to educational institutions, municipalities, and other subdivisions of the States and local governments, as well as to nonprofit and educational institutions. We made every effort to give educational institutions an opportunity to obtain surplus property. The bill provides for donations.

Mr. OVERTON. Many of us have had an opportunity only to look at the bill.

Mr. HILL. I appreciate the situation in which the Senator finds himself.

Mr. OVERTON. I thank the Senator for calling my attention to the portion of the bill to which he has referred.

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

Mr. JOHNSON of Colorado. I yield.

Mr. McKELLAR. I have not read the bill in its entirety, but have examined only parts of it. In connection with giving away property to local institutions, or charitable institutions, or selling it at greatly reduced prices, are there any limitations contained in the bill with respect to a redisposition of the property? For example, would a city be allowed to buy an immense quantity of materials normally used by cities, and then resell them at market prices, or would individuals be allowed to buy property at 50 cents on the dollar and resell it at higher prices?

Mr. CHANDLER. On page 48 of the bill paragraph (d) provides as follows:

> (d) Where property is disposed of pursuant to the provisions of this section, the Board shall see to it that appropriate provisions for control are applied for a period not to exceed 2 years next succeeding the date of disposition with respect to the maintenance of the property, its continued use for the general purpose for which it was acquired, repossession by the Federal Government in the event that the conditions of its disposal are not complied with, and related provisions.

It provides for repossession by the Federal Government in the event the conditions of disposal have not been complied with.

Mr. McKELLAR. The language which the Senator has just read refers to cities, towns, and charitable organizations.

Mr. CHANDLER. Yes.

Mr. McKELLAR. What portions of the bill treat with sales made at 50 cents on the dollar? For example, if wheat, corn, or tobacco were sold at 50 percent of their value, is there any limitation in the bill which would prevent the person buying the property from reselling it at its full value? It seems to me there should be some method of insuring that unbridled speculation shall not take place.

Mr. CHANDLER. There is no provision concerning the sale of agricultural commodities. There is no provision contained in the bill which would permit speculation in any property of that kind.

Mr. JOHNSON of Colorado. If the Senator will permit, I will ask the Senator from Tennessee to refer to page 30 of the bill, and more specifically to subsection (7), which reads as follows:

> To assure the sale of such surpluses in such quantities and on such terms as will discourage disposal to speculators or for speculative purposes.

Mr. McKELLAR. That language is fine, but it is merely a statement, a request, a hope, a mere suggestion. What provision is there in the bill which would prevent such things taking place? The Senator will remember that some years ago Congress passed a bill—I may say that I had the distinction of introducing it and getting it through the Senate—providing that under certain circumstances Government contracts could be renegotiated. If by a mistake, or for any other reason, the Board should sell in large quantities at 50 cents on the dollar a product which was necessary in the interest of the public, and immediately thereafter the purchaser of the property should resell it for 100 cents on the dollar, it would be a very inadvisable transaction, and there should be some provision inserted in the bill with regard to renegotiating such a contract.

Mr. JOHNSON of Colorado. Of course, the bill does not apply beyond the first sale. The United States Government first sells the property to a purchaser.

The provisions of the bill do not apply beyond the first sale, and do not follow the goods until they are completely worn out or have no value. The bill does not do anything of that kind, but it does safeguard the first sale; and that, it seems to me, is the problem which Congress must face.

Mr. McKELLAR. We have had experience with matters of that kind. We had such an experience following the First World War, and Congress was obliged to enact a law providing for the renegotiation of contracts. The enactment of the law resulted in savings to the Government of hundreds of millions of dollars. Some such provision should be inserted in the pending bill because we should not open wide the doors to speculators. A mere suggestion to speculators that they should not do this or that will not be sufficient. There should be a provision in the bill covering the matter.

Mr. JOHNSON of Colorado. I invite the attention of the Senator from Tennessee to page 31 of the bill, subparagraph (2). At that point the following provision is found:

> To utilize normal channels of trade and commerce to the extent consistent with efficient and economic distribution and the promotion of the general objectives of this act (without discriminating against the establishment of new enterprises).

That is only one of the many safeguards which we have tried to provide in the bill in order to avoid the very difficulties to which the Senator from Tennessee has referred.

Mr. McKELLAR. I do not believe the courts would pay much attention to such language. If a sale were made and subsequently inquired into I do not think the courts would give much effect to such language. What I should like to see is a provision inserted in the bill that when a resale has been made at a tremendously exorbitant price, there shall be a renegotiation of the sale so that the rights of the Government may be protected. As I understand—and I think the Senator so stated a few minutes ago—there will be hundreds of millions of dollars of surplus property as an aftermath of this war. When we realize that we will owe approximately $300,000,000,000, it makes us all feel that we should take every precaution against the sale of surplus property to speculators to be used by them in making exorbitant profits at the expense of the people. I believe there should be a renegotiation of contract provision in the bill, and I hope the members of the committee, who are doing a splendid work and are endeavoring to be perfectly correct in everything they do, will see that such a provision is inserted. I think that we should all be very careful in taking necessary precautions against the activities of speculators.

Mr. CHANDLER. Mr. President, I think we have taken all necessary precautions. What the Senator from Tennessee is trying to have accomplished is a renegotiation of a sale between two private individuals, and I am at a loss to understand how that can be done under this bill. We have been careful to keep surplus property out of the hands of speculators.

Mr. McKELLAR. If the Senator from Kentucky will examine the present renegotiation law he will see that it provides for doing the very thing to which he has referred.

Mr. CHANDLER. But the renegotiation law provides for the renegotiation of contracts between the Government and some corporation.

Mr. McKELLAR. No; it applies to individuals after the matter has passed from the control of the Government.

Mr. CHANDLER. In the situation to which the Senator from Kentucky has referred, two individuals would be trading with each other after the surplus property had been disposed of by the Government, and the Government had received its money. I do not know how it would be possible to prevent two individuals from trading with the property after the Government had sold it.

Mr. JOHNSON of Colorado. I should like to point out to the Senator that even in the renegotiation law Congress saw fit to remove from its application all small transactions. In the pending bill we would deal with transactions right down to a darning needle.

Mr. McKELLAR. I think that is very advisable. There are many small transactions that could be accepted, just as they were in the renegotiation law of which the Senator speaks; but in the large transactions, especially where millions and perhaps billions of dollars may be made through the sale of surplus property we ought to be very careful. That is all I am asking.

Mr. HILL. Mr. President, I think that the Senator from Tennessee is entitled to the highest commendation for the outstanding services he rendered in the matter of the renegotiation of contracts. With the bill now before us it resolves itself down to a practical proposition of whether or not we can do under this bill what was done in the matter of the renegotiation of contracts. I understand that the distinguished Senator from Tennessee has been working on a suggested amendment to take care of this situation. I want to say to my friend from Tennessee, who did such a wonderful job and rendered such an outstanding service in the matter of the renegotiation of contracts, that if he can offer a workable and practical plan to meet this situation I shall certainly be very favorably disposed toward his proposal.

Mr. McKELLAR. I thank the Senator very much.

Mr. JOHNSON of Colorado. I join with the Senator from Alabama in that expression.

Mr. McKELLAR. I thank the Senator from Colorado, who has the bill in charge, and the other Senators who have expressed themselves along that line.

Mr. AIKEN. Mr. President, will the Senator from Colorado give me a little more information?

Mr. JOHNSON of Colorado. I am glad to yield.

Mr. AIKEN. Suppose there was a million-dollar housing project that was determined to be surplus; is the board required to dispose of that at not less than 50 percent of its cost?

Mr. JOHNSON of Colorado. No; the 50 percent provision that was referred to a moment ago has to do with municipalities, States, and local units of government.

Mr. AIKEN. Is it 50 percent of cost or 50 percent of value?

Mr. JOHNSON of Colorado. Fifty percent of what somebody else may bid for it, some private individual.

Mr. AIKEN. Fifty percent of the highest bid which may be made by someone else?

Mr. JOHNSON of Colorado. That is permissive; it is not compulsory; the board does not have to accept that kind of a bid.

Mr. AIKEN. Is there anything in the bill which would prevent the sale of Federal housing projects for 15 cents on the dollar?

Mr. JOHNSON of Colorado. Oh, yes. If the Senator will turn to page 75 he will find the following provision:

> (b) Nothing in this act shall impair or affect the provisions of the Emergency Price Control Act of 1942, as amended; the act of October 2, 1942 (ch. 578, 56 Stat. 765), as amended; section 301 of the Second War Powers Act, 1942; the act of March 11, 1941 (55 Stat. 31), as amended; the Tennessee Valley Authority Act of 1933, as amended; Public Law 849, Seventy-sixth Congress, respecting war housing.

Nothing in this bill will affect that act, and that act provides not only for the building of war housing but also for the disposal of war housing. This proposed act does not interfere in any way with such disposal.

Mr. AIKEN. I do not recall the provisions of the act governing the disposal of housing, either permanent or temporary.

Mr. JOHNSON of Colorado. There is nothing in this bill that permits the sale at 15 percent or any other percent of its value.

Mr. AIKEN. Value and cost are very likely to be entirely different figures.

Mr. JOHNSON of Colorado. Yes; that is why we have not dealt with figures as such.

Mr. AIKEN. Is there anything in the bill which controls the price or the sale of aircraft plants and shipyards?

Mr. JOHNSON of Colorado. On page 31 the Senator will find a provision which reads:

> (d) For all classes of surplus property, to obtain the highest return for the Government consistent with the foregoing objectives.

That does not mean 10 cents on the dollar or 5 cents on the dollar. This is an anti-dumping bill, antifire sale bill, to use the strongest expression I can think of at the moment regarding it.

Mr. AIKEN. I should like to say that under this bill as it is written goods could be sold for 10 cents on the dollar, could they not? I am asking for information. I do not want the Senator to think I am offering a criticism; I merely wish to know the facts.

Mr. JOHNSON of Colorado. We have not placed any prohibition against 10 cents on the dollar; we have not said that property could not be sold for 10 cents on

the dollar, if that is what the Senator means, but that is not contemplated, of course.

Mr. AIKEN. But there is no restriction on profits, so that a group of speculators, or a group getting together and forming a speculative company, could buy for the lowest possible price and then sell for the highest.

Mr. JOHNSON of Colorado. The antitrust laws would take care of that. The bill contains provision against collusion of that kind and against fraud.

Mr. AIKEN. Could not a group of six people with plenty of money get together and buy Government property without having any restriction or any limitation on the profits they might make?

Mr. JOHNSON of Colorado. That is the question the senior Senator from Tennessee addressed himself to a moment ago. We do not go into the matter of resales; we attempt to stop the floodgates at the dam; we do not attempt to go on down into the economic value, which goes all the way to the point where the goods become worthless. We attempt to do the job with the Government controlling, and not to enter into transactions between individual citizens. That is not the theory of the bill.

Mr. AIKEN. May I ask one more question? Under the provisions of the bill would a small purchaser, who perhaps wants a hundred units, be able to buy on equal terms with a great corporation which would buy millions of units, and then distribute the property through small concerns which perhaps would be doing about the same amount of business?

Mr. JOHNSON of Colorado. There is such a provision in the bill; the Smaller War Plants Corporation has that authority under the bill.

Mr. CHANDLER. Mr. President——

Mr. JOHNSON of Colorado. I yield to the Senator from Kentucky.

Mr. CHANDLER. I think I can answer the question of the distinguished Senator from Vermont. In section 14, under the heading "Small business," on page 49, it is provided:

SEC. 14. (a) It shall be the duty of the Board, and it is hereby authorized and directed, to devise ways and means and prescribe appropriate regulations and directives, to prevent any discrimination against small business in the disposal and distribution and use of any Government property covered by this act. To that end the Board shall cause the disposal agencies to adopt and pursue the following measures:

It does not say they may do so; it says they shall do so—

(1) Arrange for the widest practicable notice as far in advance of the sale as practicable, by advertisement or otherwise, to be issued and disseminated by the agencies so that large and small enterprises will be reasonably informed of the property offered for sale and the terms and conditions thereof.

(2) Reduce lots or blocks of any items offered for sale to the smallest practicable units conforming with marketing policy in the agency concerned so that they will be within the reach of small business enterprises.

(3) In appropriate cases in the discretion of the agency or the board, arrange for sales on credit or time bases, or such other terms or conditions as will preserve the competitive position of small business enterprises in the purchase or acquisition of surplus property and accord them a fair opportunity for the acquisition thereof.

Those are not permissive provisions; they are directive; the bill says the board shall do those things, break the property up into small lots and provide for its widest distribution. I repeat the opening statement I made that we do not want to sell the property in large lots, and we have done everything we could do to prevent the property falling into the hands of speculators, or any appreciable amount falling into the hands of speculators. They, too, would have to buy the property at the level at which small business concerns, or most of them, are paying for the things they want and need for distribution in local communities to the widest number of people. I think that covers the point raised by the Senator.

Mr. AIKEN. I think the provision is an extremely desirable one, and I thank the Senator from Kentucky for his explanation.

Mr. TOBEY. Mr. President——

Mr. JOHNSON of Colorado. I yield to the Senator from New Hampshire.

Mr. TOBEY. Is the determination of what constitutes a surplus to rest with each department, or is there an explicit definition of "surplus" in the bill?

Mr. JOHNSON of Colorado. It is left with each department. However, if, for instance the War Department, for the War Department has more surplus goods than any other owning agency of the Government, should think that goods were surplus and a dispute should arise between the War Department and the disposal agency on that ground, or if the board should think that the War Department was hoarding or holding back, the board would not have the power to take the supplies or property away from the War Department; it would not be given that opportunity, but would have to report to Congress, because it is the constitutional duty of Congress to provide for the support of the Army and Navy. So if the board thinks that any agency is holding back surplus goods, the facts can be reported to Congress, and Congress can deal with the matter.

Mr. TOBEY. Mr. President, one other question. With reference to surplus merchant ships of the country, this bill provides that such ships shall be left with the Maritime Commission to handle in accordance with the act of 1936. Is that correct?

Mr. JOHNSON of Colorado. That is correct.

Mr. TOBEY. So that Congress has nothing to do with that, but this active agency, the Maritime Commission, will try to sell ships as they think best on what terms they think best and the agency provided for in the bill, whether made up of one or eight, will have nothing to say. Is that correct?

Mr. JOHNSON of Colorado. In line 11, on page 35, there is a proviso which covers the point the Senator is making. The proviso reads:

Provided, however, That the United States Maritime Commission shall be the sole disposal agency for merchant vessels or vessels capable of conversion to merchant use, and that such vessels shall be disposed of only in accordance with the provisions of the Merchant Marine Act, 1936, as amended, and other laws authorizing the sale of such vessels, until otherwise provided by law.

In other words, they must be disposed of in accordance with acts of Congress.

Mr. TOBEY. The net result of that would be that the liquidating agent, whether a one-man agent or an eight-man board or commission, as provided in the House bill, would be out of the picture so far as merchant ships are concerned. That would be entirely in the discretion and judgment—and the good judgment, I believe—of the Maritime Commission.

Mr. JOHNSON of Colorado. Yes; that is correct. The Maritime Commission will be guided, of course, by the acts of Congress.

Mr. TOBEY. Yes, and will report to the Congress after sales are made.

Mr. JOHNSON of Colorado. Yes. The Maritime Commission does that. As I pointed out earlier today, the bill approaches different classes of property on different bases. Merchant vessels, for example, are handled in the way just stated.

Mr. TOBEY. Are there many items in the surpluses of the country as a whole which would be transferred to an agency to handle rather than to the man or the men who will be appointed under this bill? Or are there only a few exceptions?

Mr. JOHNSON of Colorado. There are only a few exceptions. Agricultural land and other lands.

Mr. TOBEY. And food supplies? It is contemplated, is it, in respect to food supplies?

Mr. JOHNSON of Colorado. Yes; the food supplies are handled in cooperation with the War Food Administration. Lands are handled through the Secretary of Agriculture and the Secretary of the Interior. The very good reason for that is that these agencies are existing agencies, going concerns. They are prepared, and have made long study of the subject, and are fortified with acts of Congress and established policy, and they will deal with these questions.

Mr. TOBEY. They are specialists?

Mr. JOHNSON of Colorado. Yes; they are specialists; and the committee did not think it would be advisable to set up a wholly new department to deal with the disposal of land. We preferred to use the agencies which Congress has already established, which are going, which are functioning, which understand the problem, which have programs under which to work.

Mr. TOBEY. I should like to ask the Senator from Colorado one other question. Before taking out the merchant marine vessels, and foods, and public lands, and so forth, which, under the provisions of the bill as presented to the Senate today, are placed under special agencies, that is, existing agencies, to conduct the sale, which in my judgment

is a constructive step, what percentage of the whole amount of the surpluses will be taken care of by existing agencies, and what percentage will be taken care of by the administrator or administrators to be appointed under the provisions of the bill? We hear many loose statements made of $50,000,000,000 or $100,000,000,000 of surpluses. The question is, how much the net result will be after these special agencies, such as the Maritime Commission and the War Food Administration, complete the sales of surpluses under their jurisdiction? Has the committee considered that point?

Mr. JOHNSON of Colorado. Yes; we have considered it. I do not think it is possible for that information to be obtained by anyone at the present time. I do not believe a complete break-down can be had into the classes of surplus property. That is something which I believe cannot be determined at the present time. I cannot answer the Senator from New Hampshire directly, except to tell him that there are very large acreages of land, and they do have considerable value.

Mr. TOBEY. Translated into assets and into a book estimate, would it be true that more than half of the surpluses on hand at the present time would be handled by special agencies, existing agencies, rather than by the administrator or administrators to be appointed under the terms of the bill? I am now speaking in terms of value.

Mr. JOHNSON of Colorado. No; I think that such an estimate would be entirely erroneous.

Mr. TOBEY. Does the Senator mean that it would be too great?

Mr. JOHNSON of Colorado. Yes.

Mr. TOBEY. So that they would not begin to handle 50 percent of the total?

Mr. JOHNSON of Colorado. They would handle more than 50 percent.

Mr. TOBEY. They would handle more than 50 percent?

Mr. JOHNSON of Colorado. Yes; I thought the Senator from New Hampshire was talking about it from the other angle.

Mr. TOBEY. So the whole amount handled by the agent or agents created under the terms of the bill would be more than 50 percent of the total surpluses?

Mr. JOHNSON of Colorado. Let us be sure we are talking about the same thing. It is only a guess on my part, I will say, but under the provisions of the bill I would say that the board which it is proposed to set up will have direct control of 80 percent of the total surpluses, on a dollars-and-cents basis. Of course I cannot estimate the value of ships. I do not know how much the ships will amount to in billions of dollars. But certainly it cannot be a very large percentage. It could not be more than 15 percent, but that is purely a guess on my part. Land would represent perhaps 5 percent, or less than 5 percent.

Mr. TOBEY. How about food supplies?

Mr. RADCLIFFE. Mr. President, will the Senator yield to me for a question?

Mr. JOHNSON of Colorado. I shall be glad to yield, but let me answer the Senator from New Hampshire further with respect to food supplies. We do not turn them over to the War Food Administration. The W. F. A. does have a considerable say in the final distribution, and we placed such a provision in the measure as a safeguard to agriculture, so that food supplies might not be dumped on the agricultural markets and destroy them.

Mr. AIKEN. Mr. President, will the Senator permit an interruption at this point?

Mr. JOHNSON of Colorado. If the Senator from Vermont will indulge me, I should like further to explain the scheme of this bill. The bill attempts to use Government agencies throughout. The board, or Mr. Clayton as the administrator for the board, or a single administrator, whoever might occupy the office, would not sell one single article under the terms of any of the bills. They would all be sold by disposal agencies, and the disposal agencies are Government agencies which are already set up. We are not going to set up a bureau consisting of 5,000,000 persons or 2,000,000. We are not going to establish Government sales agencies all over the country. We are going to use the existing Government agencies, and make them disposal agencies so that the organization which will be set up under the provisions of the bill to handle this matter will be a very small organization comparatively, and it will use Government agencies throughout to do the actual work of disposal.

Mr. RADCLIFFE. Mr. President, will the Senator yield to me for a comment?

Mr. JOHNSON of Colorado. Yes; I yield to the Senator from Maryland.

Mr. RADCLIFFE. The Senator will recall that there already has been disposal of some of the ships under the jurisdiction of the Maritime Commission. I merely wish to emphasize the fact that whenever it has been found that certain kinds of ships in ownership or control of the Maritime Commission are no longer needed and can be returned to the former owners, or otherwise disposed of, that is done, but always as the result of special legislation which has been framed for that purpose. It is my recollection that several such bills have already been passed, and one is pending at this time. I feel quite confident that such a general policy will be followed. Certainly before there will be any disposition on any large scale of the ships under the jurisdiction of the Maritime Commission, there will be additional legislation passed for that purpose. Such plans for disposition will follow along the lines of existing legislation plus such additional legislation as may develop from time to time.

Mr. TOBEY. I might interpolate and say to the Senator from Maryland that of course the demand for ships as a commodity is much more restricted and limited than the demand for many other things the Government will have to sell.

Mr. RADCLIFFE. Yes, but there has been quite an active demand for the return of ships, especially some of those which were taken over by the Government by lease, purchase, or requisition, to meet the urgent need for shipping at the time when we were hard pressed for necessary shipping for war purposes. Such ships have been returned, so far as it has been feasible to do so. However, I rather imagine there will be a very decided demand for our ships just after the war, for quite a long while at least.

Mr. TOBEY. I hope so.

Mr. RADCLIFFE. I believe there will be a lively and urgent demand for ships both in this country and in other countries which will not have ships in adequate quantities.

Mr. TOBEY. It is probable that the Senator from Maryland is right. I hope so.

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

Mr. JOHNSON of Colorado. Yes; I yield to the Senator from Kentucky.

Mr. CHANDLER. I can furnish some information which may be of interest to the Senator from New Hampshire. A preliminary report was filed on the 21st day of July of this year on behalf of the Senate Small Business Committee pursuant to Senate Resolution 66. Officials of the War Production Board, as set forth in the report, indicated, although I will not say that it is entirely authoritative, that it is their best guess at the moment that there will be approximately $10,000,000,000 worth of ships to be disposed of at war's end. Then they estimated the surplus war housing to be approximately $3,000,000,000. That would be a total of $13,000,000,000. And there are about 6,500,000 acres of surplus real estate. Of course, that would be handled by the Department of the Interior and the Secretary of Agriculture. The land offices under the Department of the Interior are already in existence. The bill provides for an all-time, up-to-date inventory on all the real property which the people of the United States own, and that will all be under the Department of the Interior, and will be made available to the people through the land offices. Then when the time comes to make disposition of surplus acreage under the provisions of the bill, of which there will be approximately, according to the best estimate, 6,500,000 acres, that will be done through the Secretary of the Interior and the Secretary of Agriculture, and if for any reason they do not agree, then the Director of War Mobilization is the referee under the general umpire clause.

A while ago I gave a figure of approximately $100,000,000,000. According to the estimate made in this report, the total amount of surplus property at war's end will be $103,828,000,000, or approximately $104,000,000,000 worth.

In order that we may be able to realize the magnitude of this problem, I wish to make a statement concerning our experience after the last war. On the 12th day of November 1918, 1 day after the armistice, the surplus property accumulated by the Government—and that was the largest amount ever accumulated in our history up to that time—was worth, according to Mr. Newton Baker and others, about $6,000,000,000. That will give an idea of how, in geometric pro-

portion, the amount of surplus property has increased in this war as compared to World War No. 1.

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

Mr. JOHNSON of Colorado. I yield.

Mr. ELLENDER. I wish to ask the Senator a few questions in respect to the composition of the board.

I notice on page 32, section 2 (a), that the board is to be composed of eight members. I presume that those eight members would have charge of prescribing the methods by which the property would be disposed of and of designating policies.

Mr. JOHNSON of Colorado. The Senator's supposition is entirely correct.

Mr. ELLENDER. Under subsection (b) I notice that the President of the Senate and the Speaker of the House of Representatives are to select two Senators and two Members of the House, respectively, to sit on the board. What is to be the function of those Senators and Representatives? What will they have to do in regard to policy making?

Mr. JOHNSON of Colorado. I should like to refer that question to the Senator from Wyoming [Mr. O'MAHONEY].

The Senator from Louisiana has asked what the function of the congressional representatives provided for in the bill would be, exactly how the plan would operate, and what are its virtues. I am sure the Senator from Wyoming can answer that question, because he is the author of that very wise provision.

Mr. O'MAHONEY. Mr. President, I shall be very glad to attempt to do so.

First, it should be said that in time of war it always becomes necessary in a democratic country to vest extraordinary powers in the Executive, because in wartime immediate action is very much more important than deliberation. On the contrary, in time of peace, the objective should be to deliberate, in order to be certain that no policies are adopted which may be upsetting to the economic, social, or political welfare of the people.

We have gone through the experience of delegating broad legislative powers to executive boards and agencies for the purposes of the war. It had to be done. Now, however, we are preparing to enter a reconversion period, in which, if there is concentrated Government authority over policy-making questions, great public interests may easily be sidetracked. Moreover, a bill of this kind necessarily delegates broad legislative authority in the formulating of policies. It was because of that fact that the very wise provision suggested by the Senator from Colorado, for establishing a board instead of a single individual authority, was adopted.

Legislative powers and policy-making powers being conveyed, it was the belief of the committee that the Congress should have the opportunity, through members appointed for the purpose, to know what is going on at the time it is going on, instead of being compelled, as we now are, to wait until after the fact, to learn, by investigation or press releases, what has been done. In other words, the purpose of this provision is to provide effective surveillance by Congress.

Mr. ELLENDER. Does not the Senator concede that all of us have about as much as we now can do in the Senate? I think it would be idle to think that any two Senators or any two Members of the House would have sufficient time to look into the various things which the Board may do.

Mr. O'MAHONEY. That is the argument upon the basis of which we surrender our legislative powers.

Mr. ELLENDER. On the other hand, I fear that this may be considered an encroachment by the legislative branch on the executive. My own thought about the matter is that we ought to leave to the executive the administration of any laws which we enact. I should much prefer to have this provision stricken from the bill, and have adopted a resolution providing for the appointment of five or seven Senators to investigate the disposition of all war surpluses. I believe that with such a committee to investigate sales, the various governmental agencies would be more likely to follow the law.

Mr. O'MAHONEY. Let me say to the Senator that the theory of the bill is that we should not institute investigating committees after the horse has been stolen, but that we should take precautions before the stealing of the horse, so that investigations thereafter will not be necessary.

Mr. ELLENDER. I believe that it would be very helpful to have such a committee created at the moment. The Senator well knows that up to the present time much property has been sold by various governmental agencies. The resolution which I propose to present for the consideration of the Senate will deal not only with the future disposal of surplus commodities, but also with past sales. I feel confident that it would be better to create such a committee than to have two busy Senators and two busy Representatives attending the meetings of the board and trying to follow its work.

Mr. O'MAHONEY. Personally, I believe that Senators cannot be too busy to do so important a job as this.

Mr. ELLENDER. On the other hand, if I may point out to the Senator, the only thing which the two Senators and two Representatives could do would be to report back to the Senate and the House what was being done by the board. As I understand the provisions on page 41 of the bill, the board would be required to make reports to the Congress every 3 months. Would not that be satisfactory, or serve the same purpose?

Mr. O'MAHONEY. In my opinion, and in the opinion of the committee, it would not, because, again, it would be after the fact.

The purpose and philosophy of this provision, and of the whole section of the bill dealing with reports and planning, is to bring about the closest possible cooperation between the Congress and the agency. I feel that it falls into an utterly different category from the ordinary executive agency, because it is clothed with power to dispose of surplus property for which the people of the United States have paid with red ink, to the extent of $100,000,000,000 or $150,000,000,000. We do not know the exact value, but we do know that, whatever the cost may have been and whatever the present value may be, the disposition will have a tremendous effect upon the economy of this country, upon every area, every State, and every community. If ever there was a time when we ought to have the closest bond between Congress and the executive agencies, it is in the disposition of property of such great value.

Mr. ELLENDER. I should prefer to be in a position to view the activities of the board from a critical standpoint. I should prefer to enact the law and let the executive agency administer it, and then have a committee appointed to see to it that the executive agency carries out the wishes of Congress. I believe such a plan would be much more effective than the plan of making the legislature a part of the executive branch, which would probably preclude us from criticizing in the future.

Mr. O'MAHONEY. Mr. President, the theory of this provision was exactly the thought of the Senate when, in passing the George bill a week or so ago, it gave its approval to that section of the bill which established a joint committee of the Senate and House to maintain close cooperation with the reconversion plan.

Mr. ELLENDER. However, in that case the committee was not a part of the agency. In this instance it is proposed to make the two Senators and two Representatives members of the board.

Mr. O'MAHONEY. Oh, no. The Senator is mistaken.

Mr. ELLENDER. They would sit on the board.

Mr. O'MAHONEY. They would be entitled to sit with the board.

Mr. ELLENDER. They might offer suggestions which would be followed, and the Congress as a whole would be blamed.

Mr. President, with the permission of the distinguished Senator from Colorado, I send to the desk an amendment to the pending bill, striking out subsection (b) of section 2.

The PRESIDING OFFICER. Is the Senator now offering the amendment?

Mr. ELLENDER. No. I ask that it be printed and lie on the table.

The PRESIDING OFFICER. The amendment will be printed and lie on the table.

Mr. ELLENDER. I also send to the desk a resolution reading, in part, as follows:

Resolved, That a special committee of seven Senators, to be appointed by the President of the Senate, is authorized and directed to make a full and complete study and investigation with respect to the sale and other disposition of surplus Government-owned property. Such committee shall report to the Senate from time to time the results of its study and investigation together with such recommendations as it may deem advisable.

The PRESIDING OFFICER. Without objection, the resolution will be received and referred to the appropriate committee.

The resolution (S. Res. 324) was received and referred to the Committee on Military Affairs, as follows:

Resolved, That a special committee of seven Senators, to be appointed by the President of the Senate, is authorized and directed to make a full and complete study and investigation with respect to the sale and other disposition of surplus Government-owned property. Such committee shall report to the Senate from time to time the results of its study and investigation together with such recommendations as it may deem advisable.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventy-eighth Congress, to employ such experts, and such clerical, stenographic, and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $25,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

Mr. CHANDLER. Mr. President——

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Louisiana permit the Senator from Kentucky to make a few comments on the statement which he has just made?

Mr. ELLENDER. Certainly.

Mr. CHANDLER. Mr. President, I believe that subsection (b) of section 2, which the Senator from Louisiana seeks to strike out, should be read into the RECORD. It reads as follows:

(b) In order that the elected representatives of the people shall be kept informed of the activities and the policies of the Board, the President of the Senate shall appoint two Members of the Senate and the Speaker of the House of Representatives shall appoint two Members of the House of Representatives who shall be entitled to attend any meetings of the Board and who shall from time to time report to the Congress or to their respective Houses on the proceedings of the Board. It shall be the duty of the chairman of the Board to advise such Members of all general or special meetings of the Board.

Mr. President, I sincerely hope the Senate will not strike out that provision. The Senate agreed to the appointment of the Truman committee, and the Truman committee operated during all the time when contracts were being given to plants and to various persons all over the country to produce war materials. It was an active committee in charge of investigations on the spot.

I think it would be salutary and that it would have a desirable effect on those who are going to administer this law, if two Members of the Senate and two Members of the House of Representatives, busy as we all are, or are claimed to be, served in that capacity. No more important function is to be performed at the moment, it seems to me, than to see to it that this surplus property be fairly and honesly distributed among all the people of the country and that the widest possible opportunity be given to the people to share in the disposal of the surplus property. I think the board should understand that such Members of the Senate and the House of Representatives will be present when important matters regarding the disposal of surplus war property are considered.

I concur in the statement made by the Senator from Wyoming [Mr. O'MAHONEY] that too often we set up agencies and permit them to handle matters for us, and later we appoint a committee and authorize it to spend large sums of money to investigate such agencies. If it finds that those charged with administration of the agency did not administer it correctly, all we can do then is to condemn them. That will not get back the property or the money.

I have no objection to having my friend offer a resolution calling for an investigation if the circumstances warrant an investigation. But all too often we do that, instead of preventing abuses in the first place. As I have said, by means of an investigation we are able to find out whether a particular agency has mistreated the people or has done what it should not have done, or has improperly disposed of property, but by that time the action has been taken and the damage has been done.

Mr. ELLENDER. Mr. President, the Senator has stated that the four Members of Congress who will serve on the board will have no power, and that all they will be able to do is listen. How would they know whether a true picture was being given?

Mr. CHANDLER. They could attend a given meeting at which ships or airplanes or land were being disposed of, and subsequently could come directly to the Senate or the House, as the case might be, and could make a report. Such action might result in preventing a sale which conceivably might result in great loss to the people of the country.

Mr. ELLENDER. Does the Senator think that such Senators or Members of the House of Representatives will attend the meetings of the board?

Mr. CHANDLER. They will attend the meetings, or will have the right to attend.

Mr. ELLENDER. The question before the board at its meetings will be only that of the determination of policies.

Mr. CHANDLER. Then the Senate and the House of Representatives should have representatives there. I admit such service would be a burden; but it is a burden we should carry, and should not shirk, for the matter is of great importance.

I sincerely hope the Senate will not agree to strike that provision from the bill.

Mr. ELLENDER. Mr. President, I do not believe at all that the question is one of shirking our duty. I believe we could do a better job by letting the board and everyone else concerned—everyone who buys such property—know that we expect the letter of the law to be followed.

Mr. CHANDLER. We always do that.

Mr. ELLENDER. I think it would be more salutary to have the board look into such matters and make sure that the laws passed by the Congress are properly executed, rather than to have four Members of Congress attend the meetings, and thereby lead the public to believe that they are members of the board and are agreeing with all the board does. That is what will result if we make certain Members of the Senate and of the House of Representatives parties to the proceedings of the board with a view that, by being members of the board, they will know everything that occurs.

Mr. CHANDLER. No, Mr. President; I do not say they will know everything that occurs. But I assume they will have an opportunity to know. I think that is one of the duties and responsibilities of a Senator or of a Member of the House of Representatives, especially in connection with a matter so important as the one now under consideration. Of course, the very opposite of making failures and mistakes is to see to it in advance that they are not made.

Mr. ELLENDER. But the public would be under the impression that, inasmuch as four Members of Congress were members of the board, everything was going on nicely. I would prefer to have Members of Congress see to it, as is our right, that the laws are properly executed by the executive.

Mr. CHANDLER. It is something more than a right, Mr. President; it is a duty. The Members of the Senate and Members of the House of Representatives who will be on the board will have been elected by the people; they will not merely be appointed to boards or bureaus; they will not be merely bureaucrats. The result will be that there will be better administration. I think that the provision in the bill will contribute to the better administration of the entire act.

Mr. JOHNSON of Colorado. Mr. President, I should like to say a further word on that point. The board is to be the policy-making agency. It is to be a legislative board. The Congress cannot escape delegating some legislative power and authority to the board. The board will not be exactly an executive board, in the true sense. It will be a board which will outline policies.

Mr. Clayton, who now occupies the office, very recently drafted a proposed plan to organize tax-supported entities for the purpose of buying surplus war property. The plan he drew up filled six or seven pages of fine print, by the time all its provisions were set forth.

Yesterday, Mayor LaGuardia was before the Mead committee, formerly the Truman committee. At that time he criticized the piece of legislation which was drafted by Mr. Clayton and was subsequently enacted into law. Mayor LaGuardia said, after he had presented the plan:

You will find that rather illuminating. This plan, I think, was rather amateurish, and it will not work. I have consulted with many of my colleagues in other cities, and they agree with me.

Then Senator FERGUSON asked:

Whose plan is it?

Mayor LaGuardia replied:

Mr. Clayton's. I told him I would have nothing to do with it.

Here is a plan organized by Mr. Clayton to take care of such conditions in the municipalities, and the mayor of our largest municipality says it is amateurish.

I mention that to illustrate the fact that the board will be establishing rules and regulations, something which we cannot do by law in all instances.

Mr. CHANDLER. Mr. President, will the Senator yield to me?

Mr. JOHNSON of Colorado. I yield.

Mr. CHANDLER. I should like to say that in this instance I think the Congress has a constitutional duty which is not involved in every case. Under article IV, section 3, of the Constitution, provision is made—and I especially call the attention of my friend the Senator from Louisiana to this provision—

> The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

I think that provision of the Constitution bears on the matter now before the Senate, because under the pending bill we are delegating an authority which, under the Constitution, we should be careful to watch; namely, the authority to dispose of the property of the people of the United States. Under the Constitution we are bound to see that it is done properly, if we are able to do so.

Mr. ELLENDER. The Senator knows that in the past that has been done by legislating on the subject, and under article II of the Constitution, by putting the execution of the law into the hands of the executive.

My fear is that if the legislative branch becomes in any wise involved in the matter of determining policy, or becomes in any wise mixed up with the matter of the sale of surplus commodities, the public itself will take it for granted that, inasmuch as Members of Congress are on the board, everything will be all right; and the public at large will not be worried about it.

Mr. CHANDLER. They will not be on the board; the Senator is in error about that. There is no provision for Members of Congress to be on the board.

Mr. ELLENDER. I understand that. But we will not be able to make the average citizen believe they are not on the board. It is true that the Members of Congress will be there as listeners, and will not take action. But Congress will be blamed.

Mr. CHANDLER. The members of the board will be appointed, not elected. But the Members of Congress who will serve on the board will, of course, have been elected, and will represent their constituents. It is my belief that they should serve in that capacity.

Mr. McFARLAND. Mr. President, I believe the Senator takes the position that full publicity and information to the public and full responsibility to the public constitute the best system which can be used.

Mr. CHANDLER. The Senator is exactly correct. If the Members of Congress attend the meetings of the board, publicity will be given. The people should know, and I want them to know.

Mr. McFARLAND. Does the Senator think it is sufficient to invite such Members of Congress to attend?

Mr. CHANDLER. Let me say to the Senator from Arizona that the Senator from Louisiana [Mr. ELLENDER] misconceives the idea with respect to this matter. Such Members of Congress will not be members of the board. They will not preside at the sales of property. They will not go into the disposal agencies and try to officiate or meddle or interfere. But the board will understand that when it makes rules and regulations or decides on any such matters, there will be present Members of Congress who can report promptly to the Senate and to the House of Representatives what is going on.

Mr. McFARLAND. I agree with the Senator that it is most important that not only Congress but the people know all about those transactions.

Mr. CHANDLER. Certainly.

Mr. JOHNSON of Colorado. Mr. President, the Senator from Louisiana said he had other questions to ask. I shall be glad to hear further from him at this time.

Mr. ELLENDER. Mr. President, the next question I desire to ask is whether in the committee there was any discussion or any division of opinion relative to the question whether Members of the Senate and House of Representatives should be appointed?

Mr. CHANDLER. No.

Mr. ELLENDER. In the meantime, the Senator from Kentucky has, I think, answered the question.

From what I understand, the committee was unanimous in agreeing on the adoption of section 2 (b). Is that correct?

Mr. CHANDLER. This bill is an unusual one in that respect; if I am in error I hope my friend the Senator from Colorado will correct me. The committee was unanimous in its approval of every section, every paragraph, and every line of the bill. It was carefully gone over. We present it to the Senate with the unanimous approval of all members of the committee, both Republicans and Democrats.

Mr. ELLENDER. I understand there was considerable discussion.

Mr. CHANDLER. Oh, yes. Of course, we had differences of opinion during the discussion, and many times we were forced to sacrifice our personal views. But when we finally got ready to make the report it was the best we could do under the circumstances. As one member has already said, we were giving and taking. One member insisted that we were doing all the giving and not receiving anything. The members of the committee finally arrived at an accord, so far as possible, with regard to all provisions of the bill. The bill represents the best we could do, and I believe the Senator from Colorado will bear me out in that statement.

Mr. JOHNSON of Colorado. Yes; that is a true statement. There were differences of opinion with regard to sentences and paragraphs. Ten days were consumed in discussion.

Mr. ELLENDER. I am sure the Senator from Kentucky and the Senator from Colorado, in fact, the entire Senate, are desirous of seeing that all necessary safeguards are placed in the bill. I am wondering what would be the reaction of the distinguished Senator from Kentucky if we should leave in the bill paragraph (b) of section 2 on page 32 and in addition thereto provide for the appointment of seven Senators to see that the law is carried out.

Mr. CHANDLER. I am a member of the Senate Committee on Military Affairs, and if the Senator will have a resolution to that effect referred to the committee, I will assure him that the committee will give it most careful consideration. I do not know, however, what the attitude of the committee will be.

Mr. ELLENDER. I wish only to insure that all proper safeguards with regard to the sale and distribution of surplus property are made a part of the law.

Mr. CHANDLER. I understand the Senator. I share the Senator's views.

Mr. JOHNSON of Colorado. I agree with what the Senator from Kentucky has said. I may also state that a committee of the kind which the Senator from Louisiana has in mind would prove very valuable to the country, not only with regard to surplus property, but with regard to the entire reconversion program which is to be set up under the Director of War Mobilization. The program has three well known legs which the Congress has already considered. Surplus property is only one of them. Another leg is the termination of contracts. The third leg is the so-called George bill which the Senate recently passed. As I understand, all the functions to which I have referred are to be placed under the Director of War Mobilization, and I believe that a special committee of the Congress to watch the matter very carefully would be most valuable. Such a provision could be coordinated with paragraph (b) on page 32 of the bill. I think it would be complementary to paragraph (b), and it would afford Congress a place where those matters could receive special consideration. I totally agree with what the Senator from Louisiana has said with regard to the need not only of supervision as to the rules and regulations which are to be promulgated, but as to what will happen under the operation of the entire project.

Mr. ELLENDER. Mr. President, I thank the Senator. I presume the resolution which I have just submitted will be referred to the Military Affairs Committee.

The PRESIDING OFFICER. It will be so referred.

Mr. ELLENDER. I hope the committee will look into the matter as soon as possible.

Mr. JOHNSON of Colorado. The committee will certainly do so.

Mr. VANDENBERG. Mr. President, I wish to ask the Senator one or two questions. I regret that I was not present when he made his original presentation. I was detained on other official business.

I wish first to ask the Senator whether or not there is any definition in the bill for the term "small business." The bill repeatedly indicates that certain powers

will be granted in behalf of small business. Within the jurisdiction of the proposed legislation, what is "small business"?

Mr. JOHNSON of Colorado. We have not provided any definition for the term "small business." As the Senator well knows, whenever Congress has fixed a definition in the law it has been a limiting definition; that is, we do not accept the term as Webster defines it, but we place limitations upon it. The term "small business" is pretty well understood. It is being used constantly by members of the press and by others. I suppose that it refers to what is usually understood as small business. However, on page 49 of the bill the term "small business" is merely a title. Under that title the bill prescribes the activities of the Board in cooperation with the Smaller War Plants Corporation.

Mr. VANDENBERG. I understand that; but on page 51 of the bill, in paragraph (f), the Smaller War Plants Corporation is authorized "to make or guarantee loans to small business enterprises," and so forth. That is a pretty important prerogative. It might easily involve the handling of tremendous sums of money, and might also easily involve a very vital factor in business enterprise. I do not see how the administrator of the proposed law will know how to draw the line under this provision when business asks for loans.

Mr. JOHNSON of Colorado. The Smaller War Plants Corporation will be limited, of course, in the amount of funds which it will have available. That is one limitation which will be established. In drafting the language the belief was that big business could very easily take care of itself.

Mr. VANDENBERG. What is big business?

Mr. JOHNSON of Colorado. I should say that the United States Steel Corporation, for example, is big business.

Mr. VANDENBERG. I believe we can agree on that.

Mr. JOHNSON of Colorado. I have no definition in mind for the term "small business." I know it is a very nebulous thing. If the Senator has a definition in mind, and thinks it would make the bill more explicit, I am sure the Senate will be glad to consider it.

Mr. VANDENBERG. The Senator will understand that I do not mean to be captious about the matter.

Mr. JOHNSON of Colorado. No; I understand that.

Mr. VANDENBERG. I share the desire of all other Senators that this program shall assist what we generally understand to be small business, because what we generally understand to be small business is the backbone of the American free-enterprise system.

Mr. JOHNSON of Colorado. The Senator has well stated his point.

Mr. VANDENBERG. But when we attempt by legislation to create important rights, and it is intended that loans shall be limited to small business, it seems to me that something should be said as to what is meant by the use of the term "small business."

Mr. JOHNSON of Colorado. Of course, the original act creating the Smaller War Plants Corporation gave to it certain authority. I do not have the act before me, but I believe the terms "small business" and "small business enterprise" are used repeatedly in the act. They are meant to cover similar things in the pending bill.

Mr. VANDENBERG. Does the distinguished Senator know whether there is a definition in the pending bill of "small business"?

Mr. JOHNSON of Colorado. I know there is none.

Mr. VANDENBERG. Does the Senator know whether there is such a definition in the Smaller War Plants Corporation Act?

Mr. JOHNSON of Colorado. My guess is that there is none, but the term is used repeatedly.

Mr. VANDENBERG. I can only repeat that it seems to me there is too much elasticity in the term "small business." I am not at the moment prepared legislatively to define the words, but when it is proposed that the board shall have such wide latitude in making and guaranteeing loans to business, it is possible that it should have a more definite directive with respect to the limitations within which it must live.

Mr. JOHNSON of Colorado. As I have already said, the latitude will be circumscribed by the amount of money the Smaller War Plants Corporation has available.

Mr. VANDENBERG. I ask the Senator to turn to page 53——

Mr. WHITE. Mr. President, will the Senator from Michigan yield to me before he goes to another subject matter?

Mr. VANDENBERG. I am glad to yield if I have the floor.

Mr. WHITE. I notice on page 53 of the bill a provision with respect to the procedure to be followed in case the original cost to the Government was $1,000,000 or more. I take it that definite machinery and procedure has been provided in cases where the cost to the Government has been less. I wonder if the million-dollar figure was intended to distinguish between a small business plant and one much larger?

Mr. JOHNSON of Colorado. No; that distinction was not intended to be made. The section to which the Senator from Maine has referred deals with the antitrust laws and is not meant to establish a difference between small business and large business.

Mr. VANDENBERG. I now ask the Senator from Colorado to turn to page 53 of the bill, line 13, and note the language which authorizes the board to prevent "undue concentration of industry or commerce." Does that mean geographical concentration, among other concentrations?

Mr. JOHNSON of Colorado. The entire sentence reads as follows:

> Within a reasonable time after receiving such notification the Attorney General shall advise the Board or disposal agency whether the proposed disposition will either violate the antitrust laws, or encourage monopoly or undue concentration of industry or commerce or restrain competition substantially.

The entire section deals with the antitrust laws. It was prepared by attorneys after long consultation with the Department of Justice, and with others, and it is the language which was agreed upon between them. As to its practical effect——

Mr. VANDENBERG. I am sorry, but the credentials of the Department of Justice are not particularly impressive to me at the moment.

Mr. JOHNSON of Colorado. Reference is made to the Department of Justice in this section, and the Department of Justice may be called upon by the board to determine whether the antitrust laws have been violated. The Senator from Michigan I know is familiar with the fact that there is an Antitrust Division in the Department of Justice.

Mr. VANDENBERG. What the Senator is saying, then, is that the phrase "undue concentration," on page 53, relates to the trust or monopoly factor but not to the geographical factor.

Mr. JOHNSON of Colorado. That is correct.

Mr. VANDENBERG. Then, I ask the Senator to turn to page 31 where the same general subject matter might arise again. At page 31, lines 14 and 15, where reference is made to the "disposition of plant equipment," and so forth, the board is required to give "due regard to the needs of industrially underdeveloped areas." Does that mean that the board is to undertake directly or indirectly a distribution of industry across the country?

Mr. JOHNSON of Colorado. No; not that, not a redistribution. The whole paragraph reads:

> (1) To promote maximum production and employment of the manpower, the natural and agricultural resources of all sections of the country with due regard to the needs of industrially underdeveloped areas.

With due regard to their needs.

Mr. CHANDLER. That has to do with the disposition of plants, equipment, and materials for use in further production, and if there is a surplus which might be used in an area which was underdeveloped, the board might consider the question of permitting it to be obtained. Is there any objection to that?

Mr. JOHNSON of Colorado. Furthermore, the Government has built hundreds, even thousands—I do not know what the total number is—of industrial plants all over the country. If these plants are to be operated, they will certainly cause a dislocation of industry as it was known in the pre-war period. If these plants are going to be sold or disposed of, that idea should be kept in mind because there would be a tremendous effect upon the industrial conditions in the Nation.

Mr. VANDENBERG. That is true and that is what I am trying to get at. Let me submit an example to the Senator, and perhaps he will better understand my question. Suppose there was a prewar concentration of a given industry in an old, established industrial center of the country; along comes the war, and there has to be a sudden emergency expansion, and the supplementary emergency expansion plants are located a thousand miles away in some other area which is not an industrial area per se and which had no previous relationship to the particular industry——

Mr. JOHNSON of Colorado. Let me say——

Mr. VANDENBERG. If the Senator will permit me, I should like to proceed a moment further. Now we come to the question of cut-backs and the disposal of surplus property. Would this language mean, directly or indirectly, that the board should consider that the underdeveloped industrial area where the temporary plant is located is entitled to the maintenance of that plant ahead of the maintenance of the industry in its pre-war established status?

Mr. JOHNSON of Colorado. No; this bill does not deal with maintenance; it deals with disposition, but the problem which the Senator has mentioned would properly be one that would come before the board. While this section does not say so, it must by its very nature refer to industrial plants more than to anything else. There is the pre-war concentration the Senator has mentioned, and the Government has gone out and built plants elsewhere. The question is going to come up to the board in the disposition of those plants, in connection with their sale, whether they should be sold so as to decentralize or whether they should not be sold so as to decentralize.

Mr. VANDENBERG. Exactly.

Mr. JOHNSON of Colorado. That is the very question that will be before the board.

Mr. VANDENBERG. Very well, and that is a decision which vitally affects the economic life of the Nation.

Mr. JOHNSON of Colorado. That is very true.

Mr. VANDENBERG. I want to know whether we are leaving the board to its own discretion or whether by our votes we are now directing the board to favor the nonindustrial area in which an emergency plant has been built as against the pre-war area where the industry may have been developed.

Mr. JOHNSON of Colorado. The language of the first line I think answers the question. It reads:

(1) To promote maximum production and employment of the manpower, the natural and agricultural resources of all sections of the country—

Mr. VANDENBERG. "With due regard to the needs of industrially underdeveloped areas." What does that language mean?

Mr. JOHNSON of Colorado. I cannot place any other meaning on it than what is written into the section. We are not directing the board to open up industrially underdeveloped areas. The language is not necessarily a directive. I call the Senator's attention to the so-called basket provision of section 7 where restrictions are placed on the board with respect to the disposition of certain types of plants. It begins at the bottom of page 39:

(1) Aluminum plants and facilities; (2) magnesium plants and facilities; (3) synthetic rubber plants and facilities; (4) chemical plants and facilities; (5) aviation gasoline plants and facilities; (6) iron and steel plants and facilities; (7) pipe lines used for transporting oil; (8) patents, processes, techniques, and inventions, except such as are necessary to the operation of the plants and facilities herein listed—

The next group—9, 10, 11, and 12—are by another section of the bill placed in a different category. I want to call the separation of the two lists to the attention of the Senator—

(9) aircraft plants and facilities and aircraft and aircraft parts; (10) shipyards; (11) transportation facilities; and (12) radio and electrical equipment.

If the Senator will turn to page 41, he will find there paragraph (c), which reads as follows:

(c) Whenever the Board may deem it to be in the interest of the objectives of this act it may authorize the disposition of any property listed in classes 9 to 12, inclusive, of subsection (b) of this section. With respect to the property listed in classes 1 to 8, inclusive, no disposition shall be made or authorized until 30 days after such report (or additional report) has been made while Congress is in session.

In other words, the classes of plants from 1 to 8 must be reported to Congress while Congress is in session; 30 days before disposition is made the board must bring such plants to the attention of Congress and give us a look-see.

With reference to items 9, 10, 11, and 12, the board must report, but the bill is not so restrictive on their action.

Mr. VANDENBERG. Let me say to the Senator that I heard repeatedly expounded before the Special Senate Committee on Post-War Economic Policy and Planning the theory that in the disposition of surplus war property effort should be made to redistribute industry in this country so as to decentralize the points at which industry habitually has lived and to translate it to other areas which have not been industrial in pre-war days. That is a fine ideal, a fine scheme, if one likes that sort of Government control over the economic destiny of the Nation, but I do not like it, and I want to know whether the language "due regard to the needs of industrially underdeveloped areas" is intended to be the first step in the direction of a national plan for decentralizing industry at the expense of those industrial areas of the country where it heretofore has been concentrated and for the benefit of areas which have not been on an industrial pre-war basis.

Mr. JOHNSON of Colorado. That is not my interpretation, I may say to the Senator. Neither do I like to see the Government perform any such function as that. But here we are faced with a situation. Industrial plants have been built. We must dispose of them in some way. We must do something with them. We must either padlock them, burn them down, destroy them, or sell them. That is how the Government is brought into the picture. I have no such plan in the back of my head as the Senator from Michigan referred to, of decentralizing pre-war industries. In fact I am very much opposed to such a thing. I do not read any such design into the bill. We have a practical problem to meet. We have these plants to dispose of. It seems to me that Congress must call the board's attention to the economic importance of disposing of these plants, and that when it does dispose of them it must take into consideration the very point which the Senator from Michigan has raised with respect to their future operations.

Mr. VANDENBERG. I do not charge any sinister purpose to this language, but I want to know whether there is any sinister purpose.

Mr. JOHNSON of Colorado. There is none in the back of my head.

Mr. CHANDLER. Mr. President——

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

Mr. JOHNSON of Colorado. I yield.

Mr. CHANDLER. I realize what the fears are that the Senator from Michigan expresses. The Senator will remember, however, that before any plants, equipment, or materials can be used they must be declared surplus. If they can be used efficiently to promote production, or more efficiently to promote production at the place where they are located the presumption is that they would not be moved, but if they are declared surplus in the locality where located, and cannot be used effectively for employment or for production then it is my view that the board should take the surplus plants and materials and equipment and undertake to find some underdeveloped area in the country whose people are asking for them, where their use will perform the greatest service for all the people of the country. If concentration of industry at a given place is broken up it will be because of the economic condition of the country, and not by reason of the passage of some law to break it up. There is no intention on the part of any member of the committee to try to pass a measure to break up industry where it is concentrated in the hands of private enterprise and where its owners want it to operate, and where they prefer to operate it. There has been no move on the part of any member of the committee to contribute to such a thing as that.

Mr. VANDENBERG. The answers of the Senator from Kentucky and of the Senator from Colorado are perfectly satisfactory to me so long as that is the purpose of this language. I simply want to be sure that we are not in the guise of meeting the reemployment problem and in the face of the necessity to dispose of surplus plants, committing ourselves to a new economic pattern for the United States by fiat of the Government of the United States.

Mr. CHANDLER. I would not approve of that. I would oppose it. All we say is that we want to promote maximum production and employment of the manpower, and that is the manpower of the country, and the Senator from Michigan is just as anxious as we are about that.

Mr. VANDENBERG. But the Senator should not fail to recognize that there are many individuals around town who would like to do exactly what I am talking about.

Mr. CHANDLER. Yes.

Mr. JOHNSON of Colorado. I should like to call attention to section 19 beginning at the bottom of page 54, where it is specifically stated that the Government is not to be in the business of operating these plants. The plants which are to

be sold are to be sold to private enterprise. The Senator from Michigan must bear that in mind. Any decentralization that may come from the operation of this bill will be a decentralization by private enterprise itself in acquiring the plants. The language I wish to call attention to is as follows:

SEC. 19. Except as herein or otherwise provided, no Government agency shall, in competition with private industry, manufacture or produce any articles or commodities for civilian use in plants acquired by the Defense Plant Corporation.

And then the proviso to cover such production as we are already engaged in. That section was placed in the bill to make it clear that the surplus plants are not to be taken over by the Government to engage in any socialistic enterprise of production. The whole scheme and the whole plan of the bill is to dispose of property to individuals for the operation of the free enterprise system.

Mr. VANDENBERG. I thank the Senator for his explanation, and I thank the Senator from Kentucky for underwriting the guaranty that this bill is free from some of the prevailing nonsense in Washington.

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

Mr. JOHNSON of Colorado. I yield.

Mr. McKELLAR. I notice that on pages 39 and 40 are set forth the properties with respect to which the board will have to submit a report to Congress.

Mr. JOHNSON of Colorado. Yes.

Mr. McKELLAR. And about which the board supposedly is to obtain advice from Congress. I am thinking of the road which our Army built in Canada.

Mr. JOHNSON of Colorado. The Alcan Highway.

Mr. McKELLAR. Yes, the Alcan Highway. Is that included?

Mr. JOHNSON of Colorado. That is not included in the bill.

Mr. McKELLAR. Ought it not to be included? Ought we not to know something about it? The Government has spent a large amount of money in the construction of that highway.

Mr. JOHNSON of Colorado. In the first place, I do not know that it is surplus property.

Mr. McKELLAR. It ought to be surplus after the war. I do not suppose Canada would allow us to have a private road through her country. I imagine it ought to be sold, and, if so, is the Senator willing to accept an amendment in line 8 on page 40, to insert the words "roads and highways and"?

Mr. JOHNSON of Colorado. If the Senator will let me call his attention to category (11) on page 40—

Mr. McKELLAR. That is what I am speaking of.

Mr. JOHNSON of Colorado. "Transportation facilities" probably includes that highway.

Mr. McKELLAR. I do not believe it would include it.

Mr. JOHNSON of Colorado. It would include it if it were surplus.

Mr. McKELLAR. I think the words "highways and roads and transportation facilities" would be better. I should like to add the words "highways and roads and".

Mr. JOHNSON of Colorado. I am sure there would be no objection on the part of the committee.

Mr. McKELLAR. I shall offer such an amendment.

Mr. HILL. Madam President——

The PRESIDING OFFICER (Mrs. CARAWAY in the chair). Does the Senator from Colorado yield to the Senator from Alabama?

Mr. JOHNSON of Colorado. I yield.

Mr. HILL. I am in accord with the distinguished Senator from Tennessee respecting the Alcan Highway. But of course when we go into the question of highways and roads we must remember that on some plots where plants are built, perhaps some places used by our military, which will be declared surplus, we have built roads and highways, and it may be necessary in disposing of the property to dispose of the property as a whole, which would mean perhaps, that a road would go along with the plant. I know that when we get a little further along the Senator from Tennessee will offer an amendment to include the Alcan Highway and perhaps some other highways, but we have to be a little careful, for a very short road which really should be considered to be a part of the plant might come under the language of such an amendment.

Mr. McKELLAR. We can easily eliminate the danger of that by the use of the words "highways and roads built in foreign countries." That would cure such a defect.

Mr. JOHNSON of Colorado. We have built thousands of miles of railroad lines and thousands of miles of so-called access highways to plants.

Mr. McKELLAR. Yes.

Mr. JOHNSON of Colorado. And they are for all practical purposes a part of the plant.

Mr. McKELLAR. They would naturally go with the plant, I take it, under another provision of the bill. It simply struck me that some reference should be made to roads on which the Government has spent as much money as it has on the Alcan Highway.

Mr. JOHNSON of Colorado. I do not know what contracts were entered into between our Government and Canada with respect to the Alcan Highway or between our Government and other countries wherein we have built highways and railroad lines. Those contracts probably would have to be very religiously observed. If we made a mistake we simply made a mistake, and that is all there is to it. This kind of a bill could not very well deal with that subject.

Mr. CHANDLER. Madam President, I have no objection to the addition of the words "roads and highways and", but I do not think the addition of those words will be in anywise efficacious with respect to the Alcan Highway, because that highway is built on the land of the people of Canada, and goes through the Northwest Territory and on up into Alaska, and joins the Richardson Highway, which is just outside of Fairbanks, Alaska. The members of the Military Affairs Committee have observed the road during its construction, and some of us since its completion. It is a matter of treaty arrangement, I am sure, between the Government of the United States and the Government of Canada. If our rights are not protected, it is a matter for the Foreign Relations Committee, and for those who have charge of making treaties on behalf of the people of the United States. I have no objection to the proposed language. We have built thousands of air bases, of course, all over the world on land belonging to the people of other countries.

Mr. McKELLAR. Are they included in the bill?

Mr. JOHNSON of Colorado. They are if they are surplus property.

Mr. McKELLAR. If they are surplus property they ought to be included.

Mr. CHANDLER. I cannot conceive of the Alcan Highway ever being declared surplus property. It may be, but I do not think so.

Mr. McKELLAR. It may be under the very contract the Senator talks about. I hope the Senator will look into it anyway.

Mr. JOHNSON of Colorado. We will examine the matter further.

Mr. VANDENBERG. I should like to ask a further question. I refer the Senator to page 51, line 15. The language is:

The Smaller War Plants Corporation shall have the power to purchase any surplus property for resale or other disposition to small business * * * when in its judgment, such disposition is required—

And so forth. I should like to know whether that is a complete, plenary right in the Smaller War Plants Corporation, regardless of what the Surplus Property Board or the Office of War Mobilization may think about it.

Mr. JOHNSON of Colorado. No. That provision would give the Smaller War Plants Corporation a preferred right over other buyers, I presume. It is meant to give them such a right. However, it would not compel the board to sell at a certain price. It would not compel the board to establish conditions for a specific sale. It would merely give the Smaller War Plants Corporation the right to buy. That provision was inserted so as to give the small industries throughout the country, which have been working in this war effort and have completely worn out their machinery, the opportunity to replenish their machinery. Unless there were some provision of that kind it would be very doubtful if a small industry—an overextended blacksmith shop, we will say—would have an opportunity to buy a piece of machinery which it needed. Under this provision the Smaller War Plants Corporation would buy machinery of that kind and resell it. It has had similar authority during the present war. Now that the machinery is worn out, we want to give the small plants an opportunity to replenish their worn-out machinery.

Mr. VANDENBERG. I agree completely with the objective and the necessity for such an opportunity, but I am

trying to find out whether the Smaller War Plants Corporation, under this authority, could step in and upset what might be a major program or pattern of disposition of certain surplus property which the Office of War Mobilization or the Surplus Property Board might have made.

Mr. JOHNSON of Colorado. The only priority would be with regard to purchase. There would be no special concessions as to price or conditions.

Mr. VANDENBERG. I am not asking about that. What I wish to know is whether that right would be wholly and exclusively a right to be exercised by the Smaller War Plants Corporation, regardless of whether the Surplus Property Board might think that a certain minor transaction might upset a major transaction of major importance in the reemployment pattern.

Mr. JOHNSON of Colorado. I do not so interpret the provision.

Mr. VANDENBERG. It seems to me that that is what it says.

Mr. JOHNSON of Colorado. No; that is not what it says. The Board would have policy-making power, and there would be no limit on the policy-making power in that respect. As I say, the Smaller War Plants Corporation would have priority in the purchase.

Mr. VANDENBERG. I am glad to see it have priority, but I do not think it ought to have the exclusive right to step in and claim property.

Mr. CHANDLER. Madam President, will the Senator yield to me?

Mr. JOHNSON of Colorado. I yield.

Mr. CHANDLER. I tried to have adopted a more stringent provision than the one in the bill, but was unsuccessful. I would go so far as to interfere with a major transaction and give the Smaller War Plants Corporation absolute authority to acquire surplus property, so that I could be fairly certain that it would be distributed among the smaller business of the country. This provision would not give the Corporation anything except the corporate right to acquire property. As I recall, the section was written by the able Senator from Ohio [Mr. TAFT]. It is just the way he wanted it, and not the way I wanted it. I agreed not to fuss about it, but the question has been raised, and now I regret that I was unable to have the provision written the way I wanted it originally.

The Smaller War Plants Corporation is not even preferred. It is merely given the corporate right to purchase property, subject to its appropriations. Its appropriations are limited. It cannot buy and distribute any more property than it can buy with the money appropriated for it.

Mr. VANDENBERG. The Senator from Kentucky says that this language does not create a priority.

Mr. CHANDLER. It does not.

Mr. VANDENBERG. The Senator from Colorado says that it does. Who is correct?

Mr. JOHNSON of Colorado. Whenever there is a dispute between the Senator from Colorado and the Senator from Kentucky, the Senator from Kentucky is always correct.

Mr. VANDENBERG. So there is no priority?

Mr. CHANDLER. I will not agree to the statement of the Senator from Colorado. My friend is too generous with me. If I read this section aright, there is no priority.

Mr. VANDENBERG. Does the Senator from Colorado agree that there is no priority?

Mr. JOHNSON of Colorado. I am advised by the legislative counsel that no priority would be established.

Mr. CHANDLER. As my friend from Colorado will recall, I wanted the priority established, and was overcome by sheer weight of numbers.

Mr. VANDENBERG. At any rate, we are now all agreed as to what the language means.

Mr. McFARLAND and Mr. LANGER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Colorado yield, and, if so, to whom?

Mr. JOHNSON of Colorado. I yield first to the Senator from Arizona.

Mr. McFARLAND. I should like to invite the attention of the Senator to page 65, subparagraph (3), beginning near the bottom of that page and continuing on page 66. This provision relates to the sale of lands. The language is as follows:

(3) Before disposing of any other surplus real property, the Secretary of the Interior shall appraise the property and determine its fair market value. The property may then be sold at public sale or by negotiated sale, whichever method is determined by the Secretary to be most in the public interest. If the property is to be sold at public sale, the Secretary shall give public notice thereof at least 90 days prior to the date of sale. He shall sell the property upon such terms as he deems most in the public interest to any person whose bid equals or exceeds the appraised value of the property and to whom a sale would be in accordance with the objectives of this act. If the property is to be sold by negotiation, the Secretary shall, upon the conclusion of the negotiations, give public notice for 90 days of the terms of the proposed sale. The notice shall state that during such period, protests against the sale may be made to the Secretary. At the end of the period the Secretary may approve or disapprove of the sale.

Why is no provision made for notice of intention to negotiate a sale? If a sale is negotiated and someone has a contract to a certain property, which may or may not be set aside, other prospective buyers are not inclined to object to the sale. Other prospective buyers would be reluctant to follow such a procedure. Why not give notice of a proposed negotiated sale of the property first, and give other prospective buyers an opportunity to protest if they desire, so as to give full opportunity for everyone to negotiate a sale or make an offer?

Mr. JOHNSON of Colorado. The Senator must read the other sections of the agricultural disposal part of the bill. The bill gives certain priorities in the purchase of lands.

Mr. McFARLAND. I realize that it gives priorities.

Mr. JOHNSON of Colorado. When a buyer is given a priority, the sale must be negotiated. We establish certain priorities. The former owner of the land would have the first right to the land.

Mr. McFARLAND. I realize that; and I am in favor of that principle. I think it is a good one.

Mr. JOHNSON of Colorado. What good would a notice to the general public do if the land were to be sold to the former owner?

Mr. McFARLAND. An exception could be made as to the former owner; but there is no provision to the effect that the priority shall apply only in the case of sales to former owners.

Mr. JOHNSON of Colorado. The bill provides for negotiated sales under certain circumstances. The first person who has the right to exercise a priority is the former owner.

Mr. McFARLAND. That is correct.

Mr. JOHNSON of Colorado. I think it will be agreed—at least it ought to be agreed—that the former owner should have a priority. In many cases the land was taken away from the former owners. It was confiscated by law, condemned, and taken away from them for the use of the Government. Now the Government has no further use for it, and the former owner should have priority in the acquisition of the land.

Mr. McFARLAND. I agree to that.

Mr. JOHNSON of Colorado. The next class is the veterans. Land is sold to veterans under the provisions of the so-called G. I. law.

Mr. McFARLAND. I agree to that.

Mr. JOHNSON of Colorado. Those are negotiated sales.

Mr. McFARLAND. That is fine.

Mr. JOHNSON of Colorado. The general public does not require notice of such a sale.

The next category of sales is under the Bankhead-Jones Farm Tenant Act. Under the provisions of the Bankhead-Jones Act, certain buyers have rights. Such sales are negotiated sales. As to other sales, notice would be given.

Mr. McFARLAND. There is provision for such transactions, but they are not limited to those three classes. Why not give everyone an opportunity to know about negotiated sales? Such sales allow opportunity for someone to slip in and buy land. The provision in the bill would require a person to protest the negotiated sale. If the provision for negotiated sales applies to only three classes, why not set them forth?

Mr. JOHNSON of Colorado. The provision applies only to such land as is sold through negotiation.

Mr. McFARLAND. It would be left entirely to the Secretary of the Interior to determine whether any land—not merely land proposed to be sold to the former owner—should be sold at public sale or by negotiated sale. As I read this provision, he might sell every foot of land by negotiated sale.

Mr. JOHNSON of Colorado. Such negotiated sales as we have provided for are in the public interest, and they ought to be consummated.

Mr. McFARLAND. Does the Senator take the position that this provision is restricted to the three classes which he has just mentioned? The Senator says

that the land may be sold by one of two methods. Is it the Senator's contention that the provision for negotiated sales applies only to the three classes which he has mentioned? The language in the bill does not so provide.

Mr. JOHNSON of Colorado. I do not know whether the Senator's objection to that point is well taken or not. It is necessary to read the whole section pertaining to the disposal of agricultural commodities. I will say to the Senator that the Senator from Wyoming [Mr. O'MAHONEY] prepared this part of the bill. He does not happen to be on the floor at the present time. I should like to have the Senator from Arizona refer to this section again, if he will, when the Senator from Wyoming is on the floor, and obtain his explanation of it. I am inclined to believe that the Senator from Arizona is correct.

Mr. McFARLAND. I thank the Senator from Colorado. I should like to have the Senator from Colorado give further thought to that subject.

Mr. AIKEN. Madam President, will the Senator yield to me for another question?

Mr. JOHNSON of Colorado. I yield.

Mr. AIKEN. The point which arises in my mind now is that I understand that in order to furnish electric power for essential war-material production it has been necessary in some instances for the Federal Government to invest as much as several million dollars in the construction of transmission lines, and also that the Government may have acquired rights-of-way where lines have not yet been built. It occurs to me that if under the bill those lines or those rights-of-way, some of which may be to public power plants, are sold to a private utility, under the laws which prohibit the paralleling of transmission lines the Government or any public power development might find itself in the position of being able to sell to only one customer, that being the private power company which happened to buy the Government line. Is there anything in the bill, so far as the Senator knows, which would safeguard the public interest in a case of that sort and would prevent the sale of a transmission line to a private company which might use it to prevent forever the public from obtaining the full benefit of the development?

Mr. JOHNSON of Colorado. The best safeguard of which I know is the board of eight, representing all the economic viewpoints of the Nation. If the property described by the Senator from Vermont is surplus property, it would be disposed of by the board. The board would have to prescribe rules and regulations. Of course, the provisions of the antitrust laws would have to be observed. I do not know of any specific restraints or limitations which are imposed on the board with respect to the class of property the Senator has mentioned. I do not recall any in the bill.

Mr. AIKEN. I have in mind a project for which I think approximately $14,000,000 or $15,000,000 has been appropriated, and part of the money has been spent. I expect to have some details regarding that case by tomorrow. I certainly should like to have cases of that sort covered, so that the public interest will be protected.

Mr. JOHNSON of Colorado. If the Senator will prepare an amendment to cover that particular class of property or an amendment which will protect the public interest in that class of property, I am sure the Senate will look upon it with sympathy and with favor.

Mr. AIKEN. I will look into the matter further. If, following a further examination of the specific instance which has been called to my attention, it appears that an amendment is necessary in order to protect the public, I shall be glad to present it.

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

Mr. JOHNSON of Colorado. I yield.

Mr. LANGER. I am particularly interested in the prevention of dumping of agricultural commodities. I call the Senator's attention to page 10 of the report, from which I read the following:

> In studying the situation, your committee has conferred freely with representatives of the principal farm organizations.

I should like to know what were those farm organizations.

Mr. JOHNSON of Colorado. The Farm Bureau; we had many communications from the Farm Bureau.

I recall that we had a witness from the Farmers' Union; he appeared before the committee.

We had a communication from Mr. Holman, of the National Cooperative Milk Producers Federation, and his communication was considered by the committee.

I am informed that the Grange had witnesses at some of the hearings.

Mr. LANGER. There were witnesses who testified representing all those organizations; were there?

Mr. JOHNSON of Colorado. Yes—witnesses representing the organizations I have mentioned. Mr. Holman did not testify. He did not ask to appear before the committee, so far as I know. He did communicate with the Military Affairs Committee, after we began working on the bill, and he made a certain proposal.

Mr. LANGER. Does the Senator remember who appeared for the Farmers' Union?

Mr. JOHNSON of Colorado. Yes; a man by the name of Smith appeared for the Farmers' Union.

Mr. LANGER. Who appeared for the Farm Bureau?

Mr. JOHNSON of Colorado. We had communications from the Farm Bureau. I understand that the Farm Bureau worked with other members of the Senate, and a proposal on which they look with favor was made.

Mr. LANGER. Would it be a fair statement to say that this bill has been approved by the Farm Bureau, the Farmers' Union, and the Grange?

Mr. JOHNSON of Colorado. No. The Farm Bureau, the Grange, and the Farmers' Union as such have never seen this bill. This bill was finally agreed upon in its present form about 3 o'clock yesterday afternoon, and it was printed, and I saw it for the first time in finished form this morning about 11 o'clock. I am sure none of those organizations have seen the bill as it now appears.

Mr. LANGER. But from the testimony they gave and from their communications——

Mr. JOHNSON of Colorado. They testified with respect to the matters with which the bill deals. We have a considerable volume of testimony. They have had a full opportunity to appear.

Mr. LANGER. Would it be a fair statement, then, to say that these organizations look favorably upon the bill because some of the suggestions they made are incorporated in it?

Mr. JOHNSON of Colorado. I think it would be fair to say that all the suggestions made by the Farmers' Union are incorporated in the bill.

Mr. LANGER. Is that also true with respect to the Farm Bureau?

Mr. JOHNSON of Colorado. No; I cannot say that all the recommendations made by the Farm Bureau have been incorporated in the bill. My guess is that the bill will be very satisfactory to the Farm Bureau.

Mr. HILL. Madam President, will the Senator yield to me?

Mr. JOHNSON of Colorado. I am glad to yield to the Senator from Alabama on that point.

Mr. HILL. Let me call attention to the statement of Mr. Russell Smith, legislative secretary of the National Farmers' Union, who appeared and testified before our committee:

> Mr. SMITH. The National Farmers' Union supports S. 2065, the Stewart-Murray-Taft bill—

That was the bill which the committee used as the basis for the bill now before the Senate—

> as reported Monday from the subcommittee chaired by Senator MURRAY. We are glad to be able to compliment the authors of the bill and the members of the subcommittee on the excellent work they have done in seeking to balance the conflicting claims of numerous groups in the consideration of this problem, and to produce from that consideration a measure so eminently in the public interest.

If the Senator will read Mr. Smith's full statement, I think he will find that, although he made certain suggestions, he felt that the bill as reported by the subcommittee headed by the junior Senator from Tennessee [Mr. STEWART], which is the basis of the bill now before the Senate, was an admirable bill.

I wish to say regarding the Farm Bureau that I collaborated with Mr. O'Neal, president of the Farm Bureau, and with my colleague the senior Senator from Alabama [Mr. BANKHEAD]; and in the committee I offered three different amendments suggested by my colleague and by the Farm Bureau, and all three of those amendments were written into the bill.

Mr. LANGER. I am very grateful to the Senator from Alabama for the information he has provided.

Mr. JOHNSON of Colorado. Mr. President, I should like to say to the Senator from North Dakota that, while

I cannot say that these farm organizations approve every provision in the bill—they may or may not approve—nevertheless, I am certain that they have offered no objection to any provision which the bill now contains.

At this time I should like to yield to the junior Senator from Tennessee [Mr. STEWART], who, together with the senior Senator from Ohio [Mr. TAFT], had conferences with the Farm Bureau with respect to this legislation.

Mr. STEWART. Madam President, I thank the Senator from Colorado for yielding to me.

I should like to say for the benefit of the Senator from North Dakota, whose interrogation is on the point of the approval of the bill by the Farm Bureau, particularly, I believe—and as I recall his question was with respect to the bill in its entirety—that I have met on more than one occasion with the representatives of the Farm Bureau, including Mr. O'Neal, its president, at which times we discussed at length the amendment, which appears in the bill, relative to the disposal of agricultural land. At the same time we discussed other phases of the bill.

I think I can say to the Senator from Colorado, in reply to the question of the Senator from North Dakota, that the Farm Bureau is sympathetic toward at least the greater portion of the bill. I do not know of any part to which it is opposed. It raised no question about opposition to any of it with me. My discussion with its representatives was chiefly concerning the so-called agricultural amendment.

I am sure the Senator from Colorado knows of the testimony which was given before the Military Affairs Committee by a representative of the Farm Bureau. I assume that the Senator from Colorado has been informed.

Mr. HATCH. Madam President, will the Senator yield to me?

Mr. JOHNSON of Colorado. I yield.

Mr. LANGER. Before the Senator from Colorado yields to the Senator from New Mexico I have one further question to propound. My attention has been called by the able Senator from Vermont to the language on page 52 of the bill beginning in line 11, reading as follows:

> The War Food Administrator or his successor, subject to the provisions of existing law, shall formulate workable plans for the disposition of surplus agricultural commodities in such a manner as to prevent these excess supplies from being dumped on the market in a disorderly manner and disrupting the market prices for agricultural commodities.

The language does not include any reference to processed agricultural commodities.

Mr. JOHNSON of Colorado. If the Senator will read paragraph (b) on page 52, he will find something on the subject of processed agricultural commodities.

Mr. LANGER. Paragraph (b) refers only to cotton or woolen goods. As the Senator from Vermont has told me, 5,000,000 cans of canned goods might wreck a market.

Mr. JOHNSON of Colorado. I am sure that commodities of that nature would be interpreted to be agricultural commodities.

Mr. AIKEN. Would they include foods processed from agricultural commodities? I am advised that after World War No. 1 there was such a dumping of agricultural commodities and food products on the agricultural commodities market that it collapsed and required 2 or 3 years to make a recovery. I was wondering if we should not include in the language of the bill the words "or foods processed from agricultural commodities."

Mr. JOHNSON of Colorado. I am sure that such commodities as canned goods would be included in the present language of the bill.

Mr. AIKEN. I know that canned foods are not considered to be processed commodities. At least I have been so advised by some of our Government agencies.

Mr. JOHNSON of Colorado. The Senator must take into consideration agricultural processed products, because they are used in many ways. Chemicals of all kinds, as well as many other substances, are made from agricultural products. The War Food Administrator has control of certain agricultural products, and the provision in the bill to which the Senator has referred was meant to coordinate his power and authority with that of the board.

Mr. AIKEN. Is it intended to prevent the dumping of processed foods on the market in such a way as to cause the collapse of agricultural prices?

Mr. JOHNSON of Colorado. It is meant to deter the dumping of agricultural foods on the market.

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

Mr. JOHNSON of Colorado. I yield.

Mr. McKELLAR. A few moments ago I offered two amendments to the pending bill and asked that both lie on the table. I now send one of the amendments to the desk and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 52, after line 25, Mr. McKELLAR, for himself, Mr. EASTLAND, and Mr. McFARLAND, proposes the following amendment:

> (c) Surplus farm commodities shall not be sold in the United States under this act in quantities in excess of, or at prices less than, those applicable with respect to sales of such commodities by the Commodity Credit Corporation, unless such commodities are being disposed of, pursuant to this act, for export; and the Commodity Credit Corporation may dispose of or cause to be disposed of, for cash for export at competitive world prices, any farm commodity or product thereof without regard to restrictions with respect to disposal of commodities imposed upon it by law.

Mr. AIKEN. Madam President, I should like to propound one further question to the Senator from Colorado before he yields the floor.

On page 45 of the bill, under the title "Utilization of Surplus Property by Federal Agencies," there appears a provision for the transfer of surplus property of Federal agencies. I should like to ask the Senator from Colorado if the committee believes that section 11 (a) is sufficiently broad to permit machinery to be transferred to the Department of Agriculture and in turn loaned by it to the soil-conservation districts. I understand that the soil-conservation districts are not, strictly speaking, Government agencies.

Mr. JOHNSON of Colorado. The answer to the question of the Senator from Vermont is "Yes." The work referred to is a part of the functions of the Department of Agriculture and is performed by the soil-conservation districts.

Mr. AIKEN. Is it not considered necessary to specify the soil-conservation districts by name?

Mr. JOHNSON of Colorado. No. We had that point under consideration in the committee and we were advised by our attorneys that it was not necessary to name the soil-conservation districts specifically.

Mr. AIKEN. I merely wish to make the point clear at this time.

Mr. WEEKS. Madam President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. WEEKS. I should like to propound a question to the Senator from Colorado. With reference to the term "veteran," on page 77 of the bill the language includes the words "who has been honorably discharged." I understand that there are three types of discharge, namely, honorable discharge, dishonorable discharge, and a so-called blue discharge. Am I correct in my understanding?

Mr. JOHNSON of Colorado. There are three categories and the Senator has named them.

Mr. WEEKS. Could a veteran with a blue discharge—if that is the correct term—qualify under the term "veteran"?

Mr. STEWART. Madam President, if the Senator from Colorado will permit me, I invite attention to the fact that the section to which the Senator from Massachusetts has referred not only includes the words "who has been honorably discharged" but also the words "or otherwise honorably separated from the service."

Mr. WEEKS. I thank the Senator from Tennessee.

Mr. STEWART. Madam President, I wish to pay tribute to the work done by the Military Affairs Committee on Senate bill 2065. Within a very limited time, and with limited opportunity for surveying the problem, they have made a remarkable contribution to the bill. I think that in a number of important respects they have improved the bill which the Senator from Montana [Mr. MURRAY], the Senator from Ohio [Mr. TAFT], and I, comprising the members of the Senate Small Business Subcommittee, introduced in this body on August 10. In general, I am in accord with the changes which they have made.

This bill represents the striving of many minds in a progressive effort to envisage the problem and to formulate an adequate plan to resolve it. Our subcommittee work was rather that of weighing the ideas of others in the light of the national welfare.

I am impressed with the fact that generally the thinking of those who have

been specifically concerned with the surplus-property disposal problem has clarified considerably since our subcommittee first undertook its assignment last April. In our preliminary report, which drew upon estimates made by War Production Board experts at about the time we began our study, there was forecast a surplus of war property aggregating $103,000,000,000. It was an amount to stagger the imagination. Since that time the conclusion of this war appears to be nearer at hand than we then thought, and, consequently, the amount of our surplus accumulation should be much less. It may not be more than fifty or sixty billion dollars. The Members of the Senate have no doubt seen the prediction carried in the report of the Office of War Information of July 31 that there will be no more than $15,000,000,000 worth of surplus property of any commercial value for disposal. That seems to me to place an optimistic construction on the prospect, but I hope it is correct. There have been a number of estimates and estimators, and, of course, it is all guessing. There is one point of agreement, however, and that is, we are going to have a disposal job far greater than anything we have ever known, one that will send us on an almost uncharted way, fraught with incalculable difficulties. And any decisions we make here must be in a large degree provisional.

In the early thinking about the prospective problem of surplus-war-property disposal, some leaders, fearing the effect of huge stores of property turned loose on our domestic markets, suggested freezing these stores until after the transition from wartime to peacetime production had been made. This view, however, did not long occupy the minds of those who gave study to the problem, for it was obvious that the threat to the future of such frozen stores would be as disturbing to the business world as uncontrolled dumping of war property when it was declared surplus.

I should like in this connection to call attention to the recent comment of Dr. A. D. H. Kaplan, of the Committee for Economic Development, in his recently published book, The Liquidation of War Production. Says this distinguished economist:

> The fundamental principle, by which every specific application of surplus disposal policy has to be tested, is that the Government's inventory should be made available for the use of consumers without unnecessary delay.

And again:

> An undistributed surplus hanging over the market is a threat to healthy business enterprise. * * * Timing of sales to avoid periods of excess market supply and general business depression is highly desirable.

So the freezing of all surplus war property idea definitely belongs to first-scare reactions of the early consideration of the problem.

I should like to say here that the early consideration of the problem brought forth something exceedingly different from first-scare reactions in the Hill-O'Leary bill (H. R. 2795). This piece of legislation, which I believe was the first surplus property disposal bill introduced in Congress, provides very sound overall, permanent legislation for property management among the Government agencies. The surplus war property section of the bill has now, in the light of developments, become inapplicable, or obsolete, it might be said.

However, section 1 of that bill, which is intended to apply for peacetime after surplus war property is out of the way, is legislation very much needed in our Government. That section evidences careful and comprehensive study of the situation and embodies a soundly organized plan. It has already passed the House and is now on the Senate Calendar. I trust it will be amended to eliminate the surplus war property disposal feature and then be enacted into law at this session. I may add that it is my impression from my conversation with the Senator from Alabama [Mr. HILL], one of the coauthors of this bill, that he has such a plan in mind.

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

Mr. STEWART. I yield.

Mr. HILL. I wish to say that I share the Senator's expression of hope that as soon as we dispose of the pending surplus war property bill, we may consider and pass the bill to which he has referred, providing for the distribution of surplus property belonging to the Government in normal peacetimes.

Mr. STEWART. I am very glad to hear the Senator say that, for it is a very valuable piece of legislation. I hope that bill will be passed, and I believe it will be, because, while it is separated entirely from the wartime idea of this bill, it is, in my judgment, a necessary peacetime bill.

Senate bill 2065 defines sound and constructive objectives, embodies carefully organized directions, provides for requisite assistance to the disposal authority from other agencies of the Government and from the public, and retains for Congress a responsible advisory role.

I should like to call your attention at the outset to the fact that this bill as amended centralizes authority and responsibility in a Surplus Property Board and no disposal agency may assume any authority, except as the Board may delegate and direct. In this important respect, the bill before the Senate differs from House bill 5125, the Colmer bill, which, I understand, passed the House of Representatives yesterday. That measure would give disposal agencies, which are unknown to Congress, statutory authority to dispose of property, subject only to the general supervision of a Surplus War Property Administrator. Under it, any agency called a disposal agency, including any that might be created by the Administrator, would have the right to give property away, or burn it up, without orders. I am strongly opposed to any such grant of authority. I believe it to be inexpedient and unwise, and in Senate bill 2065 we were careful to make the line of authority and responsibility clear. I should like to add that the Military Affairs Committee has seen fit to keep it so.

I want to make special mention of the fact that Senate bill 2065, through advisory committees for the various disposal agencies, would repose upon industry and trade a share of responsibility in the job to be done. In these committees labor, agriculture, and the consuming public would also have a voice.

It is our belief that these committees can and should play an important role in the direction of surplus property disposal, and such a role is made possible under the terms of the bill.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). Does the Senator from Tennessee yield to his colleague?

Mr. STEWART. I yield to the senior Senator from Tennessee.

Mr. McKELLAR. I wish to ask the Senator how it happens that the bill provides for a board composed of eight members? I meant to ask the Senator in charge of the bill, the Senator from Colorado [Mr. JOHNSON], that question. I see that that difficulty of a board of eight men coming to an agreement is averted by having former Senator Byrnes act as a ninth man on the board in case of a tie. However, it is an unusual provision, and I was wondering how it happened that a board of eight was provided for.

Mr. STEWART. Mr. President, would the Senator from Tennessee prefer the Senator from Colorado to answer the question?

Mr. McKELLAR. Either my colleague from Tennessee or the Senator from Colorado, whoever knows the facts.

Mr. STEWART. The Senator from Colorado is on his feet, and I yield to him for a moment if he desires to answer the question.

Mr. JOHNSON of Colorado. The bill at first provided for a board of eight, two representing agriculture, two labor, two industry, and two the consumers. It was the judgment of the committee that the bill should not specifically provide that there should be two representing agriculture, two labor, two industry, and two the consumers because, in that event, there would be four blocs on the board, and perhaps they could not get anything done; but it would be much better to make the other approach to the matter and have the members of the board represent divergent viewpoints and also not to have them come from one geographical area.

Mr. McKELLAR. The idea was to spread the membership all over the country.

Mr. JOHNSON of Colorado. We started with eight, and we kept eight.

Mr. McKELLAR. As I understand, the War Mobilization Director, former Senator Byrnes, in case of a tie will have a vote.

Mr. JOHNSON of Colorado. He will have the deciding vote. Perhaps the reason we left the number of the board at eight was, in certain circumstances, to give the Director of War Mobilization some voice on the board. We wanted to do more than simply put it under his wing and not give him any authority at all under the provisions of the bill.

Mr. McKELLAR. He is certainly well qualified; I will say that for him. Is the view expressed by the Senator from Colorado that of my colleague from Tennessee?

Mr. STEWART. Yes. I should like to add to what the Senator from Colorado has stated by saying to my colleague, the distinguished senior Senator from Tennessee, that the present bill I am discussing in my prepared remarks, Senate bill 2065, did not originally provide for a board of eight men, as the bill now pending does. The bill was amended so as to provide for such a board by the Military Affairs Committee when the committee reported the bill yesterday. The idea of a board of eight men, I believe, came from a bill originally introduced by the senior Senator from Colorado [Mr. JOHNSON]. The bill which I introduced, S. 2065, provided for only one man as administrator, with certain advisory boards from the different departments, provision as to which is still carried in the bill and an advisory board also to be selected from labor, agriculture, and industry.

Mr. McKELLAR. I hope the Senator agrees to that change, because I think it would be very unwise to submit $103,000,000,000 worth of surplus property to the control of one man. That is the way it strikes me. I hope the Senator will agree to the amendment which the committee reported.

Mr. STEWART. I will say to my colleague that I am not fully in accord with that amendment. I thought it better to have one administrator. The Small Business Committee staff—and they have been at work on this idea since April of this year, when the Small Business Subcommittee was set up for this purpose—explored the idea quite thoroughly, and became convinced that with certain safeguards a more satisfactory and certainly a more flexible and more easily operated administration could be had through the appointment of one man than a group of men.

I may say further to my colleague from Tennessee that we have not had, until within recent months, a very satisfactory experience in the Smaller War Plants Corporation, by reason of the fact that its board of directors composed of five men have to agree on certain things, and it was my experience over a period of months that they would become deadlocked and unable to proceed, which would completely paralyze matters before the Corporation. There are other incidents to which I might refer, and I may do so later, in order to demonstrate the advantage of having an individual at the head of the organization as against a group, as now provided by the bill.

I will say frankly that I think one of the contributing factors which caused the Committee on Military Affairs to change the provision of Senate bill 2065 and add the section providing for a board of eight members, was the testimony of the present Administrator who appeared before the committee and left a very definite impression that if the authority were given to him he would dump all surplus property upon the market immediately, dispose of it, and forget it. From his remarks I think the committee was justified in taking the view it did. I can say that I would agree with the amendment myself, because it would certainly be a very serious thing to dump surplus goods on the market, without any control, in the manner that the impression was left it would be done. It would have a very serious effect on business and would seriously and very damagingly affect the economic structure of the country.

Mr. WHERRY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Nebraska?

Mr. STEWART. I yield.

Mr. WHERRY. I should like to ask the distinguished junior Senator from Tennessee a question. I call his attention to the language of paragraph (a) of section 2, on page 32, in line 18:

> The Board shall determine all matters of policy relating to the administration of this act.

I take that to mean that the board of eight shall have full jurisdiction to determine the policy relating to the administration of the act, and that is as far as it goes; that is, that this board of eight is a policy-making board.

Mr. STEWART. That is correct.

Mr. WHERRY. But in paragraph (c) on page 33, commencing with line 6, we find the language:

> The Board shall, without regard to the civil-service laws, appoint an Administrative Director, who shall perform such functions as the Board may direct.

I should like to ask if the board goes beyond policy-making functions, and directs the director as to his functions in the carrying out of his duties in the selling of property, and so forth. Is it an overlapping jurisdiction, or does the Board confine itself exclusively to policy-making functions?

Mr. STEWART. My opinion is that it does not so confine itself. I should like to have the Senator from Colorado answer that question, because the language is taken from his draft.

Mr. JOHNSON of Colorado. It is a policy-making board, and it is also an administrative board. It must of necessity be that. The scheme of disposal takes into consideration all Government agencies now in existence. We do not set up a new organization with hundreds of thousands of Government employees. We use the agencies of Government which we now have to act as disposal agencies. But the board must determine and lay down the policies for the guidance of the disposal agencies. When they have questions they must come to the board for decision. Of course of necessity the board must have an administrative officer to carry out its orders. That is why a director is provided.

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

Mr. STEWART. I yield.

Mr. HILL. Is it not true that the philosophy of the bill is to put the central authority in the hands of the board, and also the central responsibility; so that the authority will be in the board and the responsibility will also be in the board? The Senator will notice on page 33, in lines 6, 7, and 8 the following language:

> The Board shall * * * appoint an Administrative Director, who shall perform such functions as the Board may direct.

The board has the authority under the measure and also has the responsibility, although, as the distinguished Senator from Colorado has said, it is the purpose and the intent of the measure that the board shall use existing agencies of Government, and not create a great number of agencies of its own to administer the law.

Mr. WHERRY. I thank the distinguished Senator from Alabama and also the distinguished senior Senator from Colorado for the explanation given; but I am not as clear as I should like to be with respect to the intent of the provision in paragraph (a) of section 2, in the light of the explanation of the distinguished Senator from Alabama of paragraph (c). What I should like to know is this: The administrative director no doubt would be given the right to dispose of property, to make a sale. That is an administrative act.

Mr. STEWART. He would be given that right by the board.

Mr. WHERRY. That is correct. What I want to know is, Does the policy-making board step over into the administrative function of the administrative director and control the administrative director in any way when he is to make a sale of surplus property?

Mr. JOHNSON of Colorado. The Director is appointed by the board. We do not provide in the bill for an Administrator. The board appoints a director, who carries out its directions, as provided in paragraph (c) on page 33. The administrative director is appointed by the board, and he carries out the will of the board. The Senator will find references to the board all through the bill. The bill provides that Congress shall give the board instructions, and all through the bill restraints and limitations are placed upon the board. The board itself is the head of this division.

Mr. STEWART. The board is absolutely supreme in matters of policy and matters of administration.

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

Mr. STEWART. I yield.

Mr. HILL. I call the attention of the Senator from Nebraska to the language on page 44, line 5, of paragraph (c) of section 9, as follows:

> (c) When any surplus property is reported to any disposal agency under subsection (a) of this section, the disposal agency shall have responsibility and authority for the disposition of such property, and for the care and handling of such property pending its disposition, in accordance with the policies, standards, methods, and procedures prescribed by the board.

Mr. WHERRY. Then the policy-making power and the administrative power are centered in the hands of the board, and the administrative director is simply appointed to carry out the policy and the administrative plan which the board sets up?

Mr. HILL. I would say that in substance that statement is correct; that the board is the supreme authority.

Mr. STEWART. The board, as I understand, is supreme in all matters of policy and administration.

Mr. WHERRY. I thank the Senator from Tennessee.

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

Mr. STEWART. I yield.

Mr. OVERTON. In connection with the matter under discussion, I should like to invite the attention of the Senator from Nebraska to the last line on page 34 and to the pages immediately following:

It shall be the function and duty of the board—

And then in paragraphs (a), (b), (c), (d), and so forth, are set forth duties and functions. These provisions clothe the board with administrative authority.

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

Mr. STEWART. I yield.

Mr. WHERRY. So the administrative director carries out all matters of sale and disposal according to the policies of the board. He acts only under the direction of the board. Any sale that is made is in reality made by the board. Is that correct?

Mr. OVERTON. That is correct. The Director simply acts as an agent of the Board, as I understand.

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

Mr. STEWART. I yield.

Mr. AIKEN. Mr. President, I offer an amendment to the pending bill, which I ask to have printed, and read at the desk at this time.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table, and will be stated.

The LEGISLATIVE CLERK. On page 52, line 14, after the word "commodities", it is proposed to insert "or food processed from agricultural commodities."

Mr. STEWART. Mr. President, the members of our Small Business Subcommittee have been deeply impressed by the overshadowing need for truly cooperative effort between Government and the commercial, industrial, and agricultural communities of this country, if any reconversion plan is to succeed. In the concluding section of his book, Dr. Kaplan comments:

The need of unity in the war effort has been fully publicized and fully recognized. Whole industries as well as individual firms have dedicated their resources without stint to the common effort, knowing that if as a people we fail of victory, we lose the very advantages that as individuals we want most to retain. It will be much more difficult to keep our thoughts and actions dedicated to the common cause when the war is over. And yet the sacrifices of the war will be futile if having won the victory in global warfare, we engage in an all-out struggle of economic interests on the home front as we go through the transition period.

It is with this possibility in mind that the subcommittee set up the statutory framework for practical cooperative action to insure against such a catastrophe.

Along with the immediate aims of protecting and aiding production and employment and of getting fair treatment for the consumer and the taxpayer, we have given comprehensive consideration to securing the national economy against monopolistic aggrandizement. I wish to point out various aspects of that problem with which we have dealt specifically in the bill. I will name the provisions and tell what they are aimed at without detailing them here.

First, we insure against the disposal of any plant or equipment costing $1,000,000 or more in violation of the antitrust laws, or in a way to result in undue concentration of industry, or substantial restraint of competition.

Next, we require special planning for the disposal of 12 categories of property as to which the Government's holdings are especially important. The plans would be set forth in reports to Congress, containing the full facts. Thus Congress would have an opportunity to determine the policy involved.

Pending the enactment of a congressional policy, there should, of course, be no hiatus in the operation of the plants. The Administrator should be permitted to negotiate leases for a reasonable period.

Virtually all of the Government-owned plants carry an outstanding option to purchase in favor of the contractor who operates the plant. No standard option has been prescribed, with the result that literally hundreds of variations obtain. The Attorney General has testified that some of these options may be void as against public policy, citing illustratively a clause prohibiting the use of a plant for any commercial purpose for a period of 20 years. Many of the options now outstanding are held by corporations which dominate their industries by virtue of their vast holdings.

We have considered the option as a possible instrument of monopoly. To the extent such options are against public policy they should be invalidated. So section 18 of the bill provides that every existing option shall, before it is consummated, be submitted to the Attorney General for his opinion as to its validity.

The bill would further the fight against monopoly by giving positive assistance to small business. In addition to requiring wide publicity and small-lot offerings on property sold, it would specifically commission the Smaller War Plants Corporation to develop small business markets—find buyers, make known to them the goods available, get purchaser and property together by communication and information, by financial aid, and even by acquiring surplus goods for resale to the little man.

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

Mr. STEWART. I yield.

Mr. VANDENBERG. In the Senator's absence earlier in the afternoon I raised the point that there is no definition of "small business" in the bill. It seems to me that it is very necessary to have such a definition in the bill, in view of the fact that the board is authorized to make loans to small business. It would have to know where its authority started and ended. We find it difficult to define "small business" textually. I wonder if the Senator from Tennessee, who has given great thought to that subject, could throw any light on the question, or make a suggestion.

Mr. STEWART. I was in the Chamber when the Senator raised the question. I heard the colloquy, but I did not enter into it because I did not think I could contribute a great deal to it. I have been a member of the Small Business Committee since it was established. One of the problems with which we have struggled has been the question of definition. I believe that at one time the Army, for the purpose of awarding contracts, defined small business as all concerns employing less than 500 workers. That definition worked satisfactorily in certain instances; but, as the Senator knows, in other instances it would not work. What might be a big business concern in my section of the country would perhaps be a small one in the great State of Michigan, from which the Senator comes.

As the Senator knows, in our discussions we gave consideration to the question of reaching a definition of a small business concern which we could stand by all the time. It is impossible actually to define "small business." That is, it is impossible to state a rigid definition which is not flexible. We have got along by placing a small concern which might apply to us in the category of small business if we thought it belonged there, considering its comparative size in its particular field of operations. What might be a big business concern in one field of operations would be small in another. I do not know of anything I could say which would contribute to a definition which might be written into law.

Mr. VANDENBERG. It seems to me that there must be some legal criterion, in view of the fact that we are creating a loan privilege which may become very important.

Mr. STEWART. I appreciate that. That question was discussed. I had in mind the thought that perhaps the Smaller War Plants Corporation might itself give a definition, it being the agency representing small business and the agency which would negotiate the loans in the instances to which the Senator has referred.

Mr. VANDENBERG. I should like to see a request made of the Smaller War Plants Corporation, if not for a definition, at least for a criterion which could be written textually into the law. It seems to me that it is necessary in simple prudence.

Mr. STEWART. I can see the importance of the point which the Senator from Michigan makes, and I should like to ask him this question: Without actually undertaking to state a definition of "small business," would it be practicable, feasible, or proper to provide in the act, if the Senator thinks it is necessary, the right to the Smaller War Plants Corporation to select the concerns, and let it decide whether a particular business is a small business concern such as would be entitled to the privileges and benefits of the act? It seems to me that, so long as we are unable rigidly to define it, a

certain amount of discretion must be given to some agency or person.

Mr. VANDENBERG. That may be a partial answer. It is only a partial answer. I hope we can work out something with Mr. Maverick and the Smaller War Plants Corporation, because, as the text stands, it seems to me that it is wide open.

Mr. STEWART. Of course, if the decision were left entirely to the discretion of some individual, such discretion might very easily be abused. We have got along without an actual definition of "small business." We have operated thus far without any rigid legal definition. Of course, we have been operating in the period when we were awarding contracts. Now the reverse is true. Small businessmen will be purchasing from the Government articles which will be declared surplus, instead of executing contracts for manufacturing.

Mr. VANDENBERG. I was thinking particularly of the section which authorizes the making of loans to small businesses.

Mr. STEWART. The Smaller War Plants Corporation is now making such loans, and has been doing so; and yet there is no rigid definition. We have found it practically impossible to agree upon one. The Senator has raised an interesting question, which could become serious.

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

Mr. STEWART. I yield.

Mr. WEEKS. In connection with the discussion about what is a small business, let me point out that the Senator from Tennessee has said we have gotten along so far. It appears to me that when the Smaller War Plants Corporation was set up during the war period, it was established to help small business, because in the radical change-over from peacetime to wartime production it was natural in the course of events for small business—really small business—to find itself up against a variety of difficulties. Small business cannot turn around as quickly as big business can. It does not have the technical advice and equipment which large business has. Small business was on a spot, and needed help, because it was put out of production of its regular lines, and had to turn around and get into war production. It needed some help. So the Smaller War Plants Corporation was established, and small business was given a helping hand.

However, now we are talking about reconversion from war to peace, and we come to a proposal to make the distinction between small business and large business more or less a permanent one, and to write the definitions into the law, so to speak.

Mr. STEWART. Conditions are exactly the reverse of what they were 2 years ago.

Mr. WEEKS. Mr. President, I do not see how it is possible for the pending bill, when enacted into law, to function, or for any board established under the law to function, unless the definition of small business is spelled out in the bill itself. Therefore, I heartily subscribe to the suggestion made by the distinguished senior Senator from Michigan [Mr. VANDENBERG] that we must determine the difference between small business and large business, so far as this particular bill is concerned.

Mr. STEWART. In referring to that suggestion, and in demonstrating to the Senator the real difficulty—although probably I need not do so, because the Senator knows of the difficulty—let me point out, for instance, that in the Senator's own State of Massachusetts, as I believe, and certainly in the State of Connecticut, there are large watch factories. They may employ not more than 50 or 100 persons; but, nevertheless, in their field they are big business, and they could be classified as big business. Therefore, they could not come under the definition which the War Department arbitrarily laid down. As has been suggested by the Senator from Michigan, the War Department had to lay down some definition when it began to let war contracts. As I said a moment ago, the definition was that any independent manufacturing concern not affiliated with a larger company, and employing less than 500 persons, would be considered a small business. In other words, the concern would have to employ less than 500 persons in order to constitute a small business concern. However, it is conceivable that in certain lines of business endeavor a firm employing 50 or 100 persons might be a big business concern.

Mr. AIKEN. Mr. President, if the Senator will yield to me, let me inquire whether it has been considered that a small business might be one which does less than a certain percentage of the entire business in which it is engaged.

Mr. STEWART. Yes; let me say to the Senator that we have discussed that matter. It has been one of the things which has never been defined, but it has been repeatedly discussed.

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

Mr. STEWART. I yield.

Mr. WHERRY. I desire to substantiate what the distinguished junior Senator from Tennessee has said regarding the difficulty we have had in defining "small business" in this country. I also wish to say to the Senator that I think there is an absolute need for such a definition.

It was my privilege to be with the distinguished junior Senator from Montana [Mr. MURRAY] in conducting a series of field hearings. We returned to the Senate a week ago last Tuesday to consider unemployment insurance, which was a phase of the Reconversion Act. From the evidence adduced, we found the very difficulty to which reference has been made.

For example, small business needs 3 or 4 things. We found that the thing it needs most of all is less Government regulation. Such businesses cannot fill out all the questionnaires and handle all the red tape required by Government, and some of them have closed their doors because they have been afraid that if they did not properly fill out the questionnaires and forms, they might be penalized by the Government.

The second thing we found small business needs is adequate capitalization. Such businesses cannot obtain sufficient funds, because the scale of taxation established by the Congress does not allow sufficient leeway to enable such businesses to function.

The third matter of importance we discovered was that relative to the allocation of materials. That matter is most important, and should be taken care of in connection with the disposal of surplus property. The small businesses do not have the facilities or the representatives in Washington or the legal talent, which today are needed, to go to the agencies of Government and to make sure that they receive their share of the materials they need in order to conduct their businesses. It is very important that provision relative to such materials be made in this bill.

The fourth point pertains to financing by means of Government loans. In that connection it is most important that there be a definition of small business in order to know who will be entitled to such loans. Various businesses will come before the Smaller War Plants Corporation and will want money. The question will be who will be entitled to the benefits provided by the act?

I think it is most important to define a small business. However, I say to the distinguished junior Senator from Tennessee that, to my mind, there is no way to establish a legal definition. It was suggested that we might define it as a business which is owned by one, two, three, or four persons. Then we realized that Henry Ford's family own the Ford plants, and they certainly are a big business.

Mr. STEWART. We used the word "independent."

Mr. WHERRY. Yes.

Another need of small businesses is to obtain an adequate supply of labor. The War Manpower Commission considers a small business to be one which employs 50 persons or less.

There has been a continuous definition by various governmental agencies. None of the definitions agree.

If the pending bill, when enacted into law, is to be successful in its operation I believe it essential that the board shall know when and where it can make a loan and how it can distribute surplus material, so that small businesses will receive their just proportion of the property and materials on hand, and so that they will receive the benefit of the processes and patents which have been developed during the war. In other words, I believe we should have some sort of standard—or, as the able senior Senator from Michigan [Mr. VANDENBERG] has said, some criterion or something of the sort—so that the board will be able to know when to extend these benefits to small business.

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

Mr. STEWART. I yield.

Mr. CHANDLER. This discussion reminds me of all the talk about the weather: We do much talking about it, but do nothing about it.

I am prepared to vote for any amendment or to support any suggestion any

Senator may make relative to a fair definition of small business. No one in the committee was able to provide one. I understand that the Small Business Committee has not been able to suggest one. It seems to me that the only thing we can do is to adopt the Small Business section of the bill, and then let the Board, under the Small Business section provided in the bill, make the loans and say, according to its discretion, what are small businesses. Little business is one thing, and is smaller than big business. But it is necessary that there be some discretion and latitude in connection with the determination of what is a small business.

I assume that after some debate there would probably be general agreement by the members of the Smaller War Plants Corporation as to what concerns should properly be regarded as small businesses, and thus entitled to receive aid under the act, including surplus property and loans. The matter could be controlled by Congress in connection with its power to appropriate money. They certainly will not buy more goods than they can buy with the money they have to spend, and certainly they will not do more business than the Congress, in connection with its appropriation of money, permits them to do.

If any Senator can suggest a definition which can be incorporated into law, I am prepared to vote for it; but, so far, the members of the committee have not been able to find a definition which will meet with the approval of all the parties concerned or will be legally sound.

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

Mr. STEWART. I yield.

Mr. WHERRY. I heartily concur in what has been said by the junior Senator from Kentucky [Mr. CHANDLER]. The Smaller War Plants Corporation and the Small Business Committee have really classified small business according to their own expedients. Anyone who came to the Small Business Committee and requested help received it, and anyone who applied to the Smaller War Plants Corporation for aid received it. So, thus far there has been no definition.

I do not know whether the Senator or his committee was informed of the definition used by the War Department. The War Department has determined that a small business is one which employs less than 500 persons. As a rule of thumb, we have been guided by that definition in our work in the Small Business Committee.

But if we adopt some of the provisions which would permit the Smaller War Plants Corporation to make its own definition of a small business, it might happen that it would classify as a small business one having less than 500 employees. That could easily be done.

I am not a member of the Military Affairs Committee, and was not a member of the subcommittee of that committee. I shall be glad to offer an amendment if the Senator from Kentucky wishes me to do so. But I may say that the only suggestion of which I have any knowledge, which has been made during the past year and a half, and which has been workable, was to define a small business as one employing less than 500 employees.

Mr. STEWART. Ever since the committee was organized the junior Senator from Nebraska and I have served on one or two subcommittees of the Senate Small Business Committee. We have discussed this matter on more than one occasion. We discussed it at least in the early days of the committee. It seemed to be impossible for the Senate Small Business Committee and the Smaller War Plants Corporation to function without some workable definition. I refer the Senator from Michigan [Mr. VANDENBERG] to a copy of Public Law 603, which is the law creating the Smaller War Plants Corporation. As the Senator from Nebraska has stated, no definition of small business is contained in Public Law 603. However, in section 3 on page 2 of the copy of Public Law 603, which I have before me, there is to be found the following language:

> SEC. 3. In any case in which a small business concern or group of such concerns has been certified by or under the authority of the Chairman of the War Production Board to be a competent Government contractor with respect to capacity and credit as to a specific Government procurement contract, the Secretary of War, the Secretary of the Navy, the Director of the Procurement Division of the Treasury, and all other officers of the Government having procurement powers are directed to accept such certification as conclusive, and are authorized to let such Government procurement contract to such concern or group of concerns without requiring it to meet any other requirements with respect to capacity and credit.

The agencies referred to are directed to accept certification from the War Production Board that such and such a concern is competent and can meet requirements with respect to capacity and credit, and, by inference, accept such certification that the concern is a small business concern.

The Senator from Louisiana [Mr. ELLENDER] is also a member of the Senate Small Business Committee. I may say to the Senator from Michigan [Mr. VANDENBERG] that the language to which reference has been made leaves largely to the discretion of the Smaller War Plants Corporation the determination of what is a small business concern. I recognize the logic of the Senator's argument, and I wish he would put his fertile mind to work on the matter and help us frame a proper definition. I am at a loss to make any suggestion as to what a legal definition of the term "small business" should be. I cannot go further in arriving at a proper definition than merely to say that in general, it contemplates the employment of not more than a certain number of men, and that it is an independent concern not connected in any way with a larger concern. Conceivably, a steel company could employ only a thousand or 2,000 men. It could employ more than 500 men and yet be a small business so far as the steel industry is concerned. As a practical proposition, it has been extremely difficult to arrive at a proper definition, and I do not know a better way of working it out than by giving to some agency the discretion of determining whether a business is a small business. It might be done under certain safeguards, together with the requirement that one of the agencies of government should make the decision in such a way that no imposition or abuse could be exercised.

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

Mr. STEWART. I yield.

Mr. HILL. I invite the Senator's attention to the fact that when the Senate passed the George bill it followed the principle stated by the Senator from Tennessee, namely, that of leaving the matter absolutely in the hands of the administrator. On page 11 of Senate bill 2051, in section 203 (a) we find the following provision:

> Whenever the expansion, resumption, or initiation of production for nonwar use is authorized by any Government agency having control over manpower, production, or materials, on a restricted basis, the restrictions imposed shall not be such as to prevent any small plant capable and desirous of participating in such expansion, resumption, or initiation of production for nonwar use from so participating in such production.

There we have a special provision dealing with what the bill called "any small plant"; but no effort was made to define what is a small plant. It was left to the good judgment and wise discretion of the Administrator to determine in each case what is a small plant, and what should come under the protection which this section would afford for small independent enterprises.

Mr. VANDENBERG. Mr. President, if what the Senator has read is to be the rule, then let it be made the rule, but I submit that it should be set forth as a rule in the statute.

Mr. HILL. So far as the George bill is concerned, it would certainly seem to be the rule. I believe from what the Senator from Tennessee has said and from my observation of the operation of the Smaller War Plants Corporation Act, it is the rule under that act. I ask the Senator from Tennessee if that is not true.

Mr. STEWART. Yes; it is true.

Mr. HILL. The matter is to be left to the sound judgment and wise discretion of the Administrator, having in mind that what Congress is seeking to do is to protect all independent private enterprise.

Mr. STEWART. Of course, the purpose of Congress is actually to lend aid to small independent business enterprises. We all agree with that. We have gone along during the past 2 years without any definition, and have been operating, while contracts were being let by the Government for the manufacture of war munitions. We now have a situation which is the converse. Small businessmen are purchasing from the Government such articles as were manufactured by both large and small businesses during the period.

Mr. CHANDLER. Mr. President, one of the principal objectives of the bill, as I see it, is to put into the hands of small business surplus property which can be used by small business. An administrator who is as familiar with such work

as the Administrator of small business is, and as the committee has been, should not get into difficulties by being imposed upon by persons who do not represent small business, and who are actually in fact not connected with small business.

Mr. STEWART. Mr. President, the bill provides prohibitions against speculators, and proposes, to similar purpose and effect, land-disposal provisions, which would turn classification over to the Interior Department, and require farming land to be sold in family-size economic units.

In the case of a sale of property costing $1,000,000 or more, the board or disposal agency must notify the Attorney General when it begins negotiations in the transaction and give him all necessary information. The Attorney General then would advise whether the proposed disposition would either violate the antitrust laws, or encourage monopoly or undue concentration of industry or commerce or substantially restrain competition. The disposal authority would be bound by his decision.

But the antimonopoly criterion, as defined in our antitrust laws, is not enough, if free enterprise and competition are to be promoted and small business preserved. Our Small Business Subcommittee found the Attorney General of this opinion, too. There are several classes of surplus property as to which the Government's holdings represent so important a part of the industry that their disposal will involve new and unaccountable circumstances and raise fundamental problems that find no sure direction in existing law. Such problems should be reserved for Congress to determine. For example, the wise disposition of synthetic-rubber plants, aircraft plants, shipyards, and so forth, calls for a fine balancing of a great number of considerations which go to the root of our national economy.

Besides the 3 named above the list of 12 categories includes aluminum plants and facilities, magnesium, chemical, iron and steel; pipe lines and other transportation facilities; radio and electrical equipment. With the exception of aircraft plants and facilities, shipyards, transportation facilities, and radio and electrical equipment, the board would be prohibited from disposing of any of the property until 30 days after it has filed its report with Congress.

I should like to make special mention of the technical intangibles—that is, patents, processes, techniques, and inventions. Many of the plants—for example, high octane and synthetic rubber plants—can be disposed of economically only to companies which have access to the patented technological processes of the industry. In order to widen the base of ownership in such industries, it would be necessary to provide for the licensing of such patents to prospective purchasers of Government plants. The license could be limited to run with the plant. Any specific proposal in this field would have to wait upon the completion of studies on the subject by congressional committees and executive agencies, including, particularly, studies of the disposition of industrial processes and patents, developed at Government expense in privately owned plants and those held by the Alien Property Custodian.

I know of no estimate of the value of this great variety of intangible property, including industrial techniques, processes, and inventions which have been developed in Government plants, at Government expense, or under Government sponsorship, or which have been vested in the Alien Property Custodian under the Trading With the Enemy Act. These, too, will become Government surplus and should be made available to industry in such a way as will best promote the public interest.

It is well remembered that during World War No. 1 there was a concentrated technical development incident to production for war equal to a far greater span of peacetime years. There is every evidence that our technical strides in the present conflict are even more spectacular. These new techniques constitute an important property and their disposal is a matter of concern, not merely to the individuals and corporations that may obtain them, but to our society as a whole. They are of peculiar interest to small business. They might become a fateful instrument in the hands of monopoly. Their distribution may be a determining factor in the character of our future economy.

The question of the Government's protection of this property against attempts to secure private patents thereon apparently must be considered with that of disposal, if the Government is to have this property to dispose of. Already there have been reports of private individuals securing patents on processes developed in Government plants, in the development of which they had no part. The War Production Board Chairman, Donald Nelson, recently said that this very thing had been giving him a great deal of concern, and that there had been no machinery set up to prevent it.

It appears that little if anything in the way of public policy has been determined with regard to this intangible property. This phase of the subject has had little investigation. In the interest of a socially sound distribution of war-surplus property and in the particular interest of small business, disposition of this class of property should be fully studied and carefully planned.

Thus it is highly important that technical intangibles be included in the planning list. I should like to add that this class has also been included in the classification of property for the disposal of which the board must obtain specific clearance from the Attorney General. It is an important contribution which the Military Affairs Committee made to the bill.

The bill requires that through the director, both owning and disposal agencies shall arrange for the widest practicable advertisement of property to be disposed of, and shall reduce lots offered for sale to the smallest practicable units conforming with marketing policy in the agency concerned. The latter provision is qualified to meet the conditions under which dispositions are actually being made. The subcommittee found that an inflexible rule for the sale of all surplus in small lots would not be feasible for some real property and equipment and even for food. It is likely that an inflexible application of such a regulation would militate to the disadvantage of small business. Hence, the directions which the subcommittee has written into the bill have been carefully qualified.

Moreover, the subcommittee has concluded that the effective role of the Smaller War Plants Corporation as an aid to the small purchaser will depend more on positive assistance than in preventive surveillance. In other words, representatives of the Corporation can do more by developing the small business markets in coordination and cooperation with the field forces of the disposal agencies than by merely policing these agencies. Since some of the disposal agencies are finding it important on occasion, in the interest of dispatch, to conduct sales in the field without waiting to complete their central inventories or awaiting specific direction from the central office in Washington, effective cooperation on the part of the Corporation should occur, it seems, on the administrative level, as well as with the policy-making officers. Specific directions on this score cannot well be written into general legislation, but the Small Business Subcommittee has sought to suggest this character of cooperation in section 14 of the bill, and especially in paragraph (b) of that provision.

Under Public Law 603, the Corporation in 1942 was authorized to take prime war contracts from Government procurement agencies in behalf of small business. This authority was little exercised; nevertheless, in the opinion of the director of the Corporation, it was of value in securing a more adequate share of war business for small plants. Despite some protest from disposal agencies and the present Surplus War Property Administrator, the small business committee remains of the opinion, and the Military Affairs Committee has concurred, that a similar authority should be conferred on the Corporation in the disposal of surplus property. Hence it has included in the bill a provision to grant the Corporation the power to purchase surplus property for resale to small businesses, when in the opinion of the director such purchase is required to preserve and strengthen the competitive position of small business.

In this connection there is one other provision which has a bearing on the monopoly question, and that is the requirement that every sale of a surplus plant must carry with it provision for its operation for 2 years thereafter. Allowances, of course, would be made for getting the plant set up and under operation after sale.

Believing that States, counties, cities, and tax-supported and nonprofit institutions can provide a socially useful outlet for certain surplus property and substantial relief in solving the problem of disposal, the subcommittee has included provisions for donation to them of property acquired for school use. Donation of such property to private institutions not

operated for profit has been placed in the discretion of the Commissioner of Education. Other property which could not profitably be placed on the market may also be donated to local governments, and institutions of this character will be allowed to buy surplus property at a 50-percent discount.

Moreover, and in view of the very large amount of surplus medical supplies and equipment in prospect, the bill provides for their donation to tax-supported and nonprofit medical institutions under similar discretionary restriction.

The so-called G. I. bill made general provision for our veterans returning after this war, but I believe some of the vast stores of surplus property which will be on hand then can also be used to assist them in getting a new start in peacetime pursuits. To the extent that this can be done, I want to see full use made of suitable surplus property. I believe it is the common impulse of the whole civilian population of this Nation to grant the men who have borne arms in our behalf a preference in acquiring surplus goods. Senate bill 2065 includes specific direction to the board, in cooperation with the Administrator of Veterans' Affairs, to prepare and submit to Congress within 6 months after the passage of the act a plan for distributing at a discount to service men and women goods of use to them in reestablishing themselves in our domestic economy.

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

Mr. STEWART. I yield to the Senator from Alabama.

Mr. HILL. The bill we are now considering is really the bill which was written by the subcommittee of the Committee on Small Business, of which the distinguished Senator from Tennessee [Mr. STEWART] is the chairman. As I recall the distinguished Senator from Ohio [Mr. TAFT] is a member of that subcommittee, and collaborated very effectively with the Senator from Tennessee, and, then, these two distinguished Senators were joined, I understand, by the Senator from Montana [Mr. MURRAY]. That is the bill which the Subcommittee on Military Affairs considered; it is the bill which is now before the Senate, with modification and amendments made by the Senate Committee on Military Affairs. I think there is no fundamental change made in the Stewart-Taft-Murray bill, except the provision substituting a board for a single administrator. There were many changes made, but no fundamental changes except that, and the other changes preserved the underlying principles and underlying philosophy of the Stewart-Taft-Murray bill.

I wish to say that the Senator from Tennessee and his associates did a tremendous amount of work, holding hearings, giving thought and consideration to the preparation of this bill, and endered very great service in formulating it. I think the Senator from Tennessee and his associates are to be wholeheartedly commended for the invaluable service they render and the fine helpful constructive work they did in connection with this bill.

I wish to say also that the distinguished Senator from Colorado [Mr. JOHNSON] prepared a bill (S. 2045) which was very much in line with the Stewart-Taft-Murray bill and the provisions of which proved most helpful to the Senate Committee on Military Affairs in its work on the pending legislation. The bill of the Senator from Colorado embodied the idea of a board. It was the idea of the Senator from Colorado with reference to a board rather than a single administrator which the Senate Committee on Military Affairs adopted.

All these Senators who have given so much thought and time and effort to working on this legislation rendered a great service in helping the Senate Committee on Military Affairs to bring this legislation to the floor of the Senate.

Mr. STEWART. Mr. President, I thank the Senator from Alabama for his remarks. The work was, of course, first begun with the idea of aiding small business, and it grew into the bill itself. I will say to the Senator from Alabama and to other Senators that in our work we have had the assistance of a most excellent staff. The staff has worked untiringly on the bill, and has devoted considerable time to it.

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

Mr. STEWART. I yield to the Senator from Massachusetts.

Mr. WEEKS. I should like to ask the Senator from Tennessee a question with respect to section 19 of the bill. My question relates to the prohibition of the manufacture of articles or commodities for civilian use in plants acquired by the Defense Plant Corporation in competition with any private industry. Do I correctly understand that all the plants which are to be disposed of under section 16, "Disposition of Plants," will be in the control of the Defense Plant Corporation? In other words, is that an all-inclusive provision?

Mr. STEWART. I do not know whether I am qualified to answer the question. That section was taken from the Johnson bill. The senior Senator from Colorado is, unfortunately, not on the floor at the moment. I shall not undertake to construe that section. It was not in the original draft of the bill which I introduced, but, as I understand, was taken from the draft of the Johnson bill. I will not hazard a guess on that question because I am afraid my opinion would not be worth very much. I suggest that some member of the Military Affairs Committee, which placed that provision in the bill, can make a better explanation of it than I can.

Mr. CHANDLER. Mr. President, I think the point made by the Senator from Massachusetts is well taken, and I ask the attention of the Senator from Alabama [Mr. HILL]. The provisions of section 19 referred to is as follows:

> Except as herein or otherwise provided, no Government agency shall, in competition with private industry, manufacture or produce any articles or commodities for civilian use in plants acquired by the Defense Plant Corporation.

As I recall, the words "in plants acquired by the Defense Plant Corporation" were stricken out in committee. I think they were inserted in the bill through oversight. I think my statement is an accurate one.

Mr. HILL. I think the Senator from Kentucky is correct in his statement.

Mr. CHANDLER. I think the striking of those words will meet the objection.

Mr. HILL. Some additional language was also stricken. When we were considering the other language I think the idea was that we should also strike out, "by the Defense Plant Corporation."

Mr. CHANDLER. Yes. I think the inclusion of that language is the result of an oversight. Perhaps the committee failed to strike it out.

Mr. HILL. Mr. President, the Senator from Colorado [Mr. JOHNSON], as we know, is the author of this section of the bill. He has been called from the Senate for the moment on some important matter. Tomorrow we will discuss that point with him.

Mr. AUSTIN. Mr. President, I understand that what we did was to strike out the words "or manufacture or produce any articles or commodities for military use."

Mr. CHANDLER. That is correct.

Mr. AUSTIN. And that left the language of the section as follows:

> Except as herein or otherwise provided, no Government agency shall, in competition with private industry, manufacture or produce any articles or commodities for civilian use in plants acquired by the Defense Plant Corporation.

Mr. CHANDLER. Is it the Senator's understanding that the words "in plants acquired by the Defense Plant Corporation" should remain?

Mr. AUSTIN. Yes. If those words do not remain there would be no sense to the sentence. If they were to be stricken out the language would read, and it will be seen that it would constitute an unfinished sentence:

> Except as herein or otherwise provided, no Government agency shall, in competition with private industry, manufacture or produce any articles or commodities for civilian use.

It was not our purpose to leave the sentence in that state, as I understand. It was our purpose to strike out the words "or manufacture or produce any articles or commodities for military use" in connection with plants acquired by the Defense Plant Corporation.

SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL DEFENSE PROGRAM—LIMIT OF EXPENDITURES

Mr. HAYDEN. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that I may report from the Committee to Audit and Control the Contingent Expenses of the Senate, Senate Resolution 319, for which I desire to ask immediate consideration.

The PRESIDING OFFICER. Without objection, the unfinished business is temporarily laid aside and the report will be received. The resolution will be read by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 319) to increase the limit of

expenditures of the Special Committee to Investigate the National Defense Program.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. WHITE. Mr. President, I wish to be sure I correctly understand the resolution. My belief is that this is a resolution which came from what was formerly known as the Truman committee.

Mr. HAYDEN. That is correct.

Mr. WHITE. And which now comes before the Senate with a report from the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. HAYDEN. That is correct.

Mr. WHITE. Mr. President, this committee has been long at work, and I feel that it probably is wise that it should conclude its efforts at some time. I think in those circumstances appropriate funds should be made available to it. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 319) submitted by Mr. MEAD on August 10, 1944, was considered and agreed to, as follows:

Resolved, That the limit of expenditures under Senate Resolution 71, Seventy-seventh Congress, first session, agreed to on March 1, 1941, and subsequent resolutions, relating to the investigation of the national defense program, hereby is increased by $100,000.

Mr. WHERRY. Mr. President, I offer an amendment to the resolution.

The PRESIDING OFFICER. Does the Senator wish to offer an amendment to the resolution which has just been agreed to?

Mr. WHERRY. Yes.

The PRESIDING OFFICER. Without objection, the vote by which the resolution was agreed to will be reconsidered.

Mr. WHERRY. Mr. President, I send the amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the resolution, it is proposed to add the following:

Hereafter, standing or select committees utilizing the services of persons who are not full-time employees of the Senate shall submit monthly reports to the Senate (or to the Secretary during a recess or adjournment) showing (1) the name and address of any such person; (2) the name and address of the department or organization by whom his salary is paid; and (3) the annual rate of compensation in each case.

Mr. HAYDEN. Mr. President, I think that that is hardly an appropriate amendment to a resolution which merely extends authority granted heretofore by the Senate to a particular committee. That is a general proposal which ought to be considered by the Senate, it seems to me, on its own merits.

Mr. HILL. Is not this a proposal which should go to the Rules Committee, perhaps, or to some other appropriate committee for consideration?

Mr. HAYDEN. Yes, Mr. President. What the Senator is proposing to do, I think, is practically to amend the rules of the Senate by requiring periodical reports by committees such as the Truman committee.

Mr. WHERRY. Mr. President, I admit that if the amendment is adopted, it will apply to each and every standing committee or special committee of the Senate. I feel that the language is germane. I feel that it should be made a part of the resolution, as well as other resolutions. I shall ask the Chair for a ruling respecting the germaneness of the amendment.

The PRESIDING OFFICER. There is no question of its germaneness. Obviously the amendment is in order. The question is on the merits of the amendment.

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

Mr. WHERRY. I yield.

Mr. HILL. The Senator knows, of course, that with the exception of general appropriation bills the Senate has no rule with respect to germaneness. There is no question about the Senator's amendment being germane. It seems to me that a matter of this kind ought to go to a committee for study. It deals with the procedure of the Senate. It deals with the procedure of the committees of the Senate. It might be that if the Senator's amendment went to a committee he would find something in the amendment which he himself might see fit to change. The Senator's amendment might even be the basis for doing some things which would be constructive and worth while, which the Senator himself does not now even envision.

Mr. President, it seems to me that a matter of this kind, which deals with committees and procedure of committees, and imposes certain duties upon committees, ought not to be considered in connection with a resolution which simply provides additional money for a committee which has been functioning for some time. The amendment should go to the Rules Committee or to an appropriate committee of the Senate to be considered. The Senator, of course, has the right, as any other Senator has, to offer the amendment. He can offer an entire bill, if he wants to, as an amendment to a pending measure. The surplus property bill did not have to be considered by a committee. It could have been offered as an amendment to some other bill. The Senator is well within his rights in offering his amendment; but I will say to the Senator that if he lets his amendment go to an appropriate committee the chances are he may find that committee consideration might very well improve what he has in mind. I simply do not think that this is the orderly way and the best way to proceed on a matter of this kind, if I may say so to the Senator.

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

Mr. WHERRY. I yield.

Mr. MEAD. Personally I have no objection to the amendment. I think the Senate ought to take a stand on this matter, and I should like to see it take a definite position which would be in harmony with the contents of the Senator's amendment. So far as our committee is concerned—and I have had nothing to do with the organization of its personnel—it has 34 employees, and only 4 of those are employees of the executive departments of the Government. We endeavored to get away from that practice, and tried for the most part to have as employees of the committee only employees of the Senate. Nevertheless, as the result of my experience on several other committees in the past, I should like to have the Senate, at some time or other, take a determined stand, as a matter of policy, on the question of whether it wishes to borrow employees from the departments, or make it a policy for the committees to engage their own employees. I should like to see the latter course pursued.

I have no objection to the amendment, but it really does not apply in this instance. It probably is so important that it would be much better if it were given special attention by an appropriate committee of the Senate so that a determination that would be permanent and lasting could be agreed upon.

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

Mr. WHERRY. I yield to the junior Senator from Louisiana.

Mr. ELLENDER. I heartily endorse the purposes which the Senator from Nebraska has in mind. On several occasions it has come to my attention that a special committee has asked for $25,000 or $30,000, and has then engaged special investigators paid by Government departments, so that the total amount spent for the investigation, including the salaries of investigators from the departments, might be $50,000 or $75,000, much more than the amount appropriated for the committee.

I was hopeful that the Senator would prepare his amendment in such form that it could be referred to the Committee on Rules and made to apply to all standing and special committees.

Mr. WHERRY. Mr. President, I deeply appreciate the remarks just made by the junior Senator from Louisiana, and also the remarks of the junior Senator from New York, as well as those of the distinguished Senator from Alabama.

I wish Senators to know that I have no ulterior motive in offering the amendment to this particular resolution. No one has appreciated the work of the so-called Truman committee more than I have. I have made no analysis of the list of employees of the committee. I merely felt, as a result of the legislation which we had before us last week, that the time had arrived to attach such an amendment to the first resolution which came along. I felt that that was the quickest way to handle the problem. I cannot conceive of the slightest objection to what I am trying to accomplish by the amendment. I cannot see why any Senator should object to it. I do not wish to precipitate an argument. I have no ulterior motive. I believe that it would be good business to adopt the amendment, and that this is a proper way to legislate. I had hoped that the amendment would be acceptable, and that there would be no difficulty about it, because it has merit. I should like to have the junior Senator from New York

accept it. It would apply to all other committees. I cannot see any reason why any Senator should object to it.

It is all very well to talk about referring the amendment to the Rules Committee and having it rewritten. This is a simple amendment. It merely provides for a report showing the names and addresses of employees, the department or organization by whom their salaries are paid, and the annual rate of compensation in each case.

I should like to have the junior Senator from New York accept the amendment. I have the highest regard for him. I have worked with him on committees. I feel that he is in accord with what I am trying to do. If he will accept the amendment, I think it will be of benefit not only to the Senate, but to the people of the country.

Mr. MEAD. Mr. President, permit me to say to the distinguished Senator from Nebraska that, if it is agreeable to the acting chairman of the committee, who reported the resolution, it is entirely agreeable to me to accept the amendment. In fact, I feel that it is something we could do.

Mr. FERGUSON. Mr. President, on the question of interpretation of the amendment, I notice that it contains the wording "persons who are not full-time employees of the Senate." To state a hypothetical case, if a person worked for a committee, and spent his full time with the committee, would this amendment cover him?

Mr. WHERRY. It would cover all those who are loaned to a committee, either part time or full time. The amendment would not require a report as to the employees of any Senator. The language of the amendment is:

> Hereafter, standing or select committees utilizing the services of persons who are not full-time employees of the Senate shall submit monthly reports to the Senate (or to the secretary during a recess or adjournment) showing (1) the name and address of any such person; (2) the name and address of the department or organization by whom his salary is paid; and (3) the annual rate of compensation in each case.

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

Mr. WHERRY. I yield.

Mr. HAYDEN. I believe that the amendment would be improved by adding after the words "employees of the Senate" the words "or any committee thereof," because there might be a distinction between an employee of the Senate and an employee of a committee.

Mr. WHERRY. I accept that modification.

Mr. FERGUSON. Mr. President, I am in full accord with this amendment. I do not believe that it would interfere with the activities of the committee whose appropriation is now under consideration. I believe that it would be a good thing for the Senate to know who is being borrowed from executive departments and used by the Senate, either full time or part time.

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

Mr. WHERRY. I yield.

Mr. HATCH. I have no objection to the amendment or to what the Senator is trying to do. As I have heard it read, I am wondering what these words mean:

> Standing or select committees utilizing the services of persons.

That is a very broad term. The language "utilizing the services of persons" is very broad. I have in mind the Committee on Agriculture and Forestry, of which I am a member. Frequently employees of the Department of Agriculture sit with us for an hour or so working on amendments or legislation. When that happens we are "utilizing the services" of such persons. Would we be compelled to make a report to the Senate? The same thing may apply to other committees.

Mr. WHERRY. If they are being utilized part time or full time, a report must be made.

Mr. HATCH. If that is the interpretation, there will be many complications if this amendment is adopted, because there is not a committee in the Senate which does not send for various persons from the departments. They come before the committee to give advice. Perhaps they are there 15 minutes, 30 minutes, or an hour. This amendment would require the committee to report that sort of a transaction to the Senate.

I am not quarreling with the theory of what the Senator is trying to do. I am merely wondering what he is doing. Employees of the Department of State are constantly before the Committee on Foreign Relations. Employees of the War Department are constantly before the Committee on Military Affairs. Are all such transactions to be reported?

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

Mr. WHERRY. I yield.

Mr. CHANDLER. In a little while it will be necessary to add a member to the staff of each committee and pay him to keep books.

Mr. HATCH. I am merely pointing out the practical situation in connection with the amendment.

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

Mr. WHERRY. I yield.

Mr. FERGUSON. Would the Senator from New Mexico be satisfied if the word "utilizing" were changed to "employing"?

Mr. HATCH. I was not quarreling over the use of the word "utilizing." I was merely trying to ascertain the practical effect of what is proposed. The word "employing" is a much better word than "utilizing."

Mr. WHERRY. I have no objection to that change. I accept the modification suggested by the Senator from Michigan, changing the word "utilizing" to "employing."

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

Mr. WHERRY. I yield.

Mr. HATCH. I believe that "employing" is a much better word than "utilizing." However, I believe that this is a very poor way to legislate. I feel that the amendment should be referred to the Committee on Rules.

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

Mr. WHERRY. I yield.

Mr. HAYDEN. That was what I had in mind when I suggested that the amendment should be referred to the Committee on Rules. When we legislate in a hurry we do not know exactly what we are doing. The term which we have usually employed is "loaned by a department to a committee." That is, the salary is paid by the department, but the time and services are loaned to a Senate committee. If a person is hired and paid by a department he cannot be employed by a committee. He is not an employee of the committee unless the committee pays him. I believe that pay is the essence of the term "employment." If the committee does not pay a person it is not employing him.

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

Mr. WHERRY. I yield.

Mr. AIKEN. Is it not a fact that a committee cannot employ any person from a department without specific authorization from the Senate in any case? From time to time I have been a member of several subcommittees which could have used the services of persons from the departments; but, as I understand, the consent of the Comptroller General must be obtained before we can either employ or utilize the services of any member of a department. So far as I know, there is no objection to a committee calling before it any person from one of the departments; but so far as utilizing his services, or employing him, is concerned, I am sure that the Comptroller General must give his approval, unless there is direct authorization by the Senate itself.

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

Mr. WHERRY. I yield.

Mr. BURTON. I should like to say a word in support of this amendment, inasmuch as the chairman of the committee primarily involved has approved it. As a member of that committee I also approve of it. It seems to me that it is a perfectly sound and simple rule of practice, to the substance of which no objection has been raised by any of the Senators who have discussed it. It seems to me that the committee to which this resolution refers is a good committee to take the lead in establishing this general practice. If the amendment were to be referred to the Committee on Rules for consideration, I believe their recommendation would be favorable, but that it would be difficult to get a meeting of the committee either to consider it or to report it promptly.

The proposal contained in this amendment is simple, and should recommend itself to the common sense of the Senate. I believe that the Senator from New York [Mr. MEAD], in accepting it, has done the thing that common sense dictates and I hope the amendment will be agreed to, and become a matter of general practice. I believe that this is the appropriate committee with which to start and this is a good time to act.

The PRESIDING OFFICER. The Senate will have to act on the amend-

ment. The Senator from New York has no authority to accept it.

The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. WHERRY], as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution as amended.

The resolution (S. Res. 319), as amended, was agreed to, as follows:

Resolved, That the limit of expenditures under Senate Resolution 71, Seventy-seventh Congress, first session, agreed to on March 1, 1941, and subsequent resolutions, relating to the investigation of the national defense program, hereby is increased by $100,000.

Hereafter, standing or select committees employing the services of persons who are not full-time employees of the Senate or any committee thereof shall submit monthly reports to the Senate (or to the Secretary during a recess or adjournment) showing (1) the name and address of any such person; (2) the name and address of the department or organization by whom his salary is paid; and (3) the annual rate of compensation in each case.

EXECUTIVE SESSION

Mr. HILL. 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 PRESIDING OFFICER (Mr. LA FOLLETTE in the chair) 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. GEORGE, from the Committee on Finance:

Several officers for promotion in the Regular Corps of the United States Public Health Service.

By Mr. CONNALLY, from the Committee on Foreign Relations:

Philip W. Bonsal, of the District of Columbia, to be a Foreign Service officer of class 5, a secretary in the Diplomatic Service, and a consul.

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

Sundry postmasters.

POSTMASTER AT MONTEGUT, LA.—NOMINATION REPORTED AND CONFIRMED

Mr. ELLENDER. Mr. President, from the Committee on Post Offices and Post Roads, I report favorably the nomination of Ernest L. Robichaux to be postmaster at Montegut, La. I am happy to report this nomination because Mr. Robichaux is an outstanding citizen of that community. I have known him since boyhood; I know his sterling qualities and fine character, and I have every confidence that he will continue to be the excellent postmaster he has been in the past.

I ask unanimous consent for the immediate consideration of the nomination.

The PRESIDING OFFICER. The nomination will be stated for the information of the Senate.

The legislative clerk read the nomination of Ernest L. Robichaux, to be postmaster at Montegut, La.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination?

Mr. WHITE. Mr. President, let me inquire whether the report is now being made from the Committee on Post Offices and Post Roads?

Mr. ELLENDER. That is correct. The nomination is for postmaster at the town where I was born. I wish to have the nomination immediately confirmed.

Mr. WHITE. That is a very convincing reason for the prompt confirmation of the nomination.

The PRESIDING OFFICER. The Chair hears no objection to the present consideration of the nomination. Without objection, the nomination is considered and confirmed.

If there be no further reports of committees the clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters be confirmed en bloc and that the President be immediately notified of all confirmations of postmaster nominations made today.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc; and, without objection, the President will be notified forthwith of all confirmations made of postmaster nominations.

THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. CHANDLER. I ask unanimous consent that the nominations in the Army be confirmed en bloc and that the President be notified forthwith of the confirmation of the nominations.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc; and, without objection, the President will be notified forthwith of the confirmation of the nominations.

THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

The PRESIDING OFFICER. Without objection, the nominations in the Navy are confirmed en bloc; and, without objection, the President will be immediately notified of the confirmation of the nominations.

THE MARINE CORPS

The legislative clerk read the nomination of Franklin A. Hart, to be brigadier general for temporary service.

The PRESIDING OFFICER. Without objection, the nomination is confirmed, and, without objection, the President will be immediately notified of the confirmation of the nomination.

RECESS

Mr. HILL. 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 39 minutes p. m.) the Senate took a recess until tomorrow, Thursday, August 24, 1944, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received August 23 (legislative day of August 15), 1944:

UNITED STATES PUBLIC HEALTH SERVICE

The following-named officers for promotion in the Regular Corps of the United States Public Health Service:

PASSED ASSISTANT DENTAL SURGEONS TO BE DENTAL SURGEONS EFFECTIVE DATE INDICATED

Joseph J. Dunlay, September 1, 1944.

Walter J. Pelton, September 6, 1944.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Bernice P. Jones, Adger, Ala. Office became Presidential July 1, 1944.

Joe Slatesky, Jr., Brookside, Ala. Office became Presidential July 1, 1944.

Phoebe E. Johnson, Coatopa, Ala. Office became Presidential July 1, 1944.

Herman Poe, Corona, Ala. Office became Presidential July 1, 1944.

Joseph A. Russell, Dawson, Ala. Office became Presidential July 1, 1944.

Gladys Reaves, Dolomite, Ala. Office became Presidential July 1, 1944.

Rosa L. Cothran, Dutton, Ala. Office became Presidential July 1, 1944.

Austin M. Causey, Fivepoints, Ala. Office became Presidential July 1, 1944.

Thomas D. Noles, Graham, Ala. Office became Presidential July 1, 1944.

Joseph W. Smith, Mount Hope, Ala. Office became Presidential July 1, 1944.

Bertha O. Burt, Pittsview, Ala. Office became Presidential July 1, 1944.

Tinnie Mae McGinty, River View, Ala. Office became Presidential July 1, 1944.

Onita E. Wood, Round Mountain, Ala. Office became Presidential July 1, 1944.

Mary W. McLain, Salem, Ala. Office became Presidential July 1, 1944.

Jessie E. West, Sayreton, Ala. Office became Presidential July 1, 1944.

Leona M. Bird, Shelby, Ala. Office became Presidential July 1, 1944.

Sarah B. Baker, Shorter, Ala. Office became Presidential July 1, 1944.

Ada G. Taylor, Tanner, Ala. Office became Presidential July 1, 1944.

Jesse G. Reynolds, Toney, Ala. Office became Presidential July 1, 1944.

Francis Dawson Lile, Trinity, Ala. Office became Presidential July 1, 1944.

Augustus S. McDermott, Union Grove, Ala. Office became Presidential July 1, 1944.

ARIZONA

Armon D. Cheatham, Laveen, Ariz. Office became Presidential July 1, 1944.

Bessie L. Savage, Sells, Ariz. Office became Presidential July 1, 1944.

ARKANSAS

Kathleen B. Farris, Biscoe, Ark. Office became Presidential July 1, 1944.

Robert W. Tuck, Redfield, Ark. Office became Presidential July 1, 1944.

CALIFORNIA

Homer Clark, Blue Lake, Calif. Office became Presidential July 1, 1944.

Louise J. Riley, Cardiff-by-the-Sea, Calif. Office became Presidential July 1, 1944.

Mildred I. Roberts, Coleville, Calif. Office became Presidential July 1, 1944.

LaZella N. Liddell, Sequoia National Park, Calif., in place of R. B. Montgomery, resigned.

Alice DeC. Algar, Stinson Beach, Calif. Office became Presidential July 1, 1944.

Harry A. Eckert, Westpoint, Calif. Office became Presidential July 1, 1944.

George E. Richardson, Wrightwood, Calif. Office became Presidential July 1, 1944.

COLORADO

Anna Christensen, Agate, Colo. Office became Presidential July 1, 1944.

Harry E. Cotter, Crowley, Colo. Office became Presidential July 1, 1944.

Derrett C. Smith, Kim, Colo. Office became Presidential July 1, 1944.

Magdalene Skees, Loretto, Colo. Office became Presidential July 1, 1944.

Eileen E. Palmateer, Milliken, Colo. Office became Presidential July 1, 1944.

Elmer F. Huitt, Pierce, Colo. Office became Presidential July 1, 1944.

Martin F. Mendine, Valdez, Colo. Office became Presidential July 1, 1944.

Jessie M. Hanks, Westminster, Colo. Office became Presidential July 1, 1944.

CONNECTICUT

Richard Arthur Greiser, Easton, Conn. Office became Presidential July 1, 1944.

Edward F. Charter, Ellington, Conn. Office became Presidential July 1, 1944.

Lillian M. Maxcy, Mansfield Center, Conn. Office became Presidential July 1, 1944.

FLORIDA

Margaret M. Scruggs, Aucilla, Fla. Office became Presidential July 1, 1944.

Gertrude R. Gauger, Bagdad, Fla. Office became Presidential July 1, 1944.

Thad J. Walker, Jr., Baker, Fla., in place of A. B. Moore, transferred.

Elma Shuler, Bristol, Fla. Office became Presidential July 1, 1944.

Sarah J. Burns, Enterprise, Fla. Office became Presidential July 1, 1944.

Vivian P. Snyder, Floral City, Fla. Office became Presidential July 1, 1944.

Abbie A. Casey, Freeport, Fla. Office became Presidential July 1, 1944.

Ida B. McMillan, Grand Ridge, Fla. Office became Presidential July 1, 1943.

John B. McGill, Lake Helen, Fla. Office became Presidential July 1, 1944.

Alvis W. Reams, Lamont, Fla. Office became Presidential July 1, 1944.

Janet E. Barr, Limona, Fla. Office became Presidential July 1, 1944.

Varena M. Cox, Montverde, Fla. Office became Presidential July 1, 1944.

Leonard F. Stewart, Jr., Zellwood, Fla. Office became Presidential July 1, 1944.

GEORGIA

Willie E. Fulcher, McBean, Ga. Office became Presidential July 1, 1944.

M. Wallace Forrester, Mount Airy, Ga. Office became Presidential July 1, 1944.

James E. Chambless, Rentz, Ga. Office became Presidential July 1, 1944.

Wiley T. Young, Riverdale, Ga. Office became Presidential July 1, 1944.

John H. Wood, Rocky Face, Ga. Office became Presidential July 1, 1944.

William A. Garrett, Roopville, Ga. Office became Presidential July 1, 1944.

Ethline F. Kendrick, Sharon, Ga. Office became Presidential July 1, 1944.

Eva L. Ellis, Sumner, Ga. Office became Presidential July 1, 1944.

Jewell Morrison, Talking Rock, Ga. Office became Presidential July 1, 1944.

Mell S. Rhodes, Taylorsville, Ga. Office became Presidential July 1, 1944.

William C. Lively, Waco, Ga. Office became Presidential July 1, 1944.

Vera H. Cummings, Warthen, Ga. Office became Presidential July 1, 1944.

George L. Sinclair, Waverly Hall, Ga. Office became Presidential July 1, 1944.

Julia J. Scott, Williamson, Ga. Office became Presidential July 1, 1944.

Nas Paulk, Wray, Ga. Office became Presidential July 1, 1944.

HAWAII

James Costa Amarino, Holualoa, T. H. Office became Presidential July 1, 1943.

ILLINOIS

Carter H. Pietsch, Bloomington, Ill., in place of W. J. Fahey, deceased.

Veneta L. Moss, Dakota, Ill. Office became Presidential July 1, 1944.

Harley R. Foster, Deer Creek, Ill. Office became Presidential July 1, 1944.

Bertha M. Esh, Spring Grove, Ill. Office became Presidential July 1, 1944.

Jennie Puma, Thayer, Ill. Office became Presidential July 1, 1944.

Thomas J. Gawthorp, West Salem, Ill., in place of C. N. Ginther, transferred.

INDIANA

Cora J. Quinn, Bringhurst, Ind. Office became Presidential July 1, 1944.

Florence L. Heifner, Charlottesville, Ind. Office became Presidential July 1, 1944.

William F. Hilkene, Cumberland, Ind. Office became Presidential July 1, 1944.

Raymond M. Cornett, Decker, Ind. Office became Presidential July 1, 1944.

Vallie F. Webster, Forest, Ind. Office became Presidential July 1, 1944.

Inez Murnan, Fountaintown, Ind. Office became Presidential July 1, 1944.

Carrie Kay, Fredericksburg, Ind. Office became Presidential July 1, 1944.

William E. James, Harlan, Ind. Office became Presidential July 1, 1944.

Beryl Bridwell, Heltonville, Ind. Office became Presidential July 1, 1944.

Dayton L. Barkley, Hoagland, Ind. Office became Presidential July 1, 1944.

Wilma B. Foster, Kimmell, Ind. Office became Presidential July 1, 1944.

Grace Pittman, Laconia, Ind. Office became Presidential July 1, 1944.

Enos H. Young, Lactto, Ind. Office became Presidential July 1, 1944.

Phyllis G. Plummer, Larwill, Ind. Office became Presidential July 1, 1944.

Brian W. Smith, Lebanon, Ind., in place of J. R. Kelley. Incumbent's commission expired May 27, 1942.

IOWA

Georga L. Muenchow, Arcadia, Iowa. Office became Presidential July 1, 1944.

Peter S. Juhl, Crystal Lake, Iowa. Office became Presidential July 1, 1944.

George H. Miller, Libertyville, Iowa. Office became Presidential July 1, 1944.

Magdalene M. Klosterman, New Vienna, Iowa. Office became Presidential July 1, 1944.

Paul E. Heckathorn, Van Wert, Iowa. Office became Presidential July 1, 1944.

Charles G. Marquis, Woodburn, Iowa. Office became Presidential July 1, 1944.

KANSAS

Merton P. Hill, Benton, Kans. Office became Presidential July 1, 1944.

John O. Allman, Fontana, Kans. Office became Presidential July 1, 1944.

Selma R. Cochran, Ford, Kans. Office became Presidential July 1, 1944.

Warren P. Armstrong, Hepler, Kans. Office became Presidential July 1, 1944.

Clarence M. Chaney, Stark, Kans. Office became Presidential July 1, 1944.

KENTUCKY

Mary Lou Harris, Adolphus, Ky. Office became Presidential July 1, 1944.

Mollie L. Allphin, Crittenden, Ky. Office became Presidential July 1, 1944.

Lillian N. Coombs, Graham, Ky. Office became Presidential July 1, 1944.

Roy O. Harmon, Gravel Switch, Ky. Office became Presidential July 1, 1944.

Hattie Koenen, Hanson, Ky. Office became Presidential July 1, 1944.

Alice Scott, Hardy, Ky. Office became Presidential July 1, 1944.

Dorsey C. Rose, Hazel Green, Ky. Office became Presidential July 1, 1944.

Anna O. Stephens, Hi Hat, Ky. Office became Presidential July 1, 1944.

Willie Hall, McDowell, Ky. Office became Presidential July 1, 1944.

Uel S. Morgan, Nebo, Ky. Office became Presidential July 1, 1944.

Gertrude Scott, Pinsonfork, Ky. Office became Presidential July 1, 1944.

Charles E. Branson, Robards, Ky. Office became Presidential July 1, 1944.

James P. Hudson, St. Charles, Ky. Office became Presidential July 1, 1944.

Marion H. Brashear, Viper, Ky. Office became Presidential July 1, 1944.

LOUISIANA

Maud M. Mayes, Ansley, La. Office became Presidential July 1, 1944.

Thelma M. Humble, Calhoun, La. Office became Presidential July 1, 1944.

Jeanne H. Crouchet, Carencro, La. Office became Presidential July 1, 1943.

Jennie O. Parker, Crowville, La. Office became Presidential July 1, 1944.

Joseph Fenelon Landry, Delcambre, La. Office became Presidential July 1, 1943.

Vera M. Canady, Eros, La. Office became Presidential July 1, 1944.

Ruth M. Fairleigh, Holly Ridge, La. Office became Presidential July 1, 1944.

James A. Duke, Kelly, La. Office became Presidential July 1, 1944.

Milly G. McCullough, Livingston, La. Office became Presidential July 1, 1944.

Ernest L. Robichaux, Montegut, La. Office became Presidential July 1, 1943.

Lena Evasovich, Triumph, La. Office became Presidential July 1, 1944.

MAINE

Ermine B. Davis, Burnham, Maine. Office became Presidential July 1, 1944.

Vera G. Brown, New Sharon, Maine. Office became Presidential July 1, 1944.

Phoebe Stevens, Portage, Maine. Office became Presidential July 1, 1944.

MARYLAND

Nan R. Eaton, Flint Stone, Md. Office became Presidential July 1, 1944.

Harold Slingluff, Mitchellville, Md. Office became Presidential July 1, 1944.

MICHIGAN

Crystal Weldon, Mears, Mich. Office became Presidential July 1, 1944.

Coral Estep, Muir, Mich. Office became Presidential July 1, 1944.

MISSISSIPPI

Roy E. Hussey, Abbeville, Miss. Office became Presidential July 1, 1944.

Lina B. Dietz, Beaumont, Miss. Office became Presidential July 1, 1944.

Annette Boleware, Carson, Miss. Office became Presidential July 1, 1944

Mary Bloodworth, Cascilla, Miss. Office became Presidential July 1, 1944.

Jimmie L. Coffey, Etta, Miss. Office became Presidential July 1, 1944.

James E. Rogers, Falkner, Miss. Office became Presidential July 1, 1944.

MISSOURI

Anna Lee Byers, Agency, Mo. Office became Presidential July 1, 1944.

Martha T. Russell, Bertrand, Mo. Office became Presidential July 1, 1944.

Frances Ann Brown, Deering, Mo. Office became Presidential July 1, 1944.

Genevieve Frakes, De Kalb, Mo. Office became Presidential July 1, 1944.

Goldie M. Edmundson, Dudley, Mo. Office became Presidential July 1, 1944.

Naomi M. Snodderley, Elma, Mo. Office became Presidential July 1, 1943.

Cornelia Hart, Granby, Mo., in place of W. W Scholes, Jr., transferred.

Nathaniel Nunnery, Holland, Mo. Office became Presidential July 1, 1943.

Hallie M. Swain, Koshkonong, Mo., in place of M. P. Chastain, transferred.

NEVADA

Edna M. Hall, Kimberly, Nev., in place of V. D. Hall, resigned.

NEW HAMPSHIRE

Clarence A. Morse, Brookline, N. H. Office became Presidential July 1, 1944.

Harry H. Atwood, Pelham, N. H. Office became Presidential July 1, 1944.

Marion B. Lyman, Silver Lake, N. H. Office became Presidential July 1, 1944.

NEW JERSEY

John R. Powell, Alloway, N. J. Office became Presidential July 1, 1944.

Margaret G. Walter, Cedar Knolls, N. J. Office became Presidential July 1, 1944.

Gertrude Hynes, Colonia, N. J. Office became Presidential July 1, 1944.

Joseph R. L. Jackson, Hazlet, N. J. Office became Presidential July 1, 1944.

Bessie W. Blutstein, Jersey Homesteads, N. J. Office became Presidential July 1, 1944.

James D. Treible, Lafayette, N. J. Office became Presidential July 1, 1944.

Margaret Butterfield, West Milford, N. J. Office became Presidential July 1, 1944.

NEW MEXICO

John F. Lopez, San Juan Pueblo, N. Mex. Office made Presidential July 1, 1944.

NEW YORK

Agnes C. VanDemark, Brooktondale, N. Y. Office became Presidential July 1, 1944.

Anna V. Herron, Centereach, N. Y. Office became Presidential July 1, 1943.

Gertrude A. Vande Bogart, Leonardsville, N. Y., in place of F. A. Howland, resigned.

Ragnhild O. Chester, Mastic Beach, N. Y., in place of Alida Vandenburg, resigned.

Edward Phillips, Middleport, N. Y., in place of G. F. Tracey, deceased.

Helen W. Aumick, Pine City, N. Y. Office became Presidential July 1, 1943.

Eunice H. Raynor, Quogue, N. Y., in place of F. P. Bakutis, removed.

W. Paul Blancher, South Lansing, N. Y. Office became Presidential July 1, 1944.

Joseph F. Marshall, Waterloo, N. Y., in place of O. C. Cone. Incumbent's commission expired June 23, 1942.

Louise Knapp, Wolcott, N. Y., in place of A. B. Sabin, resigned.

NORTH CAROLINA

Bertha James, Chinquapin, N. C. Office became Presidential July 1, 1944.

Ella E. Meshaw, Council, N. C. Office became Presidential July 1, 1944.

NORTH DAKOTA

Gertrude E. Kraus, Alice, N. Dak. Office became Presidential July 1, 1943.

Edward Jerke, Fredonia, N. Dak., in place of R. A. Lehr, transferred.

Esther N. Overn, Kathryn, N. Dak. Office became Presidential July 1, 1943.

Vaughn C. Magnuson, Martin, N. Dak. Office became Presidential July 1, 1943.

Benjamin J. Schnedar, Pisek, N. Dak. Office became Presidential July 1, 1943.

OHIO

William L. Roush, Aberdeen, Ohio. Office became Presidential July 1, 1944.

Ada M. Waggal, Amelia, Ohio, in place of F. B. Weaver, deceased.

George W. Miranda, Blue Creek, Ohio. Office became Presidential July 1, 1944.

Francis A. Taylor, Chippewa Lake, Ohio. Office became Presidential July 1, 1944.

Gail Miller, Christiansburg, Ohio. Office became Presidential July 1, 1944.

Jerome H. Langhals, Cloverdale, Ohio. Office became Presidential July 1, 1944.

Merle A. Rowe, Coalton, Ohio. Office became Presidential July 1, 1944.

Mary Tigar, Cozaddale, Ohio. Office became Presidential July 1, 1944.

Julia Garlic, Crown City, Ohio. Office became Presidential July 1, 1944.

Clara Korta, Custar, Ohio. Office became Presidential July 1, 1944.

James P. Lavey, Milan, Ohio, in place of Roy C. Walker, removed.

Anna L. Milhoan, Sawyerwood, Ohio. Office became Presidential July 1, 1944.

Robert S. McConnell, Tippecanoe, Ohio. Office became Presidential July 1, 1944.

Etta G. Duffield, Vanburen, Ohio. Office became Presidential July 1, 1944.

Mary A. Cramer, West Chester, Ohio. Office became Presidential July 1, 1944.

Gurney H. Lowe, Williston, Ohio. Office became Presidential July 1, 1944.

Pearl B. Hildreth, Woodstock, Ohio. Office became Presidential July 1, 1944.

James R. O'Leary, Zaleski, Ohio. Office became Presidential July 1, 1944.

Frank V. Miller, Zanesfield, Ohio. Office became Presidential July 1, 1944.

OREGON

Orra B. Cole, Cannon Beach, Oreg. Office became Presidential July 1, 1944.

Louie E. Briggs, Charleston, Oreg. Office became Presidential July 1, 1944.

Elsie Langley, Fairview, Oreg. Office became Presidential July 1, 1944.

Antoinette McKechnie, Gearhart, Oreg. Office became Presidential July 1, 1942.

Harriet E. Payne, Harbor, Oreg. Office became Presidential July 1, 1944.

Frank E. Cross, Hebo, Oreg. Office became Presidential July 1, 1944.

William B. Small, Hood River, Oreg., in place of J. D. McLucas, removed.

PENNSYLVANIA

Bernard M. Schupp, Fryburg, Pa. Office became Presidential July 1, 1944.

Ruth R. Stiely, Gratz, Pa. Office became Presidential July 1, 1944.

Regirald S. Feather, Hadley, Pa. Office became Presidential July 1, 1944.

Arthur Chattaway, Hazzard, Pa. Office became Presidential July 1, 1944.

Anna Eakins, Hyde Park, Pa. Office became Presidential July 1, 1944.

Caroline E. Boyer, Kersey, Pa., in place of C. E. Boyer. Incumbent's commission expired June 23, 1942.

Charles E. Robacker, Penfield, Pa. Office became Presidential July 1, 1944.

Edna M. Huston, Robinson, Pa. Office became Presidential April 1, 1944.

Beaver Cornelius, Saltillo, Pa. Office became Presidential July 1, 1944.

Emile A. Rank, Sturgeon, Pa. Office became Presidential July 1, 1944.

Mary E. Callahan, Summerhill, Pa. Office became Presidential July 1, 1944.

Roland D. Heile, Transfer, Pa. Office became Presidential July 1, 1944.

Robert V. S. Snyder, Wood, Pa. Office became Presidential July 1, 1944.

RHODE ISLAND

Joseph E. Daneault, Albion, R. I. Office became Presidential July 1, 1944.

Charles H. Williams, Kenyon, R. I. Office became Presidential July 1, 1944.

Ann A. Dillon, La Fayette, R. I. Office became Presidential July 1, 1943.

SOUTH CAROLINA

Hudnalle B. McLean, Blythewood, S. C. Office became Presidential July 1, 1944.

Mattie O. Bruce, Chapin, S. C. Office became Presidential July 1, 1944.

Bessie F. Cannon, Clifton, S. C. Office became Presidential July 1, 1944.

Eva S. Drake, Converse, S. C. Office became Presidential July 1, 1944.

Philip P. Gaillard, Dalzell, S. C. Office became Presidential July 1, 1944.

William S. Hills, Edisto Island, S. C. Office became Presidential July 1, 1944.

Milas Y. Sease, Gilbert, S. C. Office became Presidential July 1, 1944.

Myrtle R. Sams, Glendale, S. C. Office became Presidential July 1, 1944.

Vivian W. Edwards, Gresham, S. C. Office became Presidential July 1, 1944.

Raymond S. Younginer, Irmo, S. C. Office became Presidential July 1, 1944.

Beulah E. Bryson, Owings, S. C. Office became Presidential July 1, 1944.

Mary C. Morrow, Pauline, S. C. Office became Presidential July 1, 1944.

William F. Lachicotte, Pawleys Island, S. C. Office became Presidential July 1, 1944.

Ethel M. Rogers, Roebuck, S. C. Office became Presidential July 1, 1944.

Beatrice M. Whitfield, Townville, S. C. Office became Presidential July 1, 1944.

William Y. McNeill, Waterloo, S. C. Office became Presidential July 1, 1944.

SOUTH DAKOTA

Agnes O. Sundheim, Peever, S. Dak. Office became Presidential July 1, 1944.

Eloise Holdren, Vale, S. Dak. Office became Presidential July 1, 1944.

TENNESSEE

John M. Pearcy, Lascassas, Tenn. Office became Presidential July 1, 1944.

James C. Davis, Luttrell, Tenn. Office became Presidential July 1, 1944.

Hattie B. Riddick, Maury City, Tenn. Office became Presidential July 1, 1944.

Eddith Scott Dawson, Parrottsville, Tenn. Office became Presidential July 1, 1944.

G. Ivan Malone, Piney Flats, Tenn. Office became Presidential July 1, 1944.

Carrie E. Monday, Speedwell, Tenn. Office became Presidential July 1, 1943.

Lillie M. Reel, Watauga, Tenn. Office became Presidential July 1, 1944.

TEXAS

Lois B. Deaver, Bluff Dale, Tex. Office became Presidential July 1, 1944.

Emma Johnson, Brookeland, Tex. Office became Presidential July 1, 1944.

Ina McCall, Burke, Tex. Office became Presidential July 1, 1944.

Hugo Suhr, Cat Spring, Tex. Office became Presidential July 1, 1944.

Graves Burke, Cherokee, Tex. Office became Presidential July 1, 1944.

Ernst H. A. Schlather, Cibolo, Tex. Office became Presidential July 1, 1944.

Henry E. Philippus, Cost, Tex. Office became Presidential July 1, 1944.

Winnie G. Tanner, Flomot, Tex. Office became Presidential July 1, 1944.

Winola C. Lee, Fritch, Tex. Office became Presidential July 1, 1944.

Nora C. McNally, Godley, Tex. Office became Presidential July 1, 1944.

Lucile H. Pape, Gregory, Tex. Office became Presidential July 1, 1944.

Oscar H. Brent, Hamshire, Tex. Office became Presidential July 1, 1944.

Irma Jane Farek, Hockley, Tex. Office became Presidential July 1, 1944.

Ouita Schaeffer, Honey Island, Tex. Office became Presidential July 1, 1944.

John Marvin Murray, Lyons, Tex. Office became Presidential July 1, 1944.

Lottie H. Rector, McCaulley, Tex. Office became Presidential July 1, 1944.

Paul D. Davis, Nevada, Tex. Office became Presidential July 1, 1944.

Clark C. Coppedge, Ore City, Tex. Office because Presidential July 1, 1944.

Edward D. Farmer, Pierce, Tex. Office became Presidential July 1, 1944.

Sadie R. Smajstrla, Placedo Junction, Tex. Office became Presidential July 1, 1944.

Veda G. Evans, Red Oak, Tex. Office became Presidential July 1, 1944.

Mattie Cowden, Sandia, Tex. Office became Presidential July 1, 1944.

VERMONT

Alice G. Dudley, Shoreham, Vt., in place of A. G. Dudley, deceased.

VIRGINIA

Vira B. West, Bandy, Va. Office became Presidential July 1, 1944.

Julia A. Powers, Bon Air, Va. Office became Presidential July 1, 1944.

John S. Allen, Roswell, Va. Office became Presidential July 1, 1944.

Adline Quesenberry, Dugspur, Va. Office became Presidential July 1, 1944.

Milton J. Turner, Huddleston, Va. Office became Presidential July 1, 1944.

Lottie M. Gertzen, Iron Gate, Va. Office became Presidential July 1, 1944.
William Burton Adams, Java, Va. Office became Presidential July 1, 1944.
Grover G. Watkins, Lottsburg, Va. Office became Presidential July 1, 1944.
Grace F. Boley, Lynch Station, Va. Office became Presidential July 1, 1944.
Hubert S. Cline, Mount Sidney, Va. Office became Presidential July 1, 1944.
Edgar L. Paisley, Mouth of Wilson, Va. Office became Presidential July 1, 1944.
Mary F. Burks, Natural Bridge Station, Va. Office became Presidential July 1, 1944.
Lulu B. Woodyard, Occoquan, Va. Office became Presidential July 1, 1944.
A. Hyslop LeCato, Painter, Va., in place of M. E. W. Downing, deceased.
Ruby P. Perdue, Penhook, Va. Office became Presidential July 1, 1944.
Mary E. Holmes, Plasterco, Va. Office became Presidential July 1, 1944.
Julia W. McCann, Roxbury, Va. Office became Presidential July 1, 1944.
William L. Johnston, Somerset, Va. Office became Presidential July 1, 1944.
Goldie P. Pasley, Trout Dale, Va. Office became Presidential July 1, 1944.
Nancy G. Dunn, Vernon Hill, Va. Office became Presidential July 1, 1944.

WEST VIRGINIA

Nellie M. Hilton, Bellepoint, W. Va. Office became Presidential July 1, 1944.
Lenna S. Jones, Bristol, W. Va Office became Presidential July 1, 1944.
Dorena Annese, Brownton, W. Va. Office became Presidential July 1, 1944.
Louie E. Bumphrey, Burlington, W. Va. Office became Presidential July 1, 1944.
Roy Palmer, Cannelton, W. Va. Office became Presidential July 1, 1944.
Samuel L. Carter, Colliers, W. Va. Office became Presidential July 1, 1944.
Kathleen E. Gilreath, Eleanor, W. Va. Office became Presidential July 1, 1944.
Louise W. Boyd, Glenalum, W. Va. Office became Presidential July 1, 1944.
Clyde Y. Harman, Harman, W. Va. Office became Presidential July 1, 1944.
Flossie Shuman, Hastings, W. Va. Office became Presidential July 1, 1944.
Earl C. Shroades, Inwood, W. Va. Office became Presidential July 1, 1944.
J. Bruce Brookover, Jacksonburg, W. Va. Office became Presidential July 1, 1944.
Golden F. Row, Junior, W. Va. Office became Presidential July 1, 1944.
Dennis H. Beverage, Layland, W. Va. Office became Presidential July 1, 1944.
Harry C. Skaggs, Long Branch, W. Va. Office became Presidential July 1, 1944.
Jessie D. Hoffmaster, Millville, W. Va. Office became Presidential July 1, 1944.
Ward Schoonover, Montrose, W. Va. Office became Presidential July 1, 1944.
Willie J. Thompson, Nolan, W. Va. Office became Presidential July 1, 1944.
Socia Anna Winter, Norton, W. Va. Office became Presidential July 1, 1944.
Mary A. Conrad, Roanoke, W. Va. Office became Presidential July 1, 1944.
Hallie M. Young, Rock, W. Va. Office became Presidential July 1, 1944.
Hiram A. Hetherington, Roderfield, W. Va. Office became Presidential July 1, 1944.
Lossie R. Lemons, Sinks Grove, W. Va. Office became Presidential July 1, 1944.
John E. Crickmer, Squire, W. Va. Office became Presidential July 1, 1944.
Paul E. Love, Verdunville, W. Va. Office became Presidential July 1, 1944.
Evelyn M. Griffith, Windsor Heights, W. Va. Office became Presidential July 1, 1944.

WISCONSIN

Dorothy J. Steckbauer, Aniwa, Wis. Office became Presidential July 1, 1944.
Ethel Y. Hogenson, Chili, Wis. Office became Presidential July 1, 1944.
Werner W. Wolfinger, Eland, Wis. Office became Presidential July 1, 1944.
Emma M. Olson, Mindoro, Wis. Office became Presidential July 1, 1943.
Bertha Peterson, Ogdensburg, Wis. Office became Presidential July 1, 1944.
Leo J. Velten, Tony, Wis. Office became Presidential July 1, 1944.
John R. Lesar, Willard, Wis. Office became Presidential July 1, 1944.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 23 (legislative day of August 15), 1944:

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

To be lieutenant general

Alexander McCarrell Patch

To be major generals

Donald Armpriester Stroh
James George Christiansen
Ben Menadue Sawbridge
Clinton Frederick Robinson
Paul Langdon Williams
Walter Alexander Wood, Jr.
Samuel Egbert Anderson
William Frazer Tompkins
Verne Donald Mudge
Sidney Parker Spalding

To be brigadier generals

Ernest Moore
Robert Scott Israel, Jr.
Thomas Connell Darcy
George Dunbar Pence
Roy Charles Lemach Graham
William Wallace Ford
George Henry Decker
Robert Milchrist Cannon
John Francis Uncles
Riley Finley Ennis
Burdette Mase Fitch
John Paul McConnell
Winslow Carroll Morse
Robert Gibbins Gard
Carter Bowie Magruder
Alvin Roubal Luedecke
Arthur Gilbert Trudeau
George Wessely Sliney
Homer LeRoy Sanders
Joe L. Loutzenheiser
Truman Casper Thorson
Evans Read Crowell
Charles Edward Hart
William Leonard Ritter
John Weckerling
Carroll Owen Bickelhaupt
Andrew Frank McIntyre
Edward Nolen Backus

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

To Adjutant General's Department

Maj. Clarence McCurdy Virtue

To Quartermaster Corps

First Lt. James Michael Illig

To Corps of Engineers

First Lt. Troxell Olin Mason

To Ordnance Department

First Lt. John Pearson Sherden, Jr.

To Signal Corps

Second Lt. Stanley Livingston James, Jr.

To Cavalry

Second Lt. Thomas Quinton Donaldson 4th

To Infantry

Maj. Edwin William Chamberlain
Capt. Alexander Johnston Sutherland
First Lt. Robert Willoughby Garrett
First Lt. John Francis Thomas Murray

APPOINTMENTS IN THE REGULAR ARMY

To be first lieutenants, Medical Corps, with rank from date of appointment

Augustus Lynn Baker, Jr.
Bruce Hardy Bennett
Alfred Sjouke Blauw
Hamilton Boyd, Jr.
Daniel Hedgcoxe Cahoon
John Sidney Clapp
William Dunbar Dugan
Harold Victor Ellingson
Robert Cantrell Feamster
Charles Crosbie Flood
Emil Joseph Genetti
Frank Edward Harrigan, Jr.
Keith Duane Heuser
Robert Richard Jones
Vernon Charles Kelly
Kenneth Albert Koerner
Robert Landesman
Robert Edmund Lau
Joseph Peter McEvoy
John Mark McIver
Graham Burton Milburn
Todd Merriam Mulford
James Richard Paul
George Shackelford Richardson
Humbert Lewis Riva
Joseph Negley Schaeffer
Edward Shaw
Fred R. Sloan
Nathaniel Roscoe Spencer
Robert William Thometz
Colin Francis Vorder Bruegge
Joseph Edward Walther

To be second lieutenants, Pharmacy Corps, with rank from date of appointment

Jesse Nichols Butler
Leonard John Cook
Paul F. Crutchlow
James Thomas Haden
Maurice William Hylden
Kenneth Bradley Johnson
David Arthur Schlichting
Edmund Walter Bleckinger
Leo Joseph Collins
Melvin William Crotty
William Dennis
Henry Lamar Hammond
David Henry Hood
Norman Richard Johnson
Bernard Kurtz
Joseph Albert Meisner, Jr.
Francis Xavier Munsch, Jr.
Francis Joseph DePanfilis
Richard McDermaid
George Henry Schneller

PROMOTIONS IN THE REGULAR ARMY

To be colonel, Field Artillery

Horace Logan McBride

To be lieutenant colonel, Field Artillery

Richard Sears

To be first lieutenant, Corps of Engineers

Truman Holt Setliffe

To be colonels, Medical Corps

Walter Fleming Hamilton
Frank Tenny Chamberlin
Howard Joseph Hutter
Irwin Bradfield Smock

To be lieutenant colonel, Medical Corps

Prentice Lauri Moore

To be major, Medical Corps

William Darrell Willis

To be captains, Medical Corps

Frank Louis Bauer
Irving Abelow

To be colonels, Dental Corps

Egbert Wesley Van Delden Cowan
Arthur Edmon Brown
Robert Clyde Craven
Melville Alexander Sanderson
Earl George Gebhardt
Arne Sorum

To be lieutenant colonel, Dental Corps

Marvin Edward Kennebeck

CHAPLAINS

Edmund Charles Sliney, to be colonel, chaplains, United States Army, subject to examination required by law.

Walter John Donoghue, to be colonel, chaplains, United States Army.

Vernon Paul Jaeger, to be major, United States Army.

Frank Louis Grafton, to be captain, United States Army.

To be colonels

Raymond George Moses, Corps of Engineers.

Wilhelm Delp Styer, Corps of Engineers.

Charles Holmes Cunningham, Corps of Engineers.

Dwight Frederick Johns, Corps of Engineers.

Thomas Dewees Finley, Infantry.

Elroy Sandy Jackson Irvine, Corps of Engineers.

Stanley Eric Reinhart, Field Artillery.

Louis Emerson Hibbs, Field Artillery.

Ludson Dixon Worsham, Corps of Engineers.

Daniel Allman Connor, Field Artillery.

George Mayo, Corps of Engineers.

Herbert Spencer Struble, Field Artillery, subject to examination required by law.

Jesse Beeson Hunt, Field Artillery.

Stuart Clarence MacDonald, Infantry, subject to examination required by law.

William Maynard Dixon, Finance Department.

Orva Earl Beezley, Field Artillery, subject to examination required by law.

To be lieutenant colonels

John Barry Peirce, Infantry.

John Kenneth Sells, Cavalry.

Douglas Cameron, Cavalry.

Arthur Jennings Grimes, Infantry, subject to examination required by law.

Ernest Starkey Moon, Air Corps.

Chester Arthur Carlsten, Infantry.

Joseph Myles Williams, Cavalry.

Harold Arthur Doherty, Field Artillery.

Charles Dawson McAllister, Air Corps.

Vincent Joseph Tanzola, Infantry.

Edward Albert Banning, Field Artillery.

Frederic deLannoy Comfort, Cavalry.

Henry Laurance Ingham, Field Artillery.

Percy Earle LeStourgeon, Infantry.

Caryl Rawson Hazeltine, Infantry.

Michael Henry Zwicker, Quartermaster Corps.

Leon Valentine Chaplin, Field Artillery.

Daniel Webster Kent, Infantry, subject to examination required by law.

Harry Lynch, Signal Corps.

George Marion Davis, Infantry, subject to examination required by law.

Fay Warren Lee, Field Artillery.

Melecio Manuel Santos, Philippine Scouts, subject to examination required by law.

Narciso Lopez Manzano, Philippine Scouts, subject to examination required by law.

Charles Emmett Cheever, Judge Advocate General's Department.

Harry Meyer, Corps of Engineers.

Peter Anthony Feringa, Corps of Engineers, subject to examination required by law.

Edward Barber, Coast Artillery Corps.

Edward Hall Walter, Corps of Engineers.

David Albert Morris, Corps of Engineers.

Juan Segundo Moran, Philippine Scouts, subject to examination required by law.

Richardson Selee, Corps of Engineers.

Don Waters Mayhue, Air Corps (temporary colonel), subject to examination required by law.

John Harry, Coast Artillery Corps.

Harold Oakes Bixby, Signal Corps, subject to examination required by law.

George Randall Scithers, Field Artillery.

John Henry Featherston, Coast Artillery Corps.

Charles Andrews Jones, Jr., Quartermaster Corps.

Hubert Stauffer Miller, Corps of Engineers.

Edward Harold Coe, Corps of Engineers.

Daniel Burnett Knight, Infantry.

Paul MacKeen Martin, Cavalry.

Creswell Garrettson Blakeney, Field Artillery.

Louis Jeter Tatom, Signal Corps.

Louis Watkins Prentiss, Corps of Engineers.

William Edmund Waters, Field Artillery.

Joseph Kennard Bush, Infantry.

Orlando Clarendon Mood, Infantry.

Bert Nathan Bryan, Finance Department.

Harvie Rogers Matthews, Infantry.

Louis Beman Rapp, Cavalry.

Edwards Matthews Quigley, Field Artillery.

James Breakenridge Clearwater, Field Artillery, subject to examination required by law.

Wesley Tate Guest, Signal Corps.

Duncan Philip Frissell, Quartermaster Corps.

Henry Hammond Duval, Coast Artillery Corps.

Alfred Vepsala, Field Artillery, subject to examination required by law.

Edmund Clarence Langmead, Air Corps.

Carroll Heiney Deitrick, Ordnance Department, subject to examination required by law.

Lee W. Haney, Infantry.

David William Goodrich, Air Corps.

Franklin Mitchell, Ordnance Department.

Wallace Ellsworth Niles, Ordnance Department.

Lewis Edward Weston Lepper, Quartermaster Corps.

Edward Harris Barr, Field Artillery.

James Roscoe Hamilton, Infantry.

Henry Chester Jones, Infantry.

Walter Francis Jennings, Cavalry.

Henry Louis Love, Field Artillery.

Cranford Coleman Bryan Warden, Infantry.

William Dawes Williams, Field Artillery.

William Thomas Semmes Roberts, Infantry.

McDonald Donegan Weinert, Corps of Engineers.

John Walker Childs, Infantry, subject to examination required by law.

Wilbert Engdahl Shallene, Field Artillery.

Wilmar Weston Dewitt, Infantry.

James Millikin Bevans, Air Corps.

Floyd Raymond Brisack, Field Artillery.

Edward Joseph Walsh, Judge Advocate General's Department.

Haydn Purcell Roberts, Signal Corps, subject to examination required by law.

Clifford Cleophas Duell, Field Artillery.

William Larwill Carr, Field Artillery.

Russell George Duff, Field Artillery, subject to examination required by law.

Roy Prewett Huff, Field Artillery.

Paul Hanes Kemmer, Air Corps.

MEDICAL CORPS

Alexander Palmer Kelly to be colonel.

Francis William Gustites to be colonel, subject to examination required by law.

Leon Lloyd Gardner to be lieutenant colonel.

Wright Addison Gates to be captain.

Michael Joseph Hitchko to be captain.

William Henry Merritt to be captain.

DENTAL CORPS

Clarence Walter Johnson to be colonel.

Walter Duncan Love to be colonel.

Howard Newton Burgin to be major.

Robert Earl Hammersberg to be major.

VETERINARY CORPS

Gardiner Bouton Jones to be colonel.

Laurence Robert Bower to be lieutenant colonel, subject to examination required by law.

Russell McNellis to be major.

Richard George Yule to be major.

PHARMACY CORPS

James Coney Bower to be major.

CHAPLAINS

Benjamin Joseph Tarskey to be colonel.

John Francis Monahan to be colonel.

Luther Deck Miller to be colonel.

William Donoghue Cleary to be colonel.

George Frederick Daum to be captain.

IN THE NAVY

TEMPORARY SERVICE

To be medical directors with rank of rear admiral to rank from September 15, 1942

Edward U. Reed — Joseph J. A. McMullin
George C. Thomas — Richard H. Laning
William L. Mann, Jr. — Daniel Hunt

To be pay directors with rank of rear admiral from dates indicated

Frank Baldwin, September 15, 1942.

Everett G. Morsell, September 15, 1942.

Arthur H. Mayo, September 15, 1942.

John J. Gaffney, September 15, 1942.

Malcolm G. Slarrow, November 11, 1942.

To be civil engineers with the rank of rear admiral to rank from dates indicated

Henry F. Bruns, September 15, 1942.

James T. Mathews, September 15, 1942.

John J. Manning, September 15, 1942.

Carl H. Cotter, January 3, 1943.

To be rear admirals from dates indicated

Clifton A. F. Sprague, May 17, 1943.

George R. Henderson, July 1, 1943.

Ralph A. Ofstie, July 17, 1943.

William D. Sample, August 13, 1943.

Walter A. Buck to be pay director with the rank of rear admiral, to rank from March 31, 1943.

Albert G. Noble to be commodore to continue while serving in the Seventh Amphibious Force, to rank from June 20, 1944.

Frank E. Beatty to be rear admiral, to rank from December 8, 1942.

Cortlandt C. Baughman to be commodore, to continue while serving as commander of a naval base, to rank from September 17, 1943.

William M. Quigley to be commodore, to continue while serving as deputy commander, Forward Areas, Central Pacific, to rank from October 4, 1943.

Frank J. Wille to be rear admiral, to rank from May 13, 1942.

Albert M. Penn to be rear admiral, to rank from May 13, 1942.

Carl A. Trexel to be civil engineer with the rank of rear admiral, to rank from January 1, 1943.

Virgil E. Korns to be commodore, to continue while serving in command of the amphibious bases in the United Kingdom.

Edmond J. Moran to be commodore, to continue while serving as Assistant Deputy Administrator for Small Vessels, War Shipping Administration, or for such other duty as may be assigned.

John L. McCrea to be rear admiral, to rank from November 1, 1942.

Oliver O. Kessing to be commodore, to continue while serving as an island commander, Pacific Ocean areas.

IN THE MARINE CORPS

TEMPORARY SERVICE

Franklin A. Hart to be brigadier general for temporary service from September 25, 1942.

POSTMASTERS

ALABAMA

Sarah F. White, Arley.

Susie R. White, Baileyton.

John U. Walker, Bankston.

Robert B. Dennis, Beaverton.

Pearce Goggans, Bexar.

Mabel J. King, Billingsley.

Andrew S. Weaver, Brookwood.

Irma C. Gabbett, Camp Hill.

Maude A. Bynum, Cleveland.

Flora Ballard, Detroit.

Benjamin F. Blanton, Fernbank.

Lona W. Auxford, Flat Creek.

Annie K. Gilmer, Fulton.

Virginia C. Roberts, Gainesville.

John W. Collins, Jr., Gallion.

Auvia C. Byrd, Holly Pond.

Bernice R. Roberts, Joppa.

Nettie T. Waldrup, McCalla.

George E. Culver, Mountain Creek.
Thomas B. Thompson, Piper.
Lizzie H. Barton, Sipsey.
Walter W. Blackidge, Spruce Pine.
Janie Turner Wheeler, Steele.
Pearl Callahan, Steppville.
Beula V. White, Sterrett.

ILLINOIS

Samuel J. Hicks, Bonnie.
Clarence V. Compton, Browns.
John Hoelting, Carlinville.
Gertrude Tippy, Carterville.
Marilla Clover, Cisco.
John H. Leathers, Claremont.
Nellie Blohm, Coal Valley.
Raleigh Miller, Colp.
Oscar L. Dean, Cooksville.
Grace A. Morrison, Dalton City.
Eugene R. Ditzler, Davis.
Mabel E. Conroy, Emington.
Mary C. Schosser, Essex.
Edith Wieman, German Valley.
Marion W. Payne, Golf.
June T. Snider, Gorham.
William Jesse Ribble, Hettick.
Mary E. Donahue, Kenilworth.
Fannie L. Prater, Kilbourne.
Samuel V. Simpson, Mill Shoals.
Laura B. Hayes, Monroe Center.
Ada M. Tate, Mount Zion.
William T. Steiner, Niota.
Wales S. Stamper, Olympia Fields.
Clyde Marlow, Opdyke.
Julius C. Gouy, Panama.
Francis W. Walters, Roberts.
Victor M. Wallace, Roscoe.
Lena C. Kirts, Ste. Marie.
Henrietta Hinds, Secor.
Stella Bossong, Serena.
Fred E. Donaldson, Shobonier.
Carney V. Kerley, Simpson.
Bathews A. Jones, Sims.
Lona L. Manuel, Smithfield.
Jeff Mitchell, Ursa.
John G. Finch, Verona.
Raymond E. Browning, Waggoner.
Sarah B. Gordon, West Point.
Dewey Coomes, Wolf Lake.

LOUISIANA

Ernest L. Robichaux, Montegut.

MARYLAND

Norman J. Hutchison, Cordova.
Minnie L. Wilson, Eden.
Alice L. Eaton, Edgewater.
Richard G. Williams, Funkstown.
Joseph H. R. Talbott, Hanover.
Dorothy G. Hayden, Hollywood.
Travis D. Knode, Keedysville.
Nathan W. Childs, Millersville.
Herbert O. Trott, Owings.
B. Gorman Swann, Piney Point.
Beulah E. Powell, Powellsville.
Mabel B. Disharoon, Quantico.
Marion L. Clark, Queen Anne.
Alma M. Yeatman, Ridge.
Genevieve H. Johnston, Timonium.

MISSOURI

Ola K. Pumphrey, Broseley.
Helen R. Land, Leasburg.
Oden W. Craighead, New Bloomfield.
Bernard Francis Dickmann, St. Louis.

NEW YORK

John A. Briars, Cold Water.
Sidney G. Potter, Eaton.
Paul J. Perrault, Johnson City.
John M. Paul, White Plains.

NORTH CAROLINA

Margaret Vinson, Autryville.
Eugenia W. Walters, Blanch.
Thomas O. Minton, Champion.
Elsie B. Godley, Chocowinity.
Lucy Kelly, Coats.
Lucile McI. Hemingway, Godwin.
Benjamin F. Gough, Hamptonville.
Allan C. Haley, Hanes.
Walter J. Wynne, Havelock.
Hettie M. Baum, Kitty Hawk.
Jacob C. Nye, Orrum.
Paul V. Fitzgerald, Pelham.
Fannie B. Duval, Polloksville.
Thomas A. Gentry, State Road.

OKLAHOMA

Woodrow Wilson Moody, Calera.
Ira Earl McCann, Calumet.
Edna M. Smith, Deer Creek.
Millard B. Means, Dewey.
Robert A. Shepherd, Tecumseh.

OREGON

Charles P. Hunter, Colton.
Lynn A. Wheeler, Mapleton.
Lenora Hunter, Mosier.
Stella A. Howard, Mulino.
Valera McDonald, Shedd.
Chester F. See, Warm Springs.

TENNESSEE

Allye Jane Jones, Bartlett.
John F. Hall, Birchwood.
Tressa Connell, Eads.
Lizzie Roney, Fountain Head.
Ethelyne M. Peacher, Indian Mound.
Mabel B. Reasoner, Joelton.
Guy R. Huffaker, Kodak.
Jessie P. Bledsoe, Minor Hill.
Sarah E. Dickey, Mulberry.
Ashton B. Wood, Normandy.
Berbin Ellis, Robbins.
Evelyn B. Young, Shell Creek.
Martha Thomas Sykes, Stewart.
Virgil Banks, Summitville.
John T. Malone, Taft.
Robert C. Mobley, Tennessee Ridge.
Mary Lou Cannon, Thompsons Station.
Nelson B. Rucker, Washburn.
Loulie Turner, Westpoint.

VIRGINIA

Samuel T. Ish, Aldie.
Ethel C. Cooksey, Amissville.
Elizabeth E. Epperson, Ararat.
William C. Crowe, Atkins.
William H. Sproles, Benhams.
Mae Z. Reynolds, Blue Ridge.
Rena R. Carter, Burke.
Grayson M. Sandy, Callao.
Allie J. Renick, Callaway.
Francis S. Shockey, Copper Hill.
Frank E. Pope, Drewryville.
Irvin T. Arthur, Driver.
James J. Orr, Dryden.
Charles H. Jones, Dry Fork.
Elizabeth P. Tompkins, Duffield.
Vivian H. Hale, Elk Creek.
Sidney B. Henson, Elliston.
Alvis T. Davidson, Faber.
Elma R. Flippo, Fairfield.
Adelia L. Humphries, Fentress.
Charles E. Black, Fordwick.
Edgar B. Shumate, Glen Lyn.
James S. McCauley, Goodes.
Lloyd B. Williams, Hayes Store.
Thomas R. Looney, Keen Mountain.
Verda E. Thompson, Keokee.
Dorothy D. Turner, Lyndhurst.
Ada C. Hilbish, Piney River.
Mercer E. Thomas, Pounding Mill.
George J. Akers, Riner.
Ruben L. Ford, Roda.
Oswald M. Hall, St. Charles.
Mary V. Owen, Sedley.
Alice T. Coleman, Spotsylvania.
Janie A. Boyd, Stonega.
Ellis M. Calhoun, Sugar Grove.
John A. Vernon, Sutherlin.
Frances I. Brown, Swoope.
Annie E. Gallimore, Sylvatus.
Julia E. West, Tasley.
M. Frances McManaway, Thaxton.
Ruby T. W. Parr, Tye River.
Sidney D. Mangus, Vesuvius.
Roland S. Sheppard, Walkerton.
Jennings J. James, Waterford.
Imogen E. Daniel, Weems.
William C. Carter, Whitetop.

VIRGIN ISLANDS

Alvaro de Lugo, Charlotte Amalie.

WASHINGTON

George W. Adams, Lebam.
Ernest E. Cain, Malden.
Margaret Ellen Randall, Manchester.

WEST VIRGINIA

John E. Greene, Adrian.
Russell M. Yeager, Carbon.
Albert E. Adams, Cassville.
Louise Brown, Chelyan.
Pearl Varney, Crum.
Claude Handley, Culloden.
Donald C. Shonk, Dawes.
John O. P. Johnson, Delislow.
Charlotte Mitchell, Diamond.
Elizabeth M. Tabor, East Lynn.
Maggie DeMary, Enterprise.
Paul E. Thomas, French Creek.
Arch C. Moore, Glasgow.
Everett B. Wray, Glen White.
Guy R. Avey, Great Cacapon.
William H. Ryan, Hendricks.
Ray E. Craddock, Henlawson.
Van B. Stith, Highcoal.
Frank O. Trump, Kearneysville.
Buster G. Bowling, Lester.
Grace V. Crow, Letart.
Louise W. Davis, Lookout.
Lacy P. Wallace, McAlpin.
Virgil L. Mathias, Mathias.
Estrue K. Harrah, Meadow Bridge.
Gusta Gall, Moatsville.
Veda M. Dunham, Proctor.
Lora E. Ambler, Red House.
Amer W. Loughry, St. George.
Orion G. Callison, Slab Fork.
Robert E. Wilson, Stanaford.
Sada S. Goode, Stirrat.
Emmett W. Williams, Stotesbury.
Edmund C. Berkeley, Van.
Edith Mead, Wilsonburg.
James N. Flanigan, Wolf Summit.

SENATE

THURSDAY, AUGUST 24, 1944

(Legislative day of Tuesday, August 15, 1944)

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

Rev. John R. Edwards, D. D., associate minister, Foundry Methodist Church, Washington, D. C., offered the following prayer:

God of the ages! God of this age! We turn our thoughts to Thee. We come in reverence and humility at remembrance of Thy greatness and Thy holiness. Grant us Thy grace in our struggle toward right understanding, world reconstruction, and permanent peace. Thy part in all of this is constant; ours only is the variable. We this day remember our allies. We pray for them as brothers in the great world struggle. We remember our enemies as brothers alienated by misunderstandings and false aims. As we pray for them in terms of changed world conditions and of heart, we pray Thee purge our motives from bias, bigotry, and malice.

Give courage and guidance to all our armed forces. Be near to our sons and brothers who fall in battle. Hold them in Thy embrace and grant them life eternal through the merits of the Saviour. Remember their loved ones in Thy compassion.

Direct Thy servants of this body in all their work this day. To Thee shall be the praise and the glory. Amen.